

STATE OF LOUISIANA

COURT OF APPEAL

FIRST CIRCUIT

2026 CA 0248

STATE OF LOUISIANA

VERSUS

STEVEN DALE BEASLEY

JUDGMENT RENDERED: OCT 16 2026

Appealed from the Twenty-Second Judicial Court
Parish of St. Tammany • State of Louisiana
Docket Number 2824-F-2020 • Division D

The Honorable John A. Keller, Presiding Judge

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BEFORE: THERIOT, GREENE, AND EDWARDS, JJ.

EDWARDS, J.

In this appeal, a surety challenges the district court’s bond forfeiture judgment that awarded the State of Louisiana the face amount of the appearance bond, together with legal interest from the date of judgment until paid and costs. For the following reasons, we affirm.

FACTS AND PROCEDURAL HISTORY

On May 7, 2020, Palmetto Surety Corporation (“Palmetto”) posted a commercial surety bond in the amount of \$100,000.00 for the appearance of Steven Dale Beasley (“the defendant”) on a felony charge. The bond required the defendant to appear in court on July 15, 2020. The defendant appeared on that date, and he continued to appear in court as required until May 24, 2022. The defendant failed to appear at a May 24, 2022 pre-trial hearing. The district court did not issue, and the State did not request, an arrest warrant for the defendant’s failure to appear at that time.

The defendant failed to appear for pre-trial hearing again on October 24, 2022, November 30, 2022, and May 9, 2023. At the May 9, 2023 hearing, the State requested an attachment¹ for the defendant’s failure to appear on May 24, 2022, and defense counsel objected, noting the defendant was being held in a Wisconsin prison on that date. The district court heard arguments from both sides, and it ultimately deferred ruling on the attachment and ordered the parties to file briefs on the matter. The district court continued the May 9, 2023 pre-trial hearing to May 31, 2023.

On May 31, 2023, the State filed a “Motion to Revoke Bail and Issue Attachment” against the defendant. Therein, the State noted the defendant was personally served to appear for the May 24, 2022 pre-trial hearing yet failed to do

¹ The parties and the district court use “warrant” and “attachment” interchangeably.

so.² Therefore, the State argued the district court must issue an attachment. The district court considered the motion at the May 31, 2023 pre-trial hearing, and it ultimately granted the motion to revoke bail and agreed to issue the attachment. On June 6, 2023, the State then filed a “Motion to Issue an Attachment for Failure to Appear on a Bail Obligation and Request for Notice to Surety of Attachment.” Therein, the State asserted that the defendant “failed to appear in open court and an attachment was ordered on May 31, 2023” and requested that (1) an attachment be issued for the defendant’s arrest and (2) notice of attachment be issued to all interested parties under Louisiana Code of Criminal Procedure article 334. The district court granted the motion via judgment signed on June 13, 2023.

Thereafter, on April 15, 2024, the State filed a “Petition for Rule to Show Cause as to Why a Commercial Surety Bond Forfeiture Judgment Should Not Be Rendered” (“petition for bond forfeiture”). In the petition for bond forfeiture, the State based its claim for bond forfeiture on the defendant’s failure to appear in court on May 24, 2022.³ The State alleged that “[n]otice of the warrant for arrest was mailed by the Deputy Clerk of Court on June 5, 2023[,] to all parties in accordance with Code of Criminal Procedure Article 334” and “[m]ore than one hundred eighty days have passed since the Notice of Warrant for Arrest was mailed[,] and the defendant has not made an appearance nor has been surrendered.”

Palmetto filed an opposition to the State’s petition for bond forfeiture on February 14, 2025. Palmetto argued that the State could not meet its burden of proof to be entitled to a bond forfeiture judgment because Louisiana Code of Criminal

² The State also argued that the defendant’s bail should be revoked because he violated the conditions of his commercial surety bond.

