

STATE OF LOUISIANA

COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2015 KW 0669

VERSUS

FREDERICK JOHNESE

JUN 22 2015


In Re: Frederick Johnese, applying for supervisory writs,
19th Judicial District Court, Parish of East Baton
Rouge, No. 07-14-0135.

BEFORE: GUIDRY, McCLENDON, AND HIGGINBOTHAM, JJ.

WRIT DENIED. The record of the Clerk of Court of East Baton Rouge Parish reflects there is no record of a Petition for Writ of Habeas Corpus. However, relator has been billed and arraigned for the charges arising from his June 5, 2014 arrest. Therefore, a request for release under La. Code Crim. P. art. 701(B) is moot. See **State v. Varmall**, 539 So.2d 45 (La. 1989) (per curiam). Further, relator alleges he filed this request for mandamus relief only six days after he filed motions in the court below. This Court will not intervene in a proceeding where the applicant has not allowed sufficient time for the trial court to respond.

PMc
TMH
JMG

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DEPUTY CLERK OF COURT
FOR THE COURT