

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2014 KW 1695

VERSUS

TRAVIS DAVIS MARCELL

DEC 30 2014

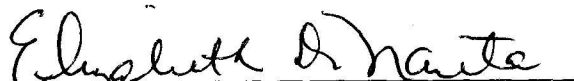
In Re: Travis Davis Marcell, applying for supervisory writs,
32nd Judicial District Court, Parish of Terrebonne,
No. 12-FELY-630898.

BEFORE: KUHN, PETTIGREW AND WELCH, JJ.

WRIT DENIED. On October 1, 2014, the district court denied relator's motion for reconsideration of sentence. Insofar as relator seeks review of the denial of the motion, a district court has no authority to amend or modify a sentence in a felony case in which the defendant has been sentenced to imprisonment at hard labor after execution of the sentence has begun unless the court grants a timely filed motion to reconsider sentence. See La. Code Crim. P. arts. 881(A) & 881.1. The motion for reconsideration of sentence, which was filed in 2014, is an out-of-time motion to reconsider sentence, which is not contemplated by the Louisiana Code of Criminal Procedure nor allowed by the jurisprudence. See **State v. Gedric**, 99-1213 (La. App. 1st Cir. 6/3/99), 741 So.2d 849, 851-52 (per curiam), writ denied, 99-1830 (La. 11/5/99), 751 So.2d 239.

JEW
JEK
JTP

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DEPUTY CLERK OF COURT
FOR THE COURT