

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA, EX REL. FRANK
FORD COSEY

No. 2021-KD-01603

VS.

TIM HOOPER, WARDEN LOUISIANA STATE
PENITENTIARY, ANGOLA, LOUISIANA

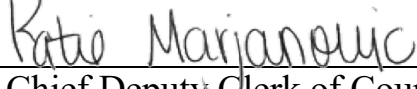
IN RE: State of Louisiana - Applicant Defendant; Applying For Supervisory Writ,
Parish of East Baton Rouge, 19th Judicial District Court Number(s) 07-90-0596;

November 04, 2021

Stay denied; Writ granted in part; See per curium

JBM
JLW
SJC
JTG
WJC
PDG

Supreme Court of Louisiana
November 10, 2021



Chief Deputy Clerk of Court
For the Court

11/04/21

SUPREME COURT OF LOUISIANA

No. 2021-KD-01603

STATE OF LOUISIANA, EX REL. FRANK FORD COSEY

VS.

**TIM HOOPER, WARDEN LOUISIANA STATE PENITENTIARY,
ANGOLA, LOUISIANA**

On Supervisory Writ to the Nineteenth Judicial District Court, Parish of East Baton Rouge

PER CURIAM

Writ granted, in part. Stay denied. The State argues it is entitled by law to discover certain memoranda, notes, and other relevant information pursuant to its “Motion to Compel Petitioner’s Defense Investigator Memoranda and Notes Regarding Interviews with Witnesses for Whom Petitioner Submitted Curated Declarations and to Compel Other Relevant Information Pertaining to Defense Investigations,” and thus, the trial court erred in denying its motion. Petitioner, Frank Ford Cosey, argues the memoranda, notes, and other relevant information sought to be discovered by the State is privileged work-product. The State contends that even if it is not allowed to review and use the requested discovery at the hearing before the trial court, Petitioner should still be ordered to produce such so that it may be properly preserved for later appellate review. To ensure the record is complete and adequate for later review, Petitioner, Frank Ford Cosey, is ordered to produce the requested memoranda, notes, and other relevant information; however, the production shall be under seal, to be maintained solely for the purpose of later appellate review, and shall be produced to the trial court under seal within forty-eight (48) hours of notice of this Order. With regard to any other arguments or request filed by the State, we deny writ.