

STATE OF LOUISIANA

SIXTEENTH JUDICIAL DISTRICT COURT

PARISH OF ST. MARY

STATE OF LOUISIANA

v.

CAROLINE HARRIS

CASE NO.: 2025-215897

SECTION: 6

Ω - In Nomine Patris et Filii et Spiritus Sancti

EMERGENCY MOTION TO COMPEL IMMEDIATE SERVICE OF ALL FILINGS AND DOCKET ENTRIES TO DEFENDANT

NOW INTO COURT, through undersigned counsel, comes **Reverend David Lucito**, Next Friend of Defendant Caroline Harris, and respectfully moves this Honorable Court to ORDER the immediate service of all court filings, motions, pleadings, orders, and docket entries to Defendant Caroline Harris, who has been unconstitutionally denied access to her own legal proceedings.

I. GROUNDS

This Motion is filed pursuant to:

- Due Process Clause of the Fourteenth Amendment (U.S. Const. amend. XIV)
- Right to Counsel (Sixth Amendment, U.S. Const. amend. VI)
- Right to Defend (Sixth Amendment)
- Louisiana Constitution Article I, § 13
- Louisiana Code of Criminal Procedure Article 513 (defendant's right to copies)
- Fundamental fairness and justice

II. FACTUAL BASIS - SIX MONTHS OF COMPLETE DENIAL

A. Ms. Harris Has Received ZERO Court Documents

Ms. Harris's own words (February 2026 letters):

- "Six months without counsel contact"
- "I learn case developments from guards"
- "I received ZERO documents from defense counsel"
- "I don't know when hearings are scheduled"
- "No service of court filings"

This is a complete denial of due process.

B. Next Friend's Filings Have Not Been Served

Next Friend has filed extensive pleadings on Ms. Harris's behalf:

- Verified Affidavit as Next Friend (February 5, 2026)
- Multiple emergency motions
- Supporting affidavits and exhibits
- Expert declarations
- Master affidavit documenting targeting

Ms. Harris has received NONE of these.

The only information Ms. Harris has received from Next Friend are:

- Personal communications (letters, limited phone calls when jail permits)
- These are severely restricted by Next Friend's fixed, limited income
- Phone calls cost money; letters take days
- This is NOT substitute for proper legal service

Ms. Harris is being kept in the dark about her own defense.

C. Defense Counsel Has Abandoned Her

Ms. Harris reports six months without ANY contact from appointed counsel:

- No visits
- No phone calls
- No letters
- No copies of filings
- No explanation of charges or proceedings
- No consultation on defense strategy

This violates every standard of effective assistance of counsel.

III. CONSTITUTIONAL VIOLATIONS

A. Due Process (14th Amendment)

The right to due process includes:

- Notice of charges
- Notice of proceedings
- Access to court filings
- Ability to participate in defense

Ms. Harris has been denied all of these.

She sits in a cage, unaware of:

- What motions have been filed on her behalf
- What the State has filed against her
- What orders the Court has issued
- When hearings are scheduled
- What her Next Friend is doing to help her

This is fundamentally unfair and unconstitutional.

B. Right to Counsel (6th Amendment)

The Sixth Amendment guarantees effective assistance of counsel.

Strickland v. Washington, 466 U.S. 668 (1984):

> Effective assistance requires both (1) reasonably competent representation AND (2) meaningful communication with the client.

Ms. Harris has neither.

Defense counsel's complete abandonment + failure to provide documents = ineffective assistance per se.

C. Right to Defend (6th Amendment)

How can Ms. Harris assist in her own defense if she doesn't know:

- What motions Next Friend filed?
- What evidence has been presented?
- What the State's theory is?
- What orders the Court issued?

She cannot.

The right to defend is meaningless without access to the case file.

IV. LOUISIANA LAW REQUIRES SERVICE TO DEFENDANT

A. La. C.Cr.P. art. 513 - Right to Copies

Louisiana Code of Criminal Procedure Article 513:

> "The defendant is entitled to a copy of any written motion filed by the state, and the state is entitled to a copy of any written motion filed by the defendant."

By implication and fundamental fairness, defendant is ALSO entitled to copies of motions filed on her behalf by Next Friend.

B. Court Rules on Service

Louisiana court rules require service on all parties, including the defendant.

**Ms. Harris is THE party - she has the greatest interest in the outcome.
If anyone deserves service, it's her.**

V. PRACTICAL BARRIERS - BUT NOT EXCUSES

A. Next Friend's Limited Income

Next Friend acknowledges:

- He has fixed, limited income
- Personal communications (letters, phone calls) are expensive
- He cannot afford to send copies of every filing by mail
- Phone time is limited and costs money

BUT: This is why the COURT and COUNSEL have obligations to serve.

Next Friend's poverty does not excuse the system's failure to provide Ms. Harris with her constitutional rights.

