

07/08/2015 "See News Release 034 for any Concurrences and/or Dissents."

SUPREME COURT OF LOUISIANA

NO. 2015-KK-1312

STATE OF LOUISIANA

VERSUS

TYRONE L. DANIEL

**ON SUPERVISORY WRIT TO THE CRIMINAL DISTRICT COURT,
PARISH OF ORLEANS**

Crichton, J., additionally concurring with reasons.

Without presenting even a scintilla of evidence to support its *Prieur* motion, I am frankly astonished by the State's hubris in this homicide case. Of equal concern is the trial court's seeming abandonment of its gatekeeping function and the appellate court's decision to summarily deny review. Because of the obvious risk of undue prejudice, the well-established law requires notice and a pre-trial evidentiary hearing, at which the State bears the burden of proof, and a reasoned judicial determination in accordance with the law and evidence.