

STATE OF LOUISIANA * PARISH OF OUACHITA 4TH DISTRICT COURT

STATE OF LOUISIANA FILED: JAN 24 2011

Versus No. 09-F1478-2

PATRICK ONYEMECHARA

Division:

DEPUTY CLERK OF COURT

STATE'S RESPONSE TO DEFENDANT'S REQUEST
FOR BILL OF PARTICULARS

NOW INTO THIS HONORABLE COURT, comes the State of Louisiana through the undersigned Assistant District Attorney, who responds to Defendant's Request for a Bill of Particulars at follows:

1.

In response to paragraph 1 of the Motion for Bill of Particulars, please be advised that the State objects to this paragraph in that it seeks information that is not required under the provisions of La. C.Cr.P. Art. 484, et seq. In further answer, please see offense report which was previously provided to the defense counsel. In further answer, the State contends that in Counts 1 - 29 of the Superceding Indictment, that the Defendant used his position with the City of Monroe to collect funds and fees due to the various governmental entities under his charge, and steal, convert and/or appropriate said funds for his personal use, without the consent of said governmental agencies, and with the intent to permanently deprive them thereof. The State contends in Count 30 of the Superceding Indictment, that the Defendant, while representing himself as a supporter for the election of Wince Highshaw as a candidate for Monroe City Marshall, and did collect funds intended to support the candidacy of Wince Highshaw from various persons and businesses and steal, convert and/or appropriate said funds for his personal use, without the consent of the donors and/or Wince Highshaw, and with the intent to permanently deprive them thereof. In Count 31 of the Superceding Bill of Indictment, the Defendant did engage in a pattern of racketeering activity by using his position as the tax collector with the City of Monroe, to threaten and/or extort money from persons and/or entities owed to various governmental entities under his charge and steal, convert and/or appropriate said funds for his personal use, without the consent of said governmental agencies. Count 31 is inclusive of but not limited to those acts set forth in Counts 1 through 29 in the Superceding Bill of Indictment, dating from on or about January 1, 2004, through May 28, 2009.

2.

In response to paragraph 2 of the Motion for Bill of Particulars, please be advised that the State objects to this paragraph in that it seeks information that is not required under the provisions of La. C.Cr.P. Art. 484, et seq.

3.

In response to paragraph 3 of the Motion for Bill of Particulars, please be advised that the State objects to this paragraph in that it seeks information that is not required under the provisions of La. C.Cr.P. Art. 484, et seq.

4.

In response to paragraph 4 of the Motion for Bill of Particulars, please be advised that the State does not intend to rely on any presumptions, otherwise, please be advised that the State objects to this paragraph in that it seeks information that is not required under the provisions of La. C.Cr.P. Art. 484, et seq.

5.

In response to paragraph 5 of the Motion for Bill of Particulars, please see responses to paragraph 1 above.

6.

In response to paragraph 6 of the Motion for Bill of Particulars, please see responses to paragraph 1 above..

7.

In response to paragraph 7 of the Motion for Bill of Particulars, please see responses to paragraph 1 above.

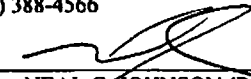
8.

In response to paragraph 8 of the Motion for Bill of Particulars, please see responses to paragraph 1 above.

9.

In response to paragraph 9 of the Motion for Bill of Particulars, please be advised that the State objects to this paragraph in that it seeks information that is not required under the provisions of La. C.Cr.P. Art. 484, et seq.

District Attorney, 4th JDC
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BY: 
NEAL G. JOHNSON (BR# 7319)
Assistant District Attorney

CERTIFICATE

I HEREBY CERTIFY that a copy of the foregoing has been served upon all counsel of record, this

January 21, 2011, by the following means:

- U.S. Mail, properly addressed and postage prepaid
- Certified Mail/Return Receipt Requested
- Facsimile with Hard Copy Followed by Mail
- Facsimile Only
- Hand Delivery


NEAL G. JOHNSON