

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2014 KW 1608

VERSUS

ROBERT A. POWER

FEB 02 2015


In Re: Robert A. Power, applying for supervisory writs, 17th
Judicial District Court, Parish of Lafourche, No.
439716.

BEFORE: WHIPPLE, C.J., McCLENDON AND HIGGINBOTHAM, JJ.

WRIT DENIED. The allegations in the motion for reinstatement of appeal rights are in the nature of a request for postconviction relief. No application for postconviction relief, including applications which seek an out-of-time appeal, shall be considered if it is filed more than two years after the judgment of conviction and sentence has become final under the provisions of Article 914 or 922. See La. Code Crim. P. art. 930.8(A). Relator's conviction and sentence became final in 2007. Therefore, the motion at issue in this writ, which was filed in 2014, is untimely for purposes of an application for postconviction relief, and relator failed to allege an exception to the time limitation. Accordingly, the trial court did not err by denying relator's motion.

TMH
VGW
PMC

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DEPUTY CLERK OF COURT
FOR THE COURT