

STATE OF LOUISIANA

NO. 18-KH-312

VERSUS

FIFTH CIRCUIT

MARK PRIEST

COURT OF APPEAL

STATE OF LOUISIANA

June 12, 2018

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Mary E. Legnon  
Chief Deputy Clerk

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IN RE MARK PRIEST

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**APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE SCOTT U. SCHLEGEL, DIVISION "D", NUMBER 16-4724**

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Panel composed of Judges Jude G. Gravois,  
Robert A. Chaisson, and Hans J. Liljeberg

### **WRIT OF MANDAMUS GRANTED**

Relator, Mark Priest, filed a petition for a writ of mandamus with this Court, alleging that he filed a *pro se* motion for a new trial on or about May 20, 2018 that the trial court has failed to rule upon. A review of relator's official record indicates that on May 24, 2018, relator filed a *pro se* motion for a new trial. On that same day, a motion for a new trial which had been filed on May 22, 2018 by relator's appointed trial counsel was denied by the trial court. Also on that same day, relator was sentenced for his conviction of a violation of La. R.S. 40:967(F), and relator's motion for an appeal was granted. It appears that relator's *pro se* motion for a new trial remains outstanding.

Accordingly, relator's petition for a writ of mandamus is hereby granted. If it has not already done so, the trial court is hereby instructed to rule upon relator's *pro se* motion for a new trial filed on or about May 24, 2018 within 30 days of the date of this disposition, and to furnish relator with a copy of such ruling.

Gretna, Louisiana, this 12th day of June, 2018.

**JGG  
RAC  
HJL**

SUSAN M. CHEHARDY  
CHIEF JUDGE

FREDERICKA H. WICKER  
JUDE G. GRAVOIS  
MARC E. JOHNSON  
ROBERT A. CHAISSON  
ROBERT M. MURPHY  
STEPHEN J. WINDHORST  
HANS J. LILJEBERG

JUDGES



FIFTH CIRCUIT  
101 DERBIGNY STREET (70053)  
POST OFFICE BOX 489  
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www.fifthcircuit.org

CHERYL Q. LANDRIEU  
CLERK OF COURT

MARY E. LEGNON  
CHIEF DEPUTY CLERK

SUSAN BUCHHOLZ  
FIRST DEPUTY CLERK

MELISSA C. LEDET  
DIRECTOR OF CENTRAL STAFF

(504) 376-1400  
(504) 376-1498 FAX

**NOTICE OF DISPOSITION CERTIFICATE OF DELIVERY**

I CERTIFY THAT A COPY OF THE DISPOSITION IN THE FOREGOING MATTER HAS BEEN TRANSMITTED IN ACCORDANCE WITH **UNIFORM RULES - COURT OF APPEAL, RULE 4-6** THIS DAY **06/12/2018** TO THE TRIAL JUDGE, THE TRIAL COURT CLERK OF COURT, AND AT LEAST ONE OF THE COUNSEL OF RECORD FOR EACH PARTY, AND TO EACH PARTY NOT REPRESENTED BY

CHERYL Q. LANDRIEU  
CLERK OF COURT

**18-KH-312**

**E-NOTIFIED**

Terry M. Boudreaux (Respondent)

**MAILED**

Mark Priest #1002016232 (Relator)  
Jefferson Parish Correctional Center  
P. O. Box 388  
Gretna, LA 70054