

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2021 KW 1106

VERSUS

RAYMOND HAROLD KIMBLE, III

NOVEMBER 5, 2021

In Re: Raymond Harold Kimble, III, applying for supervisory writs, 22nd Judicial District Court, Parish of St. Tammany, No. 3416-F-2021.

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

WRIT DENIED AS MOOT. Louisiana Code of Criminal Procedure article 701(C) does not provide a remedy for failure to timely set an arraignment. See **State v. Miller**, 2018-1174 (La. App. 1st Cir. 10/15/18), 2018 WL 5013665, at *1. Furthermore, as relator admits that he was arraigned on September 17, 2021, any illegality ceased when he was actually arraigned. Therefore, relator is not entitled to relief for any violation of La. Code Crim. P. art. 701(C), even though he was arraigned after the statutory period. See **State v. Heisler**, 2012-0052 (La. App. 1st Cir. 9/21/12), 2012 WL 4335683, at *3.

VGW
AHP
CHH

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DEPUTY CLERK OF COURT
FOR THE COURT