

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2020-K-00473

VS.

TRACEY N. WILLIAMS

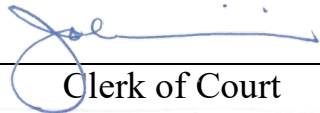
IN RE: Tracey N. Williams - Applicant Defendant; Applying For Writ Of Certiorari,
Parish of Calcasieu, 14th Judicial District Court Number(s) 16917-17, Court of
Appeal, Third Circuit, Number(s) 19-0641;

September 08, 2020

Writ application granted. See per curiam.

BJJ
JLW
JDH
SJC
JTG
WJC
JHB

Supreme Court of Louisiana
September 08, 2020



Clerk of Court
For the Court

09/08/20

SUPREME COURT OF LOUISIANA

No. 2020-K-00473

STATE OF LOUISIANA

v.

TRACEY N. WILLIAMS

**ON WRIT OF CERTIORARI TO THE COURT OF APPEAL,
THIRD CIRCUIT, PARISH OF CALCASIEU**

PER CURIAM:

Writ granted. 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*, 590 U.S. ___, 140 S.Ct. 1390, ___ L.Ed.2d ___ (2020). If the non-unanimous jury claim was not preserved for review in the trial court or was abandoned during any stage of the proceedings, the court of appeal should nonetheless consider the issue as part of its error patent review. *See* La.C.Cr.P. art. 920(2).

The present matter was pending on direct review when *Ramos v. Louisiana* was decided, and therefore the holding of *Ramos* applies. *See Griffith v. Kentucky*, 479 U.S. 314, 328, 107 S.Ct. 708, 716, 93 L.Ed.2d 649 (1987). Nothing herein should be construed as a determination as to whether that ruling will apply retroactively on state collateral review to those convictions and sentences that were final when *Ramos* was decided.