

STATE OF LOUISIANA

COURT OF APPEAL

FIRST CIRCUIT

2026-CA-0092

JOSHUA RAY HYATT

VERSUS

LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

Judgment Rendered: OCT 07 2026

Appealed from the 19th Judicial District Court
In and for the Parish of East Baton Rouge
State of Louisiana
Case No. C747086
Honorable Richard "Chip" Moore, Judge Presiding

Joshua Ray Hyatt
Franklin, GA

In Proper Person

Jericha Remondet
Baton Rouge, LA

Counsel for Defendant/Appellee
Louisiana Department of Public
Safety & Corrections

BEFORE: PENZATO, LANIER, AND FIELDS, JJ.

Field J Dissents w/ 4 reasons

LANIER, J.

Plaintiff/appellant, Joshua Ray Hyatt (“Hyatt”), who was an inmate in the custody of the defendant/appellee, the Louisiana Department of Public Safety and Corrections (“DPSC”), when this matter arose, appeals a district court judgment dismissing his petition for judicial review with prejudice and at his cost. For the following reasons, we affirm.

FACTS AND PROCEDURAL HISTORY

On September 18, 2023, Hyatt filed a request for administrative remedy, alleging his rap sheet did not correctly calculate his parole time for a charge he pleaded guilty to in 2016 under docket no. 708039. He noted he pleaded guilty to this charge on March 7, 2016, and was sentenced to ten years imprisonment. Hyatt further stated that he was released on parole in 2018, but it was later revoked in 2019. After this revocation, Hyatt alleged he was then incorrectly sentenced to serve eight and one-half years. The record contains a letter from the Board of Pardons and Parole indicating his parole was revoked on July 11, 2023, because he pleaded guilty to parole violations.

In a separate request for administrative remedy also filed on September 18, 2023, Hyatt alleged his rap sheet contains an incorrect time calculation because he did not receive jail credits on “[d]ocket 1950 and 1951” as the judge who sentenced him in Assumption Parish ordered. He claimed he is owed credit on each since January 2019, which would result in his immediate release.

The minutes from the February 1, 2021 sentencing indicate that Hyatt pleaded guilty to a charge of monetary instrument abuse (docket no. 1950) and a charge of a convicted felon possessing a firearm (docket no. 1951). The 23rd Judicial District Court, Div. D, for Assumption Parish sentenced him as follows:

It is the sentence of this court that the Defendant be committed to [DPSC] for a term of three (3) years at hard labor with credit for time served since January 29, 2019, and pay a fine in the amount of five

thousand dollars (\$5,000.00) for the charge of monetary instrument abuse under docket number 19-50; and seven (7) years in [DPSC] at hard labor with credit for time served since January 10, 2019, for the charge of convicted felon possessing a firearm or carrying a concealed weapon under docket number 19-51. Sentences are to run consecutive with each other.

DPSC's first-step response denied Hyatt's requested relief. In its second-step response on March 22, 2024, DPSC granted Hyatt's relief in part and denied in part, reasoning:

In your grievance you contend that your parole time on docket number 70839 is incorrect and that you are not receiving the appropriate amount of jail credit for Docket Nos. 1950 and 1951. After a review of your record, it was found that you are a parole violator and you are receiving all of the jail credits that you are entitled to. However, it was found that your parole eligibility date (PED) was incorrect. The correction to your PED has been completed. Attached is a copy of your amended master prison record. It is to be noted that the court's order is being followed by allowing credit in accordance with C.Cr.P. Art 880, which prohibits overlapping credit on consecutive sentences. No further investigation is warranted.

Your request is granted in part, where your PED was corrected and denied in part as you are not entitled to overlapping jail credit.

Hyatt then filed a petition for judicial review with the 19th Judicial District Court on April 23, 2024, alleging he did not receive all of his jail credits, and he requested the following relief:

Order DPSC to calculate my time how Judge ordered and set a time limit for them to do this considering correction would release me from detention. Award me with monetary damages compensating for injuries and imprisonment that would have been avoided if DPSC & James LeBlanc would not have abused their discretion after they reviewed sentencing order and refused compliance. I also request oral argument.

As best we can determine, Hyatt requested that DPSC properly calculate his incarceration time, immediately release him, and award him with monetary damages for his injuries. DPSC answered the petition, arguing Hyatt's sentences are consecutive, and as such, he is not entitled to receive overlapping jail credit

under Louisiana Code of Criminal Procedure Article 880; thus, his time computation is correct.

