

STATE OF LOUISIANA
COURT OF APPEAL, THIRD CIRCUIT

05-1517

STATE OF LOUISIANA

VERSUS

ROLAND CHAMBERS

PAINTER, J., dissenting.

I respectfully dissent from the majority herein. I disagree with the majority's conclusion that the evidence adduced at trial does not exclude every reasonable hypothesis of innocence. There is no question but that Choplin bought OxyContin from Chambers on behalf of Cassidy and Reaux. Thus, Chambers is a link in the distribution of the drug to Cassidy. Therefore, Chambers is a principal as defined by La.R.S. 14:24. Further, the circumstantial evidence indicates that Cassidy injected the drug soon after it was supplied to him. Edward Barbieri, the forensic toxicologist, deferred to the greater knowledge of the doctor performing the autopsy, Dr. Emile Laga, as to the effect of the various drugs found in Cassidy's blood. Dr. Laga credited Cassidy's death to OxyContin. He testified that the amount bought from Chambers was sufficient to produce the amount found in Cassidy's blood. Taking this evidence, both direct and circumstantial, in the light most favorable to the prosecution, it is sufficient to support the guilty verdict brought by the jury in this case. Accordingly, I would affirm Chambers' conviction.