

**STATE OF LOUISIANA**

\*

**NO. 2009-KA-0625**

**VERSUS**

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**COURT OF APPEAL**

**WILLIE PRICE**

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**FOURTH CIRCUIT**

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**STATE OF LOUISIANA**

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**BELSOME, J. CONCURS WITH REASONS.**

I write separately to note that the specific intent to kill may be inferred by the use of a deadly weapon, such as a knife. *State v. Maten*, 2004-1718, p. 4 (La.App. 1 Cir. 1/24/05), 899 So.2d 711, 716 (citing *State v. Jordan*, 276 So.2d 277, 279 (La.1973)). Specific intent may also be inferred from a defendant's actions and the circumstances. *State v. Maten*, 899 So.2d at 716-17 (citing *State v. Broaden*, 99-2124, p. 18 (La.2/21/01), 780 So.2d 349, 362, *cert. denied*, 534 U.S. 884, 122 S.Ct. 192, 151 L.Ed.2d 135 (2001)). In this case, it is not disputed that defendant used a knife to inflict several potentially fatal injuries upon Sgt. Keller. Accordingly, a rational trier of fact could find that the specific intent to kill, an essential element of attempted second degree murder, has been established beyond a reasonable doubt. I respectfully concur.