

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

STATE OF LOUISIANA

NO. 2018 KW 1083

VERSUS

FREDRICK SMITH

OCT 15 2018

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In Re: Fredrick Smith, applying for supervisory writs, 19th  
Judicial District Court, Parish of East Baton Rouge,  
No. 01-17-0607.

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**BEFORE: PETTIGREW, McCLENDON, AND HIGGINBOTHAM, JJ.**


**WRIT DENIED AS MOOT.** The Clerk of Court of East Baton Rouge Parish has no record of receiving a Petition for Writ of Habeas Corpus (allegedly filed on June 18, 2018). Relator should file the motion with the clerk of court of the district court before seeking relief from this court. However, the record shows relator has been billed for the charges at issue in his petition for a writ of habeas corpus, and he pled guilty and was sentenced on May 14, 2018. Therefore, a request for release under La. Code Crim. P. art. 701(B) is moot. See **State v. Varmall**, 539 So.2d 45 (La. 1989) (*per curiam*).

PMc

TMH

JTP

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DEPUTY CLERK OF COURT  
FOR THE COURT