

SUPREME COURT OF LOUISIANA

NO. 01-CC-0345

Y.F.B.

VS.

R.D.R.

PER CURIAM

The application for reconsideration is denied. Relator's original writ application in this court was filed on February 6, 2001, sixty-two days after the court of appeal denied his writ application on December 6, 2000 and well outside of the thirty day period mandated by Supreme Court Rule X, §5. Although relator's application in this court was filed within thirty days from the court of appeal's denial of rehearing, Supreme Court Rule X, §5(a) extends the thirty day period for taking writs to this court only "in those instances where a rehearing is allowed" in the court of appeal. Uniform Court of Appeal Rules 4-9 and 2-18.7 do not provide for a rehearing from a denial of an application for supervisory writs.¹ Accordingly, the delay for taking writs to this court ran from the court of appeal's original writ denial, not its denial of rehearing.

¹ We recognize the court of appeal's writ denial in this case was done with an opinion; however, the court's decree makes it clear that its ultimate holding was to deny the application for supervisory writs.