

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2020-KO-00299

VS.

CARLOS DEWAYNE WADE

IN RE: Carlos Dewayne Wade - Applicant Defendant; Applying For Writ Of
Certiorari, Parish of Caddo, 1st Judicial District Court Number(s) 209,434, Court of
Appeal, Second Circuit, Number(s) 53,311-KA;

July 31, 2020

Writ application granted in part. See per curiam.

BJJ

JLW

JDH

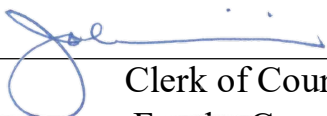
WJC

JHB

Crichton, J., would deny.

Genovese, J., would deny.

Supreme Court of Louisiana
July 31, 2020



Clerk of Court
For the Court

07/31/20

SUPREME COURT OF LOUISIANA

No. 2020-KO-00299

STATE OF LOUISIANA

versus

CARLOS DEWAYNE WADE

**ON WRIT OF CERTIORARI TO THE SECOND CIRCUIT
COURT OF APPEAL, PARISH OF CADDO**

PER CURIAM:

Writ granted in part. Given discrepancies between the court of appeal's opinion in *State v. Wade*, 36,295 (La. App. 2 Cir. 10/23/02), 832 So.2d 977, *writ denied*, 02-2875 (La. 4/4/03), 840 So.2d 1213, the May 29, 2019 transcript, the commitment order, minutes from defendant's resentencing, and Department of Public Safety & Corrections records, this court cannot determine whether defendant's sentence for flight from an officer, La.R.S. 14:108.1, exceeds that authorized by statute. Accordingly, we grant defendant's application in part to remand to the district court to determine whether defendant received an illegal sentence for that offense. The district court is further directed to determine whether the commitment order is correct, and to correct it if necessary. The application is otherwise denied.

REMANDED