

06/13/2007 “See News Release 038 for any Concurrences and/or Dissents.”

**SUPREME COURT OF LOUISIANA**

**No. 2007-OK-1197**

**IN RE: SPECIAL INVESTIGATION**

**ON APPLICATION FOR WRIT OF CERTIORARI  
TO THE COURT OF APPEAL  
FOURTH CIRCUIT, PARISH OF ORLEANS**

**CALOGERO, Chief Justice, dissents in part and assigns reasons.**

I dissent in part from the denial of the writ application. I would grant the writ application for the limited purpose of determining whether the applicants should be entitled to have their lawyers present in the grand jury room pursuant to La. Code Crim. Proc. art. 433. In my view, these individuals, who have been charged and arrested, remain subject to prosecution and are therefore “targets” in this grand jury inquiry, irrespective of the district attorney’s assertion to the contrary.