UNITED STATES SENATE COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

1. Name: State full name (include any former names used).

Kurt Lawrence Wall

2. **Position**: State the position for which you have been nominated.

United States Attorney for the Middle District of Louisiana

3. <u>Address</u>: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

Office:

21st Judicial District Attorney's Office 20300 Government Blvd. Livingston, Louisiana 70754

Residence:

Baton Rouge, Louisiana

4. **Birthplace**: State date and place of birth.

1965; San Antonio, Texas

5. <u>Education</u>: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

Louisiana State University Law School 1991-1994 Juris Doctor – May 1994

Texas Christian University 1983-1987 B.S. – Education – May 1987

6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

January 2016 – Present Chief Felony Prosecutor 21st Judicial District Attorney's Office 20300 Government Blvd. Livingston, Louisiana 70754

April 2009 – December 2015 Director, Criminal Division Louisiana Attorney General's Office 1885 North Third Street Baton Rouge, Louisiana 70802

October 2007 – April 2009 Assistant District Attorney 21st Judicial District Attorney's Office 20300 Government Blvd. Livingston, Louisiana 70754

October 1994 – September 2007 Assistant District Attorney 19th Judicial District Attorney's Office 222 St. Louis Street Baton Rouge, Louisiana 70802

December 1992 – October 1994 Student/Law Clerk (December 1992 – July 1994) Research Assistant (August 1994 – October 1994) Louisiana Department of Justice Louisiana Attorney General's Office 1885 North Third Street Baton Rouge Louisiana 70802

June 1990 – April 1991 Special Assistant United States Department of Education 400 Maryland Avenue, S.W. Washington, D.C. 20202

June 1988 – June 1990 Special Assistant (June 1988 – December 1989) Anti-Drug Coordinator (January 1990 – June 1990) Congressman Joe Barton 1225 Longworth HOB Washington, D.C. 20515

June 1987 – June 1988

Assistant Basketball Coach Coker College 300 East College Avenue Hartsville, South Carolina 29550

7. <u>Military Service and Draft Status</u>: Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I have not served in the U.S. military. I have registered for selective service.

8. <u>Honors and Awards</u>: List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

Coker College Athletic Hall of Fame, 2017

Gonzales Lions Club, Lion of the Year Service Award, 2013

Texas Christian University Scholar Athlete Award, 1987

9. <u>Bar Associations</u>: List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

Louisiana District Attorneys Association Executive Committee (2017 – 2025)

10. Bar and Court Admission:

a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

Louisiana, October 1994 Texas, June, 2000

There have been no lapses in membership.

b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

United States Court of Appeals for the Fifth Circuit (June 2010) United States District Court for the Eastern District of Louisiana (October 1994) United States District Court for the Middle District of Louisiana (October 1994) United States District Court for the Western District of Louisiana (October 1994) All state courts in Louisiana (October 1994) All state courts in Texas (June 2000)

11. Memberships:

a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

St. Vincent De Paul Committee – St. Jude Catholic Church (2020 – Present) Gonzales Lions Club (1995 – 2020)

President (June 2014 – May 2015)

Secretary (June 2012 – June 2014)

Texas Christian University Lettermen's Association (1988 – present)

b. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

To my knowledge, none of these organizations discriminates or formerly discriminated on the basis of race, sex, religion, or national origin either through formal membership requirements or the practical implementation of membership policies.

