

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

No. 26-K-71

STATE OF LOUISIANA

versus

TY PAYTON

IN RE TY PAYTON

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", No 245445

TRUE COPY

March 19, 2026



LINDA TRAN
DEPUTY CLERK

Panel composed of Judges Susan M. Chehardy,
Jude G. Gravois, and John J. Molaison, Jr.

WRIT DENIED

On February 26, 2026, relator filed a “Supervisory Writ to Order Release on Original Bond,” seeking review of the trial court’s October 27, 2025 ruling that reinstated his bond. Relator contends he paid his bail bond but was never released. In addition, relator claims the trial court failed to set a return date after he filed his notice of intent on January 30, 2026.¹

By way of background, on July 16, 2025, the State filed a bill of information charging relator with domestic abuse by strangulation in violation of La. R.S.

¹ Relator does not specifically request mandamus relief based on the trial court’s failure to set a return date. Even if relator had requested mandamus relief, however, such relief would be unwarranted, given the untimely filing of his notice of intent, as discussed *infra*.

14:35.3, and possession of a firearm by a convicted felon in violation of La. R.S. 14:95.1.² On September 4, 2025, the trial court set a bond of \$50,000 for the domestic abuse charge and \$100,000 for the firearm charge. According to the September 4, 2025 minute entry, relator was not present nor represented by counsel. On September 12, 2025, relator filed a *pro se* Motion to Reinstate Bond and Release. On September 27, 2025, the trial court set a hearing on relator’s motion for October 27, 2025. On October 27, 2025, following relator’s arraignment on the charges, the trial court ordered the attachment satisfied and reinstated the following bond amounts: \$25,000 for the domestic abuse charge and \$75,000 for the firearm charge.

As an initial matter, relator previously sought this Court’s supervisory review in an “Appeal to be Released on Original Bond,” filed November 3, 2025. Relator similarly complained that the trial court had reinstated the original bond but did not order his release. This Court denied relator’s writ application due to numerous deficiencies in his application, including his failure to provide (i) the relevant case number in the trial court, (ii) a copy of the complained-of ruling, (iii) a copy of the pertinent court minutes, (iv) a copy of a notice of intent filed with the trial court, and (v) an order from the trial court setting a return date, citing Uniform Rules – Courts of Appeal, Rules 4-2, 4-3, and 4-5. *See Payton v. State*, No. 25-K-531, 2026 WL 125791 (La. App. 5 Cir. Jan. 16, 2026). At that time, relator had not filed a notice of intent with the trial court as Rule 4-2 of the Uniform Rules—Courts of Appeal requires.³ As seen above, relator’s notice of intent was filed with the trial court on January 30, 2026.

² *See* 24th Judicial District Court case number 24-5445. In case number 25-3116, relator is charged with resisting an officer in violation of La. R.S. 14:108.

³ Rule 4-2 provides:

The party, or counsel of record, intending to apply to the Court of Appeal for a writ shall give to the opposing parties or the opposing counsel of record, notice of such intention. The party, simultaneously, shall give

While the instant application does not suffer from all the same deficiencies, given that relator now has included the relevant case number and a minute entry containing the complained-of ruling from October 27, 2025, relator did not file a notice of intent to seek supervisory writs within thirty days of the ruling at issue, as required by Uniform Rules – Courts of Appeal, Rule 4-3.⁴ Rather, relator filed his notice of intent almost three months after the trial court’s October 27, 2025 ruling, rendering his notice of intent untimely. Additionally, because relator provides no documentation to show that he paid his bond but still was not released, on the showing made, relator would not be entitled to the relief requested. Accordingly, the writ is denied.

Gretna, Louisiana, this 19th day of March, 2026.

SMC
JGG
JJM

notice to the judge whose ruling is at issue, by requesting a return date to be set by the judge within the time period provided for in Rule 4-3.

⁴ Uniform Rules – Courts of Appeal, Rule 4-3, provides that “the return date shall not exceed 30 days from the date of the ruling at issue.”

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 **03/19/2026** 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-K-71

E-NOTIFIED

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

MAILED

Ty Payton #100031579 (Relator)
Jefferson Parish Correctional Center
P. O. Box 388
Gretna, LA 70054