

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2017 KW 1053

VERSUS

OCT 30 2017

KENNETH ROBERTS

In Re: Kenneth Roberts, applying for supervisory writs, 21st
Judicial District Court, Parish of Livingston, No.
27,124.

BEFORE: GUIDRY, PETTIGREW AND CRAIN, JJ.

WRIT GRANTED WITH ORDER. As previously ordered by this court in 2016 KW 0818, this matter is remanded to the district court for the sole purpose of correction of the August 22, 2013, minute entry and commitment order for compliance with the transcript of the "Sentencing and Minutes Amendment" hearing of that same date, if it has not already done so. Specifically, the minute entry and commitment order at issue should delete the wording which states that relator's three-year sentence is under the Department of Public Safety and Corrections. Additionally, the Department of Public Safety and Corrections is directed to revise relator's master prison record, if necessary, to reflect that his three-year sentence for enhancement is not to be served at hard labor or under the Department of Public Safety and Corrections. See La. R.S. 15:824(C)(1). See also this court's ruling in **State v. Roberts**, 2012-1555 (La. App. 1st Cir. 4/26/13), 116 So.3d 754, writs denied, 2013-1204 & 2013-1215 (La. 12/6/13), 129 So.3d 528. A copy of the corrected minute entry, commitment order, and complete master prison record shall be provided to this court on or before November 30, 2017.

JTP
WJC
JMG

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DEPUTY CLERK OF COURT
FOR THE COURT