

TEXAS COURT OF CRIMINAL APPEALS

Eric Lyle Williams v. State

Williams · No. AP-77,053 · Decided December 15, 2015

SUMMARY

This document is a motion filed by Eric Lyle Williams in a Texas capital-murder appeal seeking to supplement the reporter's record with juror questionnaires used during voir dire. The motion states that the State does not object and identifies the appeal as arising from Kaufman County District Court Cause No. 32031-422.

CASE DETAILS

COURT	Texas Court of Criminal Appeals
JURISDICTION	Texas
DECIDED	December 15, 2015
DOCKET	AP-77,053
DISPOSITION	other
PROCEDURAL POSTURE	Appellant filed a motion in his direct criminal appeal requesting supplementation of the reporter's record with juror questionnaires used during jury selection.
PRECEDENTIAL VALUE	nonprecedential procedural filing
PARTIES	Eric Lyle Williams v. The State of Texas

TOPICS

appellate procedure jury selection criminal procedure

PRACTICE AREAS

criminal appellate procedure capital murder jury selection

QUESTIONS PRESENTED

1. Whether the reporter's record should be supplemented with the juror questionnaires used during voir dire.

FACTUAL BACKGROUND

Williams pleaded not guilty to capital murder, and a jury found him guilty as charged. The jury answered yes to Special Issue No. 1 and no to Special Issue No. 2, after which the trial court assessed the death penalty by lethal injection. The reporter's record had been filed and provided to appellate counsel, except for juror questionnaires used during jury selection.

PROCEDURAL HISTORY

Eric Lyle Williams was convicted of capital murder in the 422nd Judicial District Court of Kaufman County, Texas, and sentenced to death. While the appeal was pending in the Texas Court of Criminal Appeals, appellant moved to supplement the reporter's record with juror questionnaires because he intended to raise issues concerning the denial of peremptory or for-cause challenges during voir dire. The motion states that the State did not object.

DISPOSITION

other

OPINION

PER CURIAM.

AP-77,053 COURT OF CRIMINAL APPEALS AUSTIN, TEXAS Transmitted 12/15/2015 3:58:29 PM December 15, 2015 Accepted 12/15/2015 4:00:41 PM ABEL ACOSTA NO. AP-77,053 CLERK IN THE COURT OF CRIMINAL APPEALS STATE OF TEXAS ERIC LYLE WILLIAMS Appellant, v. THE STATE OF TEXAS Appellee.

On appeal from a conviction in the 422nd Judicial District Court of Kaufman County, Texas in Cause Number 32031-422 the Honorable, Michael R. Snipes, Judge Presiding MOTION TO SUPPLEMENT THE REPORTER'S RECORD COMES NOW Eric Lyle Williams, by and through his court appointed attorney on appeal, John Tatum, and respectfully submits this Motion to Supplement the Reporter's Record in the above entitled and numbered cause.

In support of this Motion, Appellant would show this Honorable Court the following: I. The Defendant, Eric Lyle Williams, pleaded not guilty to the charge of Capital Murder before the Honorable Michael R. Snipes, Judge Presiding of 422nd Judicial Court of Kaufman County, Texas.

The jury found the Defendant guilty as charged in the indictment. The jury answered "yes" to Special Issues No. 1 and "No" to Special Issue No. 2. The Court assessed punishment at death by lethal injection. II. The Reporter's Record has been filed in this cause and provided to Appellant's counsel on CD-Rom with the exception of juror questionnaires used by the parties in conducting jury selection.

Appellant has requested the Kaufman County District Clerk make available the juror questionnaires to Appellant's counsel and supplement the record with these documents under seal and or properly redacted. III. Appellant will be raising issues involving the trial court's denial of Appellant's peremptory or cause challenges on venire members during voir dire.

Appellant requests that juror questionnaires be made part of the record. These questionnaires are necessary to aid counsel in researching voir dire issues to be raised on appeal and for this Honorable Court in resolving the issues raised on appeal to the Court of Criminal Appeals. IV. State's counsel has no objection to this request to supplement the record.

WHEREFORE, PREMISES CONSIDERED, Appellant prays that this Court will grant his Motion to Supplement the Reporter's Record in this Cause. Respectfully submitted, /s/ John Tatum JOHN TATUM 990 SOUTH SHERMAN STREET RICHARDSON, TEXAS 75081 (972) 705-9200 BAR NO. 19672500 CERTIFICATE OF SERVICE I hereby certify that a copy of this Motion has been delivered to Fredericka Sargent, Kaufman County District Attorney Pro Tem, c/o Criminal Appeals Division Office of the Attorney General at P.O.

Box 12548 Austin, Texas 78711-2548 on this the 15th day of December, 2015. /s/ John Tatum John Tatum CERTIFICATE OF COMPLIANCE I certify that this submitted e-mail attachment to file Motion to Supplement Record complies with the following requirements of the Court: 1.

The petition is submitted by e-mail attachment; 2. The e-mail attachment is labeled with the following information: A. Case Name: Eric Lyle Williams B. The Appellate Case Number: AP-77,053 C. The Type of Document: Motion to Supplement Record D. Party for whom the document is being submitted: Appellant E. The Word Processing Software and Version Used to Prepare the Motion: Word Perfect X7 3.

Copies have been sent to all parties associated with this case. /s/ John Tatum 12/14/15 (Signature of filing party and date) John Tatum (Printed name) John Tatum, Attorney at Law Emailed Copy of Motion