

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2019 KW 0542

VERSUS

EDMOND D. SPENCER

JUL 11 2019

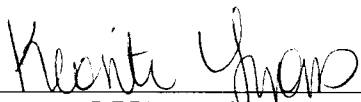
In Re: Edmond D. Spencer, applying for supervisory writs,
22nd Judicial District Court, Parish of Washington,
No. 96-CR1-064076.

BEFORE: WELCH, CHUTZ, AND PENZATO, JJ.

WRIT DENIED. The Legislature expressly stated in the text of the constitutional provision that the amendment requiring unanimous juries in cases in which the punishment is necessarily confinement at hard labor only applies to cases for offenses committed on or after January 1, 2019. See La. Const. art. I, § 17(A). Therefore, the procedural change to La. Const. art. I, § 17(A) only applies prospectively. See **State v. Washington**, 2002-2196 (La. 9/13/02), 830 So.2d 288, 290 (*per curiam*). See also **Apodaca v. Oregon**, 406 U.S. 404, 92 S.Ct. 1628, 32 L.Ed.2d 184 (1972), and **State v. Huey**, 2013-1227 (La. App. 1st Cir. 2/18/14), 142 So.3d 27, writ denied 2014-0535 (La. 10/3/14), 149 So.3d 795, cert. denied, ____ U.S. ____, 135 S.Ct. 1507, 191 L.Ed.2d 443 (2015).

JEW
WRC
AHP

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