

STATE OF LOUISIANA

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NO. 2000-KA-0907

VERSUS

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COURT OF APPEAL

ARTHUR SMITH

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FOURTH CIRCUIT

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STATE OF LOUISIANA

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TOBIAS, J., CONCURS

I respectfully concur.

The trial court failed to state that it found by clear and convincing evidence that Arthur Smith is a danger to himself or a danger to others which would justify his continued confinement in East Louisiana State Mental Hospital. State v. Perez, 94-0130 (La. 1/27/95), 648 So.2d 1319, requires us to grant the transfer subject to such restrictions as the trial court may impose following a hearing.