

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2013 KW 1812

VERSUS

RONNIE CHESTER

FEB 27 2014


In Re: Ronnie Chester, applying for supervisory writs, 21st
Judicial District Court, Parish of Tangipahoa, No.
70590.

BEFORE: KUHN, HIGGINBOTHAM AND THERIOT, JJ.

WRIT DENIED. Relator's assertion that following the 2012 repeal of the Louisiana Risk Review Panel (La. R.S. 15:574.22) and La. R.S. 15:308(C) that district courts have the authority to resentence inmates pursuant to La. Code Crim. P. art. 882 after their sentences have become final is incorrect. La. R.S. 15:308 does not provide that these offenders may seek resentencing in the courts. Moreover, allowing the courts to reduce the offenders' final sentences would, in effect, commute a valid sentence, a power the legislature knows to be constitutionally reserved to the executive branch. See **State v. Dick**, 2006-2223 (La. 1/26/07), 951 So.2d 124, 133. See also **State v. Surry**, 48,464 (La. App. 2d Cir. 8/2/13), 121 So.3d 804.

TMH
MRT
JEK

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DEPUTY CLERK OF COURT
FOR THE COURT