

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2025-KD-00424

VS.

DARRELL DEWAYNE DRAUGHN

IN RE: Darrell D. Draughn - Applicant Defendant; Applying For Supervisory Writ,
Parish of Caddo, 1st Judicial District Court Number(s) 212107;

April 11, 2025

Writ application granted. See per curiam.

JLW
JDH
PDG
JMG

Weimer, C.J., additionally concurs and assigns reasons.
Crain, J., dissents for reasons assigned by Justice Cole and assigns additional reasons.
McCallum, J., dissents for reasons assigned by Justice Cole and assigns additional reasons.
Cole, J., concurs in part and dissents in part and assigns reasons.

Supreme Court of Louisiana
April 11, 2025


Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 2025-KD-00424

STATE OF LOUISIANA

VS.

DARRELL DEWAYNE DRAUGHN

On Supervisory Writ to the 1st Judicial District Court, Parish of Caddo

PER CURIAM

Granted. The district court is ordered to recall the warrant of execution issued on March 25, 2025. In *State v. Draughn*, 2005-1825, p. 83 (La. 1/17/07), 950 So.2d 583, 636, this Court ordered the following,

For the reasons assigned herein, the defendant's conviction and sentence are affirmed. In the event this judgment becomes final on direct review when either: (1) the defendant fails to petition timely the United States Supreme Court for certiorari; or (2) that Court denies his petition for certiorari; and either (a) the defendant, having filed for and been denied certiorari, fails to petition the United States Supreme Court timely, under their prevailing rules, for rehearing of denial of certiorari; or (b) that Court denies his petition for rehearing, the trial judge shall, upon receiving notice from this court under La.C.Cr.P. art. 923 of finality of direct appeal, and *before signing the warrant of execution*, as provided by La. R.S. 15:567(B), immediately notify the Louisiana Indigent Defense Assistance Board and provide the Board with reasonable time in which: (1) to enroll counsel to represent defendant in any state post-conviction proceedings, if appropriate, pursuant to its authority under La. R.S. 15:149.1; and (2) *to litigate expeditiously the claims raised in that original application*, if filed, in the state courts.

(Emphasis added). In accordance with this decree, the district court is ordered to establish a briefing schedule, subject to amendment only for good cause, so that defendant may file a counseled supplement to his *pro se* post-conviction application. Thereafter, the district court may rule on any procedural objections raised by the state, including but not limited to La.C.Cr.P. art. 930.8(B), and then, if appropriate, hold an evidentiary hearing pursuant to La.C.Cr.P. art. 930 to address the merits of defendant's claims for relief.