

02/14/03 “See News Release 013 for any concurrences and/or dissents.”

SUPREME COURT OF LOUISIANA

No. 02-KP-0909

STATE OF LOUISIANA

v.

MERALD SAMPSON

On Writ of Certiorari to the
Fifth Circuit Court of Appeal

PER CURIAM:

Writ granted; court of appeal order reversed; case remanded. Whatever the words used in its order, the district court was acting within its discretion when it in effect ordered supplementation of the timely-filed application for post-conviction relief, even if the supplementation were not to arrive until after the expiration of the prescriptive period. State ex rel. Duhon v. Whitley, 92-1740 (La. 9/2/94), 642 So.2d 1273; cf. Muntz v. Lensing, 96-0230 (La. 3/8/96), 668 So.2d 1137.

Accordingly, the court of appeal order finding the application time-barred is reversed and the case is remanded to the district court for further proceedings consistent with its order of December 13, 2001.