³ The petition for bond forfeiture listed May 31, 2023, as the date the defendant failed to appear before the court as ordered. However, this appears to be a typographical error, as the district court issued an attachment for the defendant’s failure to appear at the May 24, 2022 hearing. May 31, 2023, is the date the State filed the motion requesting the attachment for the defendant’s non-appearance. The State concedes this error.

Procedure article 336 required the State to prove, among other things, that notice to the defendant and the surety was timely sent under Louisiana Code of Criminal Procedure article 334. More specifically, Palmetto argued that the immediate issuance of a warrant for the defendant's arrest was mandatory pursuant to Louisiana Code of Criminal Procedure article 333 when the defendant failed to appear in court on May 24, 2022. According to Palmetto, since the warrant was not issued on May 24, 2022, the Clerk of Court necessarily did not timely send notice of the warrant to the surety, as notice was not sent until June 5, 2023, over a year after the defendant's failure to appear. Therefore, Palmetto argued the failure to issue a warrant on the date of the defendant's failure to appear or send notice of a warrant to Palmetto within 60 days of that date resulted in the release of Palmetto's surety obligations under the bond pursuant to Article 334.

The State filed a reply memorandum. The State noted that Article 333 required notice to be mailed to the surety within 60 days "[a]fter a warrant for arrest is issued[,]" not after the defendant failed to appear. In this case, the warrant for arrest was issued on May 31, 2023, and the clerk of court sent notice of that warrant to the surety on June 5, 2023. The State further argued that Article 336 does not require proof that the warrant for arrest was issued "immediately" upon the defendant's failure to appear to entitle the State to a bond forfeiture. Accordingly, the State maintained it complied with all deadlines in the bond forfeiture articles and is entitled to a judgment of bond forfeiture.

The district court held a hearing on the State's petition for bond forfeiture on April 17, 2025. The State offered, filed, and introduced the entire court record for purposes of the hearing; the record contained the commercial bond posted by Palmetto, the notice to the defendant to appear for the May 24, 2022 hearing date, and the attachment order issued by the district court on June 13, 2023. At the conclusion of the hearing, the district court granted the State a judgment of bond

forfeiture. After acknowledging that Article 333 “does require the immediate issuance of a warrant for arrest of the defendant,” the district court reasoned the State nevertheless complied with Article 334 “because that requires that the notice be sent within 60 days of the issuance of the warrant” and “nothing in Article 336 [] says that failure to [comply] with Article 333 [requiring immediate issuance of a warrant upon the defendant’s failure to appear] results in the State not having the right to the bond forfeiture.” The district court signed a “Commercial Surety Bond Forfeiture Judgment” (“bond forfeiture judgment”) on April 28, 2025, in favor of the State and against the defendant and Palmetto, *in solido*, in the amount of \$100,000.00, together with legal interest from the date of judgment until paid, court costs in the amount of \$50.00, and cancellation costs associated with the judgment. Palmetto appealed.

On appeal of the bond forfeiture judgment, Palmetto admits that it received timely notice of the warrant for the defendant’s arrest that the district court issued on May 31, 2023. Nevertheless, Palmetto argues that it did not receive notice of a timely warrant for the defendant’s arrest that should have been issued immediately upon the defendant’s failure to appear in court on May 24, 2022, and no such notice appears in the record. In other words, Palmetto argues the 60-day period for the clerk of court to notify the surety of the issuance of the warrant began to run from the date that the warrant *should have been issued*, rather than the date the warrant was actually issued. As such, Palmetto argues that the State cannot prove that Palmetto received the required notice of the warrant in order to be entitled to a bond forfeiture judgment. Palmetto asserts the district court erred in (1) failing to issue a mandatory arrest warrant immediately when the defendant failed to appear on May 24, 2022; (2) failing to recognize the release of Palmetto from all obligations under the bail undertaking; and (3) issuing a bond forfeiture judgment against Palmetto. Alternatively, Palmetto asserts the district court erred in issuing a bond

forfeiture judgment against Palmetto as a result of the defendant's failure to appear on May 31, 2023, as notice of that appearance date was not given.⁴

