

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2021-KK-00876

VS.

MARK ANTHONY SPELL

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IN RE: Mark Anthony Spell - Applicant Defendant; Applying For Supervisory Writ, Parish of East Baton Rouge, 19th Judicial District Court Number(s) DC-20-01764, Court of Appeal, First Circuit, Number(s) 2021 KW 0284;

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**December 07, 2021**

Writ application granted. See briefing notice and Order.

SJC

JLW

JDH

JTG

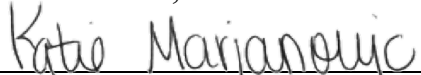
WJC

JBM

PDG

Supreme Court of Louisiana

December 07, 2021



Chief Deputy Clerk of Court  
For the Court



**Supreme Court**  
STATE OF LOUISIANA  
New Orleans

CHIEF JUSTICE  
JOHN L. WEIMER

Sixth District

JUSTICES

WILLIAM J. CRAIN  
SCOTT J. CRICHTON  
JAMES T. GENOVESE  
JAY B. MCCALLUM  
JEFFERSON D. HUGHES III  
PIPER D. GRIFFIN

First District  
Second District  
Third District  
Fourth District  
Fifth District  
Seventh District

JOHN TARLTON OLIVIER  
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December 07, 2021

2021-KK-00876

STATE OF LOUISIANA VS. MARK ANTHONY SPELL

NOTE: FOR BRIEFING PURPOSES WRIT GRANTED December 07, 2021

MEMORANDUM TO COUNSEL IN CAPTIONED CASE:

Please be advised that the above-captioned matter will be set for oral argument on this Court's next available docket. A copy of the official docket with the specific date and time of oral argument will be mailed out.

**Please note Section 8 of Rule VII of the Rules of this Court provides that the applicant or relator, as the case may be, must file their briefs on or before January 3, 2022; and the respondent on or before January 21, 2022.**

Oral argument will be waived if brief is untimely filed. Briefs submitted on legal sized paper should be fastened at the top. All briefs should be backed with the customary "Blueback" or other flexible material. In criminal proceedings, the court directs that counsel must file a brief. Failure to do so may subject counsel to a penalty of contempt of Court.

It is further provided in Rule VII, Section 9 that briefs sent through the mail shall be deemed timely filed if mailed on or before the due date. If the brief is received by mail on the first legal day following the expiration of the delay, there shall be a rebuttable presumption that it was timely filed. In all cases where the presumption does not apply, the timeliness of the mailing shall be shown only by an official United States postmark or by official receipt or certificate from the United States Postal Service, or bona fide commercial mail services such as Federal Express or United Parcel Service, made at the time of mailing which indicates the date thereof. Any other date stamp, such as a private commercial mail meter stamp, or label from an Automated Postal Center, shall not be used to establish timeliness.

Briefs forwarded by private delivery or courier service shall be deemed timely filed only if received by the clerk on or before the last day of the delay for filing.

With kindest regards, I remain,

Very truly yours,

Ryan Chan  
Deputy Clerk

RC: RC

ccs: All Counsel

Court of Appeal, First Circuit: 2021 KW 0284

**SUPREME COURT OF LOUISIANA**

**No. 2021-KK-00876**

**STATE OF LOUISIANA**

**VERSUS**

**MARK ANTHONY SPELL**

On Supervisory and/or Remedial Writs  
Nineteenth Judicial District Court, Parish of East Baton Rouge, No. DC-20-01764;  
Court of Appeal, First Circuit, No. 2021 KW 0284.


And, whereas, the Court has this date, pursuant to Article 5, Section 5, of the Constitution of Louisiana, made and issued the following order, to wit— “It is ordered that the writ of review issue; that the District Court and the Court of Appeal send up the record in Duplicate of the case; and that counsel for all parties be notified.”

Now, therefore, the said District Court and the Court of Appeal is hereby commanded, in the name of the State of Louisiana and of this Honorable Court, to send up forthwith to this Court, in accordance with Supreme Court Rule 1, at the City of New Orleans, the record in duplicate of the above-entitled case.

Witness the Honorable Justices of the  
Supreme Court of the State of Louisiana, on  
this 7<sup>th</sup> day of December, in the year of our  
Lord, Two Thousand Twenty-One.

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John Tarlton Olivier  
Clerk of Court



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Deputy Clerk of Court