

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2019-KH-01337

VS.

JOE LITTON BAILEY

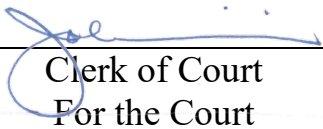
IN RE: Joe Litton Bailey - Applicant Defendant; Applying For Supervisory Writ,
Parish of Caddo, 1st Judicial District Court Number(s) 320986, Court of Appeal,
Second Circuit, Number(s) 53035KH;

July 24, 2020

Writ application granted in part. See per curiam.

WJC
BJJ
JLW
JDH
JTG
JHB

Supreme Court of Louisiana
July 24, 2020



Clerk of Court
For the Court

07/24/20

SUPREME COURT OF LOUISIANA

No. 19-KH-1337

STATE OF LOUISIANA

v.

JOE LITTON BAILEY

**ON SUPERVISORY WRITS TO THE FIRST
JUDICIAL DISTRICT COURT, PARISH OF CADDO**

PER CURIAM:

Writ granted in part. The district court erred in barring consideration of petitioner's application for post-conviction relief based on a hyper-technical application of the pleading requirements found in La.C.Cr.P. art. 926. *See, e.g., State ex rel. Johnson v. Maggio*, 440 So.2d 1336, 1337 (La. 1983) (a pro se petitioner “is not to be denied access to the courts for review of his case on the merits by the overzealous application of form and pleading requirements or hyper-technical interpretations of court rules.”). The matter is remanded for further consideration under La.C.Cr.P. arts. 927-930. On remand, the district court also should consider the continued legality of petitioner's life sentence under *State v. Lyles*, 19-0203 (La. 10/22/19), 286 So.3d 407. The application is otherwise denied.