

**STATE OF LOUISIANA IN
THE INTEREST OF L.R.**

*** NO. 2019-CA-0843
* COURT OF APPEAL
* FOURTH CIRCUIT
* STATE OF LOUISIANA**

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**LOMBARD, J., CONCURS IN RESULT WITH THE REASONS SET
FORTH BY J. BROWN AND ASSIGNS ADDITIONAL REASONS,**

In light of the increasing evidence undermining the reliability of eyewitness testimony, this case concerns me: (1) there is no physical evidence connecting the juvenile to the crime; (2) the incident occurred in the dark of night; DNA potentially connected to the perpetrator was gathered by the police, but was never tested; (3) two eyewitnesses to the crime identified different people as the perpetrator in photographic line-ups presented to them immediately after the incident; (4) the conflict in identification was resolved only when, contrary to his initial identification of someone else in a photographic line-up, one of the witnesses identified L.R - the sole juvenile in the courtroom and sitting next to his counsel – as the perpetrator.

Nonetheless, because our current jurisprudence holds that the identification by one eyewitness constitutes sufficient evidence, I concur in the result.