LAW AND ANALYSIS

The purpose of a bail (and a bond securing bail) is to ensure that the accused will appear at all stages of the proceedings to answer the charge for which he will be prosecuted. **State v. Ross**, 2020-0446 (La. App. 1 Cir. 3/25/21), 322 So.3d 849, 851; see also La. C.Cr.P. art. 320(B). When a defendant fails to be present in court at a subsequent scheduled appearance, the State may obtain a forfeiture of the surety bond. See La. C.Cr.P. art. 333; **Ross**, 322 So.3d at 851.

Generally, bond forfeitures are not favored. **Ross**, 322 So.3d at 851. A bond forfeiture is basically a civil proceeding; however, it is subject to the special rules as set forth in the Code of Criminal Procedure. In order to obtain a judgment of bond forfeiture against a surety, the State must strictly comply with the terms of the statutory provisions regulating bond forfeitures. **Ross**, 322 So.3d at 851. The purpose of strict compliance is to provide prompt notice to the surety, which increases the likelihood of the surety locating and surrendering the defendant. **State v. Gordon**, 2025-388 (La. App. 3 Cir. 2/4/26), 429 So.3d 845, 848 (citing **State v. DeLaRose**, 391 So.2d 842 (La. 1980)).

In this case, the pertinent facts are not in dispute; rather, the parties disagree on the proper interpretation, application, and enforcement of the statutory provisions regulating bond forfeitures. These are legal questions, which we review *de novo*. See **Carver v. Louisiana Dep't of Pub. Safety**, 2017-1340 (La. 1/30/18), 239 So.3d 226, 230.

⁴ See footnote 3, *supra*.

Bond Forfeiture Articles

Articles 333 through 336 of the Louisiana Code of Criminal Procedure, which govern bond forfeiture procedure, were extensively revised by the legislature between 2024 and 2026. See La. Acts 2024, No. 221, § 1 (effective August 1, 2024) (amending and reenacting Article 335); La. Acts 2025, No. 63, § 1 (effective August 1, 2025) (amending and reenacting Article 334); La. Acts 2026, No. 672, §§ 1, 3 (effective August 1, 2026) (pertinently, amending and reenacting Article 333 and repealing Article 334). The events leading up to and including the petition for bond forfeiture filed by the State on April 15, 2024, occurred prior to the effective date of these amendments.

The general rule against retroactive application of legislative enactments and its exceptions is codified in Louisiana Civil Code article 6, which states, “In the absence of contrary legislative expression, substantive laws apply prospectively only. Procedural and interpretative laws apply both prospectively and retroactively, unless there is a legislative expression to the contrary.” See **St. Paul Fire & Marine Ins. Co. v. Smith**, 609 So.2d 809, 816 (La. 1992); see also **Gordon**, 429 So.3d at 849. The Louisiana Supreme Court has set forth a two-fold inquiry to determine whether an enactment is retroactive or prospective. See **Church Mut. Ins. Co. v. Dardar**, 2013-2351 (La. 5/7/14), 145 So.3d 271, 279. The first step is determining whether the legislature expressly provided for retroactive application; this step is resolved by examining the specific language contained in the act. **St. Paul Fire & Marine Ins. Co. v. Smith**, 609 So.2d at 816-17. If the legislature did not express such an intent, the inquiry ends there. **Church Mut. Ins. Co.**, 145 So.3d at 279. In the absence of a conclusive expression of legislative intent, we must proceed to the second step, which is to classify the enactment pursuant to Louisiana Civil Code article 6 as either procedural, substantive, or interpretive. See **Church Mut. Ins. Co.**, 145 So.3d at 279; **St. Paul Fire & Marine Ins. Co.**, 609 So.2d at 817.

