

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

STATE OF LOUISIANA

NO. 2014 KW 1609

VERSUS

RODNEY L. WHITE

DEC 30 2014

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In Re: Rodney L. White, applying for supervisory writs, 19th  
Judicial District Court, Parish of East Baton Rouge,  
No. 02-99-0127.


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**BEFORE: KUHN, PETTIGREW AND WELCH, JJ.**

**WRIT DENIED.** A pleading's nature is determined by its substance and not its caption. See **State ex rel. Daley v. State**, 97-2612 (La. 11/7/97), 703 So.2d 32; **State ex rel. Lay v. Cain**, 96-1247 (La. App. 1st Cir. 2/14/97), 691 So.2d 135, 137. Although relator styled his filing as a petition for a writ of habeas corpus, the remedy he seeks is in the nature of postconviction relief. Habeas corpus is not available to contest the validity of a conviction or to have the sentence set aside; such claims are considered requests for postconviction relief. **Sinclair v. Kennedy**, 96-1510 (La. App. 1st Cir. 9/19/97), 701 So.2d 457, 460, writ denied, 97-2495 (La. 4/3/98), 717 So.2d 645. The claims presented in the writ of habeas corpus are untimely for purposes of postconviction relief. See La. Code Crim. P. art. 930.8(A). Furthermore, relator's claims regarding the indictment are not supported by the documents attached to the writ application.

JTP  
JEW  
JEK

COURT OF APPEAL, FIRST CIRCUIT

  
DEPUTY CLERK OF COURT  
FOR THE COURT