

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NUMBER 2007 KW 2525

VERSUS

HERMAN WALLACE

MAY 12 2008

In Re: Herman Wallace, applying for supervisory writs,
19th Judicial District Court, Parish of East
Baton Rouge, No. 10-73-6820.

BEFORE: CARTER, C.J., PETTIGREW AND WELCH, JJ.

WRIT DENIED.

BJC
JTP

WELCH, J., dissents and would grant the writ application. There was a reasonable likelihood that the verdict would have been different had the jury been aware of the promise and favors to the state's witness, Hezekiah Brown. The state's failure to disclose this information violated relator's constitutional rights, and relator should receive a new trial.

COURT OF APPEAL, FIRST CIRCUIT

Elizabeth D. Nanta

DEPUTY CLERK OF COURT
FOR THE COURT