

IN THE SUPREME COURT OF TENNESSEE
AT KNOXVILLEDecember 3, 2025 Session Heard at Dayton¹

STATE OF TENNESSEE v. ANTHONY CORNELIUS BAYLIS

Appeal by Permission from the Court of Criminal Appeals
Circuit Court for Monroe County
No. 21284CRM Andrew M. Freiberg, Judge

No. E2023-00886-SC-R11-CD

During a sting operation, Anthony Cornelius Baylis solicited sex from an undercover officer posing as a sixteen-year-old girl, encouraged her to come to Knoxville so that she could charge higher rates, and offered to be her “sponsor.” A jury convicted Baylis of commercial sex trafficking under Tennessee Code Annotated section 39-13-309 (2018 & Supp. 2020). Baylis argues that the evidence was insufficient to support his conviction. To resolve Baylis’s sufficiency-of-the-evidence challenge, we must determine whether section 39-13-309 proscribes the attempted sex trafficking of a law enforcement officer posing as a minor during a sting operation when there is no evidence of coercion or deception. We conclude that it does, so we affirm Baylis’s conviction and the judgment of the Court of Criminal Appeals.

**Tenn. R. App. P. 11 Appeal by Permission; Judgment of the Court of Criminal
Appeals Affirmed**

SARAH K. CAMPBELL, J., delivered the opinion of the Court, in which JEFFREY S. BIVINS, C.J., and HOLLY KIRBY, DWIGHT E. TARWATER, and MARY L. WAGNER, JJ., joined.

Robert L. Jolley, Jr., Knoxville, Tennessee, for the appellant, Anthony Cornelius Baylis.

Jonathan Skrmetti, Attorney General and Reporter; J. Matthew Rice, Solicitor General; and Aaron L. Bernard, Assistant Solicitor General, for the appellee, State of Tennessee.

Gregory F. Miller, Seattle, Washington, and Cameron T. Norris, Arlington, Virginia, for the Amici Curiae, Restore Corps, AncoraTN, Street Grace, and Community Coalition Against Human Trafficking.

¹ Oral argument was heard in this case on the campus of Bryan College in Dayton, Tennessee, as part of the S.C.A.L.E.S. (Supreme Court Advancing Legal Education for Students) project.

OPINION

I.

A.

In 2021, the Tennessee Bureau of Investigation (“TBI”) conducted a sting operation in Monroe County that targeted individuals soliciting sex from known escort websites. To entice potential customers, the TBI’s human trafficking unit placed an advertisement on a “paid for sex” website called “Mega Personals.” The advertisement included photos of a fictitious escort described as a “[s]exy hottie with a whole lotta body.” According to the posting, the escort was twenty-two years old. The fictitious escort listed her location as Sweetwater, Tennessee, but was advertising in Knoxville. The advertisement included a phone number and the following details: “Hey fellas! Sexy curvy and all fun!! Satisfaction guaranteed look no further Funsized and available .. HMU! 100% real no games very discreet. Call now!!! Available for Incalls only!!!”

On May 26, 2021, Baylis texted the number included in the advertisement. TBI Agent Meredith Simmons was on the receiving end of the text message. Believing he was messaging an escort, Baylis asked Agent Simmons what she charged per hour and where they could meet.

After some discussion regarding location, Agent Simmons told Baylis, “[you] gotta wear a condom bc im 16 and cant get pregnant.” Baylis was initially hesitant. He messaged Agent Simmons, “I can’t do no underage love,” and a few minutes later, “Damn why you have to be a minor.” Agent Simmons told him to let her know if he changed his mind. Baylis apparently did change his mind less than a minute later when he asked Agent Simmons if she could meet at the Weigel’s in Sweetwater that evening.

After exchanging a few more texts, Baylis told Agent Simmons that she “need[ed] a sponsor.” When Agent Simmons asked Baylis what he meant by that, the following exchange occurred:

Baylis: You not making shit down there. You need to come to Knox if you want to get money

Agent Simmons: im making money here

Baylis: Real money love

Agent Simmons: how would I make more money there

Baylis: More available clients you're far from the money. You get in a bigger city you can charge like 250-300 an hour

Agent Simmons: well maybe ill cum there later

Agent Simmons: but im making some money here right now

Baylis: Yes but you're in a fucked up county

. . . .

