

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2013 KW 1377

VERSUS

TARA HUNTER

NOV 21 2013

In Re: Tara Hunter, applying for supervisory writs, 21st
Judicial District Court, Parish of Livingston, No. 06-
FELN-020698.

BEFORE: PETTIGREW, McDONALD AND McCLENDON, JJ.

WRIT GRANTED. A motion for an appeal may be made orally in open court or by filing a written motion with the clerk of court within thirty days after the rendition of judgment or ruling from which the appeal is taken. See La. Code Crim. P. art. 914(A) & (B)(1). Since the dismissal of relator's appeal, this Court has discovered that defense counsel made a premature motion for appeal, which was cured by the imposition of sentence. See **State v. Means**, 2009-1716 (La. 4/9/10), 32 So.3d 805 (per curiam); **State v. Murphy**, 2007-2032 (La. 2/22/08), 974 So.2d 1290 (per curiam). Because relator's attorney gave notice at the beginning of the sentencing proceedings of relator's intent to appeal, the request for appeal was timely. This matter is remanded for the trial court to enter an order of appeal, to set a return date, and if relator is indigent, to appoint the Louisiana Appellate Project to represent relator on appeal. A copy of this Court's action should be included in the appellate record, and the trial court should provide the Louisiana Appellate Project with a copy of the return date order.

JMM
PMc
JTP

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DEPUTY CLERK OF COURT
FOR THE COURT