12. Published Writings and Public Statements:

a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

I have done my best to locate any books, articles, letters to the editor, editorial pieces or any other published materials, including a thorough review of my personal files and searches of publicly available electronic databases. Despite my best efforts, there may be other materials that I have been unable to identify or remember. However, I have not found any documents that would be included in this category.

b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association,

committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

I have done my best to locate any reports, memoranda or policy statements I have prepared or contributed to, including a thorough review of my personal files and searches of publicly available electronic databases. Despite my best efforts, there may be other materials that I have been unable to identify or remember. However, I have not found any documents that would be included in this category.

c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

I have done my best to identify any testimony, official statements, or other communications related, in whole or in part, to matters of public policy or legal interpretation, including a thorough review of my personal files and searches of publicly available electronic databases. Despite my best efforts, there may be other materials that I have been unable to identify or remember. However, I have not found any documents that would be included in this category.

d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

I have done my best to identify transcripts or recordings of all speeches or talks delivered, including a thorough review of my personal files and searches of publicly available electronic databases. Despite my best efforts, there may be other materials that I have been unable to identify or remember. However, I have not found any documents that would be included in this category.

e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

Although I have not issued press releases or given sit down interviews, I have

been quoted by newspapers regarding particular cases or issues. I have done my best to identify all articles where I have been quoted through publicly available electronic databases. Despite my best efforts, there may be other interviews or materials that I have been unable to identify or remember. I have located the following:

Jacquline Derobertis, After crash that killed a driver, Livingston deputy pleads no contest to traffic offense, BATON ROUGE ADVOCATE, Dec. 8, 2022. Copy Supplied

Paul Cobler, Man found guilty of 2018 killing elderly Denham Springs couple, BATON ROUGE ADVOCATE, May 21, 2021. Copy Supplied

Staff, Man found guilty of Gurley murders, HAMMOND DAILY STAR, May 20, 2021, Copy Supplied.

Staff, Assistant DA Wall heads board, HAMMOND DAILY STAR, Aug. 14, 2020. Copy Supplied.

Yousef Rddad, *Trial set for man accused of Livingston, Ascension killing rampage, but delays possible*, BATON ROUGE ADVOCATE, Jan. 6, 2020. Copy Supplied.

Emma Kennedy, Baton Rouge attorney Chris Alexander booked in Livingston Parish to face fraud charges, BATON ROUGE ADVOCATE, Dec. 6, 2019. Copy Supplied

Caroline Grueskin, Dakota Theriot indicted on 3 murder charges in Livingston; records reveal new info, BATON ROUGE ADVOCATE, Feb.7, 2019. Copy Supplied

Caroline Grueskin, Man accused of beating Denham Springs couple to death formally charged with murder, BATON ROUGE ADVOCATE, Jan.23, 2019. Copy Supplied

Caroline Grueskin, Candidate for Hammond City Council was accused by two women of domestic assault, stalking, BATON ROUGE ADVOCATE, Sept. 22, 2018. Copy Supplied

Staff, Greenhouse release on bail stirs emotions, AVOYELLES JOURNAL, Nov.30, 2015. Copy Supplied

Littice Bacon-Blood, *Probe on deadly amoeba complete*, TIMES-PICAYUNE, June 2, 2015. Copy Supplied

David Mitchell, *Man who avoided jail gets 60-day sentence*, BATON ROUGE ADVOCATE, April 27, 2015. Copy Supplied

David Mitchell, *Man on house arrest spotted at restaurant*, BATON ROUGE ADVOCATE, April 6, 2015. Copy Supplied

Matt Bradwell, Former Louisiana mayor arrested on 40 counts of child pornography, UPI. Oct. 24, 2014. Copy Supplied

Faimon Roberts, *Peralta charged with stalking* *** *Finance director asked to lead St. Bernard Parish*, BATON ROUGE ADVOCATE, Sept. 25, 2014. Copy Supplied

David Mitchell, Ascension Parish doesn't have a justice system' ***

Donaldsonville man avoids prison for 19 years after crash killed infant, BATON
ROUGE ADVOCATE, Sept. 19, 2014. Copy Supplied

Brady Mills, *METALS THEFT: Is this billion dollar crime on YOUR radar?* NATIONAL SHERIFF'S ASSN., Sept.1, 2014. Copy Supplied

Staff, FEDERAL JURY FINDS LOCAL ATTORNEY GUILTY OF DRUG CONSPIRACY AND MONEY LAUNDERING CHARGES, STATES NEWS SERVICE, Aug. 29, 2014. Copy Supplied

