

Fifth Circuit Court of Appeal State of Louisiana

No. 26-KH-303

LUCIEN P. BAZLEY

versus

STATE OF LOUISIANA

IN RE LUCIEN P. BAZLEY
APPLYING FOR SUPERVISORY WRIT TO THE TWENTY-FOURTH JUDICIAL DISTRICT
COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE R.
CHRISTOPHER COX, III, DIVISION "B", No. 22-4780

TRUE COPY

July 20, 2026



LINDA TRAN
DEPUTY CLERK

Panel composed of Judges Stephen J. Windhorst,
Timothy S. Marcel, and Michael P. Mentz, Pro Tempore

WRIT DENIED

Defendant/Relator, Lucien P. Bazley, seeks mandamus relief regarding the motion for new trial he filed in the trial court on May 29, 2026.

La. C.Cr.P. art. 916 divests the trial court of jurisdiction upon the entering of an order of appeal. Thereafter, the trial court has no jurisdiction to take any action except as otherwise provided by law and in limited situations set forth in La. C.Cr.P. art. 916, none of which includes ruling on a motion for a new trial. State v. Havies, 22-133 (La. App. 5 Cir. 12/22/22), 355 So.3d 677, 688, writ denied, 23-76 (La. 9/19/23), 370 So.3d 463 (Once the trial court granted defendant's motion for appeal, the trial court was divested of jurisdiction and lacked jurisdiction to rule on defendant's motion for new trial.).

On October 9, 2025, relator's record was lodged with this court and his appeal, 25-KA-471, is currently pending review. Because defendant filed the motion for new trial after the appeal process had commenced, the trial court no longer has jurisdiction to rule on the motion for new trial. As a result, mandamus relief is not warranted. We therefore deny this writ application.

Gretna, Louisiana, this 20th day of July, 2026.

SJW
TSM
MPM

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
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 **07/20/2026** 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:

A handwritten signature in blue ink that reads "Curtis B. Pursell".

CURTIS B. PURSELL
CLERK OF COURT

26-KH-303

E-NOTIFIED

24th Judicial District Court (Clerk)
R. Christopher Cox, III (DISTRICT JUDGE)
Thomas J. Butler (Respondent)

MAILED

Lucien P. Bazley #358366 (Relator)
Rayburn Correctional Center
27268 Highway 21
Angie, LA 70426