



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

NO. PD-1094-20

KENDALL BIGGS, Appellant

v.

THE STATE OF TEXAS

**ON STATE'S PETITION FOR DISCRETIONARY REVIEW
FROM THE SIXTH COURT OF APPEALS
SMITH COUNTY**

YEARY, J., filed a dissenting opinion in which SLAUGHTER, J., joined.

DISSENTING OPINION

For the reasons set out in my dissenting opinion in *Dulin v. State*, ___ S.W.3d ___, Nos. PD-0856-19 & PD-1857-19, 2021 WL 1202400 (Tex. Crim. App. Mar. 31, 2021), I respectfully dissent to the Court's disposition of the State's petition for discretionary review.

FILED:
DO NOT PUBLISH

May 12, 2021