

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2024-KK-00731

VS.

DAVID MAYFIELD

IN RE: David Mayfield - Applicant Defendant; Applying For Supervisory Writ,
Parish of St. Charles, 29th Judicial District Court Number(s) 20-556, Court of
Appeal, Fifth Circuit, Number(s) 23-KH-456;

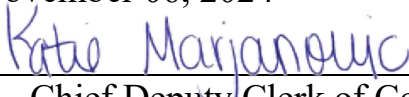
November 06, 2024

Writ application granted. See per curiam.

JTK
JDH
SJC
WJC
JBM
PDG

Weimer, C.J., would grant and docket.

Supreme Court of Louisiana
November 06, 2024



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 2024-KK-00731

STATE OF LOUISIANA

VS.

DAVID MAYFIELD

On Supervisory Writ to the 29th Judicial District Court, Parish of St. Charles

PER CURIAM

WRIT DENIED IN PART; WRIT GRANTED IN PART.

We agree with the reasons assigned by Judge Johnson affirming the District Court's finding defendant is owner of the firearms at issue, and at least one of the firearms is derivative contraband. *See State v. Mayfield*, 23-456 (La. App. 5 Cir. 5/23/24)(unpublished).

The record shows the State did not present evidence showing which firearm(s) was used by defendant in the commission of the offense. Therefore, the District Court is ordered to hold a hearing to determine which firearm defendant used in committing the offense.

Only the firearm(s) used by defendant is subject to contraband seizure. The remaining firearms shall be released to the owner according to the provisions of La. R.S. 15:41.

Accordingly, we reverse the District Court's ruling in part and remand this matter for further proceedings consistent with this order.