

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2016 KW 1131

VERSUS

OCT 31 2016

SCOTT ANTHONY LAURENT

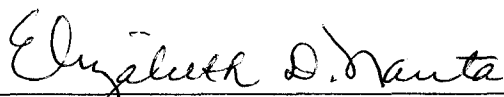
In Re: Scott Anthony Laurent, applying for supervisory writs,
22nd Judicial District Court, Parish of St. Tammany,
No. 382629-1.

BEFORE: PETTIGREW, McDONALD AND DRAKE, 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. Relator's allegation that the promise of receiving good time is what lead him to plead guilty is in the nature of a postconviction claim that the plea agreement was breached, and it must be filed timely under La. Code Crim. P. art. 930.8. See **State ex rel. Chauvin v. State**, 99-2456 (La. App. 1st Cir. 1/28/00), 814 So.2d 1, 2 (per curiam). The time delay to seek postconviction relief in this case has expired. Relator has at least three prior felony convictions. Therefore, he is independently ineligible for parole under La. R.S. 15:574.4(A)(1)(a). Furthermore, the attached transcript does not support the allegation that good time was a term of the plea agreement.

JMM
EGD
JTP

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DEPUTY CLERK OF COURT
FOR THE COURT