

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

21-26 consolidated with 21-25

STATE OF LOUISIANA

VERSUS

JEFFERY LYNN COOLEY

**APPEAL FROM THE
THIRTY-SIXTH JUDICIAL DISTRICT COURT
PARISH OF BEAUREGARD, NO. CR-2017-939
HONORABLE MARTHA ANN O'NEAL, DISTRICT JUDGE**

**ELIZABETH A. PICKETT
JUDGE**

Court composed of Elizabeth A. Pickett, John E. Conery, and Candyce G. Perret, Judges.

**CONVICTIONS AFFIRMED.
SENTENCES AFFIRMED IN PART.
SENTENCES VACATED IN PART AND REMANDED FOR
RESENTENCING.
REMANDED WITH FURTHER INSTRUCTIONS.**

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PICKETT, Judge.

For the reasons assigned by this court in *State v. Cooley*, 21-25 (La.App. 3 Cir. __/__/__), ___ So.3d ___, the defendant's convictions for aggravated battery, possession with intent to distribute CDS II (methamphetamine), possession of CDS II (morphine sulphate), attempted possession of CDS IV (temazepam), attempted possession of CDS IV (zolpidem tartrate), and attempted possession of CDS IV (tramadol) are affirmed. Additionally, the defendant's mandatory life sentences for aggravated battery and possession with intent to distribute CDS II (methamphetamine) are affirmed. The mandatory life sentences imposed on counts five through eight (convictions for attempted possession of CDS IV (temazepam), attempted possession of CDS IV (zolpidem tartrate), and attempted possession of CDS IV (tramadol), and possession of CDS II (morphine sulphate)) are vacated and the case remanded for resentencing on those counts under La.R.S. 15:529.1(A)(4)(a). Additionally, because the trial court failed to vacate the original sentences before it resentenced the defendant, the trial court is instructed to vacate the sentences originally imposed on counts three through eight for the record.

CONVICTIONS AFFIRMED.

SENTENCES AFFIRMED IN PART.

**SENTENCES VACATED IN PART AND REMANDED FOR
RESENTENCING.**

REMANDED WITH FURTHER INSTRUCTIONS.