



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

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**NO. PD-1231-11**

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**RICKEY DEWAYNE ABNEY, Appellant**

**v.**

**THE STATE OF TEXAS**

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**ON APPELLANT'S PETITION FOR DISCRETIONARY REVIEW  
FROM THE FIFTH COURT OF APPEALS  
KAUFMAN COUNTY**

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**MEYERS, J., delivered the opinion of the Court in which KELLER, P.J.,  
and PRICE, JOHNSON, HERVEY, COCHRAN, and ALCALA, JJ., joined.  
WOMACK and KEASLER, JJ., concurred.**

**O P I N I O N**

Appellant filed a motion to suppress evidence after he was found in possession of marijuana during a traffic stop. The trial court denied the motion, and Appellant subsequently pled nolo contendere to the marijuana possession charge. He was sentenced to fifteen days in county jail. Appellant appealed the conviction, and the court of appeals