

LOUISIANA COURT OF APPEAL, FIRST CIRCUIT

State of Louisiana v. Charles Fair

No. 2026 KW 0132 (La. Ct. App. 2026) · No. 2026 KW 0132 · Decided February 5, 2026

SUMMARY

The Louisiana Court of Appeal, First Circuit declined to consider Charles Fair's supervisory writ application because counsel failed to comply with affidavit, return-date, and required-document requirements under the Uniform Rules of Louisiana Courts of Appeal. The court also noted missing portions of the trial transcript and exhibits and stated that supplementation or rehearing would not be considered.

CASE DETAILS

COURT	Louisiana Court of Appeal, First Circuit
WRITING FOR THE COURT	Theriot, J.; Balfour, J.; Haggerty, J., serving pro tempore
JURISDICTION	Louisiana Court of Appeal, First Circuit
DECIDED	February 5, 2026
DOCKET	2026 KW 0132
DISPOSITION	other
PROCEDURAL POSTURE	Charles Fair applied for supervisory writs from the Twenty-Third Judicial District Court, Parish of Assumption. The Louisiana Court of Appeal, First Circuit declined to consider the writ application because counsel failed to comply with required affidavit, return-date, and filing-content requirements.
STANDARD OF REVIEW	The court did not reach the merits or apply a substantive standard of review because the writ application was procedurally deficient and the record was inadequate for review.
PRECEDENTIAL VALUE	Unknown
PARTIES	Charles Fair v. State of Louisiana

TOPICS

- appellate procedure
- writ of certiorari
- criminal procedure
- preservation of error

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the court should consider a supervisory-writ application that fails to comply with the affidavit, return-date, and content requirements of the Uniform Rules of Louisiana Courts of Appeal.
2. Whether the court could adequately review the challenged ruling without the omitted ruling, motion, indictment, court minutes, transcript portions, and exhibits.

HOLDINGS

1. A supervisory-writ application that fails to comply with the applicable affidavit, return-date, and filing-content requirements, and that omits materials necessary for review, will not be considered.
2. Supplementation of the writ application and an application for rehearing would not be considered.

KEY QUOTATIONS

“Therefore, this court cannot adequately review the ruling at issue herein.”

“Supplementation of this writ application and/or an application for rehearing will not be considered.”

FACTUAL BACKGROUND

Charles Fair sought supervisory writs concerning a ruling in a criminal proceeding in the Twenty-Third Judicial District Court for Assumption Parish. His counsel failed to provide documents and information required for appellate review, including the challenged ruling, any reasons for judgment, the motion at issue, the indictment, pertinent court minutes, and required statements. Counsel also omitted relevant portions of the trial transcript and exhibits.

PROCEDURAL HISTORY

Fair sought supervisory review of a ruling in Assumption Parish District Court case No. 24-51. The writ application omitted numerous required materials, including the ruling challenged, any reasons for judgment, the motion at issue, the indictment, pertinent court minutes, and required statements. The appellate court held that it could not adequately review the ruling and stated that supplementation or rehearing would not be considered.

DISPOSITION

other

CASES CITED

- City of Baton Rouge v. Plain, 433 So.2d 710 (La.)
- City of Baton Rouge v. Plain, 464 U.S. 896, 104 S.Ct. 246, 78 L.Ed.2d 235

OPINION

PER CURIAM.

STATE OF LOUISIANA COURT OF APPEAL, FIRST CIRCUIT STATE OF LOUISIANA NO. 2026 KW 0132 VERSUS CHARLES FAIR FEBRUARY 5, 2026 In Re: Charles Fair, applying for supervisory writs, 23rd Judicial District Court, Parish of Assumption, No. 24- 51. BEFORE: THERIOT, BALFOUR, AND HAGGERTY,! JJ. WRIT NOT CONSIDERED. Counsel failed to comply with the affidavit and return date requirements of Uniform Rules of Louisiana Courts of Appeal, Rules 4-3 and 4-5.

Counsel failed to comply with Rules 4-5(C) (6), (7), (8), (9) and (10), by failing to include a copy of the ruling complained of, the judge's reasons for judgment (if any), the motion at issue, the indictment, a statement that no written opposition was filed, and the pertinent court minutes.

Moreover, although it is not a violation of the Uniform Rules, we note that counsel failed to include the relevant portions of the trial transcript and a copy of any exhibits introduced at the proceedings. Therefore, this court cannot adequately review the ruling at issue herein. See *City of Baton Rouge v. Plain*, 433 So.2d 710 (La.), cert. denied, 464 U.S. 896, 104 S.Ct.

246, 78 L.Ed.2d 235 (1983). Supplementation of this writ application and/or an application for rehearing will not be considered. See Uniform Rules of Louisiana Courts of Appeal, Rules 2-18.7 & 4-9. Any future filing on this issue should include the entire contents of this writ application, the missing items noted above, and a copy of this ruling. MRT KEB BDE TY CLERK OF COURT FOR THE COURT 1 Haggerty, J., serving pro tempore, by special appointment of the Louisiana Supreme Court.