Baylis: Where you from

Agent Simmons: i travel around

Baylis: What if I wanted you to stay around for a while

Agent Simmons: what

Baylis: Keep you around here

Agent Simmons: are you gonna help me or something?

Baylis: Duh

Baylis: It goes both ways

Agent Simmons: what would i do for you?

Baylis: Assist me with day to day operations if I need your help

About twenty-five minutes after this exchange, Baylis told Agent Simmons he was “[p]ulling up at the [W]eigel[']s.” When Baylis arrived, Agent Simmons instructed Baylis to meet her in room 104 at the neighboring Quality Inn. Law enforcement officials had wired the room with audio and video recording equipment and were monitoring Baylis’s interaction with Agent Simmons from a nearby location. When Baylis entered the room, he called Agent Simmons “a young thing” and implored her to “come to the city [i.e., Knoxville] to make money.” Baylis gave Agent Simmons \$120 for the hour, grabbed a condom, and began removing his pants. At that moment, officers entered the room and arrested Baylis.

B.

A grand jury indicted Baylis for trafficking for a commercial sex act in violation of Tennessee Code Annotated section 39-13-309 or, in the alternative, for patronizing prostitution in violation of Tennessee Code Annotated section 39-13-514 (2018 & Supp. 2020). At trial, the State elected to proceed only with the trafficking charge on the theory that Baylis intended to “take [Agent Simmons] to Knoxville so [that] she could start earning ‘real money,’ while [Baylis] acted as her ‘sponsor.’” Or as the State put it during its closing argument, Baylis intended to “pimp [Agent Simmons] out.”

Tennessee Code Annotated section 39-13-309(a) provides that a person commits the offense of trafficking a person for a “commercial sex act” when he:

- (1) Knowingly subjects, attempts to subject, benefits from, or attempts to benefit from another person’s provision of a commercial sex act;
- (2) Recruits, entices, harbors, transports, provides, purchases, or obtains by any other means, another person for the purpose of providing a commercial sex act; or
- (3) Commits the acts in this subsection (a) when the intended victim of the offense is a law enforcement officer or a law enforcement officer eighteen (18) years of age or older posing as a minor.

Id. § 39-13-309(a)(1)–(3).

Tennessee Code Annotated section 39-13-301(4), in turn, defines a “commercial sex act” as:

- (A) Any sexually explicit conduct for which anything of value is directly or indirectly given, promised to or received by any person, which conduct is induced or obtained by coercion or deception or which conduct is induced or obtained from a person under eighteen (18) years of age; or
- (B) Any sexually explicit conduct that is performed or provided by any person, which conduct is induced or obtained by coercion or deception or which conduct is induced or obtained from a person under eighteen (18) years of age[.]

Id. § 39-13-301(4)(A)–(B) (2018).

At the close of evidence, Baylis moved for a judgment of acquittal, arguing that the State had failed to prove a requisite “commercial sex act” as defined by Tennessee Code

Annotated section 39-13-301(4). The trial court denied Baylis’s motion, and the jury convicted Baylis of one count of trafficking for a commercial sex act. Following the jury’s verdict, Baylis renewed his motion for a judgment of acquittal. The trial court denied the motion and affirmed the jury’s verdict as the thirteenth juror. Baylis appealed.

C.

On appeal, Baylis argued that the trial court erred in denying his motion for a judgment of acquittal because the State failed to prove a requisite “commercial sex act” as defined by Tennessee Code Annotated section 39-13-301(4). *State v. Baylis*, No. E2023-00886-CCA-R3-CD, 2024 WL 4381138, at *5 (Tenn. Crim. App. Oct. 3, 2024). In Baylis’s view, because Agent Simmons was not an actual minor, the State was required to prove that Baylis attempted to obtain or induce sexually explicit conduct by coercion or deception. *Id.* at *6. And because it was undisputed that the State did not offer evidence of coercion or deception at trial, Baylis contended that insufficient evidence existed to support his conviction under section 39-13-309. *Id.*

The Court of Criminal Appeals rejected this argument and affirmed Baylis’s conviction. *Id.* at *14. The Court of Criminal Appeals reasoned that, because section 39-13-309(a)(1) includes *attempted* trafficking as part of the offense conduct, the State did not need to prove that the victim was actually a minor. *Id.* at *7. It was enough that the State proved that Baylis attempted to recruit Agent Simmons for sex work, believing that she was sixteen years old. *Id.* at *7–8, *14.

