

07-1529 MONTEJO V. LOUISIANA

DECISION BELOW: 974 So.2d 1238

LOWER COURT CASE NUMBER: 2006-KA-1807

QUESTION PRESENTED:

When an indigent defendant's right to counsel has attached and counsel has been appointed, must the defendant take additional affirmative steps to "accept" the appointment in order to secure the protections of the Sixth Amendment and preclude police-initiated interrogation without counsel present?

ORDER OF 3/27/2009: THE PARTIES ARE DIRECTED TO FILE SUPPLEMENTAL BRIEFS ADDRESSING THE FOLLOWING QUESTION: SHOULD MICHIGAN v. JACKSON, 475 U.S. 625 (1986), BE OVERRULED?

CERT. GRANTED 10/1/2008