ORIGINAL

19-6701

No. 19-6701

In The
IN THE SUPREME COURT OF THE UNITED STATES

CARL LABAT
Petitioner

v.

DARREL VANNOY, Warden
Respondent

On Petition for Writ of Certiorari to the
United States Court of Appeals for the Fifth Circuit

PETITION FOR REHEARING

Petitioner
Carl Labat, Pro Se
592090, Spruce 3
Louisiana State Penitentiary
Angola, Louisiana 70712

Counsel for Respondent
Jeffery Landry
Louisiana Attorney General
P. O. Box 94005
Baton Rouge, Louisiana 70804

In The

SUPREME COURT OF THE UNITED STATES

No. 19-6701

CARL LABAT
Petitioner

versus

DARREL VANNOY, Warden
Respondent

PETITION FOR REHEARING

Carl Labat, the Petitioner in this proceeding, respectfully petitions for rehearing of the order of the Court entered on May 18, 2020 denying the petition for writ of certiorari to the United States Court of Appeal, Fifth Circuit. This petition is made on the following grounds:

Carl Labat was never given a proper opportunity to Reply by traverse and objections to the State's Brief in Opposition due to the COVID-19 pandemic lock down here at the Louisiana State Penitentiary.

Carl Labat is a *pro se* litigant who is indigent and can no longer afford to pay for the services of an attorney. Movant must rely on the assistance of the Legal

Programs Department at the Louisiana State Penitentiary, via the offender counsel substitutes, to research and assist in the preparation of meaningful legal pleadings.

On April 1, 2020, the Louisiana State Penitentiary was placed on a limited lock down due to the COVID-19 virus. With this limited lock down, the Legal Programs Department has allowed for all offender counsel substitutes to also be locked down effectively halting any and all legal assistance or access to legal materials. At the present time, all legal aid at the Louisiana State Penitentiary is effectively closed disallowing any research or access to any materials needed to advance my pleading. The offender counsel substitutes, who provide assistance in the submission of only meaningful litigation, do not have access to me, my legal materials, or the Central Law Library.

Carl Labat desires to object to the State's misrepresentation of the case. Mr. Labat was clearly abandoned by his counsel during the appeal process. The State omitted the fact that in accordance with the contract for legal services, it was Ms. Ruffin's for whom he had signed a contract and accepted the duty to file writs to the Louisiana Supreme Court. Instead Ms. Ruffin "abandoned" Carl Labat without even the minimum of a simple notification that the Louisiana Court of Appeal had made a ruling of his Direct Appeal. Even after Carl Labat sent numerous letters to Ms. Ruffins seeking the status of his case, Ms. Ruffins did not tell him that his case had been ruled on.

Mr. Labat again request that this Honorable Court liberally construe his pro se filing as he has made a good faith effort to follow the rules and requirements.

For the reasons set forth above, Carl Labat request that the Court set aside the order denying the writ of certiorari and allow him an opportunity to offer traverse and objections to the State's brief and hear the petition for certiorari to the United States Court of Appeal, Fifth Circuit.

Dated: 6-4-20

Carl Labat, 592090
Louisiana State Penitentiary
Angola, Louisiana 70712

CERTIFICATE OF COUNSEL

I, Carl Labat, certify that the above petition is presented in good-faith and not for delay and is restricted to the grounds specified in Paragraph 2, Rule 44, Rules of the Supreme Court (U.S. Sup. Ct. R. 44).

Dated: 6-4-20

Carl Labat, 592090
Louisiana State Penitentiary
Angola, Louisiana 70712

CONCLUSION

The Petitioner respectfully pleads that this Court grant his petition for rehearing and permit him an opportunity to offer traverse and objection to the issues presented by the State of Louisiana.

Respectfully submitted.

Carl Labat 592090
Louisiana State Penitentiary
Angola, Louisiana 70712