

STATE EX REL. KESTON MIMMITT

NO. 21-KH-206

VERSUS

FIFTH CIRCUIT

24TH JUDICIAL DISTRICT COURT, FOR THE
PARISH OF JEFFERSON, STATE OF
LOUISIANA

COURT OF APPEAL

STATE OF LOUISIANA

May 04, 2021

Susan Buchholz

First Deputy Clerk

****CONFIDENTIAL****
LSA-RS 46:1844(W)
ATTORNEYS OF RECORD
ONLY

IN RE KESTON MIMMITT

**APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT
COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE
NANCY A. MILLER, DIVISION "I", NUMBER 18-546**

Panel composed of Judges Susan M. Chehardy,
Robert A. Chaisson, and Stephen J. Windhorst

WRIT OF MANDAMUS GRANTED

In his writ application requesting mandamus relief, relator, Keston Mimmitt, alleges that the district court has failed to act on his application for post-conviction relief filed in the district court which he allegedly mailed to the district court on December 7, 2020. Our review of the official court record reflects that relator's application for post-conviction relief was filed in the district court on December 22, 2020, that the district court issued an order on January 12, 2021, for the State to file a response, and that the State filed its response on February 24, 2021. Since that time, it appears that no further action has been taken in this case.

Accordingly, we grant relator's request for mandamus relief and order the district court to rule upon relator's application for post-conviction relief within fifteen days of this order, if it has not already done so. The district court is further ordered to provide a copy of its ruling to relator and to this Court.

Gretna, Louisiana, this 4th day of May, 2021.

RAC
SMC
SJW

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
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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
(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 **05/04/2021** 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-KH-206

E-NOTIFIED

24th Judicial District Court (Clerk)
Honorable Nancy A. Miller (DISTRICT JUDGE)
Thomas J. Butler (Respondent)

MAILED

Keston Mimmit #465086 (Relator)
Raymond Laborde Correctional Center
1630 Prison Road
Cottonport, LA 71327