John Simerman, *State wants sanctions for King's lawyer*, BATON ROUGE ADVOCATE, Aug. 14, 2014. Copy Supplied

Ellyn Couvillion, AG declines call to investigate Gonzales mayor, BATON ROUGE ADVOCATE, July 29, 2014. Copy Supplied

Joe Gyan, Jr., Panel sends case back to judge *** Man never served jail sentence in baby's '94 deaths, BATON ROUGE ADVOCATE, July 23, 2014. Copy Supplied

David Mitchell, 19 years after crash, man ordered to jail, BATON ROUGE ADVOCATE, July 15, 2014. Copy Supplied

Staff, Ex-Mayor of Gibsland, Odell Key, sentenced, AP, May 9, 2014. Copy Supplied

David Mitchell, AG drops charges in online postings *** Ex-Ascension official claims act was satire, BATON ROUGE ADVOCATE, Jan. 29, 2014. Copy Supplied

Michelle Millhollon, *State begins targeting fraud by tax preparers*, BATON ROUGE ADVOCATE, Aug. 28, 2013. Copy Supplied

Ben Myers, *State sides with Kenner councilman*, TIMES-PICAYUNE, Aug. 28, 2013. Copy Supplied

Manual Torres, *Kenner official's commute draws attention*, TIMES-PICAYUNE, July 26, 2013. Copy Supplied

Staff, Man gets prison for threatening district attorney, AP, June 29, 2013. Copy Supplied

Staff, Child Predator Gets 99 Year Sentence in Child Molestation and Pornography Case, TARGETED NEWS SERVICE, June 17, 2013. Copy Supplied

Bret McCormick, *State appeals White's ruling* *** *Sentence stayed in 1994 case*, BATON ROUGE ADVOCATE, May 14, 2013. Copy Supplied

Staff, *State appeals suspension of never-served sentence*, AP, May 14, 2013. Copy Supplied

Bret McCormick, 2-year sentence suspended *** Man in '94 negligent homicide never jailed", BATON ROUGE ADVOCATE, May 4, 2013. Copy Supplied

Staff, Couple pleads guilty in fire department theft, AP, Apr.18, 2013. Copy Supplied

Joe Gyan, Jr., *Prosecutor: Man must go to prison*, BATON ROUGE ADVOCATE, Apr.17, 2013. Copy Supplied

Joe Gyan, Jr., *Man pleads guilty to tweeting threats*, BATON ROUGE ADVOCATE, Mar. 12, 2013. Copy Supplied

Terry Jones, *Grand jury decides scrap scales no crime*, BATON ROUGE ADVOCATE, Sept.19, 2012. Copy Supplied

David Mitchell, *AG clears Ascension hotel plan*, BATON ROUGE ADVOCATE, Apr. 24, 2012. Copy Supplied

Staff, *Ex-school board chief indicted in theft case*, AP, Mar. 30, 2012. Copy Supplied

Westside Bureau, *Sex offender's probation reinstated*, BATON ROUGE ADVOCATE, Jan. 25, 2012. Copy Supplied

Staff, Deal made in casino theft case, AP, Jan. 18, 2012. Copy Supplied

Peter Eisler, *Deadlines loom in Katrina cases*, GANNETT NEWS, Nov. 25, 2010. Copy Supplied

Joe Gyan, Jr., State dismisses charge against ex-councilman, BATON ROUGE ADVOCATE, Jul. 1, 2010. Copy Supplied

Staff, *Sabine homicide unsolved a year later*, Shreveport Times, Jun 22, 2010. Copy Supplied

David Mitchell, *Man to be retried for 1979 murder on new evidence*, BATON ROUGE ADVOCATE, Mar. 30, 2010. Copy Supplied

Staff, *Probe: Did Assumption deputies lie for warrants?*, AP, Feb. 24, 2010. Copy Supplied

