

**STATE OF LOUISIANA**  
**COURT OF APPEAL, FIRST CIRCUIT**

STATE OF LOUISIANA

NO. 2016 KW 0713

VERSUS

DAVID SCOTT TEMPLE

SEP 22 2016

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In Re: David Scott Temple, applying for supervisory writs,  
22nd Judicial District Court, Parish of St. Tammany,  
No. 559028.

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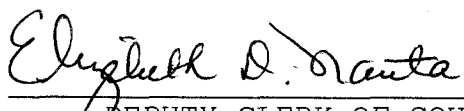
**BEFORE: WHIPPLE, C.J., GUIDRY AND McCLENDON, JJ.**

**WRIT DENIED.** Under Louisiana law, a legal presumption exists that a defendant is sane and competent to proceed. See La. R.S. 15:432. The plea colloquy does not reflect that relator lacked the capacity to understand the guilty plea proceedings. Furthermore, the guilty plea transcript reflects that relator understood the nature of the charges against him, and the consequences of the guilty pleas, and he voluntarily and knowingly waived his constitutional rights and entered the counseled guilty pleas. See **Godinez v. Moran**, 509 U.S. 389, 113 S.Ct. 2680, 125 L.Ed.2d 321 (1993). Moreover, relator's claims that defense counsel failed to investigate the case and failed to subject the State's case to meaningful adversarial testing are waived by relator's unconditioned guilty pleas. See **State v. Crosby**, 338 So.2d 584 (La. 1976).

JMG  
VGW

McClendon, J., concurs.

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DEPUTY CLERK OF COURT  
FOR THE COURT