

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

JAMES THOMAS

NO. 2021 CW 1261

VERSUS

WARDEN JASON RUSS AND THE  
STATE OF LOUISIANA THROUGH  
LOUISIANA DEPARTMENT OF  
PUBLIC SAFETY AND  
CORRECTIONS, ELAYN HUNT  
CORRECTIONAL CENTER

**DECEMBER 30, 2021**

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In Re: James Thomas, applying for supervisory writs, 18th  
Judicial District Court, Parish of Iberville, No.  
80586.

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**BEFORE: WHIPPLE, C.J., PENZATO AND HESTER, JJ.**

**WRIT NOT CONSIDERED.** The order was signed on June 23, 2021, but the writ application does not contain evidence of the date notice of that order was sent to plaintiff. Plaintiff filed a notice of intent to seek writs on July 29, 2021. The return date order was signed on September 10, 2021, and set a return date "as allowed by law." The writ application was filed on October 15, 2021. Under La. Code Civ. P. art. 1914(B), it appears the writ application is untimely.

Supplementation of this writ application and/or an application for rehearing will not be considered. Uniform Rules of Louisiana Courts of Appeal, Rules 2-18.7 and 4-9.

If plaintiff seeks to file a new application with this court, it must contain all pertinent documentation showing timeliness and must comply with Uniform Rules of Louisiana Courts of Appeal, Rule 2-12.2. Any new application must be filed on or before January 13, 2022, and must contain a copy of this ruling.

VGW  
AHP  
CHH

COURT OF APPEAL, FIRST CIRCUIT

  
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DEPUTY CLERK OF COURT  
FOR THE COURT