

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

STATE OF LOUISIANA

NO. 2016 KW 1244

VERSUS

NOV 15 2016

JAMAL VARISTE

---

In Re: Jamal Variste, applying for supervisory writs, 19th  
Judicial District Court, Parish of East Baton Rouge,  
No. 03-14-0058.

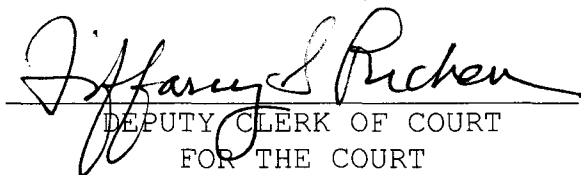
---

**BEFORE: WELCH, CRAIN AND HOLDRIDGE, JJ.**

**WRIT GRANTED.** The district court's ruling denying relator's application for postconviction relief is vacated and the case is remanded to the district court for the sole purpose of holding a hearing at which it will determine whether relator is entitled to an out-of-time appeal under the rule of **State v. Counterman**, 475 So.2d 336, 340 (La. 1985). The district court is ordered to appoint counsel to relator for the hearing.

GH  
JEW  
WJC

COURT OF APPEAL, FIRST CIRCUIT

  
DEPUTY CLERK OF COURT  
FOR THE COURT