

Supreme Court of Louisiana

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NEWS RELEASE #036

FROM: CLERK OF SUPREME COURT OF LOUISIANA

The Opinion handed down on the **29th day of September, 2020** is as follows:

PER CURIAM::

2015-KA-01592

STATE OF LOUISIANA VS. ISAIAH DOYLE (Parish of Jefferson)

The district court has determined that defendant is incompetent to assist counsel with this capital appeal and, further, that he is unlikely in the foreseeable future to be restored to competence. These determinations are supported by the record. In accordance with the joint motion of the parties, the case is remanded to the district court to expeditiously determine whether defendant lacks the capacity to understand the death penalty imposed in this case, such that he may not be executed. See *State v. Perry*, 502 So.2d 543 (La.1986); see also *Ford v. Wainwright*, 477 U.S. 399, 106 S.Ct. 2595, 91 L.Ed.2d 355 (1986).

REMANDED.

Retired Judge James Boddie, Jr., appointed Justice pro tempore, sitting for the vacancy in Louisiana Supreme Court District 4.

09/29/20

SUPREME COURT OF LOUISIANA

No. 2015-KA-01592

STATE OF LOUISIANA

versus

ISAIAH DOYLE

**ON APPEAL FROM THE TWENTH-FOURTH JUDICIAL DISTRICT COURT,
PARISH OF JEFFERSON**

PER CURIAM:

The district court has determined that defendant is incompetent to assist counsel with this capital appeal and, further, that he is unlikely in the foreseeable future to be restored to competence. These determinations are supported by the record. In accordance with the joint motion of the parties, the case is remanded to the district court to expeditiously determine whether defendant lacks the capacity to understand the death penalty imposed in this case, such that he may not be executed. *See State v. Perry*, 502 So.2d 543 (La. 1986); *see also Ford v. Wainwright*, 477 U.S. 399, 106 S.Ct. 2595, 91 L.Ed.2d 355 (1986).

In the event the district court finds defendant is not competent to understand the death penalty such that he cannot be executed, the district court shall resentence defendant to a term of life imprisonment at hard labor without benefit of parole, probation, or suspension of sentence. In such event, despite his incapacity to proceed with a capital appeal, defendant is represented by counsel, who may proceed with a non-capital appeal on his behalf. *See Dugar v. Whitley*, 615 So.2d 1334 (La. 1993). Therefore, if the district court finds defendant lacks the capacity to understand the death penalty such that he cannot be executed, in addition to resentencing him to life imprisonment without parole eligibility, the district court shall enter an order of

appeal to the Court of Appeal, Fifth Circuit, for its consideration as a non-capital appeal, over which that court has jurisdiction pursuant to La. Const. Art. V, § 10.

REMANDED