Baylis sought permission to appeal to this Court. We granted review to answer a single question: Whether there was sufficient evidence to convict Baylis of trafficking for a commercial sex act where the definition of “commercial sex act” in Tennessee Code Annotated section 39-13-301(4) requires sexually explicit conduct that “is induced or obtained by coercion or deception” or “induced or obtained from a person under eighteen (18) years of age.” *State v. Baylis*, No. E2023-00886-SC-R11-CD, 2025 WL 1503114, at *1 (Tenn. May 23, 2025).

II.

When a criminal defendant challenges the sufficiency of the evidence, we review the evidence presented at trial to “determine whether ‘any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.’” *State v. Parker*, 350 S.W.3d 883, 903 (Tenn. 2011) (quoting *Jackson v. Virginia*, 443 U.S. 307, 319 (1979)). Because a “guilty verdict replaces the defendant’s presumption of innocence with a presumption of guilt . . . , the defendant has the burden of proving that the evidence is insufficient.” *State v. Rimmel*, 710 S.W.3d 640, 645 (Tenn. 2025) (citing *State v. Carruthers*, 35 S.W.3d 516, 557–58 (Tenn. 2000)). And the State is entitled to “the

strongest legitimate view of the evidence and any reasonable inferences that may be drawn from it.” *Id.* at 645 (quoting *State v. Hawkins*, 406 S.W.3d 121, 131 (Tenn. 2013)).

Baylis’s sufficiency-of-the-evidence challenge involves a dispute about the meaning of section 39-13-309 and the statutory definition of “commercial sex act” in section 39-13-301(4). We review those questions of statutory interpretation *de novo*, with no presumption of correctness. *State v. Curry*, 705 S.W.3d 176, 183 (Tenn. 2025). We interpret statutes by asking “how a reasonable reader, fully competent in the language, would have understood the text at the time it was issued.” *State v. Deberry*, 651 S.W.3d 918, 924 (Tenn. 2022) (quoting Antonin Scalia & Bryan A. Garner, *Reading Law: The Interpretation of Legal Texts* 33 (2012)). We give a statute’s words their “natural and ordinary meaning in the context in which they appear and in light of the statute’s general purpose.” *Id.* at 925 (quoting *Ellithorpe v. Weismark*, 479 S.W.3d 818, 827 (Tenn. 2015)).

We do not read statutory terms in isolation. Rather, we consider the whole text of the statute and interpret its terms “so that no part will be inoperative, superfluous, void or insignificant.” *Bailey v. Blount Cnty. Bd. of Educ.*, 303 S.W.3d 216, 228 (Tenn. 2010) (quoting *Tidwell v. Collins*, 522 S.W.2d 674, 676 (Tenn. 1975)). We also consider the broader “statutory framework.” *Coffee Cnty. Bd. of Educ. v. City of Tullahoma*, 574 S.W.3d 832, 846 (Tenn. 2019). “When a statute’s meaning is clear and unambiguous after consideration of the statutory text, the broader statutory framework, and any relevant canons of statutory construction, we ‘enforce the statute as written.’” *Deberry*, 651 S.W.3d at 925 (quoting *Johnson v. Hopkins*, 432 S.W.3d 840, 848 (Tenn. 2013)).

III.

As Baylis sees things, the State was required to prove either that his intended victim was a minor or that he attempted to induce sexually explicit conduct using coercion or deception. Because Agent Simmons was not actually a minor and the State introduced no proof of coercion or deception, his argument goes, the evidence was insufficient to support his conviction for commercial sex trafficking.

The State has two responses. First, echoing the Court of Criminal Appeals’ reasoning, the State asserts that because section 39-13-309 criminalizes *attempted* commercial sex trafficking, evidence that Baylis believed Agent Simmons to be a minor was sufficient to support his conviction, even if she was not actually a minor. Second, the State argues that sufficient evidence supports Baylis’s conviction because section 39-13-309(a)(3) unambiguously criminalizes the attempted sex trafficking of a law enforcement officer posing as a minor. We start with the State’s second argument. And because we agree with the State that section 39-13-309(a)(3) prohibits Baylis’s conduct, we do not reach the State’s other argument regarding attempt.

A.

