

STATE OF LOUISIANA

COURT OF APPEAL, FIRST CIRCUIT

CORRECTED ACTION

STATE OF LOUISIANA

NO. 2026 KW 0438

VERSUS

KENT JOSEPH LEWIS

JULY 16, 2026

In Re: Kent Joseph Lewis, applying for supervisory writs, 21st Judicial District Court, Parish of Livingston, No. 22-FELN-045292.

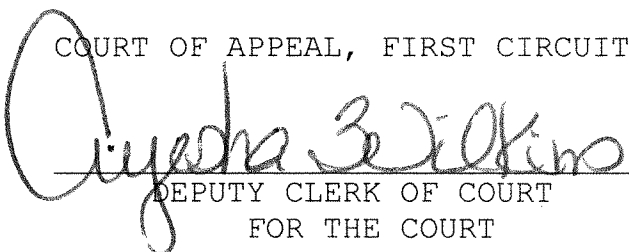
BEFORE: THERIOT, LANIER, AND MILLER, JJ.

WRIT GRANTED. The record reflects that after accepting the State and the defense's plea agreement for a six-year sentence, suspended, and three years of probation for unauthorized entry of an inhabited dwelling, the district court nevertheless explicitly sentenced relator to six months with three years of probation, as documented in the court minutes and the sentencing transcript. The State acquiesced in this sentence, as the State did not object to the six-month sentence or seek to enforce the plea agreement by filing a motion to reconsider sentence. See La. Code Crim. P. art. 881.1(A)(1). One purpose of the motion to reconsider sentence is to allow the mover to raise any errors that may have occurred in sentencing while the district court still has jurisdiction to change or correct the sentence. See State v. Thames, 2015-1298 (La. App. 1st Cir. 9/19/16), 2016 WL 5118581, *3 (unpublished), writ denied, 2016-1911 (La. 9/6/17), 224 So.3d 981. Therefore, the district court committed legal error when it sentenced relator at the revocation proceedings to serve six years with the Department of Public Safety and Corrections, when relator was legally subjected to only a six-month sentence. Accordingly, the six-year sentence is vacated, the six-month sentence is reinstated, and this matter is remanded. The district court is ordered to immediately comply with this ruling and to amend the minute entry and commitment order.

**MRT
WIL
SMM**

Theriot, J., dissents. I would deny the writ application.

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DEPUTY CLERK OF COURT
FOR THE COURT