

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2023-KK-01226

VS.

ELZEY JEFFREY PERILLOUX

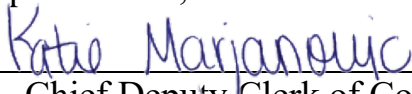
-----  
IN RE: State of Louisiana - Applicant Plaintiff; Applying For Writ Of Certiorari,  
Parish of St. John the Baptist, 40th Judicial District Court Number(s) 2018-CR-193,  
Court of Appeal, Fifth Circuit, Number(s) 23-KH-413;  
-----

September 13, 2023

Writ application granted. See per curiam.

JB  
JLW  
SJC  
JTG  
WJC  
PDG

Supreme Court of Louisiana  
September 13, 2023

  
\_\_\_\_\_  
Chief Deputy Clerk of Court  
For the Court

**SUPREME COURT OF LOUISIANA**

**No. 2023-KK-01226**

**STATE OF LOUISIANA**

**VS.**

**ELZEY JEFFREY PERILLOUX**

On Writ of Certiorari to the Court of Appeal, Fifth Circuit,  
Parish of St. John the Baptist

**PER CURIAM**

Writ granted. The district court erred in finding that the circumstances of the crimes and the evidence and testimony presented at trial and at sentencing are irrelevant to the question of whether “defendant’s release will pose a danger to any other person or the community, or that there is a substantial risk that defendant might flee” pursuant to La.C.Cr.P. art 312. *See, e.g., State v. Moore*, 419 So.2d 963, 969 (La. 1982). For the reasons provided by Judge Wicker, dissenting in the court of appeal, we find the district court abused its discretion in granting defendant’s motion to set an appeal bond. We reverse the ruling of the court of appeal and we vacate the district court’s order setting an appeal bond. Defendant shall remain in state custody pending the appeal. We hereby lift the stay previously imposed.

**STAY LIFTED; REVERSED AND VACATED**