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NO. 2011-K-1404

COURT OF APPEAL, FOURTH CIRCUIT

STATE OF LOUISIANA

STATE OF LOUISIANA

VERSUS

[REDACTED]

IN RE: STATE OF LOUISIANA

APPLYING FOR: SUPERVISORY WRIT

DIRECTED TO: HONORABLE LAURIE A. WHITE
CRIMINAL DISTRICT COURT ORLEANS PARISH
SECTION "A", 503-376

WRIT DENIED.

The police officers included information in the affidavit that they knew was incorrect. The affidavit provided by Detective James stated that the informant told the officers that the defendant used the apartment to store illegal narcotics. However, the officers' testimony at the suppression hearing directly contradicts the statement in the affidavit. Both officers acknowledged that the informant did not provide them with such information. In fact, the officers admitted that the informant did not know where the defendant lived, had never been to the defendant's residence, and had never seen drugs in the defendant's residence. Thus, the officers had no information to support the statement in the affidavit. The

trial court did not err when it granted the motion to suppress the evidence.

Accordingly, the writ is denied.

New Orleans, Louisiana this 8th day of November, 2011.



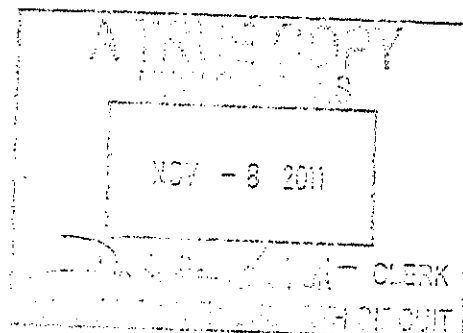
JUDGE DANIEL L. DYSART



JUDGE CHARLES R. JONES



JUDGE ROLAND L. BELSOME

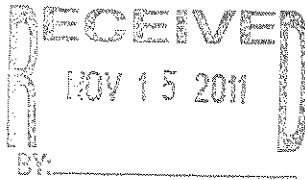


The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

VS.

[REDACTED]



NO. 2011-KK-2488

IN RE: State of Louisiana; - Plaintiff; Applying For Supervisory
and/or Remedial Writs, Parish of Orleans, Criminal District Court
Div. A, No. 503-376; to the Court of Appeal, Fourth Circuit, No.
2011-K-1404;

November 9, 2011

Denied.

BJJ

JPV

JLW

GGG

MRC

Supreme Court of Louisiana
November 9, 2011

A handwritten signature in black ink, appearing to read "Suffrage Clerk".

Chief Deputy Clerk of Court
For the Court