

STATE OF LOUISIANA

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NO. 2000-KA-0515

VERSUS

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COURT OF APPEAL

**ALLISON HODGE AND
ROGER HODGE**

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FOURTH CIRCUIT

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STATE OF LOUISIANA

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GORBATY, J., DISSENTS IN PART.

I respectfully dissent in part. Although I agree with the majority opinion as it affirms the conviction of Roger Hodge, I disagree with the reversal of the conviction of Allison Hodge. After reviewing the facts of the case, I believe that under the standard set forth in Jackson v. Virginia, 443 U.S. 307, 99 S.Ct. 2781 (1979), the evidence presented was sufficient for a jury to convict Allison Hodge of attempted possession of marijuana. For these reasons, I would affirm the conviction and sentence of both defendants.