

NO. 2007-K-0639

COURT OF APPEAL, FOURTH CIRCUIT

STATE OF LOUISIANA

STATE OF LOUISIANA

VERSUS

KENNETH EDWARDS, ET AL.

IN RE: STATE OF LOUISIANA

APPLYING FOR: SUPERVISORY WRIT

DIRECTED TO: HONORABLE ARTHUR HUNTER, JUDGE
CRIMINAL DISTRICT COURT ORLEANS PARISH
SECTION "K", 463-200

**WRIT APPLICATION GRANTED; MATTER REMANDED WITH
ORDER; STAY LIFTED**

The trial court erred by failing to appoint substitute counsel for the defendants that are the subject of this writ application, and further by failing to hold individualized hearings for those defendants as mandated by *State v. Citizen*, 04-1841(La. 4/1/05), 898 So.2d 325 and *State v. Peart*, 621 So.2d 780 (La. 1993). Accordingly, we grant the writ application and remand.

IT IS HEREBY ORDERED that the trial court appoint counsel for each defendant that is unrepresented and further, that the trial court conduct individualized hearings for each defendant, including individualized bond modification hearings prior to ordering the release of any incarcerated defendants.

The stay of all proceedings granted by this court in response to the State's motion No. 2007-KM-0574 is lifted for the sole purpose of allowing the trial court to comply with this ORDER.

New Orleans, Louisiana this 16th day of August, 2007.



JUDGE PATRICIA RIVET MURRAY



JUDGE TERRIF F. LOVE

BELSONE, J., DISSENTS

JUDGE ROLAND L. BELSONE

Handwritten notes and date stamp:
AUG 20 2007
AUG 6 2007
[Illegible handwritten text]

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BELSOME, J., DISSENTS



I would deny the writ.