Staff, *Nation & World*, CHICAGO TRIBUNE, Feb.5, 2010. Copy Supplied Staff, *2 officers cleared in slaying of man*, SHREVEPORT TIMES, Jan. 29, 2010. Copy Supplied

Staff, Attorney general decides against prosecuting former Webster assistant DA, Shreveport Times, Jan. 29, 2010. Copy Supplied

Staff, AG won't prosecute former Webster Parish assistant DA, SHREVEPORT TIMES, Jan. 28, 2010. Copy Supplied

Joe Gyan, Jr., *Ex-official to be re-evaluated*, BATON ROUGE ADVOCATE, Dec. 9, 2009. Copy Supplied

David Mitchell, *Dropped charges leave questions*, BATON ROUGE ADVOCATE, Apr. 7, 2009. Copy Supplied

Debra Lemoine, *Woman found guilty in death*, BATON ROUGE ADVOCATE, Oct. 27, 2007. Copy Supplied

Staff, USC: Man convicted of killing USC basketball player facing life in prison, U-WIRE, Aug. 28, 2007. Copy Supplied

Ben Bloch, Newswire, Los Angeles Times, Aug. 18, 2007. Copy Supplied

Adrian Angellette, *BR man indicted in February killing*, BATON ROUGE ADVOCATE, Jun. 1, 2007. Copy Supplied

Adrian Angellette, *3 indicted in killing of mayor's neighbor*, BATON ROUGE ADVOCATE, May 11, 2007. Copy Supplied

Adrian Angellette, Suspect in slaying jailed without bond in separate incident, BATON ROUGE ADVOCATE, Sept. 12, 2006. Copy Supplied

Adrian Angellette, Suspect in player's death has bond amount reduced, BATON ROUGE ADVOCATE, Jun. 30, 2006. Copy Supplied

Stephanie Riegel, Get cooking, Dad *** Healthy, tasty home-cooked meals can be simple, BATON ROUGE ADVOCATE, Jun. 15, 2006 Copy Supplied

Adrian Angellette, *Man, 18, gets nearly 25 years in prison for fatal shooting*, BATON ROUGE ADVOCATE, Apr. 8, 2006. Copy Supplied

Adrian Angellette, *Teen agrees to guilty plea in fatal shooting of BR man*, BATON ROUGE ADVOCATE, Jan. 31, 2006. Copy Supplied

Keith O'Brien, COURTROOM DISTINCTIONS Derrick Todd Lee goes on trial on a murder charge Monday, and the principal lawyers in the case couldn't be more different, TIMES-PICAYUNE, Sept.12, 2004. Copy Supplied

Staff, *EXECUTION SOUGHT IN MLK DAY SHOOTING*, AP, Jun. 27, 1998. Copy Supplied

Staff, *PLEA GETS POLITICAL HEIR 5 YEARS FOR 4TH DWI*, TIMES-PICAYUNE, Jan. 23, 1997. Copy Supplied

13. Public Office, Political Activities and Affiliations:

a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

I have not run for public office. I have not held any public offices.

b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

I have never been a member or held an office in any political party or election committee. I have not held a position or played a role in a political campaign.

14. **Legal Career:** Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:
 - i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I have not clerked for a judge.

ii. whether you practiced alone, and if so, the addresses and dates;

I have not practiced alone.

iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

August 1994 – October 1994 Research Assistant Louisiana Department of Justice Louisiana Attorney General's Office 1885 North Third Street Baton Rouge Louisiana 70802

October 1994 – September 2007 Assistant District Attorney 19th Judicial District Attorney's Office 222 St. Louis Street Baton Rouge, Louisiana 70802

October 2007 – April 2009 Assistant District Attorney 21st Judicial District Attorney's Office 20300 Government Blvd. Livingston, Louisiana 70754

April 2009 – December 2015 Director, Criminal Division Louisiana Attorney General's Office 1885 North Third Street Baton Rouge, Louisiana 70802

January 2016 – Present Chief Felony Prosecutor 21st Judicial District Attorney's Office 20300 Government Blvd. Livingston, Louisiana 70754

iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have not served as a mediator or arbitrator.

v. Whether you have held any judicial office, including positions as an administrative law judge, on any U.S. federal, state, tribal, or local court and if so, please provide the name of the court, the jurisdiction of that court, whether the position was appointed or elected, and the dates of your service.

