

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

STATE OF LOUISIANA

NO. 2021 KW 0873

VERSUS

MICHAEL HAWK

NOVEMBER 22, 2021

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In Re: Michael Hawk, applying for supervisory writs, 20th  
Judicial District Court, Parish of East Feliciana, No.  
16-CR-999.

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**BEFORE: WELCH, THERIOT, AND HESTER, JJ.**

**WRIT DENIED.**

**MRT**  
**CHH**

**Welch, J.**, dissents and would grant the writ application to reverse the district court's ruling denying the motion to quash. While retrial of relator for the offense of first degree rape would not violate the principles of double jeopardy, see State v. Jones, 2021-01465 (La. 10/14/21), \_\_\_ So.3d \_\_\_, 2021 WL 4860025, it would violate relator's right of appeal. See La. Const. art. I, § 19; **State v. Goodley**, 423 So.2d 648, 651-52 (La. 1982).

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DEPUTY CLERK OF COURT  
FOR THE COURT