Fifth Circuit Court of Appeal
State of Louisiana

No. 26-C-519

ADRIAN M. DUNN

versus

STATE OF LOUISIANA

IN RE ADRIAN M. DUNN
APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-THIRD JUDICIAL DISTRICT COURT, PARISH OF ST JAMES, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE KEYOJUAN G. TURNER, DIVISION "E", No. 43169

TRUE COPY
MORGAN NAQUIN
DEPUTY CLERK

November 18, 2026

Panel composed of Judges Jude G. Gravois, Marc E. Johnson, and John J. Molaison, Jr.

WRIT GRANTED IN PART; DENIED IN PART

Relator, Adrian M. Dunn, seeks review of the 23rd Judicial District Court's September 8, 2026 ruling[1] that denied his motion to declare La. C.Cr.P. arts. 383, 435, and 444(B) unconstitutional. Relator advises that, in 2001, he pled guilty to second degree murder and was sentenced to life imprisonment without benefits. In his motion, Relator argues that the grand jury laws, as codified in La. C.Cr.P. arts. 383, 435, and 444(B), are unconstitutional because they are "from Article 117 of the 1898 Louisiana Constitution" and "originated [at a] convention that was called for the sole purpose of making laws to effectuate African-American disenfranchisement."

On the showing made, we find that Relator is not entitled to relief. Because Relator is challenging his conviction based on the validity of the underlying indictment, we will properly construe his motion as an application for post conviction relief (APCR). However, ruling upon at least his fourth APCR, the Supreme Court previously advised that Relator has exhausted his right to State collateral review. *See State ex*

[1] The district court granted Relator's motion for hearing transcript and written judgment, but Relator complains he has not received them.

rel. Dunn v. State, 15-1874, p. 1 (La. 12/16/16), 207 So.3d 1045, 1046. Further, Relator has not shown any exception to the time bar under La. C.Cr.P. art. 930.8, prohibiting the filing of an APCR more than two years after the judgment of conviction and sentence has become final, applies in this case. *See Dunn v. State*, 24-547, p. 1 (La. App. 5 Cir. 1/29/25), *reh'g denied,* 24-547 (La. App. 5 Cir. 2/24/25), and *writ not considered,* 25-346 (La. 9/10/25), 415 So.3d 1269 (finding Relator's APCR challenging his 2001 conviction of second degree murder[2] on the basis of the constitutionality of La. C.Cr.P. arts. 383, 435, and 444(B) was untimely).

Accordingly, we deny the writ on the merits but grant the writ in part only to order the Clerk of Court for the 23rd Judicial District Court for St. James Parish to provide Relator with a copy of the September 8, 2026 hearing transcript and written judgment pursuant to the district court's September 15, 2026 order, if it has not already done so, within 30 days of this disposition.

Gretna, Louisiana, this 18th day of November, 2026.

MEJ
JGG
JJM

[2] Relator appears to have been charged and convicted of second degree murder in a case originating within the jurisdiction of the 40th Judicial District Court also.

SUSAN M. CHEHARDY
CHIEF JUDGE

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

JUDGES

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CURTIS B. PURSELL
CLERK OF COURT

SUSAN S. BUCHHOLZ
CHIEF DEPUTY CLERK

LINDA M. TRAN
FIRST DEPUTY CLERK

MELISSA C. LEDET
DIRECTOR OF CENTRAL STAFF

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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 **11/18/2026** 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

CURTIS B. PURSELL
CLERK OF COURT

26-C-519

E-NOTIFIED

23rd Judicial District Court (Clerk)
Honorable Keyojuan G. Turner (DISTRICT JUDGE)
No Attorney(s) were ENOTIFIED

MAILED

Adrian m. Dunn #400765 (Relator)
Louisiana State Penitentiary
Angola, LA 70712

Honorable Ricky L. Babin (Respondent)
District Attorney
Twenty-Third Judicial District
208 East Railroad Street
Gonzales, LA 70737