



1. The Jury's verdict was improper because Appellant did not know his conduct was wrong (RR Vol. XVII - XXV, pp. 86-91, 96-110, 115-122, 222).
2. The Trial Court erred by overruling Appellant's Motion to Suppress Statements Take By Texas Ranger Danny Briley in violation of Tex. Code Crim. P. Art. 38.22 V.A.T.S. (RR Vol. XX, pp. 167-174).
3. It was abuse of discretion for the Trial Court to overrule Appellant's Motion for Mistrial when the Prosecutor paraded a vial in front of the Jury that was not admitted into evidence (RR Vol. XXI, pp. 10-16).

WHEREFORE, PREMISES CONSIDERED, Appellant respectfully requests this Honorable Court to reconsider its decision of March 31, 2017, and after a full hearing hereon to reverse Appellant's conviction and order the prosecution dismissed, or in the alternative, to order a new trial, and for such other and further relief to which Appellant may be justly entitled.

Respectfully submitted,

/s/ J. Warren St. John

---

J. WARREN ST. JOHN  
State Bar No. 18986300  
2020 Burnett Plaza  
801 Cherry Street, Unit No. 5  
Fort Worth, Texas 76102-6810  
Telephone: 817/336-1436  
Fax: 817/336-1429  
Electronic Mail: [jwlawyer1896@yahoo.com](mailto:jwlawyer1896@yahoo.com)

ATTORNEY FOR APPELLANT

**CERTIFICATE OF COMPLIANCE**

At the request of the Court, I certify that this submitted Motion for Rehearing complies with the following requests of the Court:

Certificate of Compliance with Type-Volume Limitation.

This Motion for Rehearing contains 198 words, excluding any parts exempted by Tex. R. App. P. 9.4 (i)(1). The body texts is in 14 point font, and the footnote text is in 12 point font.

DATED: April 7, 2017

*/s/ J. Warren St. John* \_\_\_\_\_

J. WARREN ST. JOHN

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing Motion for Rehearing has been delivered or caused to be delivered by electronic mail to Mr. M. Alan Nash, Erath County District Attorney, on this 7<sup>th</sup> day of April, 2017.

/s/ J. Warren St. John  
J. WARREN ST. JOHN