

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2019-KK-01962

VS.

JUSTIN DAVIS

IN RE: Justin Davis - Applicant Defendant; Applying For Writ Of Certiorari, Parish of East Baton Rouge, 19th Judicial District Court Number(s) 10-11-0644, Court of Appeal, First Circuit, Number(s) 2019 KW 1343;

April 27, 2020

Writ application granted. See per curiam.

JDH

BJJ

JLW

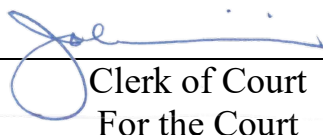
SJC

JTG

JHB

Johnson, C.J., additionally concurs and assigns reasons.
Crain, J., would deny.

Supreme Court of Louisiana
April 27, 2020


Clerk of Court
For the Court

04/27/20

SUPREME COURT OF LOUISIANA

No. 2019-KK-01962

STATE OF LOUISIANA

versus

JUSTIN DAVIS

**ON WRIT OF CERTIORARI TO THE COURT OF APPEAL,
FIRST CIRCUIT, PARISH OF E. BATON ROUGE**

PER CURIAM:

Writ granted. Under the unusual circumstances here, and in the interests of justice, we grant defendant's application to reverse the ruling of the court of appeal, which found defendant's application for post-conviction relief is time-barred. We reinstate the ruling of the district court, and we remand to the district court to conduct an evidentiary hearing on defendant's claim of ineffective assistance of trial counsel for failing to investigate and present an alibi defense (as evidenced by the ten corroborating affiants).

REVERSED AND REMANDED