I have not held any judicial office.

b. Describe:

i. the general character of your law practice and indicate by date when its character has changed over the years.

In 1994, I was hired as an assistant district attorney and for approximately one year, I was handling mainly misdemeanor and traffic violations. Toward the end of 1995, I began to handle felony cases and participate in jury trials. I continued this work until April 2009 for two different District Attorney's Offices.

In 2009, I was hired as the Director of the Criminal Division at the Louisiana Department of Justice. Although I continued to prosecute some cases, this position was much more of an administrative role. I supervised approximately twenty prosecutors, over fifty investigators and approximately thirty support staff. I approved drafts of attorney general opinions, assigned all of the criminal cases to the various prosecutors, and consulted on various investigations conducted by the Louisiana Department of Justice.

In 2016, I left that office and returned to the 21st Judicial District Attorney's Office where I am the Chief Felony Prosecutor. I am now tasked with prosecuting approximately 250 felony cases a year in addition to handling many administrative duties. I assist with human resources issues, handle all asset forfeiture proceedings, consult with the line prosecutors regarding litigation issues and serve as the District Attorney's liaison with our local law enforcement agencies.

ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

I have not specialized in any particular area. I have handled all types of cases including murder, sex crimes and robberies, as well as public corruption and white-collar crimes. My client throughout my career has been the State of Louisiana.

c. Describe the percentage of your practice that has been in litigation and whether

you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

All of my practice has been involved in litigation and mostly criminal litigation. During the early years of being an Assistant District Attorney (1994-2007) I was in court every day. When I changed offices and went to the 21st Judicial District Attorney's Office, I was in court an average of twice a week. In 2009, when I became the Director of the Criminal Division at the Louisiana Department of Justice, I was in court much less frequently, approximately once a month. However, when I returned to the 21st Judicial District Attorney's Office in 2016, I begin going to court more frequently again, which is typically two or more times each week.

i. Indicate the percentage of your practice in:

1.	federal courts;	2%
2.	state courts of record;	98%
3.	other courts;	0%
4.	administrative agencies	0%

ii. Indicate the percentage of your practice in:

1.	civil proceedings;	0.3%
2.	criminal proceedings.	99.7%

d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

I have tried to verdict as sole counsel approximately 300 cases in my career. I have sat as a mentoring counsel or second chair on approximately 30 others.

i. What percentage of these trials were:

1.	jury;	35%
2.	non-jury.	65%

e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have not argued before the Supreme Court of the United States.

15. <u>Litigation</u>: Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a

capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

1. State of Louisiana v. Michael Collins

Docket Number 38426 21st Judicial District Court - Livingston Parish The Honorable Jeffrey Johnson October 2018 - May 2021

This case was a double homicide of an elderly husband and wife who were beloved by the community. The defendant had worked for the husband at his business and murdered him. When the wife became worried and went to the business location to check on her husband, the defendant murdered her as well. Both of them were bludgeoned to death by a sledgehammer. The defendant then fled to Kentucky after stealing their vehicle.

The defendant was found guilty of two counts of First-Degree Murder and was sentenced to two consecutive life sentences without the benefit of parole.

I served as sole counsel for the State.