The commissioner initially issued a stay and remand order, noting Hyatt was sentenced in Assumption Parish on one charge with credit for time served since January 29, 2019, and on another charge with credit for time served since January 10, 2019, but the sentencing court was silent as to whether the sentences would run concurrent or consecutive to the sentences imposed in “LFR 528070 and TER 708039.” The commissioner reasoned the sentencing court’s silence and La. Code Crim. P. art. 880 “would necessitate that the sentences imposed in Assumption would run consecutively to those other sentences and that he would not be awarded jail credits for time served[,]” but the sentencing court “clearly ‘awarded’ these credits to the Petitioner, contrary to law, and therefore they should have been credited accordingly.” The commissioner found that the “administrative record is clear that the Petitioner was not awarded these credits prior to his release onto good time parole supervision nor was he awarded those credits after his revocation.” In a remand order, the commissioner gave DPSC sixty days to address the issue of awarded credits.

DPSC filed a response to the commissioner’s remand order, asserting it recalculated Hyatt’s time, and he was “released on good time supervised parole on August 14, 2024, and is still under parole supervision living in Georgia.” Further, DPSC argued that because it granted Hyatt his “sole request,” his petition was now moot and should be dismissed with prejudice at his cost.

After DPSC’s recalculation, the commissioner found that Hyatt failed to provide a copy of his sentencing transcript in support of his claim, and that prevented this matter from being addressed properly. The commissioner recommended that Hyatt’s suit be “dismissed as moot, with prejudice, and at the Petitioner’s costs.”

On September 25, 2025, Hyatt objected to DPSC's response and motion to dismiss his petition, arguing his requested relief was not limited to release from custody or recalculation but also correction of his rap sheet and compensation for injuries sustained in DPSC custody; DPSC still failed to correctly calculate and apply jail credits so that his remaining parole is properly reflected; and he paid the Assumption Parish clerk to mail a copy of his transcripts to a specific person calculating his time. Then on October 8, 2025, Hyatt filed a motion to subpoena medical records and administrative records and a motion for summary judgment. Subsequently, on October 23, 2025, he filed a motion to object/traverse the commissioner's findings, asserting that he did provide sentencing transcripts that were attached to his requests for administrative relief.

The district court adopted the commissioner's report and on November 19, 2025, rendered a judgment "dismissing this suit for judicial review of ARP No. HDQ-2023-2276 as moot, with prejudice, and at the Petitioner's cost." On December 9, 2025, Hyatt filed a motion for appeal that was granted.

DISCUSSION

Hyatt raises several assignments of error that can be summarized as follows: (1) the district court improperly dismissed his petition for judicial review that alleged DPSC miscalculated his prison sentence and failed to order DPSC to pay monetary compensation because of its failure; (2) the district court erred by not ordering DPSC to provide a good explanation for failing to apply the sentencing minutes; (3) the district court wrongly ordered him to pay costs and court fees; and (4) the district court erred by not providing him with legal assistance because he is disabled.

The Corrections Administrative Remedy Procedure Act ("CARP"), La. R.S. 15:1171 *et seq.*, provides that DPSC may adopt an administrative remedy procedure for receiving, hearing, and disposing of complaints by offenders against

the state while in custody or under the supervision of DPSC. La. R.S. 15:1171(B). These procedures are the exclusive remedy for handling the complaints to which they apply. *Id.* Louisiana Revised Statutes 15:1171(B) pertinently provides that such complaints:

[I]nclude but are not limited to any and all claims seeking monetary, injunctive, declaratory, or any other form of relief authorized by law and by way of illustration includes actions pertaining to conditions of confinement, personal injuries, medical malpractice, time computations, even though urged as a writ of habeas corpus, or challenges to rules, regulations, policies, or statutes.

The administrative remedies include a two-step procedure whereby the offender requests relief from DPSC internally before filing suit, and “[e]xhaustion can only occur when a second step response on the merits has been issued.” LAC 22:I.325(F)(3)(a)(viii). Further, after exhausting his administrative remedies, “[a]ny offender who is aggrieved by an adverse decision, excluding decisions relative to delictual actions for injury or damages, by [DPSC] . . . may, within thirty days after receipt of the decision, seek judicial review of the decision only in the Nineteenth Judicial District Court[.]” La. R.S. 15:1177(A). However, “[d]elictual actions for injury or damages shall be filed separately as original civil actions.” La. R.S. 15:1177(C).

Louisiana Revised Statutes 15:1177 sets forth the appropriate standard of review of a DPSC decision by the district court that functions as an appellate court when reviewing DPSC’s administrative decisions. The district court may reverse or modify the administrative decision only if the appellant’s substantial rights have been prejudiced because the administrative findings, inferences, conclusions, or decisions are: (1) in violation of constitutional or statutory provisions; (2) in excess of the statutory authority of the agency; (3) made upon unlawful procedure; (4) affected by other error of law; (5) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion; or (6) manifestly

erroneous in view of the reliable, probative and substantial evidence on the whole record. La. R.S. 15:1177(A)(9).

