

**STATE OF LOUISIANA**  
**COURT OF APPEAL, FIRST CIRCUIT**

STATE OF LOUISIANA

NO. 2020 KW 1206

VERSUS

STEVEN RAY MCCARTHY

**DECEMBER 30, 2020**

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In Re: Steven Ray McCarthy, applying for supervisory writs,  
21st Judicial District Court, Parish of Livingston,  
No. 38998.

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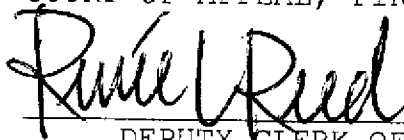
**BEFORE: GUIDRY, McCLENDON, AND LANIER, JJ.**

**WRIT GRANTED.** The district court's July 16, 2020 ruling denying relator's motion to suppress is reversed. The state failed to meet its burden of proof, which required the state to present articulable facts to establish that relator's probation/parole officer had reasonable suspicion to believe that relator was engaged in or had been engaged in criminal activity before she and other law enforcement agencies searched his property. See La. Code Crim. P. art. 895(A)(13); La. R.S. 15:574.4.2. See also **State v. Cyre**, 2019-0034 (La. App. 1st Cir. 12/19/19), 292 So.3d 88, 97-98, writ denied, 2020-00142 (La. 5/26/20), 296 So.3d 1063.

**JMG**  
**WIL**

**McClendon, J.**, dissents and would deny the writ application.

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DEPUTY CLERK OF COURT  
FOR THE COURT