

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2013 KW 1261

VERSUS

COREY NELSON

OCT 29 2013

In Re: Corey Nelson, applying for supervisory writs, 22nd
Judicial District Court, Parish of St. Tammany, No.
489954.

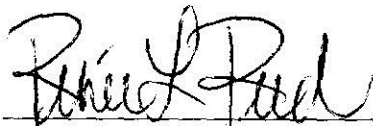
BEFORE: PARRO, GUIDRY AND DRAKE, JJ.

WRIT DENIED.

EGD
RHP

Guidry, J., dissents and would grant the writ. Relator's allegations that defense counsel provided erroneous advice regarding the habitual offender sentence raises a claim that, if established, would entitle him to relief. It appears that defense counsel's statement advising relator that he was facing a mandatory life habitual offender sentence constituted a material inducement for relator's guilty plea, which precluded relator from entering a knowing and voluntary guilty plea "with eyes open." See **State ex rel. Miles v. State**, 2002-1843 (La. 9/5/03), 855 So.2d 732 (*per curiam*).

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DEPUTY CLERK OF COURT
FOR THE COURT