

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

VS.

NO. 97-K - 2110

CHRISTOPHER NABORS

IN RE: Nabors, Christopher; - Defendant(s); Applying for Writ of
Certiorari and/or Review; Parish of Orleans Criminal District Court
Div."F" Number 375-409; to the Court of Appeal, Fourth Circuit,
Number 96KA-1427

March 20, 1998

Denied.

PFC

WFM

JPV

CDT

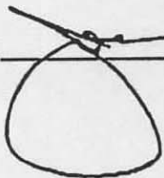
JTK

LEMMON, J. votes to grant. The statutory penalty is two to fifteen years at hard labor, "at least two without benefit of probation, parole, or suspension of sentence." While the trial judge is authorized to impose a sentence in excess of two years, there is no express authority to withhold parole eligibility beyond two years.

KIMBALL, J. votes to grant for reasons assigned by Lemmon, J.

JOHNSON, J. not on panel.

Supreme Court of Louisiana
March 20, 1998



Clerk of Court
For the Court