



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

NO. WR-82,131-01

EX PARTE KYLE W. GUTHRIE, Applicant

**ON APPLICATION FOR A WRIT OF HABEAS CORPUS
CAUSE NO. 13484 IN THE 118TH DISTRICT COURT
FROM HOWARD COUNTY**

YEARY, J., filed a dissenting opinion.

DISSENTING OPINION

I dissent for the reasons stated in my dissenting opinion in *Ex parte Fournier*, 473 S.W.3d 789 (Tex. Crim. App. 2015).

FILED: January 27, 2016
DO NOT PUBLISH