

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2019 KW 0695

VERSUS

JACQULYNE L. SCOTT

AUG 19 2019


In Re: Jacquelyne L. Scott, applying for supervisory writs,
19th Judicial District Court, Parish of East Baton
Rouge, No. 10-12-0429.

BEFORE: McCLENDON, WELCH, AND HOLDRIDGE, JJ.

WRIT GRANTED IN PART AND DENIED IN PART. Battered woman's syndrome evidence is admissible in a justification/self-defense case and not solely in the insanity context. **State v. Curley**, 2016-1708 (La. 6/27/18), 250 So.3d 236, 246. The text of the domestic battery exceptions expressly permit expert testimony as to the effects of the prior assaultive acts on the accused's state of mind. See La. Code Evid. arts. 404(A)(2)(a) & (B)(2). Moreover, expert testimony on battered woman's syndrome may be relevant to contextualizing testimonial and documentary evidence regarding the relationship between the victim and the defendant. **Curley**, 250 So.3d at 247. Accordingly, the ruling denying the claim that defense counsel rendered ineffective assistance by failing to present evidence on battered woman's syndrome is vacated, in part, and this matter is remanded for an evidentiary hearing to determine whether the failure to do so prejudiced relator. **Strickland v. Washington**, 466 U.S. 668, 687, 104 S.Ct. 2052, 2064, 80 L.Ed.2d 674 (1984). The writ application is denied in all other respects.

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DEPUTY CLERK OF COURT
FOR THE COURT