

**STATE OF LOUISIANA
COURT OF APPEAL, SECOND CIRCUIT
430 Fannin Street
Shreveport, LA 71101
(318) 227-3700**

No. 56,413-KW

STATE OF LOUISIANA

VERSUS

JACOBY LADARIUS JOHNSON

FILED: 03/06/25

RECEIVED: EMAIL 03/05/25

On application of Jacoby Ladarius Johnson for SUPERVISORY WRIT in No. 79,479 on the docket of the Third Judicial District, Parish of LINCOLN, Judge Chet D. Traylor, Ad Hoc.

PLAISANCE LAW, LLC
Mark David Plaisance

Counsel for:
Jacoby Ladarius Johnson

Lewis Allen Jones
John Fitzgerald Belton

Counsel for:
State of Louisiana

Before COX, HUNTER, and ELLENDER, JJ.

WRIT GRANTED AND MADE PEREMPTORY.

The applicant, Jacoby Ladarius Johnson, seeks review of the trial court's February 11, 2025, oral order removing Judith Hampton as appointed counsel for applicant. The trial court removed Attorney Hampton as appointed counsel on the grounds of a purported "improper perception" apparently due to her familial relationship with the Chief Judge of the Third Judicial District Court.

Louisiana courts have held that an attorney laboring under an *actual* conflict of interest cannot render effective legal assistance to the defendant he is representing. U.S. Const. amend. VI; *State v. Cisco*, 01-2732 (La. 12/3/03), 861 So. 2d 118, *cert. denied*, 541 U.S. 1005, 124 S. Ct. 2023, 158 L. Ed. 2d 522 (2004); *State v. Tensley*, 41,726 (La. App. 2 Cir. 4/4/07), 955 So. 2d 227, *writ denied*, 07-1185 (La. 12/7/07), 969 So. 2d 629.

In this matter, Chief Judge Bruce Hampton's previous self-recusal from this matter cured any potential conflict arising from his relationship with Attorney Hampton. La. C. Cr. P. art. 671. Even so, Attorney Hampton is not appearing before her father or any other judge of the Third Judicial District. As a result, we

agree with applicant that there remains no legal or ethical prohibition against Attorney Hampton's representation of the defendant in this matter. This writ is granted and the order of the trial court removing Attorney Hampton as applicant's appointed counsel is reversed. This matter is remanded for a hearing to allow Johnson to state on the record whether he wishes to proceed with Hampton as his attorney.

Shreveport, Louisiana, this 27 day of March, 2025.

MLH JSC DJE

FILED: March 27, 2025

Molly Meleton
DEPUTY CLERK