

12/20/2019 “See News Release 054 for any Concurrences and/or Dissents.”

SUPREME COURT OF LOUISIANA

NO. 19-KK-01398

STATE OF LOUISIANA

VERSUS

CHRIS WALLACE

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

Writ denied.

The state does not dispute the district court’s finding on June 13, 2019, that the defendant remained incompetent to stand trial notwithstanding the defendant’s commitment for treatment and subsequent release from treatment under the auspices of the Department of Health. Moreover, the district court specifically asked the state whether the state believed the defendant “needs to be in the care and custody of the Department of Hospitals,” and counsel for the state replied, “Not at this time.” Inasmuch as the finding of present incompetence to stand trial forms the predicate for the state’s writ application, given the state’s concession that the defendant’s competence could not be restored by any further commitment, we can discern no abuse of discretion by the district court. See State v. Odenbaugh, 2010-0268, p. 8 (La. 12/6/11), 82 So.3d 215, 228 (“An appellate court owes the trial court’s determinations as to the defendant’s competency great weight, and the trial court’s ruling thereon will not be disturbed on appeal absent a clear abuse of discretion.”).