

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2016 KW 1635

VERSUS

SANTOS DARDAR

MAY 25 2017

In Re: Santos Dardar, applying for supervisory writs, 17th
Judicial District Court, Parish of Lafourche, No.
545983.

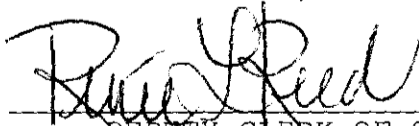
BEFORE: GUIDRY, MCCLENDON, AND CRAIN, JJ.

STAY ORDER LIFTED. WRIT DENIED. Legal services for indigent defendants are governed by the Louisiana Public Defender Act, La. R.S. 15:141 et seq. Louisiana Revised Statutes 15:181 defines the scope of indigent defender board representation which includes "[S]pecific statutory provisions affording the right of counsel to indigent defendants in criminal cases." Louisiana Code of Criminal Procedure article 930.7(C) specifically provides that: "The court shall appoint counsel for an indigent petitioner when it orders an evidentiary hearing on the merits of a [postconviction] claim." See La. Code Crim. P. art. 930.7(C). In the instant case, the district court ordered an evidentiary hearing on the indigent defendant's postconviction claims. Therefore, appointment of conflict counsel from the Indigent Defender Board was proper under the Louisiana Public Defender Act.

PMc
WJC

Guidry, J., concurs.

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DEPUTY CLERK OF COURT
FOR THE COURT