

SUPREME COURT OF LOUISIANA

NO. 94-KA-2503

STATE OF LOUISIANA

V.

DONALD GENE COUSAN

MARCUS, Justice (concurring)

As stated in my dissenting opinion in State v. Jones, 94-0459 (La. 7/5/94), 639 So. 2d 1144, 1155, I believe the 1993 version of La. Code Crim. P. art. 905.2(B) was constitutional. However, recognizing that the majority in Jones held otherwise, I concur in the reversal of defendant's sentence.