

SUPREME COURT OF LOUISIANA

No. 2019-KK-01664

STATE OF LOUISIANA

VS.

CHRISTOPHER ALEXANDER

On Writ of Certiorari to the Court of Appeal, Fourth Circuit,
Parish of Orleans Criminal

PER CURIAM:

Granted. This Court previously ordered the suppression of a statement defendant made after a detective assured him anything he said would stay in the interrogation room, finding this guarantee to have subverted the *Miranda* warning that anything defendant might say would be used against him in a court of law. *See State v. Alexander*, 18-1772 (La. 12/3/18), 257 So. 3d 672 (citing *Hopkins v. Cockrell*, 325 F.3d 579 (5th Cir. 2003)).

The State now seeks to introduce a subsequent statement defendant made to his mother outside of the detective's presence but after the detective's direction that defendant "apologize to his mother for what he did" and representation to defendant's mother that "nobody needs to know the specifics of what we talk about in here." This second statement is closely related in time, circumstance, and content to the one previously ordered suppressed, and there were no intervening factors to break the chain between the two. *Cf. Missouri v. Seibert*, 542 U.S. 600, 124 S.Ct. 2601, 149 L.Ed.2d 643 (2004) (finding inadmissible a *Mirandized* statement given in the immediate aftermath of an unwarned statement). Importantly, the second statement occurred in the very interrogation room in which the detective promised

defendant his statements would remain confidential. Thus, it, too, is inadmissible. Further, while defendant's mother was not a state actor, the statement defendant made to her was the direct result of state action sufficient to render it involuntary and inadmissible. Accordingly, we grant defendant's application to reverse the court of appeal, and we remand to the district court for further proceedings in accordance herewith.

REVERSED AND REMANDED.