

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

RICHARD DAVIS

NO. 2020 CW 1083

VERSUS

WARDEN DARRYL VANNOY; AND  
STATE OF LOUISIANA THROUGH  
LOUISIANA DEPARTMENT OF  
PUBLIC SAFETY AND  
CORRECTIONS LOUISIANA STATE  
PENITENTIARY

DECEMBER 21, 2020

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In Re: Warden Darryl Vannoy and the State of Louisiana, through the Department of Public Safety and Corrections, Louisiana State Penitentiary, applying for supervisory writs, 20th Judicial District Court, Parish of West Feliciana, No. 23799.

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**BEFORE: WHIPPLE, C.J., WELCH AND CHUTZ, JJ.**

**WRIT GRANTED.** Louisiana Revised Statute 15:1186(B)(2)(a) provides "[t]he order granting a prisoner's request to proceed in forma pauperis automatically stays all proceedings, including any service of process, until all costs of court or fees due the clerk by the prisoner in [the] matter are paid." Moreover, the district court previously recalled, rescinded and set aside as null ab initio the prior services issued to defendants pursuant to its April 9, 2020 order. Accordingly, the portion of the district court's September 23, 2020 judgment which ordered all time delays to run from the order lifting stay is vacated.

VGW  
JEW  
WRC

COURT OF APPEAL, FIRST CIRCUIT



DEPUTY CLERK OF COURT  
FOR THE COURT