

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2016 KW 1006

VERSUS

OCT 07 2016

DOUGLAS H. KATES, JR.

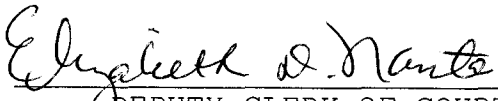
In Re: Douglas H. Kates, Jr., applying for supervisory writs,
32nd Judicial District Court, Parish of Terrebonne,
No. 631233.

BEFORE: HIGGINBOTHAM, THERIOT AND CHUTZ, JJ.

WRIT DENIED. Relator's request for an out-of-time appeal is untimely on its face, and his contention that he only recently received certain documents does not create an exemption to the time delay for purposes of the facts-not-known exception. See La. Code Crim. P. art. 930.8(A). Relator entered unqualified guilty pleas. Therefore, he waived the right to challenge the sufficiency of the State's case against him. See **State v. Crosby**, 338 So.2d 584 (La. 1976). Moreover, relator's sentences were imposed in conformity with a plea agreement that was set forth on the record at the time of the plea. Therefore, he cannot appeal or seek review of his sentences. See La. Code Crim. P. art. 881.2(A)(2). Accordingly, the district court did not err in denying relator's request for an out-of-time appeal.

**TMH
MRT
WRC**

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DEPUTY CLERK OF COURT
FOR THE COURT