



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

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**NO. PD-0087-12**

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**VAUGHN RAY BELL, Appellant**

**v.**

**THE STATE OF TEXAS**

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**ON APPELLANT'S PETITION FOR DISCRETIONARY REVIEW  
FROM THE SIXTH COURT OF APPEALS  
FANNIN COUNTY**

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**MEYERS, J., filed a dissenting opinion.**

**DISSENTING OPINION**

I agree with the court of appeals that it was constitutional error for the trial judge to order Appellant to be shackled during his trial. I disagree that this error was harmless. Unlawful and uncalled for shackling has a substantial effect on the jury's view of the defendant. The fact that a defendant is shackled without cause gives the jury the perception that he is a much more dangerous criminal and may prevent him from receiving a fair trial. Because we cannot determine beyond a reasonable doubt that the

error did not contribute to Appellant’s conviction or punishment, I would hold that Appellant was harmed by the trial judge’s error and would reverse the court of appeals.

Therefore, I respectfully dissent.

Filed: September 18, 2013

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