



**IN THE COURT OF CRIMINAL APPEALS  
OF TEXAS**

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**NO. AP-76,923**

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**RICKEY DONNELL CUMMINGS, Appellant**

**v.**

**THE STATE OF TEXAS**

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**ON DIRECT APPEAL FROM CAUSE NO. 2011-1315-C1  
IN THE 19<sup>TH</sup> DISTRICT COURT  
McLENNAN COUNTY**

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**PRICE, J., filed an opinion concurring in part and dissenting in part.**

**CONCURRING AND DISSENTING OPINION**

I concur in the Court's judgment affirming the appellant's conviction for capital murder. But, for reasons developed in my dissenting statement in *Ex parte Panetti*,<sup>1</sup> I dissent to the Court's judgment upholding the appellant's sentence of death.

FILED: December 17, 2014  
DO NOT PUBLISH

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<sup>1</sup>

*Ex parte Panetti*, \_\_\_ S.W.3d \_\_\_, No. WR-37,145-04, 2014 Tex. Crim. App. LEXIS 1074, at \*2-9 (Tex. Crim. App. Nov. 26, 2014) (Price, J., dissenting).