

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT JACKSON
September 10, 2002 Session

STATE OF TENNESSEE v. ARTEZ L. MOREIS

**Criminal Court for Shelby County
No. 99-11512**

No. W2002-00474-CCA-R3-CD - Filed April 2, 2003

DISSENTING OPINION

I respectfully dissent. For those reasons expressed in *State v. Vernon Dewayne Waller*, No. M2001-02414-CCA-R3-CD (Tenn. Crim. App. at Nashville, Aug. 23, 2002), *perm. to appeal granted*, (Tenn. 2002), I find no error in the admission of the defendant's prior felony drug convictions for purposes of impeachment.

The illegal sale of drugs is an extremely profitable criminal enterprise and its very nature involves a sustained intent to violate the law and the use of deceptive practices. *State v. Christopher Knighton*, No. E2000-00746-CCA-R3-CD (Tenn. Crim. App. at Knoxville, Mar. 14, 2001). These crimes are normally not detected in the absence of a police undercover operation. *Id.* People who deal in drugs frequently suffer an addiction to drugs and commit other crimes to obtain money to buy drugs. *Id.* These circumstances all involve elements of dishonesty. *Id.* We agree with this court's opinion in *State v. Christopher Knighton* and find that the better reasoned view is expressed in those cases which hold that felony drug convictions are relevant to the issue of credibility.

Id.

The trial court's decision to admit a prior conviction under Rule 609 will not be reversed on appeal, unless the trial court abused its discretion. *State v. Blanton*, 926 S.W.2d 953, 960 (Tenn. Crim. App. 1996). Finding no abuse of discretion, I would affirm the convictions.

DAVID G. HAYES, JUDGE