

OCCAOnline Opinions of the Court of Criminal Appeals

2007 OK CR 31

P.3d

SCOTT JAMES EIZEMBER, Appellant -vs- STATE OF OKLAHOMA, Appellee

Case No. D-2005-319

August 10, 2007

CORRECTION ORDER

¶1 The separate writing by Judge Lewis attached hereto was inadvertently omitted from the Court's opinion in the above cited case and should be inserted into the opinion after the listing of the votes.

¶2 **IT IS SO ORDERED.**

¶3 **WITNESS OUR HANDS AND THE SEAL OF THIS COURT** this 10th day of August, 2007.

/s/ Gary L. Lumpkin
GARY L. LUMPKIN,

Presiding Judge

ATTEST:

/s/ Michael Richie
(Clerk)

LEWIS, JUDGE, CONCURS IN RESULTS:

¶1 I concur in the result in this case affirming the convictions, judgment and sentences, however, I write to address the issue of the jury questionnaire. Based on the responses of the challenged jurors in this case, I agree with the legal analysis as presented by the majority opinion; however, I reserve judgment in other cases instead of agreeing with the statement that the pre-trial questionnaire cannot trump the actual voir dire. I am of the opinion that there are some cases in which the jury questionnaire answers could indeed trump voir dire. I am not convinced that the jurors responses in this case standing alone provided cause for their disqualification. I therefore concur in the result reached in this case.