

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2023-KK-01010

VS.

MATTHEW MIRE

IN RE: Matthew Mire - Applicant Defendant; Applying For Supervisory Writ,
Parish of Ascension, 23rd Judicial District Court Number(s) 44495, 44496, Court of
Appeal, First Circuit, Number(s) 2023 KW 0322;

December 05, 2023

Writ application granted. See per curiam.

JLW
SJC
WJC
JBM
PDG

Hughes, J., dissents for reasons assigned by the court of appeal.
Genovese, J., dissents for reasons assigned by the court of appeal.

Supreme Court of Louisiana
December 05, 2023


Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 2023-KK-01010

STATE OF LOUISIANA

VS.

MATTHEW MIRE

On Supervisory Writ to the 23rd Judicial District Court, Parish of Ascension

PER CURIAM

Writ granted. Under the unique circumstances presented in this first degree murder prosecution, which seeks the death penalty, we reverse the trial court’s denial of defendant’s motion to recuse Judge Stromberg. For the reasons assigned in Judge Miller’s dissent, *State v. Mire*, 2023-322 (La. App. 1 Cir. 7/6/23) (unpub’d, available at 2023 WL 4362898) (stating, “The judge’s brother is a detective with the Ascension Parish Sheriff’s Office and is a link in the chain of custody for evidence that the state intends to present at trial, as he logged in and transported evidence for testing related to this case.”), we find a substantial and objective basis for recusal which on its face may cause doubt as to neutrality. *See* La.C.Cr.P. art. 671(B). Out of an abundance of caution in this capital murder prosecution, and in the interest of justice and to safeguard public confidence in the judiciary, we therefore reverse and vacate the lower court judgments. We remand for reallocation.

REVERSED AND REMANDED