Substantive laws either establish new rules, rights, and duties or change existing ones. Procedural laws prescribe a method for enforcing a substantive right and relate to the form of the proceeding or the operation of the laws. **Church Mut. Ins. Co.**, 145 So.3d at 283. Interpretative laws merely establish the meaning the statute had from the time of its enactment. **Rousselle v. Plaquemines Parish School Bd.**, 93-1916 (La. 2/28/94), 633 So.2d 1235, 1244.

In the present case, the legislature did not express whether the revisions to Articles 333 through 336 apply retroactively or prospectively. Therefore, we must classify the enactments as procedural, substantive, or interpretive. **Gordon**, 429 So.3d at 849. The 2024 amendment is not at issue in this appeal. The 2025 and 2026 amendments create new rules by changing the commencement of the sixty-day notice period in Article 334. See **Gordon**, 429 So.3d at 850. The version of Article 334 in effect while the State's petition for bond forfeiture was before the district court was enacted on January 1, 2017, and stated, in pertinent part:

After a warrant for arrest is issued, the clerk of court shall, within sixty days, send a notice of warrant for arrest . . . to the commercial surety. . . Failure to send notice to the commercial surety within sixty days shall release the surety of all obligations under the bail undertaking.

Now, the deadline for notice of warrant for arrest is contained in Article 333(A) and (C), which state, in pertinent part:

The notice of the warrant for arrest shall be delivered to . . . the commercial surety . . . within sixty days of the defendant's failure to appear. . . Failure to send notice of the bench warrant to the commercial surety . . . within sixty days of the defendant's failure to appear shall release the surety of all obligations under the bail undertaking.

The changing of a deadline necessarily alters the time periods within which parties or courts must act, which is substantive. **Gordon**, 429 So.3d at 850. In addition, the 2026 amendment, which changes the proof necessary for the State to be entitled to a bond forfeiture judgment under Article 336, requires compliance with the newly reenacted Article 333, while the prior version of Article 336 referred to

Article 334's requirements. Because Article 336 changed the requirements for the State to be entitled to a bond forfeiture judgment, the change in the statute was substantive and has prospective application only. See St. Paul Fire & Marine Ins. Co., 609 So.2d at 820 (“[T]he change in [workers’ compensation] law is clearly substantive in that it significantly alters the respective rights of the injured employee and the employer (or compensation insurer).”); see also Delta Chemical Corp. v. Lynch, 2007-0431 (La. App. 4 Cir. 2/27/08), 979 So.2d 579, 587 n.7 (“Because the statute changed the requirements for a plaintiff’s ability to recover attorney’s fees, the change in the statute was substantive and has prospective application only.”), writs denied, 2008-0683, 2008-0761 (La. 5/30/08), 983 So.2d 898, 904. As such, we hold that the 2025 and 2026 amendments to the bond forfeiture articles at issue in this appeal are substantive and apply prospectively only. See also Gordon, 429 So.3d at 849-50. Therefore, all references to the bond forfeiture articles in the remainder of this opinion relate to the version of the article that was in effect at the time of the events relevant to this appeal, *i.e.*, those enacted pursuant to La. Acts 2016, No. 613, § 1 (effective January 1, 2017).

If at the time fixed for appearance the defendant, who was properly noticed, fails to appear as required by the court, the court shall, on its own motion or on motion of the prosecuting attorney, immediately issue a warrant for the arrest of the defendant. La. C.Cr.P. art. 333. After a warrant for arrest is issued, the clerk of court shall, within 60 days, send a notice of warrant for arrest to the prosecuting attorney; the notice shall also be sent to the defendant, the bail agent or bondsman (if any), the personal surety, and the commercial surety. See La. C.Cr.P. art. 334. After sending the notice of warrant for arrest, the clerk of court shall execute a certificate that notice was sent and place the certificate in the record. Failure to send notice to the commercial surety within 60 days shall release the surety of all obligations under the bail undertaking. La. C.Cr.P. art. 334.

