

STATE OF LOUISIANA
COURT OF APPEAL, THIRD CIRCUIT

NO: CW 10-01438

**Judgment rendered and mailed to all
parties or counsel of record on
February 22, 2011.**

STATE OF LOUISIANA
VERSUS
BRADY JOHN CASTILLE

FILED: 12/02/10

On application of Brady John Castille for SUPERVISORY WRIT in No. 50-CR-6573 on the docket of the Sixteenth Judicial District Court, Parish of Iberia, Honorable Gerard B. Wattigny.

Shane Errol Romero, Jr.	Counsel for: Brady John Castille
Anne Garber Stevens	Counsel for: State of Louisiana

Lake Charles, Louisiana, on February 22, 2011.

WRIT GRANTED AND MADE PEREMPTORY. We find that the trial court erred in denying the relator's motion to quash and in transferring his motion to expunge to the New Iberia City Court. Under La.R.S. 44:9(A)(1), a person may file a motion to expunge in either the court in which the violation at issue was prosecuted or in the district court located in the parish in which the mover was arrested. Here, the relator filed his motion to expunge in the district court located in the parish in which he was arrested. Accordingly, we reverse, set aside, and vacate the trial court's ruling. We remand this matter for further proceedings in the Sixteenth Judicial District Court.

M. T. A.
M. T. A.

J. T. G.
J. T. G.

S. J. G.
S. J. G.