Opposing Counsel: Vanessa Williams, Public Defender 59649 Guzzardo Lane, Suite B Amite City, Louisiana 70422 985-247-4984

2. State of Louisiana v. Matthew Morris

Docket Number 35418 21st Judicial District Court - Livingston Parish The Honorable Elizabeth Wolfe September 2016 - September 2018

This case involved a contractor who was hired by several families throughout the Baton Rouge region to repair their homes after the historic floods in 2016. Eleven of those families resided in Livingston Parish, and I prosecuted the contactor for stealing the victims' insurance money as well as personal funds and leaving their

homes in disrepair. He had charges in four separate parishes. Through a lot of negotiations with other prosecutors in neighboring parishes and discussions with insurance companies, the defendant entered a plea to a felony count of Filing False Public Records. He was sentenced to four years in state prison and was ordered to pay over \$100,000 of restitution to the victims.

I served as sole counsel for the State.

Opposing Counsel: Michael Fawer 201 St. Charles Avenue, #3702 New Orleans, Louisiana 70170 504-445-4913

3. State of Louisiana v Jordan Hughes

Docket Number 01-04-0285 19th Judicial District Court - East Baton Rouge Parish The Honorable Louis Daniel November 2003 - October 2004

This case involved the murder of a United States Marine Recruiter who had driven up from New Orleans to visit his younger brother and attend a homecoming high school football game. After the game, he and his brother stopped at a convenience store, and the younger brother got into a verbal altercation with two young men. When the Marine tried to calm everyone and defuse the situation, the defendant pulled a gun and fatally shot him.

The defendant was found guilty of one count of Second-Degree Murder and was sentenced to life without parole.

I was sole counsel for the State.

Opposing Counsel: Greg Rome, Public Defender 7142 Florida Blvd. Baton Rouge, Louisiana 70806 225-248-1234

4. State of Louisiana v. Jonathan Franklin

Docket Number 23245 21st Judicial District Court - St. Helena Parish The Honorable Charlotte Foster March 2024 - January 2025

This case involved a domestic murder where the defendant shot his girlfriend while her two daughters, ages nine and five, were sleeping on a couch next to her.

Unfortunately, the family had to wait almost six years for this case to get to trial. There were many delays due to sanity reviews of the defendant and things that were out of the State's control. I inherited the case after the sanity issues had been resolved and went to trial within 9 months of taking it over. The two young daughters, now sixteen and twelve, were extremely grateful to receive justice for their mother's murder.

The defendant was found guilty of one count of Second-Degree Murder and was sentenced to life without parole.

I was lead counsel on this case and handled the majority of witnesses and the opening statements. My co-counsel was relatively inexperienced with these types of cases, so it was an excellent opportunity for me to mentor her and allow her to prepare a case for trial. She also handled some witnesses and gave part of the closing argument.

Co-Counsel: Kaitlyn McMorris P.O. Box 639 Amite, Louisiana 70422 985-748-7890

Opposing Counsel: Michael Capdeboscq P.O. Box 1004 Amite, Louisiana 70422 985-748-4922

Mark Valentine 108 East Mulberry Street Amite, Louisiana 70422 985-748-8164

5. State of Louisiana v. Scott Massey

Docket Number 638657 32nd Judicial District Court - Terrebonne Parish The Honorable Randall Bethencourt July 2012 - June 2013

This case originally started out as a child pornography investigation when I was Director of the Criminal Division at the Louisiana Department of Justice. However, when investigators came to me and told me that the defendant was found to have homemade videos of several young boys that appeared to be victims of molestation, we re-opened the investigation. Subsequently it was determined that the defendant had molested several of his eight-year-old son's friends while they were over for sleepovers and he videoed it while they slept. I

decided to keep this case instead of assigning it to another prosecutor. The defendant, who was a bank comptroller with no criminal history, eventually pled guilty to several sex offenses resulting in a sentence of ninety-nine years.

I was sole counsel for the State.

