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The Times-Picayune

TP seeks to unseal orders in rapper trial

Paper wants details of house arrest deal

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West Bank bureau

The Times-Picayune filed documents in 24th Judicial District Court on Friday seeking to open to the public orders dealing with home incarceration for rapper Corey "C-Murder" Miller, who is awaiting retrial on a second-degree murder charge.

The newspaper also seeks to ensure that Judge Martha Sassone, who sealed the home incarceration orders Wednesday, holds all related proceedings in open court, saying the judge has discussed his house arrest at least twice in her chambers.

"Proceedings which are held in secret and without the light of publicity create a suspicion that evenhanded justice may not be administered," the newspaper's attorneys, Jim Swanson and Lori Mince, wrote in their motions.

Also, Sassone's order to seal Miller's home incarceration record "violates the public's rights of access under the First Amendment to the United States Constitution, and state and federal statutory and common law," the attorneys wrote.

Miller, 35, is charged with the second-degree murder of Steve Thomas, 16, on Jan. 12, 2002, at a now-closed Harvey nightclub.

Miller was convicted of the crime in 2003, but Sassone ordered a new trial after siding with defense attorneys who argued that prosecutors improperly withheld criminal background information on their witnesses that could have helped Miller's defense.

The state Supreme Court upheld Sassone's decision in March. Sassone then set \$500,000 bail for Miller and ordered him into home incarceration. A retrial date has not been set.

On June 8, the Jefferson Parish district attorney's office filed a motion, seeking to revoke Miller's home incarceration, alleging that he has violated its conditions. The prosecutors want Miller returned to jail, and a hearing on the matter is set for Tuesday.

The Times-Picayune's attorneys have asked Sassone to consider their arguments before Tuesday's hearing.