

STATE OF LOUISIANA

NO. 24-K-424

VERSUS

FIFTH CIRCUIT

SONYA WILLIAMS MCKARRY

COURT OF APPEAL

STATE OF LOUISIANA

FIFTH CIRCUIT COURT OF APPEAL
A TRUE COPY OF DOCUMENTS AS
SAME APPEARS IN OUR RECORDS



Linda Wiseman
First Deputy, Clerk of Court

November 06, 2024

Linda Wiseman
First Deputy Clerk

IN RE SONYA WILLIAMS MCKARRY

APPLYING FOR SUPERVISORY WRIT FROM THE FORTIETH JUDICIAL DISTRICT COURT, PARISH OF ST JOHN THE BAPTIST, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE J. STERLING SNOWDY, DIVISION "C", NUMBER 2024-CR-41

Panel composed of Judges Marc E. Johnson,
Stephen J. Windhorst, and Scott U. Schlegel

WRIT DENIED

Relator/defendant, Sonya Williams McKarry, seeks supervisory review of the trial court's ruling of August 23, 2024, which denied her "Motion to Disqualify Prosecutor Bridget Dinvaut, Her First Assistant Keith Green and Any District Attorney that the First Assistant has Real or Implied Supervision Over and Recuse the Office of the District Attorney" (hereinafter "Motion to Disqualify"). For the following reasons, we deny the writ.

Defendant's writ seeks disqualification of the District Attorney, and any assistant district attorneys who have "real or implied" supervision of defendant's case on two main grounds. Defendant asserts that Pearlie Wishom drafted a "secret" judicial complaint against her counsel, Rob Snyder, Jr., who was previously a Justice of the Peace eight years ago, with the assistance of the District Attorney's Office. Defendant alleges that this is a violation of the Louisiana Rules

of Professional Conduct and requires the District Attorney's Office to be disqualified from all cases in which Mr. Snyder is involved. Additionally, defendant contends that the District Attorney's Office has a direct conflict of interest because Assistant District Attorney Leandre Millet previously prosecuted Lamont Johnson, who is the alleged victim in the pending case.

The State responded that any testimony by Ms. Wishom involving a purported secret judicial complaint from eight years ago is not related to the current case, which involves an alleged theft of a wallet from a casino in 2024. The State further responded that a bill of information is a prosecutorial tool whereby the State prosecutes defendants and does not represent victims. Therefore, if Mr. Millet signed a previous bill, he would be acting as a prosecutor and not as the victim's attorney.

At the hearing on August 23, 2024, the trial court denied defendant's Motion to Disqualify and denied the admissibility of the evidence offered by defendant as irrelevant. However, the trial court allowed defendant to proffer the evidence, including the testimony of Ms. Wishom.

The trial court is afforded great discretion in evidentiary rulings, and absent a clear abuse of that discretion, rulings regarding the relevancy and admissibility of evidence will not be disturbed on appeal. *State v. Garrison*, 19-62 (La. App. 5 Cir. 4/23/20), 297 So.3d 190, 206, *writ denied*, 20-547 (La. 9/23/20), 301 So.3d 1190; *State v. Cox*, 17-508 (La. App. 5 Cir. 2/21/18), 239 So.3d 465, 473, *writ denied*, 18-455 (La. 1/14/19), 261 So.3d 782.

After a review of the record and the proffered evidence, we cannot find that the trial court abused its discretion in denying the admissibility of the proffered evidence regarding an unrelated judicial complaint filed eight years ago. In

addition, we cannot say that the court erred in denying the Motion to Disqualify and see no reason to disturb the trial court's ruling.

Accordingly, defendant's writ application is denied.

Gretna, Louisiana, this 6th day of November, 2024.

SUS
MEJ
SJW

SUSAN M. CHEHARDY
CHIEF JUDGE

FREDERICKA H. WICKER
JUDE G. GRAVOIS
MARC E. JOHNSON
STEPHEN J. WINDHORST
JOHN J. MOLAISON, JR.
SCOTT U. SCHLEGEL
TIMOTHY S. MARCEL

JUDGES



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CURTIS B. PURSELL
CLERK OF COURT

SUSAN S. BUCHHOLZ
CHIEF DEPUTY CLERK

LINDA M. WISEMAN
FIRST DEPUTY CLERK

MELISSA C. LEDET
DIRECTOR OF CENTRAL STAFF

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NOTICE OF DISPOSITION CERTIFICATE OF DELIVERY

I CERTIFY THAT A COPY OF THE DISPOSITION IN THE FOREGOING MATTER HAS BEEN TRANSMITTED IN ACCORDANCE WITH **UNIFORM RULES - COURT OF APPEAL, RULE 4-6** THIS DAY **11/06/2024** TO THE TRIAL JUDGE, THE TRIAL COURT CLERK OF COURT, AND AT LEAST ONE OF THE COUNSEL OF RECORD FOR EACH PARTY, AND TO EACH PARTY NOT REPRESENTED BY COUNSEL, AS LISTED BELOW:

CURTIS B. PURSELL
CLERK OF COURT

24-K-424

E-NOTIFIED

40th District Court (Clerk)
Honorable J. Sterling Snowdy (DISTRICT JUDGE)
Robert J. Snyder, Jr. (Relator)

MAILED

Leandre M. Millet (Respondent)
Nikisha U. Roberts (Respondent)
Assistant District Attorney
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