

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2025-K-00633

VS.

GARRETT J. WARD

IN RE: State of Louisiana - Applicant Plaintiff; Applying For Writ Of Certiorari,
Parish of Orleans Criminal, Criminal District Court Number(s) 541-639, Court of
Appeal, Fourth Circuit, Number(s) 2023-KA-0524;

October 14, 2025

Writ application granted. See per curiam.

PDG
JLW
JDH
WJC
JBM
JMG
CRC

Supreme Court of Louisiana
October 14, 2025

Katja Marjanovic
Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 2025-K-0633

STATE OF LOUISIANA

v.

GARRETT J. WARD

On Writ of Certiorari to the Court of Appeal,
Fourth Circuit, Parish of Orleans

PER CURIAM:

Writ granted. For the reasons discussed below, we conclude that the court of appeal erred by reversing the trial court's judgment, vacating the defendant's conviction and sentence, and remanding for a new trial.

The trial court correctly denied the defendant's motion for a mistrial pursuant to La.C.Cr.P. art. 770(1). The defense sought a mistrial on the basis of purportedly racially-charged comments by an eyewitness during her testimony; however, the witness's challenged statements merely recounted defendant's own words and actions during the charged offense. As such, the references to race were not attributable to the prosecutor, and were in fact material and relevant to establishing the defendant's specific intent to commit the charged offense of second degree murder in violation of La. R.S. 14:30.1 and establishing that the defendant did not act in self defense. Thus, no mistrial was warranted pursuant to La.C.Cr.P. art. 770.

The ruling of the court of appeal, which vacated the conviction and sentence and pretermitted all remaining assignments of error, is reversed. The conviction and sentence are reinstated, and the matter is remanded to the court of appeal for consideration of the pretermitted claims.

REVERSED AND REMANDED.