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# Alabama Court of Criminal Appeals

OCTOBER TERM, 2022-2023

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CR-2023-0229

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**Ex parte Zamir Princeton Jones**

**PETITION FOR WRIT OF MANDAMUS**

**(In re: State of Alabama**

**v.**

**Zamir Princeton Jones)**

**Jefferson Circuit Court  
(CC-21-867)**

PER CURIAM.

Zamir Princeton Jones filed a petition for a writ of mandamus requesting this Court to direct Jefferson Circuit Judge Alaric May to set

aside his December 11, 2022, order denying Jones's motion seeking to have the indictment pending against him dismissed based upon his claim of immunity from prosecution pursuant to § 13A-3-23(d), Ala. Code 1975, and to grant the motion. Jones is charged with murder in the shooting death of Christian Smith.

This petition is not timely. A petition for writ of mandamus must be filed within a presumptively reasonable time, which, in this case, is within 42 days from the date of the order that is the subject of this petition. See Rule 21(a), Ala. R. App. P. The order that is the subject of this petition was issued on December 11, 2022, but this petition was not filed until March 28, 2023 – some 107 days later. In his petition, Jones asserts that, after the hearing on his motion for immunity, he filed a request for extraordinary expenses to obtain a copy of the transcript of the hearing and that, due to a backlog, it took quite some time to receive the transcript. Jones thus implicitly argues that the reason for this delay provides good cause for this Court to consider this petition, notwithstanding that it was filed beyond the presumptively reasonable time.

The court reporter's delay in preparing the transcript does not constitute good cause for this Court to consider the petition. Jones should have filed the petition within the presumptively reasonable time and simultaneously moved this Court to allow him to supplement the petition with the transcript once the transcript had been certified. He did not do so. Accordingly, this petition for a writ of mandamus is due to be, and is hereby, dismissed.

PETITION DISMISSED.

Windom, P.J., and Kellum, McCool, and Minor, JJ., concur. Cole, J., concurs in the result.