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Appeals court orders unsealing of rape lawsuit

Jeff judge violated Constitution, it says

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From staff reports

A state appeals court Tuesday overruled a Jefferson Parish judge and ordered the unsealing of the record in a civil lawsuit that accuses a former teacher and assistant principal at Crescent City Baptist School in Metairie of raping a juvenile student.

The 5th Circuit Court of Appeal also decided that Chief Judge Robert Pitre of the 24th Judicial District Court erred in barring The Times-Picayune and other media from identifying the teacher or the accuser and her parents.

The appeals court decided that Pitre overreached his authority and violated the U.S. Constitution. Judges Clarence McManus, James Cannella and James Gulotta instead ordered that the names of the girl and her parents be removed from the public record, a remedy that had been unsuccessfully suggested to Pitre by Times-Picayune attorney Lori Mince on Friday.

While courts sometimes seal sensitive portions of court records, sealing an entire file is unusual.

Ordering members of the media not to report the news violates the U.S. Constitution, but when Mince pointed that out to Pitre on Friday, he said, "That's all right. I don't mind that."

The parents are identified only as John and Joan Doe in court documents and the girl is not named in the suit, which was filed against the church. The former teacher has not been charged with a crime.

The plaintiffs allege that their daughter, now 16, was a 13-year-old seventh-grader at the school in 2002 when the teacher raped her in a storage room during lunch period and in a science laboratory, according to the lawsuit.

The former teacher has since been fired "due to dishonesty about his academic qualifications and theft," according to documents filed by the plaintiffs.