



Lafourche Parish District Attorney's Office IN THE NEWS

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NEW ORLEANS – The Louisiana Supreme Court on Friday reinstated the 2011 aggravated rape and aggravated incest convictions of a Lafourche Parish man, overturning a decision by the First Circuit Court of Appeal which had granted the defendant a new trial.

Timothy Thibodeaux was convicted in June of 2011 following a bench trial by the Hon. John E. LeBlanc. After his convictions and sentences were affirmed on appeal, he filed a request for post-conviction relief claiming ineffective assistance of counsel. LeBlanc denied that request. However, the First Circuit determined that Thibodeaux's right to confront the child victims had been violated, and vacated the convictions.

"We are obviously delighted with the ruling of the Supreme Court," said First Assistant District Attorney Kristine Russell, who handles all sex crimes involving juvenile victims in Lafourche. "It is so important for young victims to have faith in the system, and to trust that justice will be done if they have the courage to come forward. Hopefully this ruling will restore the trust these children and their families have in the process."

While the First Circuit concluded that the child victims were not available for cross examination at trial, the Supreme Court noted that the defendant never raised that issue in his post-conviction relief application, nor did he present any evidence at his hearing to support the conclusion that they were unavailable. As a result, the Supreme Court agreed with the trial court that Thibodeaux failed to meet his burden of proof.

"We always felt that Judge LeBlanc conducted a thorough hearing on the defendant's claims, and made the right ruling after hearing all the evidence that was offered," said Assistant District Attorney Joe Soignet, who handled the State's claims in the appellate courts. "We are thankful that the Supreme Court agreed with us and recognized the correctness of the judge's ruling."

As a result of the Supreme Court decision, Thibodeaux's life sentence on the aggravated rape charge, and fifty years for aggravated incest, were reinstated. Thibodeaux has remained incarcerated pending the outcome of the State's writ application to the Supreme Court.

