

STATE OF LOUISIANA

*

NO. 2003-K-0874

VERSUS

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COURT OF APPEAL

MAURICE PAIGE

*

FOURTH CIRCUIT

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STATE OF LOUISIANA

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ON APPLICATION FOR WRITS DIRECTED TO
CRIMINAL DISTRICT COURT ORLEANS PARISH
NO. 357-136, SECTION "D"

Honorable Frank A. Marullo, Judge

Judge Max N. Tobias, Jr.

(Court composed of Judge Charles R. Jones, Judge Max N. Tobias Jr., and
Judge David S. Gorbaty)

MAURICE PAIGE

#298297

Cuda 1, Right 3

Louisiana State Prison

Angola, LA 70712

RELATOR, PRO SE

WRIT GRANTED; RELIEF DENIED.

We grant the application for a supervisory writ of Maurice Paige, the relator, to
review his request for the district attorney's file in his case. The relator asserts that the

district attorney's file contains *Brady* material that would result in his being able to obtain a reversal of his convictions for armed robbery and second-degree murder.

We understand the relator's request for the district attorney's file to be one pled under the Louisiana Public Records Act, La. R.S. 44:1 *et seq.* We interpret La. C.Cr.P. article 822(B) as complimenting, rather than superseding, La. R.S. 44:1 *et seq.* See *State ex rel. McKnight*, 98-2258 (La. App. 1 Cir. 12/3/98), 742 So.2d 894. Article 822(B) does not establish a separate procedure by which an inmate can secure documents from the district attorney. The purpose of article 822(B) is to prevent a district court from ordering the production of portions of a district attorney's file without the district attorney first receiving notification of the motion. To seek enforcement under La. R.S. 44:1, *et. seq.*, the relator must first institute civil proceedings in *Civil* District Court, not Criminal District Court.

We therefore grant the relator's writ, but deny him the relief he seeks in this application.

WRIT GRANTED; RELIEF DENIED.