

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

No. 26-K-222

MICHAEL YOUNG

versus

MICHAEL MENTZ, JUDGE

IN RE MICHAEL YOUNG
APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT
COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE
MICHAEL P. MENTZ, DIVISION "F", No. 23-5911

TRUE COPY

June 11, 2026



LINDA TRAN
DEPUTY CLERK

Panel composed of Judges Fredericka Homberg Wicker,
John J. Molaison, Jr., and Scott U. Schlegel

WRIT DENIED

Relator/defendant, Michael Young, filed a writ of mandamus on May 19, 2026, to compel the 24th Judicial District Court to release him in accordance with La. C.Cr.P. art. 701(B). However, it appears that relator is actually seeking a review of the trial court's April 22, 2026 ruling denying his *pro se* Reurged Motion for Release Without Bail Pending Trial and his *pro se* Reurged Motion to Quash, both filed on April 7, 2026.

According to the April 22, 2026 minute entry, the trial court ruled that “[a]ll Motions filed by the Defendant while represented by Autumn Town are denied without prejudice pursuant to *State v McCabe*.”

Given his representation by counsel, it does not appear that relator takes issue with the trial court's ruling rejecting all of his *pro se* motions, but rather with the trial court's rulings on his Reurged Motion for Release Without Bail Pending Trial and Reurged Motion to Quash. In both motions, relator claims that the State failed to comply with the time limitations of La. C.Cr.P. art. 701(B)(1)(a), which provide that an indictment or bill of information must be filed within 30 days of arrest if the defendant is being held for a misdemeanor and within 60 days of arrest if the defendant is being held for a felony.

“When prosecution has not been instituted within the period specified in La. C.Cr.P. art. 701, the defendant may move for release without bail and is entitled to be released unless the district attorney shows just cause for the failure in a hearing conducted promptly after the filing of the motion.” *State v. Varmall*, 539 So.2d 45, 46 (La. 1989). However, “if prosecution is instituted after the statutory period has elapsed, but before the hearing is held, this court has held that the defendant is no longer entitled to release without bail.” *Id.*

As can be seen from the docket sheet in the district court case,¹ the bill of information was filed on February 26, 2024, and relator was arraigned on February 27, 2024. Thus, once the bill of information was filed, relator was no longer entitled to release without bail. Consequently, if the merits of relator's *pro se* motions had been considered by the trial court, no relief would have been warranted.

Accordingly, this writ application is denied.

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

SUS
FHW
JJM

¹ The docket sheet was attached as an exhibit in the writ of mandamus filed by relator in No. 26-K-221, which is decided simultaneously with this writ application.

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 **06/11/2026** 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-K-222

E-NOTIFIED

24th Judicial District Court (Clerk)
Honorable Michael P. Mentz (DISTRICT JUDGE)
Thomas J. Butler (Respondent)

MAILED

Michael Young #225459 (Relator)
Jefferson Parish Correctional Center
P. O. Box 388
Gretna, LA 70054