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

No. 55,890-KH

STATE OF LOUISIANA

VERSUS

DAVID WHITE

FILED: 04/16/24

RECEIVED: PM 03/27/24

On application of David White for SUPERVISORY WRIT AND STAY in No. 20-CR-30685 on the docket of the Forty Second Judicial District, Parish of DESOTO, Judge Amy Burford McCartney.

Pro se Counsel for:
David White

Counsel for:

Charles Blaylock Adams State of Louisiana

Before THOMPSON, ROBINSON, and HUNTER, JJ.

WRIT DENIED.

Applicant David White has filed an "Emergency Writ of Mandamus," and "Motion to Stay Proceedings," the substance of which seeks expedited review of the March 15, 2024, "Order" of the trial court denying his documents request. White also requests a stay of proceedings. Applicant is entitled to receive certain court documents, such as the guilty plea transcript, the bill of information or indictment, commitment papers, court minutes for various portions of the trial, and minutes of his sentencing, free of charge without the necessity of establishing a particularized need. State ex rel. Simmons v. State, 93-0275 (La. 12/16/94), 647 So. 2d 1094. As to all other documents, applicant has the constitutional right to free copies only in those instances in which he shows that denial of the request will deprive him of an adequate opportunity to present his claims fairly. Meeting that constitutional threshold requires a showing of a particularized need which cannot be made absent a properly filed application for postconviction relief, which sets out specific claims of constitutional errors requiring the requested documentation for support. State v. Bernard, 09-1552 (La. 6/4/10), 35 So. 3d 1082. A postconviction relief applicant must set forth the claims he intends to raise in his writ of review and show the requested documentation is necessary for a full and adequate review of the assigned errors. Applicant has failed to make this showing but is not precluded from doing in a properly filed application for post-conviction relief and within his post-conviction relief delays. On the showing

Page 2 No. 55,890-KH made, this writ is denied. Applicant's request for a stay of proceedings is also denied. Shreveport, Louisiana, this 9 day of May , 2024.

JLR JRT MZ#

FILED: May 9, 2024

Stacytoner DEPUTY CLERK