

09/21/2007 "See News Release 057 for any Concurrences and/or Dissents."
SUPREME COURT OF LOUISIANA

No. 2007-KD-1735

STATE OF LOUISIANA

VS.

EDWARD HARRIS

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL
FIFTH CIRCUIT, PARISH OF JEFFERSON

JOHNSON, J., concurs in the denial of the writ application with reasons:

The purposeful discriminatory use of peremptory challenges to strike African Americans from a jury violates the defendant's constitutional rights, and undermines the public confidence in our judicial process.

However, I am unaware of any procedure which would allow for a pre-trial hearing on a *Batson* challenge, prior to the voir dire process. *See my dissent in State v. Snyder*, 98-1078(La.9/6/06), 942 So.2d 484, 490.