If the defendant fails to make an appearance and has not been surrendered or constructively surrendered within 180 days of the execution of the certificate that notice of warrant for arrest was sent, the prosecuting attorney may file a rule to show cause requesting that a bond forfeiture judgment be rendered. La. C.Cr.P. art. 335. The rule to show cause shall be mailed to the defendant and served on all other parties against whom a judgment is sought and shall be set for contradictory hearing. The time period for filing a rule to show cause to obtain a judgment of bond forfeiture does not begin until after the notice of warrant for arrest is sent. La. C.Cr.P. art. 335.

After the contradictory hearing, the court shall forfeit the bail undertaking and sign a judgment of bond forfeiture upon proof of all of the following: (1) the bail undertaking; (2) the power of attorney, if any; (3) notice to the defendant and the surety as required by Article 334; and (4) proof that more than 180 days have elapsed since the notice of warrant for arrest was sent.⁵ La. C.Cr.P. art. 336(A). In this case, Palmetto only contests the third element—notice to the surety as required by Article 334—and its effect on the fourth requirement—proof that the required time elapsed.

The May 24, 2022 Hearing

Palmetto argues it was released from its bond obligation due to the district court's failure to issue an arrest warrant immediately upon the defendant's failure to appear at the properly noticed May 24, 2022 hearing. Pursuant to Article 333, when a defendant who was properly noticed fails to appear as required by the court, the court shall, on its own motion or on motion of the prosecuting attorney, immediately issue a warrant for the arrest of the defendant. The district court did not issue an

⁵ This court has held that minor defects in bond forfeiture procedures may be considered harmless if the record as a whole shows the surety received notice and was not prejudiced by the deficiencies. See, e.g., State v. Saucier, 95-2267 (La. App. 1 Cir. 6/28/96), 676 So.2d 838, 839, writ denied, 96-1963 (La. 11/1/96), 681 So.2d 1271. Although the record before us does not contain proof of notice to the surety, Palmetto does not dispute that it received notice within 60 days of the issuance of the May 31, 2023 arrest warrant.

arrest warrant for the defendant as a result of his failure to appear in court on May 24, 2022, until over a year later on May 31, 2023.

Palmetto argues that the immediate issuance of a warrant for the defendant's arrest upon his failure to appear is a prerequisite to the enforcement of a surety's obligations under the bail undertaking pursuant to Article 334. According to Palmetto, the district court was "constrained by the plain language of Article 333" to issue the warrant for the defendant's arrest "immediately" upon his failure to appear in court at the time fixed on May 24, 2022. Likewise, Palmetto asserts it was the duty of the prosecutor to move the district court to issue the warrant if the district court failed to do so.

Palmetto further argues that absent the mandatory issuance of an arrest warrant immediately upon a defendant's failure to appear, the State could not comply with Article 334. At the time of the judgment of bond forfeiture, Article 334 stated, in pertinent part: "After a warrant for arrest is issued, the clerk of court shall, within sixty days, send a notice of warrant for arrest to the prosecuting attorney[,], the defendant, the bail agent or bondsman, if any, and the personal surety" as well as the commercial surety. In addition, Article 334 declared that "[f]ailure to send notice to the commercial surety within sixty days shall release the surety of all obligations under the bail undertaking." Palmetto argues that interpreting Article 334 to permit bond forfeiture when a warrant is not issued immediately makes Article 333 "superfluous and meaningless." Further, Palmetto states that, under Article 334, the clerk of court must send notice within 60 days of the "mandatory issuance of a *timely*" warrant for arrest under Article 333. Absent the immediate issuance of an arrest warrant upon the defendant's failure to appear in court, the clerk of court cannot send notice of a timely warrant within 60 days.