The first step in any sufficiency-of-the-evidence challenge is to determine what elements the State had to prove to convict the defendant. *Rimmel*, 710 S.W.3d at 646 (citing *State v. Miller*, 638 S.W.3d 136, 158 (Tenn. 2021)). Baylis was convicted of commercial sex trafficking under Tennessee Code Annotated section 39-13-309(a). As relevant here, subsection -309(a) provides that “[a] person commits the offense of trafficking a person for a commercial sex act who”:

(1) Knowingly subjects, attempts to subject, benefits from, or attempts to benefit from another person’s provision of a commercial sex act; [or]

....

(3) Commits the acts in this subsection (a) when the intended victim of the offense is a law enforcement officer or a law enforcement officer eighteen (18) years of age or older posing as a minor.

Tenn. Code Ann. § 39-13-309(a)(1), (3).

The State contends that the evidence was sufficient to convict Baylis under subsection -309(a)(3) because a rational juror could conclude that Baylis attempted to benefit from the provision of a commercial sex act by an undercover officer posing as a minor. According to the State, subsection -309(a)(3) modifies the general prohibition in subsection -309(a)(1) by clarifying that trafficking occurs when a person commits the acts specified elsewhere in subsection -309(a) and the intended victim is an officer posing as a minor.

We agree with the State that subsection -309(a)(3) prohibits Baylis’s conduct. Subsection -309(a)(3) makes it a crime to “commit[] the acts in this subsection (a) when the intended victim of the offense is . . . a law enforcement officer eighteen (18) years of age or older posing as a minor.” *Id.* § 39-13-309(a)(3). It is undisputed that Baylis’s intended victim—Agent Simmons—is a law enforcement officer who was posing as a minor. So the critical question is whether Baylis “commit[ted] the acts in this subsection (a).” *Id.*

The phrase “acts in subsection (a)” is best understood to mean the offense conduct specified in subsections (a)(1) and (a)(2). That conduct includes “attempt[ing] to benefit from another person’s provision of a commercial sex act.” *Id.* § 39-13-309(a)(1). But recall that “commercial sex act” is defined in section 39-13-301(4) to mean sexually explicit conduct that is “induced or obtained by coercion or deception” or “induced or obtained from a person under (18) years of age.” *Id.* § 39-13-301(4). Whether Baylis “commit[ted]

the acts in this subsection (a)” thus turns on whether that definition also limits the reach of subsection -309(a)(3).

Section 39-13-301 provides that the definitions enumerated in that section apply throughout Title 39, Chapter 13, Part 3 of the Tennessee Code Annotated “unless the context otherwise requires.” *Id.* § 39-13-301. We are persuaded that the context of subsection -309(a)(3) requires a different understanding of commercial sex act for purposes of that subsection.

By its plain terms, subsection -309(a)(3) applies when “the intended victim of the offense is . . . a law enforcement officer eighteen (18) years of age or older posing as a minor.” *Id.* § 39-13-309(a)(3). Strictly adhering to the statutory definition of “commercial sex act” would require us to limit the application of subsection -309(a)(3) to situations where the victim was actually a minor or the defendant used coercion or deception. The text of subsection -309(a)(3) forecloses that approach and requires reading commercial sex act to include inducing or obtaining sexually explicit conduct from “a law enforcement officer eighteen (18) years of age or older posing as a minor.” *Id.*

Significantly, moreover, subsection -309(a)(3) was enacted *after* the definition of “commercial sex act.” The General Assembly first created the crime of trafficking for a commercial sex act in 2012. *See* Act of May 21, 2012, ch. 1075, § 1, 2012 Tenn. Pub. Acts 1906, 1906; Tenn. Code Ann. §§ 39-13-301, -309 (Supp. 2012). The General Assembly initially defined “commercial sex act” as “any sexual act for which something of value is given or received.” Tenn. Code Ann. § 39-13-301(4) (Supp. 2012). But the following year, the General Assembly amended the definition of “commercial sex act” to its present form. *See* Act of May 20, 2013, ch. 465, § 3, 2013 Tenn. Pub. Acts 1498, 1498.² The General Assembly did not enact section 39-13-309(a)(3) until 2019. *See* Act of April 9, 2019, ch. 123, § 1, 2019 Tenn. Pub. Acts 313, 313.

