

STATE OF LOUISIANA

COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2026 KW 0940

VERSUS

MICHAEL WADE

OCTOBER 5, 2026

In Re: Michael Wade, applying for supervisory writs, 19th
Judicial District Court, Parish of East Baton Rouge, No.
DC-19-06621.

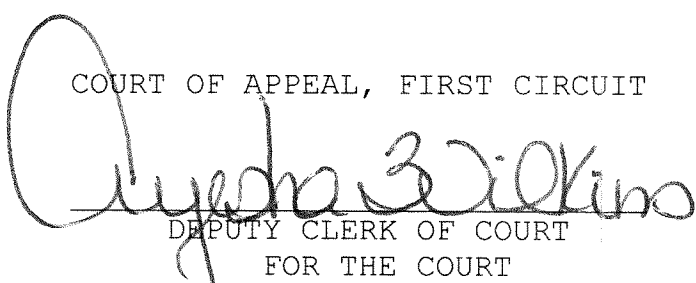
BEFORE: WOLFE, STROMBERG, AND BALFOUR, JJ.

WRIT DENIED.

EW
KEB

Stromberg, J., dissents. The recusation of judges is a serious and important legal procedure. In each possible recusal situation, there is a countervailing consideration that favors a judge not recusing herself, or being recused; that is, that the judge has an obligation, part of her sworn duty as a judge, to hear and decide cases properly brought before her. She is not at liberty, nor does she have the right, to take herself out of a case and burden another judge with her responsibility without good and legal cause. See **In re Lemoine**, 96-2116 (La. 1/14/97), 686 So.2d 837, 839-40. The record reflects that a written Order of Recusal was filed, wherein Judge Gregg provided reasons for removing herself from this capital case. In particular, Judge Gregg noted she has never received certification in presiding over death penalty litigation and she believed that a Louisiana Supreme Court mandate was issued requiring death penalty training prior to judges presiding over capital cases. This belief is (or has proven to be) unfounded. Thus, no good or legal cause for recusation was presented in this matter. Accordingly, I would grant the writ application.

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DEPUTY CLERK OF COURT
FOR THE COURT