

**STATE OF LOUISIANA**  
**COURT OF APPEAL, FIRST CIRCUIT**

STATE OF LOUISIANA

NO. 2016 KW 0855

VERSUS

SEP 22 2016

DAVID PAUL CARRERE

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In Re: David Paul Carrere, applying for supervisory writs,  
32nd Judicial District Court, Parish of Terrebonne,  
No. 10-FELY-585626.

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**BEFORE: WHIPPLE, C.J., GUIDRY AND McCLENDON, JJ.**

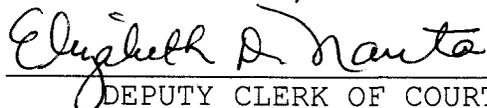
**WRIT DENIED IN PART AND DENIED ON THE SHOWING MADE IN PART.**

It appears that relator has incorrectly made a public records request with the district court filed as a motion for discovery. A writ application arising in a criminal proceeding is not the proper procedural vehicle to establish a right to records under the Public Records Law, La. R.S. 44:1, et seq. A person who wants to examine public records must make the request to the custodian of records. See La. R.S. 44:31 & 44:32. An individual in custody after sentence following a felony conviction who has exhausted his appellate remedies is permitted access to public records if the request is limited to grounds upon which the individual could file for postconviction relief under La. Code Crim. P. art. 930.3. La. R.S. 44:31.1. If a request for public records is denied by the custodian, before seeking relief from this Court, the person must first institute civil proceedings for a writ of mandamus at the trial court level. See La. R.S. 44:35(A). Should the person prevail, he should be prepared to pay the regular service fees for copies of the documents. After the trial court rules in the civil proceeding, the person may seek an appeal of the trial court's action, if he desires. See La. R.S. 44:35(C). See also **State ex rel. McKnight v. State**, 98-2258 (La. App. 1st Cir. 12/3/98), 742 So.2d 894, 895 (per curiam).

Relator also appears to make additional claims, which are in the nature of postconviction relief; however, relator failed to provide any documentation regarding the filing of an application for postconviction relief with the trial court, the trial court's ruling on the application, and additional documentation which would be necessary to review the merits of his claims. Thus, the additional claims are denied on the showing made.

JMG  
PMc  
VGW

COURT OF APPEAL, FIRST CIRCUIT



DEPUTY CLERK OF COURT  
FOR THE COURT