

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

FREDRICK MYLES

NO. 2014 CW 1330

VERSUS

LOUISIANA DEPARTMENT OF
PUBLIC SAFETY AND
CORRECTIONS, ET AL

NOV 25 2014

In Re: Fredrick Myles, applying for supervisory writs, 19th
Judicial District Court, Parish of East Baton Rouge, No.
625755.

BEFORE: GUIDRY, PETTIGREW, McCLENDON, THERIOT AND DRAKE, JJ.

WRIT GRANTED. The writ is granted. The district court is ordered to set this matter for either a hearing on the merits of relator's petition for judicial review or for a status conference.

EGD

JMG

JTP

McClendon and Theriot, JJ., dissent and would deny the writ. A writ of mandamus may be issued in cases where the law provides no relief by ordinary means or where the delay involved in obtaining ordinary relief may cause injustice. **Gibson & Associates, Inc. v. State, Dept. of Transp. & Development**, 2010-1696 (La. App. 1st Cir. 5/18/11), 68 So.3d 1128, 1140; see also **Aberta, Inc. v. Atkins**, 2012-0061 (La. 5/25/12), 89 So.3d 1161, 1163 (per curiam). Relator has an adequate remedy for relief by filing a motion, with an accompanying order, requesting the district court to hold a status conference or to set the matter for hearing.

COURT OF APPEAL, FIRST CIRCUIT



DEPUTY CLERK OF COURT
FOR THE COURT