

STATE OF LOUISIANA
COURT OF APPEAL, THIRD CIRCUIT
P.O. Box 16577
Lake Charles LA 70616
(337) 433-9403

NOT DESIGNATED FOR PUBLICATION

Terry Glen Smith
Oak Unit-1/MPWY DOC No. 312695
Louisiana State Penitentiary
Angola, La 70712

REHEARING ACTION: October 31, 2012

Docket Number: 12 00533-CW

**STATE OF LOUISIANA
VERSUS
TERRY GLEN SMITH**

Writ Application from St. Martin Parish Case No. 215755

BEFORE JUDGES:

**Hon. Sylvia R. Cooks
Hon. John D. Saunders
Hon. Marc T. Amy**

As counsel of record in the captioned case, you are hereby notified that the application for rehearing filed by **Terry Glen Smith** has this day been

GRANTED. The relator, Terry Glen Smith, has filed an application for rehearing to which he has attached purported court minutes reflecting that the district court held a sanity hearing on April 15, 2002. Therefore, we hereby grant the application for rehearing and remand this matter to the district court for a determination as to whether there was, in fact, an April 15, 2002 sanity hearing. If so, the district court is to determine whether the relator is entitled to a transcript of this hearing, whether a transcript can be prepared from any such hearing, and, if so, the cost for the production if it is found that the relator is responsible for these costs. Based on its findings, the district court shall determine appropriate relief, if any.

cc: Hon. J. Phillip Haney, Counsel for the Respondent

**STATE OF LOUISIANA
COURT OF APPEAL, THIRD CIRCUIT
P.O. Box 16577
Lake Charles LA 70616
(337) 433-9403**