

Hollins Vs. Oklahoma

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Court : US Supreme Court

Decided On : May-13-1935

Appeal No. : 295 U.S. 394

Appellant : Hollins

Respondent : Oklahoma

Judgement :

Hollins v. Oklahoma - 295 U.S. 394 (1935)

U.S. Supreme Court Hollins v. Oklahoma, 295 U.S. 394 (1935)

Hollins v. Oklahoma

No. 686

Argued April 29, 30, 1935

Decided May 13, 1935

295 U.S. 394

CERTIORARI TO THE CRIMINAL COURT

OF APPEALS OF OKLAHOMA

SYLLABUS

The evidence in this case shows that the petitioner, a negro, is entitled under the Fourteenth Amendment to a new trial because of the exclusion of negroes from jury service solely on account of their race or color.

56 Okla.Cr. 275, 284, 38 P.2d 36, reversed.

Certiorari, 294 U.S. 704, to review the affirmance of a conviction upon a charge of rape.

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PER CURIAM.

Petitioner was convicted in the District Court of Okmulgee County, Oklahoma, upon an information charging rape. At the trial, petitioner challenged the jury panel upon the ground that negroes for a long period had been excluded from jury service in that county solely on account of their race or color, and that this discrimination had deprived petitioner of the equal protection of the laws in violation of the Constitution of the United States. Evidence was taken by the trial court upon this issue, the challenge was overruled, and petitioner excepted. Upon appeal, the federal question was presented to the Criminal Court of Appeals and was decided against petitioner. This Court granted a writ of certiorari, April 1, 1935.

From its examination of the evidence, the Court is of the opinion that the case calls for the application of the principles declared in *Neal v. Delaware*, [103 U. S. 370](#) , [103 U. S. 397](#) , and *Norris v. Alabama*, [294 U. S. 587](#) .

The judgment is reversed, and the cause is remanded for further proceedings not inconsistent with this opinion.

Reversed.

