

SUPREME COURT OF LOUISIANA

NO. 2015-KP-0093

STATE OF LOUISIANA

VERSUS

JAMES TYLER, III

CRICHTON, J., additionally concurs and assigns reasons:

I agree with the decision to deny the writ application in this matter. I write separately to emphasize that I agree with the district court's admonishment to the Capital Post Conviction Project of Louisiana (CPCPL) regarding the "recklessness of bringing unfounded claims" during post-conviction relief proceedings and using "questionable" and "unsworn" documents to support their "unsubstantiated claims." *See* Rules of Prof. Conduct R. 3.1, 3.3(a)(1)-(3).

I am also troubled about evidence in the record indicating that a person affiliated with CPCPL appeared unannounced at a juror's home, at night, years after the case concluded. In my view, these actions could constitute violations of the Rules of Professional Conduct, which expressly prohibit coercive and harassing behavior. *See* R. 3.5(c)(3) ("A lawyer shall not communicate with a juror or prospective juror after discharge of the jury if: the communication involves misrepresentation, coercion, duress or harassment.").