

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2015 KW 0223

VERSUS

DANIEL READ

FEB 11 2015

In Re: State of Louisiana, applying for supervisory writs,
22nd Judicial District Court, Parish of St. Tammany,
No. 520701.


BEFORE: McDONALD, CRAIN, AND HOLDRIDGE, JJ.

STAY LIFTED. WRIT GRANTED. The stay order previously issued by this Court in this matter is hereby lifted. La. R.S. 15:440.5(C) does not set forth an expert witness as an authorized party which would be permitted to view a copy of the transcript of the victim's videotaped statement. See **State v. In re A.M.**, 2008-2493 (La. 11/21/08), 994 So.2d 1277 (per curiam). Therefore, the trial court's ruling allowing the defense expert to view the transcript of the victim's videotaped statement is reversed.

JMM
WJC

Holdridge, J., concurs in part and respectfully dissents in part. I would lift the stay and deny the writ on the showing made. The law is not clear as to whether a transcript of the videotaped statement may be viewed by a defense expert in extraordinary circumstances in order to protect the defendant's constitutional rights.

COURT OF APPEAL, FIRST CIRCUIT


DEPUTY CLERK OF COURT
FOR THE COURT