

**STATE OF LOUISIANA**

\*

**NO. 2017-KA-0124**

**VERSUS**

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**COURT OF APPEAL**

**WILLIAM J. BROWN**

\*

**FOURTH CIRCUIT**

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**STATE OF LOUISIANA**

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**LOBRANO, J., CONCURS AND ASSIGNS REASONS.**

I respectfully concur in the majority opinion. I write separately to address how the defendant, William Brown (“Defendant”), preserved his assignment of error arguing that his sentence is excessive. As correctly noted by the majority, Defendant failed to file a motion to reconsider sentence as required by Louisiana Code of Criminal Procedure article 881.1, but did object to the sentence. When a defendant fails to file a La. C.Cr.P. art. 881.1 motion to reconsider sentence but does object, an appellate court's review of the sentence is limited to a bare review for constitutional excessiveness. *State v. Zeitoun*, 2017-0366, p. 8 (La. App. 4 Cir. 11/8/17), ---So.3d--- (citing *State v. Mims*, 619 So.2d 1059, 1060 (La. 1993)). Accordingly, this Court properly conducts that bare review for constitutional excessiveness in the case *sub judice*.