

Fifth Circuit Court of Appeal State of Louisiana

No. 26-K-53

WILLIAM WILLIAMS

versus

DONALD FORET

IN RE WILLIAM WILLIAMS

APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE DONALD L. FORET, DIVISION "H", No. 25-3455

TRUE COPY

February 18, 2026



LINDA TRAN
DEPUTY CLERK

Panel composed of Judges Susan M. Chehardy,
Jude G. Gravois, and Scott U. Schlegel

WRIT GRANTED

Relator, William Williams, filed the instant application for writ of mandamus to compel the district court to rule on the *pro se* motions he filed in the Twenty-Fourth Judicial District Court.

The official record indicates that Mr. Williams retained counsel on or about October 19, 2025. The record further shows that all of the *pro se* motions filed by Mr. Williams were filed while represented by counsel, and remain outstanding.

A district court need not entertain *pro se* motions when a defendant is represented by counsel and entertaining the motion will potentially lead to confusion at trial. *See e.g., State v. Outley*, 629 So.2d 1243, 1250 (La. App. 2 Cir. 1993), *writ denied*, 94-410 (La. 5/20/94), 637 So.2d 476 ("It is well-settled in

Louisiana that a trial court is not required to entertain motions filed by a defendant who is represented by counsel.”) (*citing State v. McCabe*, 420 So.2d 955, 958 (La. 1982) (“While an indigent defendant has a right to counsel as well as the opposite right to represent himself, he has no constitutional right to be both represented and representative.”)); *See also State v. Holmes*, 06-2988 (La. 12/2/98), 5 So.3d 42, 80.

In those instances where a district court has denied a *pro se* motion because the defendant was represented by counsel, however, the district court must still make a ruling to that effect. *See State v. Thibodeaux*, 17-705 (La. 12/6/17), 236 So.3d 1253, 1254 (*per curiam*), wherein the Louisiana Supreme Court found the district court erred by rejecting all *pro se* filings by represented defendants without reference to their disruptive potential. Accordingly, in such cases, the district court is required to make a determination as to whether defense counsel wishes to adopt a defendant’s *pro se* motions and, if not, evaluate its disruptive potential and confusion at trial, as provided in *Thibodeaux*.

In the instant matter, the record indicates the district court was willing to entertain at least some Mr. Williams’ *pro se* motions, as his motion to suppress and motions to quash were actually set for hearing on January 22, 2026, though the minute entry reflects that no rulings were made at that time. While there is a pre-trial conference scheduled in this matter for March 17, 2026, it is unclear from the record as to whether any of Mr. Williams’ *pro se* motions will be considered at that time.

Under the circumstances presented, we grant this writ application for the limited purpose of remanding the matter to the district court with instructions to hold a hearing on or before the pre-trial conference currently scheduled for March 17, 2026, to determine whether defense counsel wishes to adopt Mr. Williams’ *pro se* motions. If counsel does not wish to adopt Mr. Williams’ motions, the district court is instructed to evaluate the *pro se* motions’ disruptive potential as provided

in *Thibodeaux*. See also *State v. Gavin*, 23-327 (La. App. 5 Cir. 7/17/23), 2023 WL 4557486 (unpublished writ disposition); *McReynolds v. State*, 20-459 (La. App. 5 Cir. 1/12/21) (unpublished writ disposition); *Spellman v. Jefferson Parish*, 20-44 (La. App. 5 Cir. 5/7/20) (unpublished writ disposition).

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

SMC
JGG
SUS

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 02/18/2026 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:

A handwritten signature in blue ink that reads "Curtis B. Pursell".

CURTIS B. PURSELL
CLERK OF COURT

26-K-53

E-NOTIFIED

24th Judicial District Court (Clerk)
Honorable Donald L. Foret (DISTRICT JUDGE)
Thomas J. Butler (Respondent)

MAILED

William Williams #258703 (Relator)
Jefferson Parish Correctional Center
P. O. Box 388
Gretna, LA 70054