

SUPREME COURT OF LOUISIANA

State v. Williams

60 So. 3d 1189 (La. 2011) · Decided March 15, 2011

SUMMARY

The Louisiana Supreme Court reviewed whether La. R.S. 14:126.1 requires a false statement to be made under oath or equivalent affirmation. The court held that the statute’s plain text imposes no oath requirement, and that its title could not override the text. The court reversed the court of appeal’s decision quashing the prosecution and remanded for consideration of the defendant’s remaining assignments of error.

CASE DETAILS

COURT	Supreme Court of Louisiana
WRITING FOR THE COURT	Per Curiam
JURISDICTION	Louisiana
DECIDED	March 15, 2011
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The State sought review of a Louisiana Third Circuit decision that set aside the denial of Williams's motion to quash and ordered the prosecution quashed.
PRECEDENTIAL VALUE	Published Louisiana Supreme Court opinion; precedential.
PARTIES	State v. Williams

TOPICS

- statutory interpretation
- plain meaning rule
- in pari materia
- criminal procedure
- void for vagueness

PRACTICE AREAS

- criminal law
- statutory interpretation
- constitutional law

QUESTIONS PRESENTED

1. Whether La. R.S. 14:126.1 requires the alleged false statement to be made under oath or an equivalent affirmation.

2. Whether the title of La. R.S. 14:126.1 permits the court to import an oath requirement from related false-swearing statutes.
3. Whether the Third Circuit properly quashed the prosecution on the ground that the bill of information failed to allege a false statement made under oath.

HOLDINGS

1. La. R.S. 14:126.1 does not require that the offender make the alleged false statement under oath or an equivalent affirmation.
2. The title's reference to 'false swearing' cannot be used to add an oath requirement that is absent from the unambiguous statutory text.

KEY QUOTATIONS

“We therefore subscribe to the views, of the Second Circuit in Marshall and the Fifth Circuit in State v. Bentley, 96-0795, p. 7 (La.App. 5th Cir.3/25/97), 692 So.2d 1207, 1210, that La. R.S. 14:126.1 does not require that the offender make the alleged false statement under oath or equivalent affirmation.” (1193-1194)

“As the state argues here, La.R.S. 14:126.1 plainly does not include any requirement that the offender make the false statement under oath or equivalent affirmation.” (1192)

FACTUAL BACKGROUND

Williams submitted a written complaint to authorities concerning an off-duty Wildlife and Fisheries agent who allegedly intervened in a fight and held Williams at gunpoint until police arrived. The complaint was made on a Zwolle Police Department form and stated that Williams affirmed the facts and statements were true and correct, but it did not purport to be a sworn affidavit. An investigation led to Williams's arrest and charge under La. R.S. 14:126.1 for making or causing a false statement concerning the commission of a crime.

PROCEDURAL HISTORY

Williams was charged by bill of information with violating La. R.S. 14:126.1 based on an allegedly false written complaint concerning an incident involving a Wildlife and Fisheries agent. The trial court denied his motion to quash. The Third Circuit reversed and ordered the prosecution quashed, reasoning that the statute had to be read in pari materia with related false-swearing statutes and therefore required an oath or equivalent affirmation. The Louisiana Supreme Court reversed and remanded for consideration of Williams's remaining assignments of error.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The case was remanded to the Louisiana Third Circuit Court of Appeal for further consideration of Williams's other assignments of error.

CASES CITED

- State v. Marshall, 424 So. 2d 423, 427 n.3 (La. App. 2d Cir. 1983)
- State v. Gutweiler, 979 So. 2d 469, 484 (La. 2008)
- State v. Legendre, 362 So. 2d 570, 571 (La. 1978)
- Cat's Meow v. City of New Orleans, 720 So. 2d 1186, 1198 (La. 1998)
- Connecticut Nat. Bank v. Germain, 503 U.S. 249, 253-54 (1992)
- State v. Modere, 352 So. 2d 666, 668 (La. 1977)
- Theriot v. Midland Risk Ins. Co., 694 So. 2d 184, 186 (La. 1997) (on rehearing)
- State v. Bentley, 692 So. 2d 1207, 1210 (La. App. 5th Cir. 1997)

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