

SUPREME COURT OF LOUISIANA

07-K-1111

STATE OF LOUISIANA

vs.

HENRIETTA WILLIAMS

**ON WRIT OF REVIEW TO THE COURT OF APPEAL,
THIRD CIRCUIT, PARISH OF CONCORDIA**

Johnson, J. dissents and assigns reasons:

I agree with the appellate court that the sentence was excessive. I also agree with the appellate court's remand of the case for a determination of whether defendant is indigent and unable to pay the fine and costs imposed. An indigent defendant may not be subjected to default time in lieu of payment of fine and costs. See, *Bearden v. Georgia*, 461 U.S. 660, 103 S.Ct. 2064, 76 L.Ed.2d 221 (1983).