

12/17/2010 "See News Release 085 for any Concurrences and/or Dissents."

**SUPREME COURT OF LOUISIANA**

**No. 10-K-0924**

**STATE OF LOUISIANA**

**v.**

**MARVIN ROBINSON**

**PER CURIAM\***

GRANTED. The judgment of the court of appeal vacating the defendant's conviction, habitual offender adjudication, and sentence is reversed. The State concedes the trial court failed to determine whether the defendant was competent to proceed prior to commencing jury trial; however, the State contends the matter should be remanded to the trial court for a determination of whether a nunc pro tunc finding of competency remains possible. We agree. Per *State v. Snyder*, 98-1078 (La. 4/14/99), 750 So.2d 832, we remand the matter to the trial court to determine whether a meaningful inquiry can be had regarding defendant's competency. If it is found that a meaningful retrospective competency hearing is possible, we order the hearing to be conducted and the issue to be determined.

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\* Chief Justice Catherine D. Kimball not participating.