

NOT DESIGNATED FOR PUBLICATION

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

07-1043

STATE OF LOUISIANA

VERSUS

BENJIMAN SHANE RIVERS

**APPEAL FROM THE
ELEVENTH JUDICIAL DISTRICT COURT
PARISH OF SABINE, NO. 59386
HONORABLE STEPHEN B. BEASLEY, DISTRICT JUDGE**

**SYLVIA R. COOKS
JUDGE**

Court composed of Sylvia R. Cooks, Glenn B. Gremillion, and Elizabeth A. Pickett,
Judges.

APPEAL DISMISSED.

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Benjiman Shane Rivers**

Cooks, Judge.

The Defendant, Benjiman Shane Rivers, entered a plea of guilty on February 26, 2007, to the offense of middle grade theft. To date, the Defendant has not been sentenced for the offense. On May 30, 2007, the Defendant motioned the trial court to appeal his conviction and sentence, which was subsequently granted on June 1, 2007.

As provided in La.Code Crim.P. art. 912(C), a defendant may appeal from a judgment which imposes sentence. On August 23, 2007, this court issued a rule to show cause why the appeal should not be dismissed as premature, as the Defendant has yet not been sentenced. The Defendant failed to submit a response to the rule to show cause. Therefore, the appeal in this case is hereby dismissed.

APPEAL DISMISSED.