

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2019 KW 0649

VERSUS

JARIUS D. WINGARD

AUG 05 2019

In Re: Jarius D. Wingard, applying for supervisory writs,
19th Judicial District Court, Parish of East Baton
Rouge, Nos. 03-14-1061, 04-14-0669, 05-15-0381.

BEFORE: McDONALD, THERIOT, AND CHUTZ, JJ.

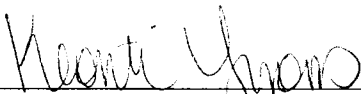
WRIT DENIED. A district court has no authority to amend or modify a legal sentence in a felony case in which the defendant has been sentenced to imprisonment at hard labor after the defendant has begun serving the sentence unless the court grants a timely filed motion to reconsider sentence. See La. Code Crim. P. arts. 881(A) & 881.1(A)(1). See also **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. Accordingly, the district court did not abuse its discretion by denying the motion to amend or modify sentence.

JMM

MRT

WRC

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DEPUTY CLERK OF COURT
FOR THE COURT