

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

No. 56,503-KH

STATE OF LOUISIANA

VERSUS

TERRANCE DANGERFIELD

FILED: 04/24/25

RECEIVED: PM 04/17/25

On application of Terrance Dangerfield for SUPERVISORY WRIT in No. 393,286 on the docket of the First Judicial District, Parish of CADDO, Judge Donald Edgar Hathaway, Jr.

Pro se	Counsel for: Terrance Dangerfield
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James Edward Stewart, Sr.	Counsel for: State of Louisiana
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Before STONE, THOMPSON, and HUNTER, JJ.

WRIT GRANTED; REMANDED FOR FURTHER PROCEEDINGS.

The applicant, Terrance Dangerfield, seeks review of the trial court's March 10, 2025, "Order" denying his pro se motion for appeal, dated February 20, 2025, as untimely filed beyond the deadline set in La. C. Cr. P. art. 914. Dangerfield's trial attorney failed to file a motion for appeal, and the pro se motion was stamped as filed four days past the deadline. A motion for an out-of-time appeal should be treated as a post-conviction relief application requesting reinstatement of the right to appeal and that an out-of-time appeal be granted. *State v. Counterman*, 475 So. 2d 336 (La. 1985). The writ is granted and the order of the trial court is reversed. The matter is remanded for the trial court to consider Dangerfield's motion as a timely application for post-conviction relief seeking an out-of-time appeal in accordance with *State v. Counterman, supra*, and La. C. Cr. P. art. 930.8. See also, *State v. Clark*, 19-1077 (La. 5/1/20), 295 So. 3d 935.

Shreveport, Louisiana, this 14 day of May, 2025.

MLH SDS JRT

FILED: May 14, 2025

Melby Melby
DEPUTY CLERK