

DUANE A. ANTOINE

NO. 24-K-628

VERSUS

FIFTH CIRCUIT

STEPHEN C. GREFER

COURT OF APPEAL

STATE OF LOUISIANA

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



Linda Wiseman
First Deputy, Clerk of Court

January 06, 2025

Linda Wiseman
First Deputy Clerk

IN RE DUANE A. ANTOINE

APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT,
PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE STEPHEN C.
GREFER, DIVISION "J", NUMBER 23-5010

Panel composed of Judges John J. Molaison, Jr.,
Scott U. Schlegel, and Timothy S. Marcel

WRIT DENIED

The relator/defendant, Duane Antoine, filed the instant *pro se* pleading, captioned as a writ of mandamus, which appears to seek a review of the trial court's November 13, 2024, denial of his motion to quash. According to a minute entry in the writ application, the court set the relator's trial for January 13, 2025, with appointed counsel representing him.

The relator's application does not contain a notice of intent as required by Uniform Rules, Courts of Appeal, Rule 4-2, and it does not show that a return date was set by the trial court, as required by Uniform Rules, Courts of Appeal, Rule 4-3. Also, the relator filed this writ application more than 30 days after the November 13, 2024, ruling, as demonstrated by the December 20, 2024 postmark on his filing. We note that the minute entry from November 13, 2024, shows that the relator was present in court when the court denied his motion to quash. The writ application is untimely under Uniform Rules, Courts of Appeal, Rule 4-3.

On the showing made, we deny the relator's writ application. If convicted, the relator will have an adequate remedy on appeal.

Gretna, Louisiana, this 6th day of January, 2025.

JJM
SUS
TSM

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
GRETNA, 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 **01/06/2025** 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-K-628

E-NOTIFIED

24th Judicial District Court (Clerk)
Honorable Stephen C. Grefer (DISTRICT JUDGE)
Thomas J. Butler (Respondent)

MAILED

Duane A. Antoine #1002226170 (Relator)
Jefferson Parish Correctional Center
P. O. Box 388
Gretna, LA 70054