

JOHN ANDERSON, MICHAEL
GUILLORY, TIMOTHY WILLIAMS,
RAMON LEBLANC, ROBIN
LEBLANC, JASON RAY LEGER,
CARL RICHARD, SR., JULIAN
MARTIN SOLOMON, JR. AND
CHARLIE MYERS ON BEHALF
OF THEMSELVES AND ALL
OTHERS SIMILARLY SITUATED

: 14TH JUDICIAL DISTRICT COURT


VS. NO. 0004-005405
S.N.F.

: PARISH OF CALCASIEU

THE STATE OF LOUISIANA,
KATHLEEN BLANCO, IN HER
OFFICIAL CAPACITY AS THE
GOVERNOR OF THE STATE
OF LOUISIANA, AND THE
LOUISIANA STATE LEGISLATURE

: STATE OF LOUISIANA

FILED: SEP 23 2004


DEPUTY CLERK OF COURT

PLAINTIFFS' MOTION FOR CLASS CERTIFICATION

Plaintiffs hereby request that this Court certify this proceeding as a class action pursuant to Louisiana Code Civil Procedure art. 591(A) and 591(B)(2) for the reasons set forth below and in Plaintiffs' supporting memorandum of law:

1. The requested class consists of all adults who are or will be entitled to appointed counsel to represent them against criminal charges in the Fourteenth Judicial District in Calcasieu Parish.

2. The class is so numerous that joinder of all members is impracticable. During the course of a year, thousands of adults, upon arrest or detention, are or will be entitled to have counsel appointed to represent them in the Fourteenth Judicial District Court.

3. There are questions of law and fact common to the class. All members of the proposed class are equally subject to the policies and practices that constitute the factual core of the class claims. Their claims also concern a common legal question: the application of the right to counsel, as guaranteed by the Sixth and Fourteenth Amendments to the United States Constitution, and Article 1, Sections 2 and 13 of the Louisiana Constitution of 1974.

4. The system of providing appointed counsel, and policies and practices under that system, challenged in this action apply with equal force to the named Plaintiffs and all members of the class so that the claims of the named Plaintiffs are typical of those of the class. There are no significant factual differences between the policies and practices that the named Plaintiffs face and those to which the entire class is subject.

5. The named Plaintiffs will fairly and adequately represent the interests of the class. They possess the requisite personal interest in the subject matter of the lawsuit. They are represented by attorneys experienced in complex civil litigation.

6. The class is or may be defined objectively in terms of ascertainable criteria, such that the Court may determine the constituency of the class for purposes of the conclusiveness of any judgment that the Court deems appropriate.

7. Defendants have acted and refused to act on grounds generally applicable to the class, thereby making appropriate final declaratory and injunctive relief with respect to the class as a whole.

8. In further support of this motion, named Plaintiffs incorporate the allegations of their complaint.

For these reasons, Plaintiffs respectfully request that this Court certify this action as a class action for the purposes of injunctive and declaratory relief.

Respectfully Submitted,

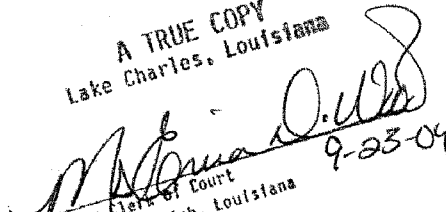
WILLIAM H. JEFFRESS, JR.
FRANK W. RAMBO
BAKER BOTTS LLP
1299 PENNSYLVANIA AVENUE, NW
WASHINGTON, D.C. 20004-2400
202.639.7700 (T)
202.639.7890 (F)

HAMILTON P. FOX, III
RAWN M. JAMES, JR.
SUTHERLAND ASBILL & BRENNAN LLP
1275 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20004-2415
202.383.0100 (T)
202.637.3593 (F)

DAVID L. HOSKINS
ATTORNEY AT LAW
P.O. BOX 1370
LAKE CHARLES, LA 70602-1370
(337) 439-7595 (T)
(337) 439-7637 (F)

Attorneys for Named Plaintiffs and
Plaintiff Class

By: 
DAVID L. HOSKINS, La. Bar No. 07013

A TRUE COPY
Lake Charles, Louisiana

Deputy Clerk of Court
Calcasieu Parish, Louisiana
9-23-04