

The Supreme Court of the State of Louisiana

ERROL VICTOR, SR., REVEREND, L.S.

No. 2024-KH-00975

VS.

LOUISIANA STATE, ET AL.

IN RE: Errol Victor, Sr. - Applicant Plaintiff; Applying For Supervisory Writ, Parish
of St. John the Baptist, 40th Judicial District Court Number(s) 10,172, Court of
Appeal, Fifth Circuit, Number(s) 24-KH-144;

November 20, 2024

Writ application denied.

JTK

JLW

JDH

SJC

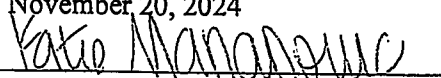
WJC

JBM

PDG

APPENDIX (A). v.
3 pgs

Supreme Court of Louisiana
November 20, 2024



Chief Deputy Clerk of Court
For the Court

ERROL VICTOR, SR., REVEREND, L.S.

NO. 24-KH-144

VERSUS

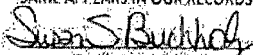
FIFTH CIRCUIT

LOUISIANA STATE, ET. AL.

COURT OF APPEAL

STATE OF LOUISIANA

FIFTH CIRCUIT COURT OF APPEAL
A TRUE COPY OF DOCUMENTS AS
SAME APPEARS IN OUR RECORDS


Susan S. Buchholz
Chief Deputy, Clerk of Court

May 23, 2024

Susan Buchholz
Chief Deputy Clerk

IN RE ERROL VICTOR, SR.

APPLYING FOR SUPERVISORY WRIT FROM THE FORTIETH JUDICIAL DISTRICT COURT, PARISH
OF ST JOHN THE BAPTIST, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE
DENNIS J. WALDRON, DIVISION "B", NUMBER 10,172

Panel composed of Judges Susan M. Chehardy,
Marc E. Johnson, and Scott U. Schlegel

WRIT DENIED

Relator, Errol Victor, Sr., seeks review of the trial court's February 14, 2024 ruling that denied his motion to challenge subject-matter and *in personam* jurisdiction.

Uniform Rules, Courts of Appeal, Rule 4-3, states in pertinent part:

In criminal cases, unless the judge orders the ruling to be reduced to writing, the return date shall not exceed 30 days from the date of the ruling at issue. When the judge orders the ruling to be reduced to writing in criminal cases, the return date shall not exceed 30 days from the date the ruling is signed. In all cases, the judge shall set an explicit return date; an appellate court will not infer a return date from the record.

Here, the trial court denied Relator's motion on February 14, 2024. Relator's writ application was certified by Relator on March 20, 2024. The application was filed in this Court on March 27, 2024, with a postmark date of March 22, 2024. Relator's writ application was filed more than 30 days from the date the February 14, 2024 ruling was rendered, and Relator has not presented evidence of a return date set by the trial court. "An application not filed in the appellate court within the time so fixed or extended shall not be considered, in the absence of a showing that the delay in filing was not due to the applicant's fault." Uniform Rules, Courts of Appeal, Rule 4-3. No showing as to the cause of Relator's delay was provided. Consequently, we find that Relator's application was untimely filed.

Appx. "A" iv. (b)
3pgs (FIVE)

Accordingly, this writ application is denied.

Gretna, Louisiana, this 23rd day of May, 2024.

MEJ
SMC
SUS

2 of 5

SUSAN M. CHEHARDY
CHIEF JUDGE

FREDERICKA H. WICKER
JUDE G. GRAVOIS
MARC E. JOHNSON
STEPHEN J. WINDHORST
JOHN J. MOLAISSON, JR.
SCOTT U. SCHLEGEL
TIMOTHY S. MARCEL

JUDGES



FIFTH CIRCUIT
101 DERBIGNY STREET (70053)
POST OFFICE BOX 489
GRETN, LOUISIANA 70054
www.fifthcircuit.org

CURTIS B. PURSELL
CLERK OF COURT
SUSAN S. BUCHHOLZ
CHIEF DEPUTY CLERK

LINDA M. WISEMAN
FIRST DEPUTY CLERK

MELISSA C. LEDET
DIRECTOR OF CENTRAL STAFF

(504) 376-1400
(504) 376-1498 FAX

NOTICE OF DISPOSITION CERTIFICATE OF DELIVERY

I CERTIFY THAT A COPY OF THE DISPOSITION IN THE FOREGOING MATTER HAS BEEN TRANSMITTED IN ACCORDANCE WITH UNIFORM RULES - COURT OF APPEAL, RULE 4-6 THIS DAY 05/23/2024 TO THE TRIAL JUDGE, THE TRIAL COURT CLERK OF COURT, AND AT LEAST ONE OF THE COUNSEL OF RECORD FOR EACH PARTY, AND TO EACH PARTY NOT REPRESENTED BY COUNSEL, AS LISTED BELOW:

CURTIS B. PURSELL
CLERK OF COURT

24-KH-144

E-NOTIFIED

40th District Court (Clerk)
Honorable Dennis J. Waldron (DISTRICT JUDGE)
Honorable Bridget A. Dinvaute (Respondent)

MAILED

Errol Victor, Sr. #613100 (Relator)
David Wade Correctional Center
670 Bell Hill Road
Homer, LA 71040

3 of 5

ERROL VICTOR, SR., REVEREND, L.S.

VERSUS

LOUISIANA STATE, ET. AL.

NO. 24-KH-144

FIFTH CIRCUIT

COURT OF APPEAL

STATE OF LOUISIANA

June 24, 2024

Linda Wiseman

First Deputy Clerk

ON APPLICATION FOR REHEARING

Panel composed of Susan M. Chehardy,
Marc E. Johnson, and Scott U. Schlegel

REHEARING DENIED

MEJ
SMC
SUS

FIFTH CIRCUIT COURT OF APPEAL
A TRUE COPY OF DOCUMENTS AS
SAME APPEARS IN OUR RECORDS

Linda Wiseman
Linda Wiseman
First Deputy, Clerk of Court

5 of 5