

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2018 KW 1263

VERSUS

DEXTER LASSMAN WOOD, III

OCT 15 2018

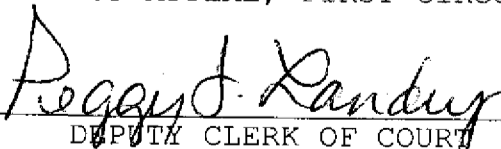
In Re: Dexter Lassman Wood, III, applying for supervisory writs, 22nd Judicial District Court, Parish of St. Tammany, No. 600774.

BEFORE: PETTIGREW, McCLENDON, AND HIGGINBOTHAM, JJ.

WRIT GRANTED. The trial court's ruling denying the defendant's motion to quash is vacated. The state failed to meet its heavy burden of demonstrating that interruption of the time limit tolled prescription. **State v. Jarrell**, 2007-1720 (La. App. 1st Cir. 9/12/08), 994 So.2d 620, 628. Accordingly, this matter is remanded to the district court to reopen the motion to quash hearing and allow the state to present evidence that demonstrates the defendant, to avoid detection, apprehension, or prosecution, fled from the state, was outside the state, or was absent from his usual place of abode within the state. See La. Code Crim. P. art. 577.

PMc
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JTP

COURT OF APPEAL, FIRST CIRCUIT


DEPTX CLERK OF COURT
FOR THE COURT