Opposing Counsel: Gregg Graffagnino 7731 Park Avenue Houma, Louisiana 70364 985-872-0075

6. State of Louisiana v. Brandon Johnson

Docket number 01-98-0486 19th Judicial District Court – East Baton Rouge Parish The Honorable Ralph Tyson January 1998 - March, 1999

This case involved a shooting in Baton Rouge during the Martin Luther King, Jr. Parade. One person was shot and killed, and three children were wounded. I was still a relatively young prosecutor at the time, but I was allowed to sit second chair on this case, and it was my first high profile murder case. I was heavily involved in the pre-trial motions and preparation of witnesses. I participated in jury selection, questioned witnesses and also gave the initial closing argument. The defendant was found guilty of one count of Second-Degree Murder and three counts of Attempted Second Degree Murder, and he was sentenced to life without parole.

Co-Counsel:

Tony Clayton 3741 Louisiana Highway 1, South Port Allen, Louisiana 70767 225-209-9943

Opposing Counsel:
Ossie Brown (Deceased)
Dana Brown
123 St. Ferdinand Street
Baton Rouge, Louisiana 70802
225-343-1111

7. State v. Devonte Skinner

Docket Number 46698 21st Judicial District - Livingston Parish The Honorable Charlotte Foster June 2023 - April 2024 This case involved a defendant who was trafficking major amounts of fentanyl in pill and powdered form. At the time, it was the biggest bust of powdered fentanyl in the history of Livingston Parish. The defendant was tied to a gang of major dealers who were getting their product from Houston. The U.S. Attorney's Office initially asked to adopt the case, and our office consented. However, after several months, they decided not to pursue this defendant and sent it back to be prosecuted in state court. I took the case to trial and convicted the defendant.

I filed a habitual offender bill on the defendant and as a four-time convicted felon, the judge sentenced him to seventy years in state prison for the multiple counts of distribution of fentanyl.

I was sole counsel for the State.

Opposing Counsel: John Almerico 510 North Jefferson Avenue Covington, Louisiana 70433 985-888-1694

8. State of Louisiana v. Nicholas Flanagan

Docket Number 44481 21st Judicial District Court - Livingston Parish The Honorable Charlotte Foster January 2021 - March 2023

This case involved the sexual battery of a six-year old girl by her mother's boyfriend. Although there was limited physical evidence, the testimony of the victim was key, and she was incredibly brave to be willing to stand up to the defendant in court.

He was found guilty of two counts of sexual battery of a juvenile and sentenced to 40 years in prison.

I was sole counsel for the State.

Opposing Counsel: Greg Webb, Public Defender 37325 Market Place Drive, Suite B Prairieville, Louisiana 70769 225-483-0086

9. State of Louisiana v. Jason Hacker

Docket Number 12-99-333 19th Judicial District Court - East Baton Rouge Parish The Honorable Louis Daniel October 1999 - March 2002

This was a multiple homicide case where two adult male roommates were stabbed to death. The third roommate was initially suspected but had a valid alibi. The knife was recovered and DNA and fingerprints led to a suspect that had been seen with one of the victims at a bar earlier in the evening, just prior to the murder. Motive turned out to be robbery after the defendant followed the victim back to his house and killed the victim and his roommate who just happened to be there.

He was found guilty of two counts of Second-Degree Murder and sentenced to two consecutive life sentences without parole.

My co-counsel and I really split the duties evenly on this case. We both had about the same amount of experience at that time, and we wanted to try a case together.

Co-Counsel Wick Cooper 1201 Capitol Access Road Baton Rouge, Louisiana 70802 225-936-6073

Opposing Counsel: Susan Hebert, Public Defender 28446 Charley Watts Road Livingston, Louisiana 70754 225-686-2128

10. State of Louisiana v. Mark Morris

Docket Number 5-98-59 19th Judicial District Court - East Baton Rouge Parish The Honorable Ralph Tyson January 1998 - July 1999

This case involved the homicide of a young female employee at a Winn-Dixie grocery store. She was arriving for work at the same time the defendant was robbing the store. When he exited the building, he carjacked her and drove her to a location a few miles from the store and killed her for her vehicle. This occurred in an area of town that was a relatively low-crime area and caused quite a stir in the city.

