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SUPREME COURT OF LOUISIANA

No. 2019-K-0349

STATE OF LOUISIANA

VERSUS

ADRIAN A. DORSEY A/K/A ADRIAN ANTON DORSEY

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL

THIRD CIRCUIT, PARISH OF BEAUREGARD

PER CURIAM

Writ granted. The court of appeal erred in finding as an error patent that the district court did not adhere to the 24-hour statutory sentencing delay required by La.C.Cr.P. art. 873. *See State v. Dorsey*, 18-0250 (La. App. 3 Cir. 11/7/18), 260 So.3d 616. Whether the article requires a 24-hour sentencing delay between the denial of post-verdict motions and the commencement of a habitual offender adjudication, whether the article was violated under the circumstances here where the imposition of sentence did not occur until three weeks after the habitual offender adjudication, and whether defendant was prejudiced as a result are complex questions that cannot and should not be resolved in errors patent review. Accordingly, we reverse the court of appeal, reinstate the sentence, and remand to the court of appeal for consideration of the pretermitted claims.

REVERSED AND REMANDED