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

STATE OF LOUISIANA

NO. 2018 KW 1011

VERSUS

DONALD RAY MAGEE, JR.

**OCT 29 2018**

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In Re: Donald Ray Magee, Jr., applying for supervisory writs,  
22nd Judicial District Court, Parish of Washington,  
No. 11-CR5-114111.

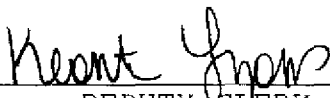
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**BEFORE: GUIDRY, THERIOT, AND PENZATO, JJ.**

**WRIT DENIED.** An inmate in custody after sentencing following a felony conviction, who has exhausted his appellate remedies, is a "person" permitted access to a public record only when his request is limited to the grounds upon which the inmate could file for postconviction relief under La. Code Crim. P. art. 930.3. See La. R.S. 44:31.1; **Johnson v. Stalder**, 97-0584 (La. App. 1st Cir. 12/22/98), 754 So.2d 246, 248-49. 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. **State ex rel. McKnight v. State**, 98-2258 (La. App. 1st Cir. 1998), 742 So.2d 894 (*per curiam*). A "person" who wants to examine public records must make the request to the custodian of the records. See La. R.S. 44:31 & 44:32. 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. **McKnight**, 742 So.2d at 895; **State ex rel. Nash v. State**, 604 So.2d 1054 (La. App. 1st Cir. 1992). After the trial court issues a ruling in the civil proceeding, the person may seek a civil appeal of the trial court's action, if he desires. See La. R.S. 44:35(C).

**MRT**  
**AHP**  
**JMG**

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