We presume the legislature was aware of its earlier definition of “commercial sex act” when it enacted subsection -309(a)(3). *See Davis v. State*, 313 S.W.3d 751, 762 (Tenn. 2010); *Lawson v. Hawkins Cnty.*, 661 S.W.3d 54, 63 n.7 (Tenn. 2023). As the later-enacted provision, subsection -309(a)(3) controls over the definition of “commercial sex act” to the

² The current definition of “commercial sex act” is nearly identical to the legislature’s previous definition of “sexual servitude.” *See* Tenn. Code Ann. § 39-13-301(5)(A) (2010) (defining “sexual servitude” as “[a]ny sexually explicit conduct . . . for which anything of value is directly or indirectly given, promised to, or received by any person, which conduct is induced or obtained by coercion or deception or which conduct is induced or obtained from a person under the age of eighteen (18) years”). The definition of “sexual servitude” was adopted in 2008 when the legislature created the offense of trafficking a person for sexual servitude. *See* Act of June 13, 2008, ch. 1140, §§ 2, 3, 2008 Tenn. Pub. Acts 906, 909, 911. The legislature eliminated both the offense of trafficking a person for sexual servitude and the definition of sexual servitude when it created the offense of trafficking for a commercial sex act in 2012. *See* Act of May 21, 2012, ch. 1075, § 2, 2012 Tenn. Pub. Acts 1906, 1906–07.

extent the two provisions are inconsistent. *See Lovlace v. Copley*, 418 S.W.3d 1, 20–21 (Tenn. 2013) (concluding that the more specific and more recently enacted provision controlled); *Stonega Coke & Coal Co. v. S. Steel Co.*, 131 S.W. 988, 991 (Tenn. 1910) (“[W]hen two distinct enactments cover the same subject matter, the last act will be held to repeal by implication the prior. . . . However, it is equally well settled that repeals by implication are not favored, . . . unless there is irreconcilable repugnancy between the two.”).

We therefore conclude that subsection -309(a)(3) reaches the offense conduct specified in subsection -309(a)(1) and (a)(2) when the intended victim is a law enforcement officer posing as a minor, regardless of the statutory definition of “commercial sex act.” Within the context of subsection -309(a)(3), a “commercial sex act” includes sexually explicit conduct induced or obtained from an adult law enforcement officer posing as a minor.³

B.

The question remains whether there was sufficient evidence for a rational jury to convict Baylis of commercial sex trafficking. We conclude that there was.

The State’s theory at trial was that Baylis attempted to benefit from another person’s provision of a commercial sex act. The State introduced evidence that Baylis urged Agent Simmons—a law enforcement officer who was posing as a minor and whom Baylis believed to be a minor—to join him in Knoxville for sex work. Baylis told Agent Simmons that she “need[ed] a sponsor” and that she could make more money from customers in Knoxville in exchange for helping him with “day to day operations.” The State’s TBI witness testified that “sponsor” is another word for “trafficker” or “pimp” and that asking someone to assist with “day-to-day operations” is consistent with recruiting a female for sex work. Baylis traveled to Sweetwater to meet Agent Simmons, entered the hotel room, again urged her to come to Knoxville, and only stopped when law enforcement officers entered the room.

A rational juror could easily conclude from this evidence that Baylis attempted to benefit from Agent Simmons’s provision of sexually explicit conduct by recruiting her to perform sex work for customers in Knoxville. Baylis’s arguments to the contrary largely rely on his view that the State was required to prove coercion or deception if the victim was not actually a minor. But we rejected that argument above.

³ Because the question is not at issue here, we do not address whether the State must prove that the defendant used coercion or deception to obtain or induce sexually explicit conduct from an adult law enforcement officer posing as an *adult* escort.

Baylis also contends that Agent Simmons was not posing as a minor, because the advertisement indicated that she was twenty-two and he did not “believe her to be a minor based on the circumstances.” But the State introduced evidence that Agent Simmons told Baylis she was sixteen, that Baylis initially hesitated to continue communicating with Agent Simmons after learning that information, and that he nevertheless arranged to meet Agent Simmons for sex. Moreover, when Baylis met Agent Simmons at the hotel, he called her “a young thing” and again urged her to join him in Knoxville. A rational juror could easily conclude from this evidence that Baylis believed he was communicating with a minor and that his intended victim was a law enforcement officer posing as a minor.

