

09/21/2007 "See News Release 057 for any Concurrences and/or Dissents."
SUPREME COURT OF LOUISIANA

No. 2007-KD-1735

STATE OF LOUISIANA

VS.

EDWARD HARRIS

**ON WRIT OF CERTIORARI TO THE COURT OF APPEAL
FIFTH CIRCUIT, PARISH OF JEFFERSON**

JOHNSON, J., concurs in the denial of the writ application with reasons:

The purposeful discriminatory use of peremptory challenges to strike African Americans from a jury violates the defendant's constitutional rights, and undermines the public confidence in our judicial process.

However, I am unaware of any procedure which would allow for a pre-trial hearing on a *Batson* challenge, prior to the voir dire process. *See my dissent in State v. Snyder*, 98-1078(La.9/6/06), 942 So.2d 484, 490.