

SUPREME COURT OF LOUISIANA

No. 2019-KK-01206

STATE OF LOUISIANA

versus

SHANE RAY ARCHANGEL

**ON SUPERVISORY WRITS TO THE SIXTEENTH
JUDICIAL DISTRICT COURT, PARISH OF IBERIA**

PER CURIAM:

Writ granted. The district court erred in ordering defendant released—based on the State’s failure to timely institute prosecution within the delays provided in La.C.Cr.P. art. 701—at an untranscribed pretrial conference conducted five days before the hearing date scheduled in response to defendant’s pro-se motion for bond reduction. *See* La.C.Cr.P. art. 701(F) (“A motion for speedy trial filed by the defendant, but not verified by the affidavit of his counsel, shall be set for contradictory hearing within thirty days.”); *see also* La.C.Cr.P. art. 701(B)(2)(b) (“Failure to institute prosecution as provided in Subparagraph (1) of this Paragraph shall result in release of the defendant if, after contradictory hearing with the district attorney, just cause for the failure is not shown.”). Accordingly, we grant the application to vacate the district court’s ruling, and remand with instructions to conduct a contradictory hearing in accordance with the motion filed by the defendant.