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SUPREME COURT OF LOUISIANA

No. 17-KK-2038

STATE

VERSUS

KYANTA DEON MAGEE

**ON WRIT OF CERTIORARI TO THE COURT OF APPEAL, SECOND
CIRCUIT, PARISH OF CADDO**

GENOVESE, J., would grant and remand for an evidentiary hearing in accordance with *Birchfield v. North Dakota*, 579 U.S. ___, 136 S.Ct. 2160, 195 L.Ed.2d. 560 (2016).