

**STATE OF LOUISIANA**

\*

**NO. 2000-KA-0130**

**VERSUS**

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**COURT OF APPEAL**

**WALTER RICHARDSON**

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**FOURTH CIRCUIT**

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**STATE OF LOUISIANA**

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**PLOTKIN, J., CONCURS IN PART AND DISSENTS IN PART**

I concur that the record does not support the conclusion that the defendant validly waived his right to a jury trial.

I dissent, and would grant a new trial, on his claim that there was a Brady violation. The record fails to disclose that the police report was timely turned over to the defendant, which contained information about the defendant's identification. The identification issue is the defendant's primary defense on the merits.