

▶ Herrington v. StateMiss.,1997.

Supreme Court of Mississippi.
David HERRINGTON
v.
STATE of Mississippi.
No. 93-KA-00581-SCT.

Jan. 30, 1997.

Defendant was convicted in the Simpson County Court, Robert E. Evans, J., of capital rape, and he appealed. The Supreme Court, [Mills](#), J., held that: (1) evidence offered by defendant to rebut contention that he was the source of victim's vaginal injuries was admissible; (2) trial court's jury charge to deadlocked jury was reversible error; (3) defendant was not entitled to mistrial based on victim's testimony that defendant beat her mother; (4) trial court did not abuse its discretion in not excusing juror; and (5) chancery court order was admissible.

Reversed and remanded.