

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2019-K-01733

VS.

JAMES MATTHEW COLE

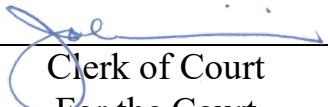
IN RE: James Matthew Cole - Applicant Defendant; Applying For Writ Of
Certiorari, Parish of St. Tammany, 22nd Judicial District Court Number(s) 586690,
Court of Appeal, First Circuit, Number(s) 2019 KA 0033;

October 06, 2020

Writ application granted in part. See per curiam.

BJJ
JLW
JDH
SJC
JTG
WJC
JHB

Supreme Court of Louisiana
October 06, 2020



Clerk of Court
For the Court

10/06/20

SUPREME COURT OF LOUISIANA

No. 19-K-1733

STATE OF LOUISIANA

v.

JAMES MATTHEW COLE

**ON SUPERVISORY WRITS TO THE TWENTY-SECOND
JUDICIAL DISTRICT COURT, PARISH OF ST. TAMMANY**

PER CURIAM:

Writ granted in part. Defendant's convictions were not final when *Ramos v. Louisiana*, 590 U.S. —, 140 S.Ct. 1390, 206 L.Ed.2d 583 (2020), was decided, and therefore the holding of *Ramos* applies to any non-unanimous verdicts in these proceedings. See *Griffith v. Kentucky*, 479 U.S. 314, 328, 107 S.Ct. 708, 716, 93 L.Ed.2d 649 (1987). The matter is remanded to the court of appeal for further proceedings and to conduct a new error patent review in light of *Ramos v. Louisiana*. The remand order does not pertain to defendant's conviction for second degree rape, which was by unanimous verdict. The application is otherwise denied.