In support of its argument, Palmetto cites two cases. The first is **State v. Lozano**, 2022-201 (La. App. 5 Cir. 5/24/22), 2022 WL 1638846 (unpublished writ

action), in which the defendant failed to appear in court on April 11, 2022, as ordered. **Lozano**, 2022 WL 1638846 at *1. The State requested that the district court issue a warrant for the defendant's arrest in accordance with Article 333. The district court declined to do so. See **Lozano**, 2022 WL 1638846 at *1. The State sought supervisory review, and the Fifth Circuit granted the writ application, reasoning:

While there may be instances where the trial court would prefer not to issue a bench warrant, the judge is constrained by the plain language of La. C.Cr.P. art. 333 which mandates (by use of the word "shall") the court to issue an arrest warrant for the defendant who received proper notice of the time fixed for his appearance, but failed to appear in court as required. . . . Because it was not permitted to exercise its discretion, the trial court committed error when it failed to issue a bench warrant as requested by the State.

Lozano, 2022 WL 1638846 at *3.

Palmetto also cites **DeLaRose**, 391 So.2d 842. In **DeLaRose**, the Louisiana Supreme Court interpreted former La. R.S. 15:85, a precursor to Article 333. **DeLaRose**, 391 So.2d at 843. In that case, the defendant failed to appear for trial as ordered, and the State moved for entry of a judgment of bond forfeiture "forthwith" as mandated by former La. R.S. 15:85; however, the district court did not render a judgment of bond forfeiture until 14 months later. **DeLaRose**, 391 So.2d at 843. Although the clerk mailed the required noticed within 60 days of the issuance of the judgment of bond forfeiture, the Supreme Court set aside the judgment and released the surety from all obligations under the bond. **DeLaRose**, 391 So.2d at 843. The **DeLaRose** court reasoned the 14-month delay in issuing a judgment decreeing the bond forfeiture "violated the express terms of [La.] R.S. 15:85 . . . and defeated the statutory scheme of 'prompt notice' to the surety in order to enhance the possibility that the surety will locate and surrender the defendant." **DeLaRose**, 391 So.2d at 843.

Palmetto asserts that, like in **Lozano** and **DeLaRose**, Palmetto received notice of the warrant for the defendant's arrest issued on May 31, 2023, within 60 days. Nevertheless, Palmetto asserts the warrant for arrest was untimely because it was not issued "immediately" in compliance with Article 333 and as a prerequisite to the enforcement of Palmetto's surety obligations under Article 334. Palmetto contends that **Lozano** and **DeLaRose** mandate that a warrant be issued immediately upon failure to appear, and absent immediate issuance of a warrant, the State is precluded from obtaining a judgment of bond forfeiture. Palmetto also argues that the district court's failure to issue a warrant immediately in this case created a domino effect and caused non-compliance with the procedural requirements of Articles 335 and 336 as well.

However, **Lozano** and **DeLaRose** are distinguishable, as both cases involved prosecutors who moved for the issuance of a warrant and bond forfeiture, respectively, and judges who failed to grant that motion. Per **Lozano** and **DeLaRose**, the district court was mandated to issue a warrant immediately if the prosecutor had requested one at that time pursuant to Article 333. However, the facts presented in this case more closely align with the facts presented in **Gordon**, 429 So.3d 845. **Gordon** is a consolidated case in which three defendants did not appear for court dates between January and April 2023.⁶ **Gordon**, 429 So.3d at 847. The district court ordered the issuance of bench warrants for each defendant based on their non-appearance on July 20, 2023, and notice was mailed to the defendants' surety on September 8, 2023. On March 21, 2024, the State filed a rule to show cause why a bond forfeiture judgment should not be entered in each case, alleging that more than 180 days passed since the notice of warrant of arrest was mailed and

⁶ The **Gordon** court acknowledged that the record before it did not contain minutes from any of the dates when the defendants failed to appear. **Gordon**, 429 So.3d at 847. Therefore, it is unclear if the State moved for the issuance of a bench warrant on the dates of the defendants' non-appearances.

the defendants still had not appeared nor were they surrendered. The district court ultimately entered a bond forfeiture judgment against the surety on May 1, 2024. **Gordon**, 429 So.3d at 847.

