

SUPREME COURT OF LOUISIANA

No. 16-KP-1061

STATE OF LOUISIANA

VERSUS

RICHARD A. SEATON, JR.

**ON SUPERVISORY WRITS TO THE FIRST CIRCUIT
JUDICIAL DISTRICT COURT, PARISH OF CADDO**

Crichton, J., would grant in part and assigns reasons

I would grant defendant's application to remand to the district court to conduct a post-conviction evidentiary hearing on defendant's claim of ineffective assistance of counsel. Defendant, who has always maintained the sexual activity was consensual, was found guilty of forcible rape after a bench trial based largely on the testimony of his accuser. While the testimony of a sexual assault victim alone is generally sufficient to support a conviction, *see, e.g., State v. Rives*, 407 So.2d 1195, 1197 (La. 1981), the victim's statements here contained numerous inconsistencies and unusual features that were not explored through cross-examination. At a minimum, I believe defendant has presented a colorable claim of ineffective assistance that merits evidentiary development rather than summary denial. *See* La.C.Cr.P. art. 930(A).