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SUPREME COURT OF LOUISIANA

14-B-1771

In re: Christopher S. Bowman

Hughes, J., dissents and assigns reasons.

While I respect the right of respondent to criticize any judge at any time, I wish to avoid a misconception about the nature of our criminal justice system. When a judge or jury finds a criminal defendant “not guilty,” the verdict cannot properly be said to “thwart” the efforts of the prosecution.

The U.S. Supreme Court instructed in *Berger v. United States*, 295 U.S. 78 (1935), that prosecutors represent a sovereign “whose obligation to govern impartially is as compelling as its obligation to govern at all; and whose interest, therefore, in a criminal prosecution is not that it shall win a case, but that justice shall be done.”