

STATE

NO. 24-K-475

VERSUS

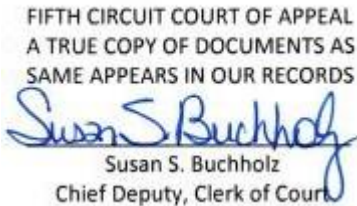
FIFTH CIRCUIT

JAMAL C. HARRIS

COURT OF APPEAL

STATE OF LOUISIANA

October 24, 2025



Susan Buchholz
Chief Deputy Clerk

IN RE JAMAL C. HARRIS

APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT,
PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE
DONALD A. ROWAN, JR., DIVISION "L", NUMBER 20-5861

Panel composed of Judges Marc E. Johnson,
Stephen J. Windhorst, and John J. Molaison, Jr.

WRIT GRANTED IN PART AND DENIED IN PART

Relator, Jamal Harris, filed a *pro se* petition for writ of mandamus, asserting that “on the 8th day of October, 2024,” he filed the following motions with the trial court:

Motion for Speedy Trial and/or Final Disposition, has been filed on July 1, 2024 an [sic] a contradictory hearing has not been rule on. Nor has my hearing for Daubert, as well. the [sic] State is delaying my trial which was set 8-19-2024 and unredacted Discovery.

Relator contends that the trial court has not ruled on his motions.

Relator’s writ application fails to include a copy of the motions that have allegedly been properly filed in the trial court and have not been ruled upon by the trial court.¹ Nevertheless, upon review, relator’s writ of mandamus is granted in part and denied in part for the following reasons.

¹ Although La. U.R.C.A., Rule 4-3 requires relator to attach the motions to his writ application, in this case, attaching the motions would not have assisted this court in determining whether the trial court had ruled on the motions.

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 App. 5 Cir. 04/08/25), 2025 WL 1042703 (unpublished writ disposition); Durall v. Darensburg, 24-141 (La. App. 5 Cir. 09/10/24), 2024 WL 4131867 (unpublished writ disposition).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 trial record as this is the most reasonable, efficient, and logical way for us to determine if relator is entitled to mandamus relief.

The trial record shows that relator filed a pleading captioned "Motion for a Speedy Trial and/or Final Disposition," ("motion for speedy trial") which was stamped as filed on July 8, 2024. The record does not indicate that the trial court has ruled on relator's motion or set it for a hearing. Accordingly, we grant relator's request for mandamus relief and direct the trial court to rule on the motion for speedy trial, if it has not already done so, within twenty days from the date of this disposition and to furnish relator and this court with a copy of the ruling.

As to relator's "Daubert" hearing, relator's writ of mandamus does not provide a caption for this pleading nor an alleged date it was filed. Because it is unclear what motion relator is referring to, on the showing made, we find relator is not entitled to mandamus relief.

A review of the record further shows that relator's counsel filed a motion captioned "Defendant's Objection to State's Redaction of Discover and Request for Unredacted Documents Pursuant to La. C.Cr.P. art. 729.7" on September 30, 2024, and that motion was set on December 9, 2024. On December 9, 2024, the motion was continued to February 3, 2025. On February 3, 2025, defense counsel waived defendant's presence, requested a continuance and the matter was reset for May 1, 2025.² Thereafter, the motion was continued several times by defense counsel and the State, and it appears it is reset for November 10, 2025. Thus, relator is not entitled to mandamus relief.

Accordingly, relator's writ of mandamus is granted in part only to direct the trial court to rule on the motion for speedy trial filed on July 8, 2024, if it has not already done so, within twenty days from the date of this disposition and to furnish relator and this court with a copy of the ruling. In all other regards this application is denied.

Gretna, Louisiana, this 24th day of October, 2025.

SJW
MEJ

² The February 3, 2025 minute entry also states "The Defense will not adopt the Defendants speedy trial motion."

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MOLAISON, J., CONCURS WITHOUT REASONS

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

(504) 376-1400
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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 **10/24/2025** 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-475

E-NOTIFIED

24th Judicial District Court (Clerk)
Honorable Donald A. Rowan, Jr. (DISTRICT JUDGE)
Thomas J. Butler (Respondent)

MAILED

Jamal C. Harris #49429 (Relator)
Jefferson Parish Correctional Center
P. O. Box 388
Gretna, LA 70054