

Appendix A →→→ Ruling

Court: Louisiana Supreme Court
Docket Number: 2022-KH-00321
Date Decided: February 7, 2023
Disposition: Denied

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2022-KH-00321

VS.

BRANDON TATE

IN RE: Brandon Tate - Applicant Defendant; Applying For Supervisory Writ, Parish of Orleans Criminal, Criminal District Court Number(s) 485-447, Court of Appeal, Fourth Circuit, Number(s) 2022-K-0025;

February 07, 2023

Writ application denied.

WJC

JLW

JDH

SJC

JTG

JBM

PDG

Supreme Court of Louisiana

February 07, 2023

Katie Marjanovic
Chief Deputy Clerk of Court
For the Court

Appendix C →→→ 4th Cir. Ct. of Appeal (State Level)

* Cannot find this Opinion, lost during shakedown

Court: Louisiana Supreme Court

Docket Number: 2022-K-0025

Date Decided: 01/06/22

Judges: unknown

Disposition: Denied

NO. 2022-K-0025

COURT OF APPEAL, FOURTH CIRCUIT

STATE OF LOUISIANA

STATE OF LOUISIANA

VERSUS

BRANDON TATE

IN RE: **BRANDON TATE**

APPLYING FOR: **SUPERVISORY WRIT**

DIRECTED TO: **HONORABLE ROBIN D. PITTMAN**
CRIMINAL DISTRICT COURT ORLEANS PARISH
SECTION "F", 485-447

WRIT DENIED

Relator, Brandon Tate, seeks review of the district court's December 2, 2021 judgment denying his Motion to Challenge the Constitutionality of Petitioner's Guilty Plea. Relator asserts that he waived his right to a jury trial based on misrepresentations by the district court, prosecutors, and defense counsel. He argues that he was misled to believe that if he proceeded to trial, he could be found guilty by a non-unanimous jury verdict, in contravention of *Ramos v. Louisiana*, ___ U.S. ___, 140 S.Ct. 1390, 206 L.Ed.2d 583 (2020). However, that case was decided nine years after Relator's guilty plea. At the time Relator pled guilty, non-unanimous jury verdicts were held to be constitutional. Accordingly, Relator's writ application is denied.

New Orleans, Louisiana this 18th day of January, 2022.

TFL

CHIEF JUDGE TERRI F. LOVE

**LOBRANO, J., CONCURS IN THE DENIAL
OF THE WRIT**

JUDGE JOY COSSICH LOBRANO

SCJ

JUDGE SANDRA CABRINA JENKINS

**Additional material
from this filing is
available in the
Clerk's Office.**