

NOT DESIGNATED FOR PUBLICATION

**COURT OF APPEALS
FIFTH CIRCUIT**

FILED OCT 29 2002

STATE OF LOUISIANA

NO. 01-KA-1298

VERSUS

FIFTH CIRCUIT

LEON WILLIAMS, JR.

COURT OF APPEAL

STATE OF LOUISIANA

**ON APPEAL FROM THE 24TH JUDICIAL DISTRICT COURT
PARISH OF JEFFERSON, STATE OF LOUISIANA
NO. 00-2434, DIVISION "G"
THE HONORABLE ROBERT A. PITRE, JR., JUDGE PRESIDING**

OCTOBER 29, 2002

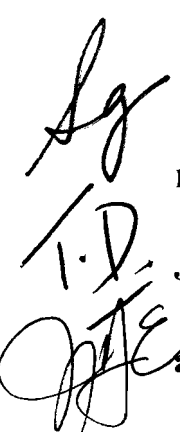
**SOL GOTHARD
JUDGE**

**Panel composed of Judges Sol Gothard,
Thomas F. Daley, and Marion F. Edwards**

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REVERSED AND REMANDED

 Leon Williams, Jr. and Larry Harris were tried and convicted of murder as a result of a shooting outside of the Sports Palace Bar in Jefferson Parish. Both were sentenced to life in prison, and both have filed appeals with this court.¹

The record shows that Harris and Williams were indicted by a grand jury for first degree murder of Malinda James. In due course they were tried by a jury and found guilty as charged on March 31, 2001. Although they were tried together, the defendants had separate counsel. The penalty portion of the trial was held on April 1, 2001, and the jury decided that each defendant should be sentenced to life imprisonment. Each defendant filed a timely appeal with this court.

¹ See, *State v. Larry Harris*, 01-1299 (5 Cir.).

Both defendants filed briefs with this Court assigning essentially the same errors. In the matter of *State v. Larry Harris*, 01-1299 (5 Cir.), we found sufficient evidence to convict, but reversible error in the seating of the juror, Merry Miller. For the same reasons assigned in that companion case, we reverse the defendant's conviction and sentence, and remand the matter to the trial court for a new trial.

REVERSED AND REMANDED



EDWARD A. DUFRESNE, JR.
CHIEF JUDGE

SOL GOTHARD
JAMES L. CANNELLA
THOMAS F. DALEY
MARION F. EDWARDS
SUSAN M. CHEHARDY
CLARENCE E. MCMANUS
WALTER J. ROTHSCHILD

JUDGES

Court of Appeal

FIFTH CIRCUIT
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CERTIFICATE

I CERTIFY THAT A COPY OF THE OPINION IN THE BELOW-NUMBERED MATTER HAS BEEN MAILED OR DELIVERED THIS DAY OCTOBER 29, 2002 TO ALL COUNSEL OF RECORD AND TO ALL PARTIES NOT REPRESENTED BY COUNSEL, AS LISTED BELOW:

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PETER J. FITZGERALD, JR.
COURT OF COURT
Glyn Rae Waguespack
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