

05/16/03 “See News Release 035 for any concurrences and/or dissents.”

SUPREME COURT OF LOUISIANA

No. 03-K-0259

STATE OF LOUISIANA

versus

JOHN R. DECREVEL

WEIMER, J., concurring in part and dissenting in part.

Although I agree the defendant is entitled to the benefit of the ameliorative changes in the law with respect to sentencing under LSA-R.S. 14:98(E)(1),¹ I would grant the writ regarding whether the court of appeal can correct the fine imposed where the State has not raised that issue on appeal. See **State v. Phillips**, 02-0866, 02-0918 (La. 11/22/02), 834 So.2d 972, Chief Justice Calogero dissenting from the denial of the writ, voting to grant the writ and assigning reasons.

¹ See **State v. Mayeux**, 01-3195 (La. 6/21/02), 820 So.2d 526.