

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2016 KW 1364

VERSUS

ELLIS REED

DEC 12 2016


In Re: Ellis Reed, applying for supervisory writs, 18th
Judicial District Court, Parish of Pointe Coupee, No.
55941.

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

WRIT GRANTED IN PART AND DENIED IN PART. The request for mandamus relief is granted for the sole purpose of transferring this matter to the district court for consideration. We are unable to determine if relator's counsel is aware of and joins in this application. The right to assistance of counsel embodies a realistic recognition of the obvious truth that the average defendant does not have the professional legal skill to protect himself and safeguards the other rights deemed essential for the fair prosecution of a criminal proceeding. **Maine v. Moulton**, 474 U.S. 159, 168-69, 106 S.Ct. 477, 483, 88 L.Ed.2d 481 (1985). Counsel should receive a copy of any pro se pleading filed by his client and notice of any hearing scheduled to consider a pro se filing. See **State v. Melon**, 95-2209 (La. 9/22/95), 660 So.2d 466. Insofar as relator seeks review of the denial of the "motion to nolle prosequi," he is not entitled to the relief he seeks.

PMc
VGW
JMG

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FOR THE COURT