

Supreme Court of Louisiana

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NEWS RELEASE #031

FROM: CLERK OF SUPREME COURT OF LOUISIANA

The Per Curiam handed down on the 25th day of May, 2012, are as follows:

PER CURIAM:

2011-K -2218 STATE OF LOUISIANA v. JOSEPH MARINO (Parish of Orleans)

Accordingly, we recall our order of February 17, 2012, as improvidently granted, and we deny the writ application.

VICTORY, J., dissents with reasons.

WEIMER, J., dissents with reasons.

05/25/2012

SUPREME COURT OF LOUISIANA

No. 2011-K-2218

STATE OF LOUISIANA

VERSUS

JOSEPH MARINO

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

PER CURIAM

We granted the State's application for a writ of certiorari in this case on February 17, 2012. After hearing oral arguments and reviewing the record of the matter, we conclude the judgment below does not require the exercise of this court's supervisory authority. Accordingly, we recall our order of February 17, 2012, as improvidently granted, and we deny the writ application.

05/25/2012

SUPREME COURT OF LOUISIANA

No. 2011-K-2218

STATE OF LOUISIANA

VERSUS

JOSEPH MARINO

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

VICTORY, J., dissenting

I respectfully dissent from the majority's decision to recall the writ. Having granted the writ, I would resolve this case on the merits.

05/25/2012

SUPREME COURT OF LOUISIANA

No. 11-K-2218

STATE OF LOUISIANA

VERSUS

JOSEPH MARINO

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

WEIMER, J., dissenting.

I respectfully dissent from the majority's decision to recall the writ. Having granted the writ, I would resolve this case on the merits.