

STATE OF LOUISIANA

NO. 25-K-346

VERSUS

FIFTH CIRCUIT

KYLE OAKLEY

COURT OF APPEAL

STATE OF LOUISIANA



August 22, 2025

Linda Tran
First Deputy Clerk

IN RE STATE OF LOUISIANA

APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE STEPHEN C. GREFER, DIVISION "J", NUMBER 23-488, 23-2538

Panel composed of Judges Jude G. Gravois,
Marc E. Johnson, and Scott U. Schlegel

WRIT DENIED

On May 19, 2025, defendant, Kyle Oakley, filed a Motion and Order for Disclosure of Therapist(s) and the Issuance of Subpoena(s) Duces Tecum for Therapy Records. On July 7, 2025, a contradictory hearing was held in which the trial court granted the motion, stating:

I'm going to grant the motion on the limited basis that the State will turn over the name of the therapist. If you choose to subpoena those records, the subpoena is a return to this Court for an *in camera* inspection prior to any records being turned over to either you or the State.

The trial court further stated:

So the State has 15 days to decide to either -- to turn over the name of the therapist. Mr. Stern, once you get the name of the therapist, you can decide whether you want to subpoena the records. If you subpoena the records, again, make sure the return is to the Court and/or the State simultaneously. Based upon the Court's review and the State's review those records, if anything is to be disclosed, it will be disclosed subsequently thereto.

The State seeks supervisory review of the trial court's ruling that ordered the State to obtain and provide the name of the victim's therapist.

It is well-established that trial courts have vast discretion in the regulation of pre-trial discovery. *State v. Sly*, 23-60 (La. App. 5 Cir. 11/2/23), 376 So.3d 1047,

1078, *writ denied*, 23-1588 (La. 4/23/24), 383 So.3d 608. A trial court's determination regarding matters of discovery will not be overturned absent a clear abuse of that discretion. *Id.*

Upon the showing made, we cannot say that the trial court abused its vast discretion at this stage. The trial court is taking a very measured approach to ensure that the privacy rights of the victim, and the constitutional rights of defendant, are both protected.

Accordingly, this writ application is denied.

Gretna, Louisiana, this 22nd day of August, 2025.

SUS
JGG
MEJ

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 **08/22/2025** 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:

CURTIS B. PURSELL
CLERK OF COURT

25-K-346

E-NOTIFIED

24th Judicial District Court (Clerk)
Honorable Stephen C. Grefer (DISTRICT JUDGE)
Thomas J. Butler (Relator) Robert C. Stern (Respondent)
Darren A. Allemand (Relator)

MAILED

Honorable Paul D. Connick, Jr. (Relator)
District Attorney
Twenty-Fourth Judicial District
200 Derbigny Street
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