

APPENDIX “A”

Louisiana Supreme Court Ruling

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2019-KH-01636

VS

JUAN MATTHEWS

IN RE: Juan Matthews - Applicant Defendant; Applying For Supervisory Writ,
Parish of Orleans, Criminal District Court Number(s) 356-485, Court of Appeal,
Fourth Circuit, Number(s) 2019-K-0716;

August 14, 2020

Writ application denied.

JTG

JLW

JDH

SJC

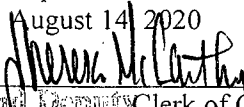
WJC

JHB

Johnson, C.J., would grant and assigns reasons.

Supreme Court of Louisiana

August 14, 2020



Second Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

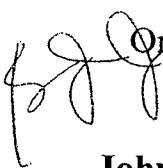
No. 2019-KH-01636

AUG 14 2020

STATE OF LOUISIANA

VS

JUAN MATTHEWS

 On Supervisory Writ to the Criminal District Court, Parish of Orleans Criminal

Johnson, C.J., would grant and assigns reasons:

The defendant claims he was convicted by a non-unanimous jury verdict and, therefore, that his conviction violates the Constitution. If he was convicted by a non-unanimous jury then I believe the conviction must be vacated because the Supreme Court's recent decision in *Ramos v. Louisiana*, 140 S. Ct. 1390 (2020) should be applied retroactively to cases on state collateral review.

I would grant the writ and remand with instructions to the district court to establish—if it is possible to do so from contemporaneous record of the trial, jury deliberations, and votes—whether the verdict in this case was unanimous. If the record shows that the verdict was non-unanimous, then for the reasons I articulated in *State v. Gipson*, 19-KH-01815 (La. 06/03/20), the defendant should be permitted to file a collateral challenge to his conviction pursuant to La. C. Cr. P. art. 930.3(1) and argue for the retroactive application of *Ramos* to his case under 930.8(A)(2).

WESTLAW

State v. Matthews

Supreme Court of Louisiana. August 14, 2020 --- So.3d --- 2020 WL 4727094 (Mem) 2019-01636 (La. 8/14/20) (Approx. 1 page)

2020 WL 4727094
Supreme Court of Louisiana.

STATE of Louisiana

v.

Juan MATTHEWS

No. 2019-KH-01636
08/14/2020

Applying For Supervisory Writ, Parish of Orleans, Criminal District Court Number(s)
356-485, Court of Appeal, Fourth Circuit, Number(s) 2019-K-0716.

Opinion

*1 Writ application denied.

All Citations

--- So.3d ---, 2020 WL 4727094 (Mem), 2019-01636 (La. 8/14/20)

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