

**STATE OF LOUISIANA
COURT OF APPEAL, THIRD CIRCUIT**

**06-438
consolidated with 06-436, 06-437, 06-439,
06-440, 06-441, 06-442, 06-443, 06-444, and 06-445**

STATE OF LOUISIANA

VERSUS

FAY V. PEREZ, III

**APPEAL FROM THE
FIFTEENTH JUDICIAL DISTRICT COURT,
PARISH OF VERMILION, NO. 41545,
HONORABLE BYRON HEBERT, DISTRICT JUDGE**

**MICHAEL G. SULLIVAN
JUDGE**

Court composed of Sylvia R. Cooks, Michael G. Sullivan, and Glenn B. Gremillion,
Judges.

SENTENCE VACATED IN PART; REMANDED.

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SULLIVAN, Judge.

For the reasons assigned in *State v. Perez*, 06-436 (La.App. 3 Cir. 8/ __/06), ___ So.2d ___, the condition of probation requiring Defendant to pay restitution to victims other than those of the offenses to which he pleaded guilty is vacated, and the case is remanded for an evidentiary hearing to determine the specific elements of the plea agreement and whether the entire agreement is invalidated. The trial court should also advise Defendant again of the time limitation for filing an application for post-conviction relief, if necessary.

SENTENCE VACATED IN PART; REMANDED.