

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2015 KW 0422

VERSUS

KIAN TATE

JUN 02 2015


In Re: Kian Tate, applying for supervisory writs, 19th
Judicial District Court, Parish of East Baton Rouge,
No. 09-09-0319.

BEFORE: McDONALD, CRAIN AND HOLDRIDGE, JJ.

WRIT DENIED. The Office of the Clerk of Court of East Baton Rouge Parish's records reflect that the commissioner has not issued a recommendation on the application for postconviction relief nor has the district court ruled on the State's procedural objections to the application for postconviction relief. Therefore, contrary to relator's allegations, the district court has not denied his claims for postconviction relief. Furthermore, because the district court has not ruled on the State's procedural objections, relator's request for an evidentiary hearing is premature. See La. Code Crim. P. art. 930(C).

GH
JMM
WJC

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DEPUTY CLERK OF COURT
FOR THE COURT