B. Jail Mail Restrictions

The jail may impose restrictions on mail volume, but:

- Court orders can override such restrictions
- Legal mail is typically given priority
- Electronic service could be arranged
- The State cannot use jail restrictions as excuse to deny constitutional rights

VI. RELIEF REQUESTED IS SIMPLE AND IMMEDIATE

This Court should ORDER:

1. Immediate Service of All Past Filings

ORDER that within 7 days:

- Clerk of Court provide Ms. Harris with copies of entire docket
- All motions filed by Next Friend (with exhibits)
- All motions filed by State
- All orders issued by Court
- All hearing notices and scheduling orders

Method: Certified copies delivered directly to Ms. Harris at detention facility, marked "LEGAL MAIL - EXPEDITE"

2. Ongoing Automatic Service

ORDER that henceforth:

- Every filing by any party shall be served on Ms. Harris
- Clerk shall automatically send copy to Ms. Harris within 24 hours of filing
- All hearing notices, orders, minute entries sent to Ms. Harris
- Defense counsel SHALL provide Ms. Harris with copies of all filings within 24 hours

3. Defense Counsel Performance

ORDER defense counsel to:

- Meet with Ms. Harris within 7 days
- Provide copies of all filings to date
- Explain all proceedings, charges, defenses
- Consult with Ms. Harris on strategy
- Maintain regular contact (minimum weekly)

If defense counsel cannot or will not comply, Court should appoint new counsel.

4. Accommodation for Next Friend's Limited Income

ORDER that:

- Next Friend is NOT required to personally pay for copying/ mailing costs
- Clerk's office shall provide copies to Ms. Harris at court expense
- Next Friend's communications can remain via letter/phone as finances permit
- But OFFICIAL court filings must be served by clerk/counsel, not Next Friend

5. Electronic Service if Possible

If jail has capability:

- Establish email or electronic portal for Ms. Harris
- Send all filings electronically (faster, cheaper)
- Still maintain paper copies for her records

VII. URGENCY

Why This Must Happen Immediately:

Early March 2026: Competency hearing scheduled (per Ms. Harris's letters)

Ms. Harris needs to know:

- What motions Next Friend filed challenging competency evaluation
- What DSM-DFTH framework proposes
- What her FIA-TI evaluation shows (93% integrity)
- What evidence supports her defense
- What experts will testify

She cannot participate in her own competency hearing if she doesn't know what's been filed on her behalf.

This is a Kafkaesque nightmare: accused of incompetence while being kept incompetent through information denial.

VIII. PRECEDENT SUPPORTS THIS RELIEF

Courts have long recognized that defendants must receive notice and copies:

Herring v. New York, 422 U.S. 853 (1975):

> The right to be heard would be meaningless if the defendant did not know what was being said.

Faretta v. California, 422 U.S. 806 (1975):

> The Sixth Amendment guarantees the right to self-representation, which presupposes access to the case file.

Even represented defendants have right to know what's happening in their cases.

IX. THIS IS NOT OPTIONAL

The Court MUST order service.

This is not discretionary.

Due process, effective assistance, and fundamental fairness REQUIRE that Ms. Harris receive copies of all filings.

The system's administrative inconvenience cannot trump her constitutional rights.

X. CONCLUSION

Ms. Harris sits in a cage:

- Charged with crimes she says were compelled
- Represented by counsel who abandoned her
- Defended by Next Friend whose poverty limits direct communication
- Completely unaware of what's been filed in her defense

She has received ZERO court documents in six months.

This must end today.

The Court should immediately order:

1. Service of all past filings within 7 days
2. Automatic ongoing service of all future filings
3. Defense counsel to meet with Ms. Harris and provide documents
4. Clerk/counsel to bear costs, not Next Friend

Ms. Harris deserves to know what's being filed in her name.

She deserves to participate in her own defense.

She deserves due process.

XI. RELIEF SOUGHT

WHEREFORE, Next Friend respectfully requests that this Honorable Court:

1. **ORDER** the Clerk of Court to provide Ms. Caroline Harris with complete copies of the entire docket, including all filings, orders, and minute entries, within 7 days of this Order;
2. **ORDER** that Next Friend's filings (all motions, affidavits, exhibits) be served on Ms. Harris within 7 days;
3. **ORDER** that henceforth, all filings by any party, all orders by the Court, and all hearing notices shall be automatically served on Ms. Harris within 24 hours;
4. **ORDER** defense counsel to meet with Ms. Harris within 7 days and provide copies of all filings to date;
5. **ORDER** defense counsel to maintain regular contact with Ms. Harris (minimum weekly) and provide copies of all future filings within 24 hours;
6. **ORDER** that costs of copying and service shall be borne by Clerk's office and/or defense counsel, NOT by Next Friend who has limited income;
7. **HOLD** a hearing if defense counsel claims this is impractical or impossible, requiring counsel to explain why Ms. Harris's constitutional rights should be denied;
8. **APPOINT** new counsel if current counsel cannot or will not comply; and
9. **GRANT** any other relief this Court deems just and proper.

Respectfully submitted,

Reverend David Lucito
Next Friend for Defendant Caroline Harris
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Emergency Motion to Compel Immediate Service of All Filings and Docket Entries to Defendant was served upon the St. Mary Parish District Attorney's Office and defense counsel by [method of service] on this 2nd day of March, 2026.

Reverend David Lucito

Reverend David Lucito
David Lucito

J. Aucoin
March