

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2021-KK-01419

VS.

DRAYTON HOLLEY

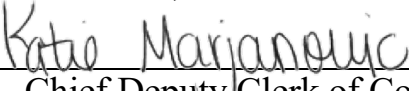
IN RE: Drayton Holley - Applicant Defendant; Applying For Supervisory Writ,
Parish of Orleans Criminal, Criminal District Court Number(s) 541-986, Court of
Appeal, Fourth Circuit, Number(s) 2021-K-0480;

December 21, 2021

Writ application granted. See per curiam.

JLW
JDH
SJC
JTG
WJC
JBM
PDG

Supreme Court of Louisiana
December 21, 2021



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 2021-KK-01419

STATE OF LOUISIANA

VS.

DRAYTON HOLLEY

On Supervisory Writ to the Criminal District Court, Parish of Orleans Criminal

PER CURIAM

Writ granted. Defendant filed a motion pursuant to La.C.Cr.P. art. 897 requesting the court terminate his probation and conditions thereof early. Defendant had served more than one year of probation at that time, and the trial court held a contradictory hearing with the state on the motion, at which point the state expressed no opposition to the motion. The court acted within its discretion when it granted the defendant's motion on June 29, 2021, and terminated defendant's probation and conditions thereof, including a requirement that defendant register as a sex offender. Defendant's sentence was deemed satisfied at that time. La.C.Cr.P. art. 898. As such, the trial court did not have jurisdiction when it subsequently reconsidered its ruling and reinstated the sex offender registration requirement. Accordingly, the ruling of the trial court reinstating defendant's sex offender registration requirement is reversed, and the court's prior order of June 29, 2021, terminating probation and all conditions thereof is reinstated.