DIGEST

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Abramson HB No. 235

Abstract: Authorizes the 24-hour stay following a mistrial for appropriate review by all appropriate reviewing courts with appellate jurisdiction, including the La. Supreme Court.

Present law provides that if a judge orders a mistrial, the court shall order a 24-hour stay of all proceedings without releasing the jury while the state or defendant takes an emergency writ application to the appropriate reviewing court.

Proposed law changes present law to provide that the emergency writ applies to all reviewing courts with appellate jurisdiction, including the La. Supreme Court.

(Amends C.Cr.P. Art. 775.1)