

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2013 KW 2013

VERSUS

ROBERT LATROY WHITE

MAR 14 2014

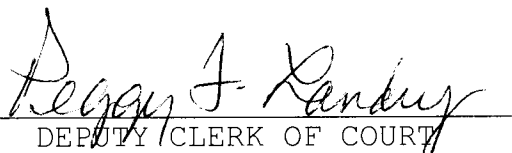
In Re: Robert LaTroy White, applying for supervisory writs,
22nd Judicial District Court, Parish of St. Tammany,
No. 434333.

BEFORE: PETTIGREW, McDONALD AND McCLENDON, JJ.

WRIT DENIED. Although the "at hard labor" language was added to La. R.S. 15:529.1(G) by 2010 La. Acts No. 69, § 1, the addition of that condition to the habitual offender law did not modify the sentencing provisions of any underlying felony offense. A sentence enhanced under the habitual offender statute is computed by referring to the underlying offense. **State v. Richard**, 550 So.2d 300, 307 (La. App. 2d Cir. 1989). Because the crime for which relator was convicted required a sentence at hard labor, that condition was a legal component of relator's sentence as a habitual offender. See La. R.S. 14:64(B). See also **State v. Douglas**, 2010-2039 (La. App. 1st Cir. 7/26/11), 72 So.3d 392, 398, writ denied, 2011-2307 (La. 5/25/12), 90 So.3d 406. Accordingly, the trial court did not err in denying relator's third motion to correct an illegal sentence.

**PMc
JTP
JMM**

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