

**NOT DESIGNATED FOR PUBLICATION**

**STATE OF LOUISIANA** \* **NO. 2002-KA-1560**  
**VERSUS** \* **COURT OF APPEAL**  
**LATRESA S. CONERLY** \* **FOURTH CIRCUIT**  
\* **STATE OF LOUISIANA**  
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**APPEAL FROM**  
**CRIMINAL DISTRICT COURT ORLEANS PARISH**  
**NO. 424-964, SECTION "F"**  
**Honorable Dennis J. Waldron, Judge**

\* \* \* \* \*

**Judge Dennis R. Bagneris, Sr.**

\* \* \* \* \*

(Court composed of Judge Steven R. Plotkin, Judge Dennis R. Bagneris, Sr.,  
and Judge David S. Gorbaty)

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## **CONVICTION AND SENTENCE AFFIRMED**

On September 26, 2001, Latresa S. Conerly was charged by bill of information with eleven counts of theft of more than \$500, in violation of La. R.S. 14:67(B)(1), two counts of conspiracy to commit theft of over \$500, in violation of La. R.S. 14:26(67(B)(1)), and one count of public payroll fraud, in violation of La. R.S. 14:138.

At arraignment on October 16<sup>th</sup>, she pleaded not guilty. After a series of hearings, the trial court found probable cause and denied the motion to suppress the statement on December 7<sup>th</sup>. On January 29, 2002, after a hearing in which the trial court denied the motion to suppress the statements made to legislative auditors, the defendant withdrew her earlier plea and entered a plea of guilty as charged under *State v. Crosby*, 338 So. 2d 584 (La. 1976). She was sentenced on January 30<sup>th</sup> to serve six years on each of the eleven convictions for theft, four years for the two conspiracy convictions, two years for the payroll fraud conviction; all the sentences are to run concurrently. The fourteen sentences were suspended, and she was placed on five years of active probation and ordered to pay restitution in the amount of \$64,898.13. Her motion for an appeal was granted.

## **FACTS**

The facts of the case can be gleaned only from the police report. The Director of the Crescent City Connection reported that \$153,455.65 was missing from the accounting department for the period between October 27, 1999, and May 15, 2000. An ex-boyfriend of Rashawn Watkins gave a videotaped statement that he had observed Latresa Conerly, Lisa Mosley, and Rashawn Watkins divide money that Rashawn Watkins told him had been stolen from the Crescent City Connection.

**DISCUSSION** Counsel filed a brief requesting a review for errors patent. Counsel complied with the procedures outlined by *Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396 (1967), as interpreted by this Court in *State v. Benjamin*, 573 So.2d 528 (La. App. 4th Cir. 1990). Counsel filed a brief complying with *State v. Jyles*, 96-2669 (La. 12/12/97), 704 So.2d 241. Counsel's detailed review of the procedural history of the case and the facts of the case indicate a thorough review of the record. Counsel moved to withdraw because he believes, after a conscientious review of the record, that there is no non-frivolous issue for appeal. Counsel reviewed available transcripts and found no trial court ruling, which arguably supports the appeal. A copy of the brief was forwarded to defendant, and this Court informed her that she had the right to file a brief in her own behalf. She has not done so.

As per *State v. Benjamin supra*, this Court performed an independent, thorough review of the pleadings, minute entries, bill of information, and transcripts in the appeal record. Defendant was properly charged by bill of information with violations of La. R.S. 14:67, La. R.S. 14:26(67), and La. R.S. 14:138, and the bill was signed by an assistant district attorney. Defendant was present and represented by counsel at arraignment, motion hearings, and sentencing. The sentences are legal in all respects. Our independent review reveals no non-frivolous issue and no trial court ruling, which arguably supports the appeal. Accordingly, the defendant's convictions and sentences are affirmed. Appellate counsel's motion to withdraw is granted.

**CONVICTION AND SENTENCE AFFIRMED**