

IN RE STATE OF LOUISIANA

NO. 21-KH-602

VERSUS

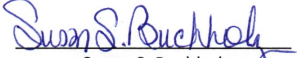
FIFTH CIRCUIT

MARK MILLER

COURT OF APPEAL

STATE OF LOUISIANA

FIFTH CIRCUIT COURT OF APPEAL
A TRUE COPY OF DOCUMENTS AS
SAME APPEARS IN OUR RECORDS


Susan S. Buchholz
First Deputy, Clerk of Court

September 22, 2021

Susan Buchholz
First Deputy Clerk

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

IN RE MARK MILLER

APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-THIRD JUDICIAL DISTRICT COURT,
PARISH OF ST JAMES, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE JASON VERDIGETS,
DIVISION "A", NUMBER 10,6011

Panel composed of Judges Robert A. Chaisson,
Stephen J. Windhorst, and John J. Molaison, Jr.

WRIT GRANTED

For the second time, the relator, Mark Miller, seeks a writ of mandamus to compel the district court to rule upon his "Motion to Compel/to Correct Illegal Sentence." On June 21, 2021, this Court granted the relator's prior application which sought the same relief. *State v. Miller*, 21-299 (La. App. 5 Cir. 6/21/21) (*unpublished writ*). In that disposition, we ordered the trial court "to rule upon relator's 'Motion to Compel/to Correct Illegal Sentence' filed on or about April 23, 2021, within 30 days of the date of this disposition, if it has not already done so, and to furnish a copy of said ruling to relator and to this Court within 10 days of the date of such ruling." To date, we have not received a copy of the trial court's ruling.

Accordingly, the relator's writ is granted. The trial court is ordered to rule on the relator's motion, if it has not already done so, and to provide a copy of its ruling to the relator and this Court within seven days of the date of this disposition.

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

JJM
RAC
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

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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

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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 **09/22/2021** 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-KH-602

E-NOTIFIED

23rd Judicial District Court (Clerk)
Hon. Jason Verdigets (DISTRICT JUDGE)
No Attorney(s) were ENOTIFIED

MAILED

Honorable Ricky L. Babin (Respondent)
District Attorney
23rd Judicial District Court
Post Office Box 66
Convent, LA 70723

Mark Miller #473135 (Relator)
Elayn Hunt Correctional Center
Post Office Box 174
St. Gabriel, LA 70776