

**SUPREME COURT OF LOUISIANA**

**No. 99-K-1937**

**STATE OF LOUISIANA**

**VERSUS**

**MAURIO ALEXIS**

**ON APPLICATION FOR A WRIT OF CERTIORARI  
TO THE COURT OF APPEAL  
FIFTH CIRCUIT, PARISH OF ST. JOHN**

**CALOGERO, Chief Justice, concurring in the denial.**

By denying the writ application, this court has essentially opted to pretermitt consideration of a major issue in this case: defendant's claim that his counsel rendered ineffective assistance by failing to object when the trial court advised select defense witnesses of their *Miranda* rights in the presence of the jury. I concur in this denial because, as the Fifth Circuit Court of Appeal noted, the issue is one that may be raised in an application for post-conviction relief pursuant to La. Code Crim. Pro. Ann. art. 924 *et seq.*