

**STATE OF LOUISIANA**

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**NO. 2001-KA-0911**

**VERSUS**

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**COURT OF APPEAL**

**EDGAR GREEN, JR.**

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**FOURTH CIRCUIT**

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**STATE OF LOUISIANA**

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APPEAL FROM  
CRIMINAL DISTRICT COURT ORLEANS PARISH  
NO. 415-228, SECTION "H"  
HONORABLE CAMILLE BURAS, JUDGE

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**JAMES F. MCKAY, III**  
**JUDGE**

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(Court composed of Judge James F. McKay, III, Judge Dennis R. Bagneris,  
Sr., Judge Max N. Tobias, Jr.)

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**DEFENDANT'S CONVICTION AND SENTENCE AFFIRMED;  
APPELLATE COUNSEL'S MOTION TO WITHDRAW IS GRANTED**

On June 26, 2000, Edgar Green, Jr., was charged by bill of information with first degree robbery in violation of La. R.S. 14:64.1. He was arraigned and pleaded not guilty on June 29,2000. However, on October 24,2000, the day set for trial, the defendant withdrew his earlier plea and entered a plea of guilty as charged. The state filed a multiple bill charging the defendant as a second offender, and, after a hearing on November 6, 2000, Green was sentenced to serve twenty years at hard labor without benefit of parole, probation, or suspension of sentence under La. R.S. 15:529.1. A motion for an out-of-time appeal was granted on January 26, 2001.

Because the defendant pleaded guilty, there are no facts as to the first-degree robbery in the record.

Counsel filed a brief requesting a review for errors patent. Counsel complied with the procedures outlined by Anders v. California, 386 U.S. 738, 87 S.Ct. 1396 (1967), as interpreted by this Court in State v. Benjamin, 573 So.2d 528 (La. App. 4th Cir. 1990). Counsel filed a brief complying with State v. Jyles, 96-2669 (La. 12/12/97), 704 So.2d 241. Counsel's

detailed review of the procedural history of the case and the facts of the case indicate a thorough review of the record. Counsel moved to withdraw because she believes, after a conscientious review of the record, that there is no non-frivolous issue for appeal. Counsel reviewed available transcripts and found no trial court ruling which arguably supports the appeal. A copy of the brief was forwarded to defendant, and this Court informed him that he had the right to file a brief in his own behalf.

As per State v. Benjamin, this Court performed an independent, thorough review of the pleadings, minute entries, bill of information, and transcripts in the appeal record. The defendant was properly charged by bill of information with a violation of La. R.S. 14:64.1, and the bill was signed by an assistant district attorney. The defendant was present and represented by counsel at arraignment, motion hearings and sentencing. The sentence is legal in all respects. Our independent review reveals no non-frivolous issue and no trial court ruling which arguably supports the appeal. The defendant's conviction and sentence are affirmed. Appellate counsel's motion to withdraw is granted.

**DEFENDANT'S CONVICTION AND SENTENCE**

**AFFIRMED; APPELLATE COUNSEL'S MOTION TO WITHDRAW**

**IS GRANTED**