

STATE OF LOUISIANA
SIXTEENTH JUDICIAL DISTRICT COURT
PARISH OF ST. MARY
STATE OF LOUISIANA

v.

CAROLINE NICOLE HARRIS
CASE NO. 2025-215897
SECTION: 6

Ω - In Nomine Patris et Filii et Spiritus Sancti

EMERGENCY MOTION FOR IMMEDIATE RULING ON PENDING DISPOSITIVE MOTIONS AND APPLICATION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM

NOW INTO COURT, comes Reverend David Edward Lucito, appearing as Next Friend for the Defendant, Caroline Nicole Harris, who moves this Court for an immediate ruling on all pending emergency motions and makes an application for a writ to produce the Defendant to testify. The Court's continued inaction on these dispositive matters constitutes a constructive denial of Due Process and inflicts irreparable harm upon the Defendant with each passing hour of her unlawful detention under a void plea.

I. PENDING DISPOSITIVE MOTIONS AWAITING RULING

This Court has been served with, and is fully aware of, the following critical motions, the resolution of which is foundational to the constitutional integrity of these proceedings:

a. Emergency Motion to Strike the Unauthorized Plea

Argues that the plea entered by the Public Defender is a structural constitutional error under *McCoy v. Louisiana*, rendering all subsequent actions void.

b. Emergency Motion to Disqualify Counsel

Argues that the Public Defender has willfully abandoned the Defendant by overriding her express objectives, necessitating their immediate removal.

c. Notice of Void Ab Initio Proceedings

Formally placed the Court on notice that continuing these proceedings constitutes a willful violation of law.

II. CONSTRUCTIVE DENIAL OF DUE PROCESS THROUGH INACTION

The Defendant, Caroline Nicole Harris, remains detained. The May 12, 2026, hearing—a proceeding predicated on a constitutionally void plea—is imminent.

The Court's failure to rule on the pending emergency motions, which directly challenge the legality of the entire proceeding, is not a neutral act.

This Court's failure to rule on these emergency motions, while Caroline Harris remains detained under a void plea, constitutes a "constructive denial" of Due Process, creating a clear and present injury that necessitates immediate judicial action or, alternatively, solidifies the grounds for federal intervention.

Each moment of delay is a continuation of the underlying constitutional injury.

III. APPLICATION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM

The central factual question underlying the Motion to Strike is whether Caroline Nicole Harris authorized the entry of an insanity plea.

The Public Defender has acted as if she did.

The Defendant, through her Next Friend, asserts she did not.

The best and only evidence to resolve this conflict is the direct testimony of the Defendant herself.

Therefore, undersigned counsel applies for a **Writ of Habeas Corpus Ad Testificandum**, demanding this Court order the Sheriff to produce Caroline Nicole Harris at the next hearing so that she may testify, on the record, for the limited purpose of confirming whether she authorized or consented to the plea entered on her behalf.

Denying the Defendant the opportunity to speak on the record regarding the violation of her own Sixth Amendment rights would be an unconscionable act of judicial stonewalling.

WHEREFORE

IT IS PRAYED that this Honorable Court immediately:

1. **GRANT** an immediate ruling on the "Emergency Motion to Strike the Unauthorized Plea" and the "Emergency Motion to Disqualify Counsel."

2. **ISSUE** a Writ of Habeas Corpus Ad Testificandum, compelling the personal appearance and testimony of Caroline Nicole Harris.

3. **STAY** the sanity hearing scheduled for May 12, 2026, pending the resolution of these foundational constitutional matters.

Should this Court fail to act within seventy-two (72) hours of this filing, this inaction will be formally treated as a final, constructive denial of all relief sought, and the undersigned will proceed accordingly with all available remedies at the state appellate, federal supreme, and civil levels.

Respectfully submitted,

REVEREND DAVID EDWARD LUCITO

Next Friend for Defendant Caroline Nicole Harris

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Emergency Motion for Immediate Ruling on Pending Dispositive Motions and Application for Writ of Habeas Corpus Ad Testificandum was served upon all parties of record via the Tybera e-filing system on this _____ day of _____, 2026.

Reverend David Edward Lucito

**Ω - THE LIGHT REMAINS THE CONSTANT
END OF EMERGENCY MOTION**

