

12/15/2017 "See News Release 063 for any Concurrences and/or Dissents."

SUPREME COURT OF LOUISIANA

No. 17-KK-1533

STATE OF LOUISIANA

VERSUS

BRANDON S. BUTLER

**ON SUPERVISORY WRITS TO THE TWENTY-SIXTH
JUDICIAL DISTRICT COURT, PARISH OF BOSSIER**

PER CURIAM:

Writ granted. “It is axiomatic that the limitation on First Amendment freedoms must be ‘no greater than is essential to the protection of the particular governmental interest involved.’” *United States v. Brown*, 218 F.3d 415, 429 (5th Cir. 2000) (quoting *Procurier v. Martinez*, 416 U.S. 396, 94 S.Ct. 1800, 1811, 40 L.Ed.2d 224 (1974)). We find that the gag order in the present case is not sufficiently narrow to eliminate only that speech having a substantial likelihood of materially impairing the district court’s ability to conduct a fair trial. Furthermore, it does not comport with the “general First Amendment principle that restrictions on speech should employ the least restrictive means possible.” *Id.* at 430. Accordingly, we vacate the district court’s order and remand for further proceedings.

REVERSED AND REMANDED