

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

No. 26-K-122

STATE OF LOUISIANA
VERSUS
DONELL WILLIS

IN RE DONELL WILLIS
APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT
COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE
LEE V. FAULKNER, JR., DIVISION "P", No. 24-5778

TRUE COPY

March 31, 2026



SUSAN BUCHHOLZ
DEPUTY CLERK

Panel composed of Judges Susan M. Chehardy,
John J. Molaison, Jr., and Timothy S. Marcel

WRIT DENIED

The defendant/relator, Donnell Willis, seeks review of the trial court's March 27, 2026 denial of his Motion to Continue Trial and argues that his defense counsel needs additional time to review evidence turned over by the State on that same date. Trial is in progress.

The application in this case shows that the defendant is charged with aggravated assault with a firearm, simple burglary, and possessing less than 14 grams of marijuana. It is unclear whether or not the evidence at issue, a fingerprint not belonging to the defendant that was lifted from a tool box, is exculpatory material as determined under *Brady v. Maryland*, 373 U.S. 83, 87, 83 S.Ct. 1194, 10 L.Ed.2d

215 (1963). It is also not clear whether the fingerprint was available to the defendant as part of open file discovery.

Under La. C.Cr.P. art. 712, “[a] motion for continuance, if timely filed, may be granted, in the discretion of the court, in any case if there is good ground therefor.” The decision of whether to grant or refuse a motion for a continuance rests within the sound discretion of the trial judge, and a reviewing court will not disturb such a determination absent clear abuse of discretion. *State v. Perilloux*, 21-448 (La. App. 5 Cir. 12/20/23), 378 So.3d 280, 314, *writ denied*, 24-104 (La. 9/4/24), 391 So.3d 1055. Without additional factual context regarding the circumstances of the fingerprint and its relevance to the charged offenses, there is insufficient information to make that determination. As presented, the application does not demonstrate an abuse of the trial court’s discretion.

On the showing made, we find an insufficient basis upon which to disturb the ruling of the district court. Accordingly, the application is denied.

Gretna, Louisiana, this 31st day of March, 2026.

JJM
SMC
TSM

SUSAN M. CHEHARDY
CHIEF JUDGE

FREDERICKA H. WICKER
JUDE G. GRAVOIS
MARC E. JOHNSON
STEPHEN J. WINDHORST
JOHN J. MOLAISON, JR.
SCOTT U. SCHLEGEL
TIMOTHY S. MARCEL

JUDGES



FIFTH CIRCUIT
101 DERBIGNY STREET (70053)
POST OFFICE BOX 489
GRETNA, LOUISIANA 70054
www.fifthcircuit.org

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
(504) 376-1498 FAX

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 **03/31/2026** 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-122

E-NOTIFIED

24th Judicial District Court (Clerk)
Hon. Lee V. Faulkner, Jr. (DISTRICT JUDGE)
Honorable Paul D. Connick, Jr. (Respondent)
Mark D. Plaisance (Relator)

Christen E. DeNicholas (Relator)
Thomas J. Butler (Respondent)
Darren A. Allemand (Respondent)

MAILED

Remy V. Starns (Relator)
Attorney at Law
301 Main Street
Suite 700
Baton Rouge, LA 70825

Kevin M. Phillips (Relator)
Attorney at Law
848 2nd Street
Gretna, LA 70053

Theresa King (Respondent)
Assistant District Attorney
Twenty-Fourth Judicial District
200 Derbigny Street
Gretna, LA 70053