

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2021-KP-01557

VS.

MONIQUE O. KITTS

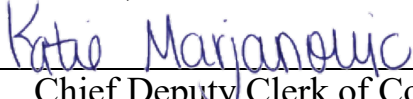
IN RE: Monique O. Kitts - Applicant Defendant; Applying For Supervisory Writ,
Parish of West Baton Rouge, 18th Judicial District Court Number(s) 130500, Court
of Appeal, First Circuit, Number(s) 2021 KW 0945;

March 07, 2023

Writ application granted. See per curiam.

JTG
JLW
JDH
WJC
PDG

Crichton, J., dissents.
McCallum, J., dissents.

Supreme Court of Louisiana
March 07, 2023


Chief Deputy Clerk of Court
For the Court

03/07/2023

SUPREME COURT OF LOUISIANA

No. 21-KP-1557

STATE OF LOUISIANA

v.

MONIQUE O. KITTS

**ON SUPERVISORY WRITS TO THE EIGHTEENTH
JUDICIAL DISTRICT COURT, PARISH OF WEST BATON ROUGE**

PER CURIAM:

Writ granted. The trial court erred in its reliance on *Edwards v. Vannoy*, 593 U.S. ___, 141 S.Ct. 1547, 209 L.Ed.2d 651 (2021) and *Ramos v. Louisiana*, 590 U.S. ___, 140 S.Ct. 1390, 206 L.Ed.2d 583 (2020). The matter is remanded. The district court shall determine whether to rule on the post-conviction application summarily, under La.C.Cr.P. art. 929, or whether an evidentiary hearing is warranted under La.C.Cr.P. art. 930. Thereafter, the district court shall issue a written ruling that addresses the claim of ineffective assistance of counsel presented in the post-conviction application, which was filed in the trial court on or about February 3, 2020.