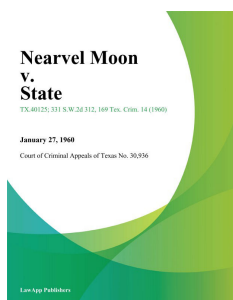


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Author: Court of Criminal Appeals of Texas

Realese Date: Expected @@expectedReleaseDate@@

In his motion for rehearing, appellant insists that the court erred, during the selection of the jury in the case, in ordering additional talesmen summoned by the sheriff from which the jury was completed instead of drawing the names of the jurors from the jury wheel. Appellant relies upon *Coy v. State*, 163 Tex. Crim. 58, 288 S.W.2d 782, in which it was held that in the formation of the jury in a capital case in Bexar County, a county under the jury wheel law, it was error, upon the list of jurors being exhausted, to complete the jury from talesmen summoned by the sheriff under Art. 596 V.A.C.C.P. and that the jury should have been completed from the names of jurors drawn from the jury wheel.

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