

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2021-KK-00698

VS.

BRYANT SCOTT TANNER

IN RE: Bryant Scott Tanner - Applicant Defendant; Applying For Supervisory Writ,
Parish of St. Tammany, 22nd Judicial District Court Number(s) 3558-F-2019, Court
of Appeal, First Circuit, Number(s) 2021 KW 0531;

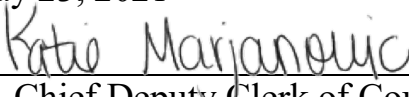
May 23, 2021

Writ application granted. See per curiam.

JTG
JLW
JDH
SJC
WJC
JBM
PDG

Crain, J., concurs.

Supreme Court of Louisiana
May 23, 2021



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 2021-KK-00698

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VS.

BRYANT SCOTT TANNER

On Supervisory Writ to the 22nd Judicial District Court, Parish of St. Tammany

Granted. The State is ordered to expeditiously designate for relator's defense counsel the order in which the State intends to call defense counsel's cases for trial on Tuesday, June 1, 2021. *See State v. Simpson*, 551 So.2d 1303, 1305 (La. 1989) ("Since adequate notice is a fundamental element of due process, the criminal docket for a particular day must indicate the order in which cases are to be called for trial.") (citations omitted), citing *State v. Ray*, 474 So.2d 954 (La. 1985). In any event, this list shall be provided no later than Wednesday, May 26, 2021.

We are mindful that the State has the ultimate authority to determine "whom, when, and how" to prosecute, and circumstances may, at times, require a departure from the ordered list. *See* La.C.Cr.P. art. 61; *State v. Chapman*, 10-1510 (La. 10/29/10), 46 So.3d 660. Nonetheless, the State remains obligated to provide defendants with fair notice of the probability that their cases will or will not go to trial on the date assigned. *Id.* The State should also be mindful that, while the Sixth Amendment primarily guarantees the right to effective counsel, it also includes the right to an attorney who has been given adequate time to prepare for trial. *Wheat v. United States*, 486 U.S. 153, 159, 108 S. Ct. 1692, 1696, 100 L.Ed.2d 140 (1988); *Powell v. Alabama*, 287 U.S. 45, 53, 53 S. Ct. 55, 58, 77 L.Ed. 158 (1932).