

STATE OF LOUISIANA

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NO. 2007-KA-0789

VERSUS

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COURT OF APPEAL

JAMES E. WATKINS

*

FOURTH CIRCUIT

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STATE OF LOUISIANA

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CANNIZZARO, J., CONCURS WITH REASONS

I concur in the majority opinion to affirm the defendant's conviction and sentence. The defendant brings this issue for review as an appeal rather than a supervisory writ as set forth in La. C.Cr.P. art. 874. Additionally, the defendant failed to either object to the sentence or file a notice of his intention to seek supervisory writs. An irregularity or error in the sentencing cannot be availed of after the verdict (the sentencing in this case) unless it was objected to at the time of the occurrence. La. C.Cr.P. art. 841. The defendant raises the issue of the delays in his sentencing for the first time on appeal. Therefore, this court should not reach the merits of this assignment of error. Furthermore, throughout the entire course of the proceedings the defendant never complained about the delays in sentencing. He should be precluded from doing so now.