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STATE OF LOUISIANA NOV 13 AM 9:25 DOCKET NO. 11-241328; SECTION: II

Janet B. King
DEPUTY CLERK OF COURT
16th JUDICIAL DISTRICT COURT
ST. MARTIN PARISH

VERSUS

: PARISH OF ST. MARTIN

JORGE ANGEL CAMPOS

: STATE OF LOUISIANA

MOTION FOR DESIGNATION OF RECORD

NOW INTO COURT, through the undersigned Assistant Attorney General, comes the State of Louisiana. On November 8, 2012, this Honorable Court found a law unconstitutional, specifically La. R.S. 14:100.13. The 16th Judicial District Attorney's Office, through Assistant District Attorney Kim Kidd, made a motion in court noticing the State's intention of seeking supervisory relief with the Louisiana Supreme Court, in compliance with La. C.Cr.P. art. 914. Mr. Kidd also requested a transcript of the September 6, 2012, hearing, as well as a transcript of the proceedings on November 8, in compliance with La. C.Cr.P. art. 914.1(A). In accordance with La. C.Cr.P. art. 914.1(D), the State hereby requests that this Honorable Court direct the Clerk of Court for the 16th Judicial District to prepare the record for appeal and, in light of the assignments of error to be urged, the State hereby designates that the appellant record should contain the *whole record* of this case, Docket Number 11-241328, including the transcripts requested by the State yesterday. The record should also include a certified copy of the minutes in this matter.

WHEREFORE, the undersigned attorney asks for the relief requested above and all other relief to which the State is entitled.

RESPECTFULLY SUBMITTED:

JAMES D. "BUDDY" CALDWELL
Attorney General

BY: 

Colin Clark
Assistant Attorney General
Louisiana Attorney General's Office
P.O. Box 94005
Baton Rouge, Louisiana 70804-9095
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Bar Roll # 33775

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing motion has been mailed, postage prepaid to the following attorneys on this 9th day of November, 2012.

Frank Barber
Attorney for the Defendant
116 Field Street
New Iberia, Louisiana 70560-4487

Kim Kidd
Assistant District Attorney
300 Iberia Street, Suite 200
New Iberia, Louisiana 70560



COLIN CLARK

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2012 NOV 14 PM 4:17
Janet Craig
DEPUTY CLERK OF COURT
ST. MARTIN PARISH

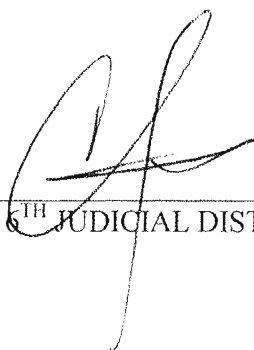
STATE OF LOUISIANA : DOCKET NO. 11-241328; SECTION: II
 : 16th JUDICIAL DISTRICT COURT
 VERSUS : PARISH OF ST. MARTIN
 JORGE ANGEL CAMPOS : STATE OF LOUISIANA

ORDER

ON MOTION of the undersigned comes the State of Louisiana in the above-entitled and numbered cause to designate the record in the above captioned matter which will be appealed to the Louisiana Supreme Court.

IT IS HEREBY ORDERED that the Motion to Designate the Record be granted, designating the whole record in this matter. The whole record in this matter is returnable to the Louisiana Supreme Court, within the delays fixed by this Honorable Court. Further, the Clerk is directed to prepare a certified copy of the minutes of this case as a part of the record.

THUS DONE AND SIGNED, in New Iberia, Louisiana, this 14th day of November, 2012.



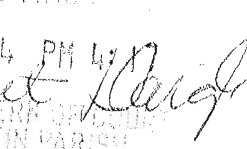
 JUDGE, 16TH JUDICIAL DISTRICT COURT

PLEASE SERVE:

Colin Clark
 Assistant Attorney General
 1885 N. Third St.
 P.O. Box 94005
 Baton Rouge, LA 70804

Frank Barber
 Attorney for the Defendant
 116 Field Street
 New Iberia, Louisiana 70560-4487

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 DEPUTY CLERK OF COURSE
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STATE OF LOUISIANA DOCKET NO. 11-241328; SECTION: II

VERSUS : 16th JUDICIAL DISTRICT COURT
: PARISH OF ST. MARTIN
JORGE ANGEL CAMPOS : STATE OF LOUISIANA

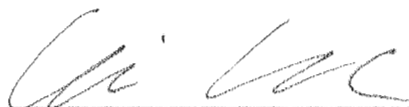
MOTION AND ORDER FOR APPEAL

NOW INTO COURT, through the undersigned Assistant Attorney General, comes the State of Louisiana. On November 8, 2012, this Honorable Court found a law unconstitutional, specifically La. R.S. 14:100.13. The 16th Judicial District Attorney's Office, through Assistant District Attorney Kim Kidd made a motion in open court for an appeal and asked for a return date. This Motion and Order confirms these actions in writing for the benefit of the record in this case and also confirms the date for the return date to be set. The State formally moves for an appeal directly to the Louisiana Supreme Court regarding the Court's ruling that La. R.S. 14:100.13 is unconstitutional as preempted by federal law.

WHEREFORE, the undersigned attorney asks for the relief requested above and all other relief to which the State is entitled.

RESPECTFULLY SUBMITTED:

JAMES D. "BUDDY" CALDWELL
Attorney General

BY: 

Colin Clark
Assistant Attorney General
Louisiana Attorney General's Office
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Frank Barber
Attorney for the Defendant
116 Field Street
New Iberia, Louisiana 70560-4487

Kim Kidd
Assistant District Attorney
300 Iberia Street, Suite 200
New Iberia, Louisiana 70560



COLIN CLARK

STATE OF LOUISIANA : DOCKET NO. 11-241328; SECTION: II
 : 16th JUDICIAL DISTRICT COURT
VERSUS : PARISH OF ST. MARTIN
JORGE ANGEL CAMPOS : STATE OF LOUISIANA

ORDER

Pursuant to this court's November 8, 2012 ruling declaring La. R.S. 14:100.13 unconstitutional, let an appeal be granted in this case on behalf of the State of Louisiana directly to the Louisiana Supreme Court pursuant to the Louisiana Constitution of 1974, Article 5, Section 5(D).

IT IS FURTHER ORDERED that a return date be set for February 6, 2012, 2012, and that the court reporter prepare transcripts of the proceedings of September 6, 2012 and November 8, 2012.

IT IS FURTHER ORDERED that the transcripts be filed in the record on or before January 30, 2012, which is a week before the return date.

THUS DONE AND SIGNED, in New Iberia, Louisiana, this 14th day of November, 2012.



 JUDGE, 16TH JUDICIAL DISTRICT COURT

PLEASE SERVE:

Colin Clark
 Assistant Attorney General
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 Baton Rouge, LA 70804

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