

STATE EX REL. TRAY HOWARD

NO. 21-KH-583

VERSUS

FIFTH CIRCUIT

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

COURT OF APPEAL
STATE OF LOUISIANA

August 25, 2021

Nancy F. Vega
Chief Deputy Clerk

IN RE TRAY HOWARD

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 18-7789

Panel composed of Judges Susan M. Chehardy,
Jude G. Gravois, and Hans J. Liljeberg

WRIT OF MANDAMUS GRANTED

In this writ application requesting mandamus relief, relator, Tray Howard, alleges 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 November 6, 2020. Our review of the official record shows that relator's application for post-conviction relief was filed in the district court on November 10, 2020, and that on November 20, 2020, the district court issued an order for the State to file its response by December 20, 2020, raising whatever procedural objections it may have, or if no procedural objections, an answer on the merits to relator's allegations. 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 25th day of August, 2021.

SMC
JGG
HJL

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

SUSAN S. 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 **08/25/2021** 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-583

E-NOTIFIED

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

MAILED

Tray Howard #579512 (Relator)
Raymond Laborde Correctional Center
1630 Prison Road
Cottonport, LA 71327