

STATE OF LOUISIANA
COURT OF APPEAL, SECOND CIRCUIT
430 Fannin Street
Shreveport, LA 71101
(318) 227-3700

No. 55,575-KW
consolidated with 55,576-KW,
55,577-KW, and 55,578-KW

STATE OF LOUISIANA

VERSUS

CORDERO JAMES CLAY

FILED: 09/28/23

RECEIVED: BY HAND 09/28/23

On application of Cordero James Clay for SUPERVISORY WRIT in No. 394,122, 394,639, 396,190 and 396,860 on the docket of the First Judicial District, Parish of CADDO, Judge Ramona L. Emanuel.

CADDO PARISH PUBLIC DEFENDER'S OFFICE
Charles Evan McMichael

Counsel for:
Cordero James Clay

James E. Stewart, Sr.
Fernando Bernard Grider, Jr.

Counsel for:
State of Louisiana

Before COX, STEPHENS, and ELLENDER, JJ.

WRIT GRANTED; REMANDED WITH INTRUCTIONS.

Applicant Cordero J. Clay seeks review of the August 15, 2023, oral ruling of the trial court which granted the State's "Motion and Order to Revoke Bond." A defendant may be held without bail pending trial only if, *after a contradictory hearing*, the proof is evident and the presumption of guilt is great and the trial court finds by clear and convincing evidence that there is a substantial risk that relator may flee or poses an imminent danger to any other person or the community. La. Const. art. I, § 18 and La. C. Cr. P. arts. 312 and 313. In the August 15, 2023, proceedings, the trial court summarily revoked Clay's bail based upon arguments made by the State and without a contradictory hearing.

We grant this writ application, and vacate the trial court's ruling. The matter is remanded to the trial court to conduct a contradictory hearing within five days of

this order. Clay shall remain in custody pending resolution of the bail hearing and a final ruling thereon.

Shreveport, Louisiana, this 12 day of October, 2023.

MS JSC JJE

FILED: October 12, 2023

Shandra Jaylor

DEPUTY CLERK