

**Linscomb v. State**

The defendant claimed on appeal that the State improperly excluded black persons from the jury panel through the exercise of peremptory strikes. The State had used challenges to remove four of six black individuals from the venire. When questioned, the State refused to provide an explanation of its reasons for challenging those individuals. The trial judge had overruled the defense's motion, stating that no prima facie case of racial exclusion had been demonstrated. The Court of Criminal Appeals disagreed. It noted that 40% of the prosecution's challenges went to strike minorities, who constituted only 19% of the panel. After holding that statistics alone were sufficient to support an inference of racial bias, the Court went on to determine that the trial court erred in not accepting the disproportionate rates of strikes as evidence of a possible racial bias.