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Jury discrepancies call for new hearing

AUSTIN (AP) — The convicted killer of a 5-year-old Corpus Christi boy has been granted a new sentencing hearing because a potential juror in his first case was dismissed over her opposition to the death penalty.

"The erroneous exclusion of even one potential juror because of her views on the death penalty requires reversal" of the original death sentence, a unanimous Court of Criminal Appeals ruled Wednesday.

The state's highest court for criminal cases ruled that state District Judge Joaquin Villareal improperly granted prosecutors' challenge of the potential juror after she called the death penalty "an ineffective deterrent and a waste of time." The woman added, however, that if she felt the death penalty was appropriate in Larry Hatten's case, she could support it.

Prosecutors said the woman obviously was biased against the death penalty law and Villareal agreed, allowing her to be dismissed from jury service.

"We cannot agree," the Court of Criminal Appeals wrote. "(The potential juror) never clearly asserted that she would never vote for the death penalty. (She) unequivocally stated that she could and would vote for the death penalty if the evidence convinced her that it was the appropriate punishment."

The jury seated in Hatten's case convicted him of capital murder and sentenced him to death for the 1995 murder of Isaac Jackson.

The court said prospective jurors who have reservations about the death penalty, but who clearly state that they can honestly follow the law, cannot be excluded from jury service on the grounds that they are biased against the death penalty.

"This means that a (potential juror) is challengeable for cause only if it is established that her views will substantially impair her ability to perform her duties as a juror," the court wrote.

Little Orphan Lambie



Cody Warrington, a junior animal science major, bottles feeds an orphan lamb at the goat and sheep center.

Texas legislator speaks out on scandal

WASHINGTON (AP) — After the sex-and-perjury allegations against President Clinton erupted in January, House Speaker Newt Gingrich swiftly sent word to his Republican troops: Keep quiet.

And remarkably, the rank-and-file have obeyed, heeding the political adage that there's no need to interfere with an opponent when he's busy shooting himself in the foot.

However, a trio of pugnacious senior House Republicans — Majority Leader Dick Armey of Irving, Majority Whip Tom DeLay of Sugar

Land and Rep. Dan Burton of Indiana — have proved the exception.

DeLay launched the first salvo in a House speech last month, accusing Clinton of shying from the truth and urging him to air his dealings with Monica Lewinsky and Kathleen Willey.

"The truth is the only thing now that can preserve the dignity of the presidency," said DeLay, who later surmised that Clinton "could very well be a sexual predator."

While DeLay's attack was planned, with advance billing given to reporters, Armey's broadside came

in an unexpected forum: A siting with Coppell High School students.

"If it were me that had documented personal conduct along lines of the president's, I would be so filled with shame that I would sign," Armey said at the April event. "This president won't do it. His basic credo in life is 'I will do whatever I can get away with.'"

Burton, chairman of a committee investigating Democratic funding abuses, triggered howls of protest from Democrats last week when he called Clinton a "scumbag."

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