

STATE OF LOUISIANA

NO. 21-K-127

VERSUS

FIFTH CIRCUIT

PEDRO A. MONTERROSO

COURT OF APPEAL

STATE OF LOUISIANA

March 22, 2021

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Susan Buchholz

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First Deputy Clerk

IN RE PEDRO A. MONTERROSO

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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 DONALD L. FORET, DIVISION "H", NUMBER 14-3761**

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Panel composed of Judges Robert A. Chaisson,  
Stephen J. Windhorst, and Hans J. Liljeberg

### **WRIT OF MANDAMUS GRANTED**

In his writ application, relator, Pedro Monterroso, complains that the district court has failed to act on a motion for speedy trial allegedly filed in December of 2020. Accordingly, we grant relator's request for mandamus relief and order the district court to expeditiously set relator's motion for speedy trial for contradictory hearing in accordance with La. C.Cr.P. art. 701(F),<sup>1</sup> if the trial court has not already done so.

Gretna, Louisiana, this 22nd day of March, 2021.

**RAC**  
**SJW**  
**HJL**

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<sup>1</sup> La. C.Cr.P. art. 701(F) provides that a "motion for speedy trial filed by the defendant, but not verified by the affidavit of his counsel, shall be set for contradictory hearing within thirty days."

SUSAN M. CHEHARDY  
CHIEF JUDGE

FREDERICKA H. WICKER  
JUDE G. GRAVOIS  
MARC E. JOHNSON  
ROBERT A. CHAISSON  
STEPHEN J. WINDHORST  
HANS J. LILJEBERG  
JOHN J. MOLAISSON, JR.

JUDGES



FIFTH CIRCUIT  
101 DERBIGNY STREET (70053)  
POST OFFICE BOX 489  
GRETNA, LOUISIANA 70054  
[www.fifthcircuit.org](http://www.fifthcircuit.org)

CURTIS B. PURSELL  
CLERK OF COURT  
NANCY F. VEGA  
CHIEF DEPUTY CLERK

SUSAN BUCHHOLZ  
FIRST DEPUTY CLERK

MELISSA C. LEDET  
DIRECTOR OF CENTRAL STAFF

(504) 376-1400  
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**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 **03/22/2021** 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 COUNSEL, AS LISTED BELOW:

**CURTIS B. PURSELL**  
CLERK OF COURT

**21-K-127**

**E-NOTIFIED**

24th Judicial District Court (Clerk)  
Honorable Donald L. Foret (DISTRICT JUDGE)  
Thomas J. Butler (Respondent)

**MAILED**

Pedro A. Monterroso #1001521692  
(Relator)  
Jefferson Parish Correctional Center  
P. O. Box 388  
Gretna, LA 70054