

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

STATE OF LOUISIANA

NO. 2017 KW 1048

VERSUS

ANTHONY PAUL CAMINITA

**OCT 16 2017**

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In Re: Anthony Paul Caminita, applying for supervisory writs,  
22nd Judicial District Court, Parish of St. Tammany,  
No. 531,694.

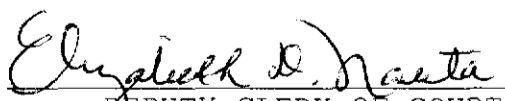
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**BEFORE: WHIPPLE, C.J., McDONALD AND CHUTZ, JJ.**

**WRIT DENIED.** The general theft statute (La. R.S. 14:67), not the theft of goods statute (La. R.S. 14:67(10)), was amended by 2017 La. Acts No. 281, § 1 (effective August 1, 2017). Relator was prosecuted under the theft of goods statute. The law in effect at the time of the commission of the offense is determinative of the penalty which the convicted accused must suffer. **State v. Sugasti**, 2001-3407 (La. 6/21/02), 820 So.2d 518, 520. A defendant must be sentenced according to sentencing provisions in effect at the time of the commission of the offense. **State v. Narcisse**, 426 So.2d 118, 130-131 (La. 1983). The mere fact that a statute may be subsequently amended, after the commission of the crime, so as to modify or lessen the possible penalty to be imposed, does not extinguish liability for the offense committed under the former statute. **Sugasti**, 820 So.2d at 520. Furthermore, there is no indication that any amendment would apply retroactively. Accordingly, the district court did not err by denying the motion to modify sentence.

WRC  
VGW  
JMM

COURT OF APPEAL, FIRST CIRCUIT

  
DEPUTY CLERK OF COURT  
FOR THE COURT