

05/03/2013 "See News Release 025 for any Concurrences and/or Dissents."

SUPREME COURT OF LOUISIANA

No. 2012-KH-2508

STATE EX REL. DERRICK WAYNE DOUGLAS

VS.

STATE OF LOUISIANA

**ON WRIT OF CERTIORARI TO THE COURT OF APPEAL,
FIRST CIRCUIT, PARISH OF EAST BATON ROUGE**

JOHNSON, C.J. would grant the writ and remand the case to the court of appeal.

I would order the court of appeal to consider the merits of the claims raised in relator's supplemental appellate brief. To the extent relator has shown that he deposited his supplemental brief with prison authorities on April 12, 2001, he filed timely. *See Houston v. Lack*, 487 U.S. 266, 108 S. Ct. 2379, 101 L. Ed. 2d 245 (1988).