

SUPREME COURT OF LOUISIANA

No. 01-K-0273

STATE OF LOUISIANA

VERSUS

DARIAN ROBINSON

**ON WRIT OF CERTIORARI TO THE COURT OF APPEAL,
FOURTH CIRCUIT, PARISH OF ORLEANS**

VICTORY, J., dissenting

As the majority opinion acknowledges, the defendant does not claim that extrinsic evidence of William’s alleged disability exists. Although the trial court offered the defendant the opportunity to put any evidence showing such a disability on the record, the defendant failed to do so. Further, as noted by the majority and Justice Traylor in his dissent, the trial court stated: “I will allow you to put anything you want on the record, but not ask him *that* question.” [emphasis added]. The question was: “Do you receive disability assistance at this time?”

Under these circumstances, I see no error in the trial court’s ruling and dissent from the majority opinion.