

NOT DESIGNATED FOR PUBLICATION

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

16-145

STATE OF LOUISIANA

VERSUS

LLOYD RICHARDSON

**APPEAL FROM THE
TWENTY-SEVENTH JUDICIAL DISTRICT COURT
PARISH OF ST. LANDRY, DOCKET NUMBER 13-K-5904-A
HONORABLE JAMES P. DOHERTY, JR., DISTRICT JUDGE**

**SYLVIA R. COOKS
JUDGE**

Court composed of Sylvia R. Cooks, Billy H. Ezell, and John E. Conery, Judges.

APPEAL DISMISSED.

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Cooks, Judge.

On March 31, 2014, the Defendant-Appellant, Lloyd Richardson, was charged with the December 10, 2013 armed robbery of Patrick Layssard in violation of La.R.S. 14:64 and 14:64.3 (use of a firearm) in docket number 13-K-5904. Subsequently, on May 5, 2015, a second bill of information was filed charging three offenses, the second of which was the aforementioned charge originally filed in docket number 13-K-5904. The bottom of the face of the bill contained the notation:

Amended Bill
13-K-5762-A
13-K-5904-A
Consolidated into the Lower Division

The Defendant was acquitted of the charge of armed robbery of Patrick Layssard (Count II). However, he was convicted and sentenced on the charges contained in Counts I and III. An appeal was granted by the trial court in both docket numbers 13-K-5762-A and 13-K-5904-A. The appeal of docket number 13-K-5904-A was assigned docket number 16-145 by this court.

On March 15, 2016, this court issued a rule to show cause why the appeal granted in 13-K-5904-A should not be dismissed as the Defendant-Appellant was acquitted of the charge originally contained in this docket number. La.Code Crim.P. art. 912(C)(1). On March 30, 2016, a response was received from the Defendant-Appellant acknowledging that this appeal should be dismissed as the Defendant has no conviction in 13-K-5904.

Louisiana Code of Criminal Procedure Article 912(C) permits an appeal by a defendant from a judgment which imposes sentence which did not occur in this case. Accordingly, we hereby dismiss Defendant-Appellant's appeal.

APPEAL DISMISSED.