

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

KELVIN WELLS, IN THE
INTEREST OF TREASURE WELLS,
BETHANY WELLS AND PATRICK
WELLS

NO. 2013 CW 1298

VERSUS

EAST BATON ROUGE PARISH
SCHOOL BOARD, ET AL

OCT 28 2013

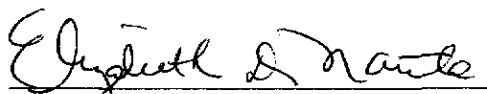
In Re: Kelvin Wells, applying for supervisory writs, 19th
Judicial District Court, Parish of East Baton Rouge,
No. 597,165.

BEFORE: PARRO, GUIDRY AND DRAKE, JJ.

WRIT DENIED. Relator filed an application for writ of mandamus contending that the district court has not responded to his motion to recuse Judge Todd W. Hernandez or to his requests for an "emergency" temporary restraining order and injunctive relief. This Court's records indicate that the district court denied relator's motion to recuse Judge Hernandez on January 18, 2012, relator's request for supervisory review was denied on July 2, 2012, and his appeal was dismissed on August 13, 2012. See 2012 CW 0492 (La. App. 1st Cir. 7/2/12) and 2012 CA 0785 (La. App. 1st Cir. 8/13/12). Moreover, we find, based on the district court record, that action on relator's request for a temporary restraining order and injunctive relief was further delayed due to relator naming Judge Hernandez as a defendant in another pending suit, which resulted in Judge Hernandez's recusal in this matter and required this suit to be re-allotted to another division of the Nineteenth Judicial District Court. Relator should file a motion with the new division of the district court requesting consideration of his pending motions.

RHP
JMG
EGD

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DEPUTY CLERK OF COURT
FOR THE COURT