

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2021 KW 1100

VERSUS

CEDRIC EMERSON

NOVEMBER 5, 2021

In Re: Cedric Emerson, applying for supervisory writs, 23rd
Judicial District Court, Parish of Ascension, No.
38,852.

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

WRIT GRANTED. The district court previously referred relator's *pro se* motions to defense counsel pursuant to **State v. Thibodeaux**, 2017-0705 (La. 12/6/17), 236 So.3d 1253 (per curiam). Thus, the matter is now remanded to the district court to conduct a contradictory hearing. As it appears defense counsel has failed to respond to the court's orders, a date should be set for counsel to file a response. If defense counsel refuses to adopt relator's motions, then during the hearing, the court should evaluate the disruptive potential of the motions in light of **State v. Melon**, 95-2209 (La. 9/22/95), 660 So.2d 466, before determining whether to conduct a hearing consistent with **State v. Alexander**, 2007-1236 (La. App. 3d Cir. 4/9/08), 980 So.2d 877, as set forth in **Thibodeaux**.

VGW
AHP
CHH

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DEPUTY CLERK OF COURT
FOR THE COURT