

**Fifth Circuit Court of Appeal
State of Louisiana**

No. 26-KH-133

LEONARD PERKINS

versus

STATE OF LOUISIANA

IN RE LEONARD PERKINS
APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT
COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE
DONALD L. FORET, DIVISION "H", No. 91-1188

TRUE COPY

May 11, 2026



LINDA TRAN
DEPUTY CLERK

Panel composed of Judges Susan M. Chehardy,
Fredericka Homberg Wicker, and Jude G. Gravois

WRIT DENIED

Relator, Leonard Perkins, seeks this Court's supervisory review of the trial court's March 13, 2026 ruling which denied his Motion for Hearing Requesting Judicial Notice of Dismissal.

On October 1, 1993, a jury found relator guilty of first degree murder. The trial court subsequently conducted the penalty phase of the trial and deliberations, but the jury was unable to return a recommendation as to the sentence. On October 15, 1993, in accordance with La. C.Cr.P. art. 905.8, the trial court sentenced relator to life imprisonment at hard labor without the benefit of parole, probation, or suspension of sentence. Relator's conviction and sentence were affirmed by this Court. *State v. Perkins*, 94-366 (La. App. 5 Cir. 2/15/95), 652 So.2d 21. Relator did not file a writ application with the Louisiana Supreme Court.

On March 3, 2026, relator filed a Motion for Hearing Requesting Judicial Notice of Dismissal. In it, relator appeared to argue that the trial court refused to entertain his *pro se* pretrial motions. On March 13, 2026, the trial court denied relief, finding that relator's conviction and sentence became final in 1995 and he failed to meet his burden of proof that he is entitled to any relief from the court on his final conviction and legal sentence. In this writ application, relator re-urges his claim challenging the trial court's failure to consider his *pro se* pretrial motions, namely his motion to quash the indictment and his speedy trial motion, because he was represented by counsel.

Upon review, we find no merit to relator's writ application. Initially, we find relator's writ application is procedurally deficient since he did not file a notice of intent or provide documentation of a return date as required by Uniform Rules—Courts of Appeal, Rules 4-2 and 4-3. Nonetheless, in the instant case, relator's conviction and sentence became final in 1995. Considering relator's motion as an application for post-conviction relief, we find his claim seeking review of the trial court's refusal to consider his *pro se* pretrial motions thirty years later is untimely pursuant to La. C.Cr.P. art. 930.8(A). Accordingly, we find no error in the trial court's denial of relator's Motion for Hearing Requesting Judicial Notice of Dismissal. This writ application is denied.

Gretna, Louisiana, this 11th day of May, 2026.

JGG
SMC
FHW

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



FIFTH CIRCUIT

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CURTIS B. PURSELL
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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 **05/11/2026** 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

26-KH-133

E-NOTIFIED

24th Judicial District Court (Clerk)
Honorable Donald L. Foret (DISTRICT JUDGE)
Thomas J. Butler (Respondent)

MAILED

Leonard Perkins #331819 (Relator)
Louisiana State Penitentiary
Angola, LA 70712