

JERRELL J. MCGOWN

NO. 24-K-460

VERSUS

FIFTH CIRCUIT

24TH JUDICIAL DISTRICT COURT, JUDGE,  
CHRIS COX

COURT OF APPEAL

STATE OF LOUISIANA



September 12, 2025

Linda Tran  
First Deputy Clerk

IN RE JERRELL J. MCGOWN

**APPLYING FOR** SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE R. CHRISTOPHER COX, III, DIVISION "B", NUMBER 24-3336, 24-3337

Panel composed of Judges Stephen J. Windhorst,  
John J. Molaison, Jr., and Scott U. Schlegel

## WRIT DENIED

In this *pro se* writ application, relator, Jerrell McGown, seeks mandamus relief, ordering the trial court to rule on his motions to suppress evidence and for speedy trial filed on September 23, 2024.

Mandamus is an extraordinary remedy that is used to compel the performance of ministerial duties imposed by law when ordinary means fail to provide adequate relief or when delays in obtaining ordinary relief may cause an injustice. La. C.C.P. arts. 3861-3863; Lewis v. St. John the Baptist Parish Through Cador, 22-43 (La. App. 5 Cir. 10/19/22), 351 So.3d 734, 738-739. In cases where a writ of mandamus is filed to compel a trial court to rule on a motion, this court has recognized the importance of ensuring that the trial court fulfills its duty to address pending motions. See *e.g.*, Davis v. Lopinto, 25-130 (La. App. 5 Cir. 04/08/25), 2025 WL 1042703 (unpublished writ disposition); Durall v. Darensburg, 24-414 (La. App. 5 Cir. 09/10/24), 2024 WL 4131867 (unpublished writ disposition). Therefore, in the

interest of justice, and in an effort to use reasonable due diligence in determining whether the trial court has fulfilled its duty to rule on the alleged pending motions indicated in relator's writ of mandamus, this court has reviewed the official record as this is the most reasonable, efficient, and logical way for us to determine if relator is entitled to mandamus relief. Moreover, we know of no prohibition against this court reviewing the official record, which is electronic and readily available.

The official record shows that relator filed a motion for speedy trial on August 23, 2024, and a motion to suppress evidence on September 4, 2024. Both motions were set for hearings on April 29, 2025.

On April 29, 2025, defense counsel filed a motion for sanity commission. The motion for sanity commission was set and continued multiple times, and is currently set for September 17, 2025.

La. C.Cr.P. art. 642 provides:

The defendant's mental incapacity to proceed may be raised at any time by the defense, the district attorney, or the court. When the question of the defendant's mental incapacity to proceed is raised, there shall be no further steps in the criminal prosecution, except the institution of prosecution, until the defendant is found to have the mental capacity to proceed.

In this case, relator's counsel raised defendant's mental incapacity and the trial court set a competency hearing for September 17, 2025. Because there can be no further steps in the criminal prosecution of relator until the issue of his competency has been resolved, the trial court cannot rule on relator's motions until competency can be determined. Therefore, relator is not entitled to mandamus relief at this time.

Accordingly, this writ application is denied.

Gretna, Louisiana, this 12th day of September, 2025.

**SJW**  
**SUS**

JERRELL J. MCGOWN

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**MOLAISON, J., CONCURS WITH REASONS**

I would deny relief on the showing made, and concur with the majority's denial of this writ application.

**JJM**

SUSAN M. CHEHARDY  
CHIEF JUDGE

FREDERICKA H. WICKER  
JUDE G. GRAVOIS  
MARC E. JOHNSON  
STEPHEN J. WINDHORST  
JOHN J. MOLAISSON, 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 **09/12/2025** 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, reading "Curtis B. Pursell", is written over a horizontal line.

**CURTIS B. PURSELL**  
CLERK OF COURT

**24-K-460**

**E-NOTIFIED**

24th Judicial District Court (Clerk)  
R. Christopher Cox, III (DISTRICT JUDGE)  
Thomas J. Butler (Respondent)

**MAILED**

Jerrell J. McGown #1000345050 (Relator)  
Jefferson Parish Correctional Center  
P. O. Box 388  
Gretna, LA 70054