

**STATE OF LOUISIANA
COURT OF APPEAL, THIRD CIRCUIT**

04-339 consolidated with 04-338

STATE OF LOUISIANA

VERSUS

ROBERT THOMAS SMITH

**APPEAL FROM THE
NINTH JUDICIAL DISTRICT COURT
PARISH OF RAPIDES, NO. 270,559
HONORABLE HARRY FRED RANDOW, DISTRICT JUDGE**

**ULYSSES GENE THIBODEAUX
CHIEF JUDGE**

Court composed of Ulysses Gene Thibodeaux, C.J., Billie Colombaro Woodard, and Oswald A. Decuir, Judges.

WOODARD, J., CONCURS IN THE RESULT.

**REVERSED AND REMANDED;
CONVICTIONS AND SENTENCES VACATED
AND SET ASIDE.**

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THIBODEAUX, Chief Judge.

For the reasons discussed in the consolidated case of *State of Louisiana v. Robert Thomas Smith*, 04-338 (La.App. 3 Cir. ___/___/04), ___ So.2d ___, the Defendant's convictions and sentences are vacated and set aside. This case is remanded to the trial court for further proceedings.

REVERSED AND REMANDED; CONVICTIONS AND SENTENCES VACATED AND SET ASIDE.