

STATE OF LOUISIANA

COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2026 KW 0766

VERSUS

DESMOND CARTER

JULY 22, 2026

In Re: State of Louisiana, applying for supervisory writs, 19th
Judicial District Court, Parish of East Baton Rouge, No.
DC-23-00925.

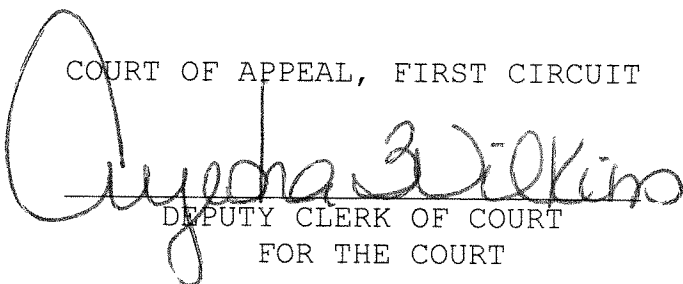
BEFORE: PENZATO, GREENE, AND FIELDS, JJ.

WRIT GRANTED. On April 13, 2026, relator filed a motion for speedy trial accompanied by an affidavit from counsel certifying that the defense is prepared to proceed to trial within the delays set forth in La. Code Crim. P. art. 701. Further, counsel certified that "this criminal matter is in an appropriate posture for trial." The record reflects otherwise as there were several unresolved motions filed by the defense. Of particular significance, a Motion to Quash Count 1 of the indictment remains pending. This motion raises a constitutional issue and, at the time of the May 13, 2026 hearing, there was no proof in the record that the Louisiana Attorney General had been served with notice. Further, the defendant did not elect to withdraw his motions. Accordingly, counsel's certification is premature, and the motion for speedy trial was improperly granted. Therefore, the ruling granting the motion for speedy trial is reversed and this matter is remanded for further proceedings.

**AHP
HG**

Fields, J., dissents and would deny the writ application.

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DEPUTY CLERK OF COURT
FOR THE COURT