Thereafter, the surety filed a petition for nullity and motion for discharge and release of surety, arguing that because the district court failed to issue bench warrants immediately, as is required by Articles 333 and 334, its surety obligations under the bonds were extinguished by operation of law. The district court denied the surety's petition, and the surety appealed. **Gordon**, 429 So.3d at 847.

The Third Circuit first considered whether the State failed to strictly comply with Article 333 and if so, whether the district court erred in granting the State's motion to forfeit the bond. **Gordon**, 429 So.3d at 848. The Third Circuit held that the district court's failure to immediately issue warrants was not fatal to the State's ability to obtain a bond forfeiture judgment. **Gordon**, 429 So.3d at 848-49. The Third Circuit explained that under Article 336, the party seeking to obtain a judgment of bond forfeiture must prove compliance with Article 334, but there is no requirement of compliance with Article 333. **Gordon**, 429 So.3d at 849.

The Third Circuit next considered whether the State strictly complied with Article 334. **Gordon**, 429 So.3d at 849. The **Gordon** court noted that all of the notices of arrest warrants were sent to the surety within 60 days of the issuance of the warrants but not within 60 days of the defendants' failures to appear. Nevertheless, the **Gordon** court determined that the State strictly complied with the version of Article 334 in effect at the time of the issuance of the warrants,⁷ as well as the relevant statutory provisions in obtaining its judgment of bond forfeiture. **Gordon**, 429 So.3d at 850.

⁷ The versions of the applicable articles in effect at the time **Gordon** was decided are the same versions applicable in this case. The **Gordon** court explicitly declined to apply the amended version of Article 334 (prior to it being repealed), noting that it boasted a substantive amendment that may only be applied prospectively. See Gordon, 429 So.3d at 849-50.

We find, just as the **Gordon** court did, that the district court's failure to immediately issue an arrest warrant was not fatal to the State's ability to obtain a bond forfeiture judgment. Article 336 does not require proof of compliance with Article 333. Article 336 does, however, require compliance with Article 334. At the time of the defendant's failure to appear on May 24, 2022, Article 334 required notice within 60 days "[a]fter a warrant for arrest is issued[.]" The district court issued the arrest warrant on May 31, 2023, and Palmetto, through its own admission, received notice of the May 31, 2023 warrant within 60 days. As such, we find the State strictly complied with the requirements of the bond forfeiture articles in effect at that time. Accordingly, we find no merit to this argument.

The May 31, 2023 Hearing

Alternatively, Palmetto argues the district court erred in granting the bond forfeiture judgment because the State failed to provide notice of the May 31, 2023 hearing, a violation of Louisiana Code of Criminal Procedure article 330. Under Article 330(C), the agent or bondsman who posted a bail undertaking for a commercial surety shall be given notice of the new appearance date when the defendant fails to appear as ordered and the proceeding is continued to a specific date. Failure to give such notice "relieves the surety from liability on a judgment of bond forfeiture for the nonappearance of the defendant on that particular date." La. C.Cr.P. art. 330(E).

This argument appears to be based on the date of the defendant's failure to appear as inaccurately stated in the State's petition for bond forfeiture. The State explained in its appellate brief that its petition for bond forfeiture mistakenly identified the date of the defendant's failure to appear as May 31, 2023, rather than May 24, 2022. See footnote 3, *supra*. Further, it is clear from the transcript of the hearing on the petition for bond forfeiture that the parties directed their arguments

to the warrant *issued* on May 31, 2023, due to the defendant's *non-appearance* on May 24, 2022. Accordingly, we find no merit to this argument.

DECREE

For the above and foregoing reasons, the district court's April 28, 2025 commercial surety bond forfeiture judgment issued in favor of the State of Louisiana and against Steven Dale Beasley, as principal, and Palmetto Surety Corporation, as surety, is affirmed. Costs of this appeal are assessed to Palmetto Surety Corporation.

AFFIRMED.