

06/23/2006 “See News Release 034 for any Concurrences and/or Dissents.”

SUPREME COURT OF LOUISIANA

No. 03-KA-3067

STATE OF LOUISIANA

versus

MICHAEL WEARY

*On Appeal From the Twenty-First Judicial District Court,
for the Parish of Livingston
Honorable Wayne Ray Chutz, Judge*

WEIMER, J., on rehearing, would grant in part.

Although I agree with the resolution of this matter, I would grant for the limited purpose stated in my concurrence. I find it unnecessary for the opinion to state that a defendant who fails to exercise a peremptory challenge against a potential juror challenged for cause waives his right to assert as error on appeal the denial of the challenge for cause.