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granted. The majority writes that the “undisclosed information that Kennedy was an informant in another case was no doubt significant. It might have been utilized as impeachment evidence. To enhance fairness, it should have been provided to the defense.” I agree with the majority’s statements, with one alteration: it would have been used as impeachment evidence. I am unable to say that the withheld information was merely cumulative, and that the result of the trial would not have been different had the defense been able to cross-examine Kennedy about his testimony in another murder trial.

For the reasons stated above, I dissent.