He was found guilty and was sentenced to life without parole. I handled the majority of the pre-trial motions and trial prep, but my co-counsel assisted with the actual trial as he had a bit more experience than I had at the time. We each handled witnesses, and both participated in jury selection, but I

believe he presented the closing arguments.

Co-Counsel Barry Fontenot 222 East Chestnut #14-B Chicago, IL 60611 225-266-3261

Opposing Counsel: Otha Nelson (Deceased)

<u>16. Legal Activities</u>: Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

In my current position as the Chief Felony Prosecutor, I also serve as the drug court prosecutor for the 21st Judicial District Court. We meet weekly with the drug court judge and staff to evaluate how participants are progressing and discuss possible sanctions that the judge may find appropriate. While not everyone succeeds, and some go back to prison, the recidivism rate is much less for those who reach graduation. I have witnessed people who were addicts for decades, reconnect with their families, get stable employment, get their lives back on track, and remain clean and sober. Specifically, a couple of the defendants I referred to drug court have now completed their degrees and have become addiction counselors. This program has had a significant impact on the community.

As for lobbying activities, I have served on the Executive Council for the Louisiana District Attorneys' Association for the past six years. During each legislative session there are dozens of bills that affect the criminal justice system, and the Louisiana District Attorney's Association often wants to take a position on a particular bill. Because I live in Baton Rouge, and am in close proximity to the capital, I have been asked on occasion to travel to the capital to support or oppose various pieces of legislation on behalf of the Louisiana District Attorney's Association. This process mostly consists of filling out a card to submit to a committee to convey either support or opposition for a particular piece of legislation that reflects the Association's position. On one. or perhaps two. occasions I have testified to provide additional information that a legislator might have requested on a particular bill; however, I do not remember the specific topics of discussion.

17. <u>Teaching</u>: What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have

a syllabus of each course, provide four (4) copies to the committee.

I have not taught any courses.

18. Deferred Income/ Future Benefits: List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

I have no arrangements in the future to be compensated for any financial or business interest. I still remain a public employee of the District Attorney's Office.

19. Outside Commitments During Service: Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

None.

20. Sources of Income: List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

Please see my OGE-278 as provided by the Office of Government Ethics.

21. Statement of Net Worth: Please complete the attached financial net worth statement in detail (add schedules as called for).

See Attached Net Worth Statement.

22. Potential Conflicts of Interest:

a. Identify the family members or other persons, parties, affiliations, pending and categories of litigation, financial arrangements or other factors that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

During the nomination process, I consulted with the Department of Justice's ethics office and Designated Ethics Officer to identify any potential conflicts. If I am confirmed, I will continue to consult with that office and will recuse myself from any matter in which recusal is required.

b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

If I am confirmed, any potential conflict of interest will be resolved in accordance with the terms of an ethics agreement that I have entered with the Department's designated agency ethics official. It confirmed, I will continue to consult with the Department of Justice's ethics office and will recuse myself from any matter in which recusal is required.

23. Pro Bono Work: An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each. If you are not an attorney, please use this opportunity to report significant charitable and volunteer work you may have done.

I have been a prosecutor my entire career, so due to ethics restrictions by my agency I have not been able to provide many pro bono legal services. However, I have assisted several drug court graduates with the completion of their expungement forms so their charges can be completely removed from their record. I have also volunteered in Moot Court competitions and mentored those participants. I was also a contributor to the Baton Rouge Bar's Volunteer Committee for several years. Our main program was to sponsor Easter Egg hunts for underprivileged children at some of the underserved schools in the area. We also worked to provide meals for those who were in need around the holidays.

AFFIDAVIT

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6-5-25 (DATE)	(NAME)
	B + LSBH # 3811)
	BRETT SOMMER Notary Public Livingston Parish, Louisiana