The appellate court reviews the administrative record *de novo* and owes no deference to the factual findings or legal conclusions of the district court. *Marchand v. Louisiana Department of Public Safety & Corrections*, 2020-0747 (La. App. 1st Cir. 2/24/21), 322 So.3d 269, 273, *writ denied*, 2021-00457 (La. 9/27/21), 324 So.3d 104.

Hyatt argues that DPSC miscalculated his “prison terms/sentences both my parole dockets and my Assumption Parish convictions from the time of my arrest in January 2019” causing him to serve more time than he should have resulting in physical and mental injuries. Although Hyatt has been released, he contends the miscalculation is still causing his parole time to be inaccurately calculated. He alleges he is still being detained by a Louisiana parole hold and unable to bond out on Georgia charges, and his parole incorrectly reflects a full-term date of 2032, but his full term should be 2026.

Further, Hyatt maintains that because of the time miscalculation, he received severe injuries that occurred while he was incarcerated past his release date. He asserts he should have been given further opportunities to access records. Further, he claims his Terrebonne Parish charges should be satisfied as well because he pleaded to ten years in 2015.

Hyatt seeks a court order directing DPSC to correctly apply all of his time served and provide comprehensive and up-to-date calculations explaining the computation to the court so that his parole reflects a correct full term or termination of parole if he is entitled to it. Moreover, he asks this court to hold DPSC accountable for constitutional rights violations since January 2019, as he thinks he served approximately two years more than needed. Hyatt also asks that DPSC pay him monetary damages for each day he was erroneously held. Lastly,

he asks that DPSC be ordered to pay court costs, as this matter was caused by its miscalculation.

In *Billizone v. Department of Public Safety and Corrections*, 2017-0002 (La. App. 1st Cir. 6/14/17), 2017 WL 2603486, *3 (unpublished), this court held that “the right to judicial review of [a] CARP claim seeking credit for time served was not rendered moot by [] release from physical custody.”

First, we note that DPSC granted Hyatt relief in its second-step response in the form of an amended parole eligibility date, but Hyatt contends this correction is still wrong. Further, DPSC also admitted to miscalculating his credit for time served and released him during the pendency of his administrative remedies. As in *Billizone*, Hyatt’s release from physical custody did not automatically render his claims moot. However, DPSC acknowledged its miscalculation of his credit for time served, physically released him from custody, and corrected his parole eligibility date.¹ We find that Hyatt has failed to show how DPSC erroneously calculated its amended calculations or how his substantial rights have been prejudiced; thus, his claim regarding credit for time served lacks merit.

Regarding Hyatt’s request for monetary damages based on alleged constitutional violations, as well as physical and mental injuries, such tort claims cannot be fully adjudicated under CARP. See *Ferrington v. Louisiana Board of Parole*, 2003-2093 (La. App. 1st Cir. 6/25/04), 886 So.2d 455, 458, writ denied, 2004-2555 (La. 6/24/05), 904 So.2d 741 (recognizing that a claim involving a liberty interest or asserting deprivation of a constitutionally protected right is a traditional civil matter over which the district court retains original jurisdiction). After the administrative remedy process is complete, such “[d]elictual actions for

¹ As stated earlier in this opinion, DPSC’s initial calculation was based upon La. Code Crim. P. art. 880 that prohibits overlapping jail credits. DPSC’s “miscalculation” resulted solely from the trial court’s award of jail credits that was contrary to law.

injury or damages shall be filed separately as original civil actions.” La. R.S. 15:1177(C); *Warren v. Louisiana Department of Public Safety and Corrections*, 2020-0247 (La. App. 1st Cir. 2/19/21), 320 So.3d 453, 456.

CONCLUSION

For the foregoing reasons, the district court’s judgment affirming the decision of the Department of Public Safety and Corrections and dismissing the suit with prejudice and at petitioner’s cost is affirmed. The costs of this appeal are assessed against Joshua Ray Hyatt.

AFFIRMED.

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VERSUS

LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS



FIELDS, J., dissents. Based on the record before this court, Hyatt's claim regarding the calculation of his parole time and whether it was correctly calculated was never addressed by the Department of Public Safety and Corrections, the commissioner, or the trial court that adopted the commissioner's report. According to Hyatt's administrative appeal, he asserted he never wanted to correct the parole eligibility date; instead he wanted his parole time properly calculated to reflect an end date, which he believes to be in 2026, or if that date is not correct, then to explain how the calculation was made. As this issue has not been addressed, I find that Hyatt has an outstanding claim making the dismissal of his petition for judicial review by the trial court error.