Baylis also points to various distinctions between solicitation and trafficking, but it is unclear to what end. Although the grand jury indicted Baylis for both trafficking and patronizing prostitution, the State elected to pursue only the trafficking charge at trial. The question in this appeal is whether Baylis’s conviction for *commercial sex trafficking* was supported by sufficient evidence. Any differences between trafficking and the distinct crime of patronizing prostitution are beside the point.

C.

One final point warrants discussion. Notwithstanding that our order granting permission to appeal was limited to Baylis’s sufficiency-of-the-evidence challenge, Baylis also argues that section 39-13-309 is unconstitutionally vague. Baylis attempted to raise the vagueness issue in the Court of Criminal Appeals, but that court held that he had “waived” the issue by failing to raise it in the trial court. *See Baylis*, 2024 WL 4381138, at *9 (citing Tenn. R. App. Proc. 27(a)(7)(A) and Tenn. Ct. Crim. App. R. 10(b)). The State likewise argues that Baylis “waived” his ability to raise his vagueness argument in this Court.

We agree that it is too late for Baylis to raise his vagueness challenge, but we take this opportunity to clarify the distinction between waiver and forfeiture—terms that “are often conflated and confused.” *Gould v. Interface, Inc.*, 153 F.4th 1346, 1353 (11th Cir. 2025); *see also Houghton v. Malibu Boats, LLC*, 737 S.W.3d 334, 345 n.13 (Tenn. 2025) (noting that “[c]ourts often use the words waiver and forfeiture interchangeably” even though “there is a distinction”). Waiver is the “intentional relinquishment or abandonment of a known right.” *Hamer v. Neighborhood Hous. Servs. of Chi.*, 583 U.S. 17, 20 n.1 (2017) (quoting *United States v. Olano*, 507 U.S. 725, 733 (1993)). Forfeiture, by contrast, is the failure to timely assert a right. *Id.* The “distinguishing feature” between waiver and forfeiture is “intentionality—waiver is purposeful; forfeiture is inadvertent.” *Gould*, 153 F.4th at 1353. From this record, we cannot conclude that Baylis intentionally relinquished his vagueness theory. Thus, the question is not whether Baylis waived his vagueness challenge but rather whether he *forfeited* it.

Although parties can “forfeit positions or issues through their litigation conduct in the [trial] court,” they cannot forfeit “authorities or arguments.” *ECB USA, Inc. v. Chubb Ins. Co. of N.J.*, 113 F.4th 1312, 1320 (11th Cir. 2024), *cert. denied*, 145 S. Ct. 1431 (2025). It is not always easy to draw the line between positions or issues on the one hand, and authorities or arguments on the other. But we have previously precluded parties from raising constitutional challenges for the first time on appeal. *See Lawrence v. Stanford*, 655 S.W.2d 927, 929 (Tenn. 1983); *In re C.A.F.*, 114 S.W.3d 524, 530 (Tenn. Ct. App. 2003). We therefore have little trouble concluding that Baylis’s constitutional challenge is an issue that can be—and has been—forfeited.

Citing our opinion in *State v. Muse*, 967 S.W.2d 764 (Tenn. 1998), Baylis argues that he did not forfeit his vagueness challenge because we have a presumption “against waiver of fundamental constitutional rights.” But *Muse* referenced the “long-standing presumption against waiver of fundamental constitutional rights” only in determining whether the defendant had knowingly relinquished his right to be present during jury voir dire. 967 S.W.2d at 767–68. We concluded that “[t]he relinquishment of a fundamental constitutional right may only be waived personally by the defendant and will not be presumed from a silent record.” *Id.* *Muse* had nothing to do with issue preservation more generally and thus does not help Baylis.

Regardless, even if Baylis had not forfeited his vagueness challenge by failing to raise it in the trial court, we would still decline to consider that issue because it was not included in our order granting permission to appeal. *See State v. Lacy*, 740 S.W.3d 756, 761 n.2 (Tenn. 2026) (declining to address issues that “exceed[ed] the scope of our Rule 11 grant order”).

CONCLUSION

We hold that sufficient evidence supports Baylis’s conviction for commercial sex trafficking under Tennessee Code Annotated section 39-13-309. We therefore affirm Baylis’s conviction and the judgment of the Court of Criminal Appeals.

SARAH K. CAMPBELL, JUSTICE