

Supreme Court of Mississippi.

Elster Joseph PONTHEUX

v.

STATE of Mississippi.

No. 57906.

Sept. 28, 1988.

Rehearing Denied Nov. 9, 1988.

Defendant was convicted in the Circuit Court, Rankin County, Alfred G. Nicols, Jr., J., of capital murder, and defendant appealed. The Supreme Court, Robertson, J., held that: (1) testimony of coconspirator was admissible; (2) admission of testimony of counsel for coconspirator who was unavailable witness was harmless error; (3) testimony of counsel for alleged coconspirator offered to rebut charge of improper influence as motive of coconspirator who testified was admissible; and (4) defendant was not denied right to fair trial.

Affirmed.