

ERIC WILLIAMS ET AL

NO. 25-KH-94

VERSUS

FIFTH CIRCUIT

24TH JDC, DIV. "E"

COURT OF APPEAL

STATE OF LOUISIANA

FIFTH CIRCUIT COURT OF APPEAL  
A TRUE COPY OF DOCUMENTS AS  
SAME APPEARS IN OUR RECORDS



Linda Wiseman  
First Deputy, Clerk of Court

March 27, 2025

Linda Wiseman  
First Deputy Clerk

**IN RE ERIC WILLIAMS**

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**APPLYING FOR** SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT,  
PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE FRANK A.  
BRINDISI, DIVISION "E", NUMBER 02-3223

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Panel composed of Judges Jude G. Gravois,  
Scott U. Schlegel, and Timothy S. Marcel

**WRIT DENIED**

Relator, Eric Williams, filed a *pro se* writ of mandamus, requesting that this Court order the trial court to rule on his petition for writ of mandamus filed on November 1, 2024. A review of the official record in this case indicates that on November 15, 2024, the trial court denied relator's petition for writ of mandamus. A copy of the trial court's November 15, 2024 Order is attached to this disposition. Accordingly, relator's request for mandamus relief is moot. This writ application is denied.

Gretna, Louisiana, this 27th day of March, 2025.

**JGG  
SUS  
TSM**

TWENTY FOURTH JUDICIAL DISTRICT COURT  
PARISH OF JEFFERSON  
STATE OF LOUISIANA

NO. 02-3223

DIVISION " E "

STATE OF LOUISIANA

VERSUS

ERIC WILLIAMS

FILED: November 15, 2024

  
DEPUTY CLERK

**ORDER**

This matter comes before the court on petitioner's **PETITIONER FOR WRIT OF MANDAMUS, STAMPED AS FILED NOVEMBER 6, 2024.**

The petitioner was convicted of count #1, LSA-R.S. 14:64, armed robbery, count #2, LSA-R.S. 14:34, aggravated battery, and count #3, LSA-R.S. 14:95E, use of firearm with CDS. The court originally sentenced him on count #1 to 85 years, consecutively, and counts #2 & 3 to 10 years, consecutively, with a total of to 105 years incarceration at hard labor. His convictions were upheld on direct appeal on issues of the prosecutor's reference to his incarceration, a reference to his post-arrest silence, admissibility of evidence, and notice of the charges, but was remanded to trial court to question excessiveness of sentence. *State v. Williams*, 902 So.2d 485, 04-1309 (La.App. 5 Cir. 4/26/05), writ denied, 922 So.2d 1173, 05-1640 (La. 2/3/06), writ denied, 924 So.2d 144, 05-1640 (La. 2/3/06).

On appeal after remand, the appellate court found defendant's 85 year sentence for armed robbery disproportionate to the crime, and remanded for re-sentencing.

On January 14, 2010, the court re-sentenced the defendant as per the Fifth Circuit Court of Appeal on count #1 to 50 years imprisonment at hard labor, concurrently, count #2 to 10 years, concurrently, count #3 to 10 years, consecutively, with a total of 60 years imprisonment at hard labor. *State v. Williams*, 8 So.3d 3, 08-556 (La. App. 1/13/09); writ denied, 21 So.3d 298, 2009-330 (La. 11/6/09).

Petitioner again requests that the court re-sentence him. He argues that his sentence is illegal as he never had a pre-sentence investigation.


As this court has previously ruled, a procedural bar to relief is LSA.-C.Cr.P. art. 881, which provides that a sentence cannot be amended once the defendant has begun serving that sentence. Under the provisions of LSA-C.Cr.P. art. 881, the trial court can only amend a felony sentence which is ordered without hard labor.

Additionally, the court finds no illegality in petitioner's sentencing. This court previously re-sentenced petitioner in accordance with the Fifth Circuit's remand order. Furthermore, the terms of petitioner's sentencing are within the statutory parameters provided. As a matter of law, the petitioner is not entitled to relief.

Accordingly,

**IT IS ORDERED BY THE COURT** that petitioner's motion be and the same is hereby **DENIED.**

Gretna, Louisiana this 15 day of NOVEMBER, 2024.

  
JUDGE

**PLEASE SERVE:**

DEFENDANT: Eric Williams, DOC # 478201, Louisiana State Penitentiary, Angola, LA 70712

Thomas Butler, Appeals Division, District Attorney's Office, 200 Derbigny Street, Gretna, LA 70053

SERVICE RETURN

TWENTY FOURTH JUDICIAL DISTRICT COURT  
PARISH OF JEFFERSON  
STATE OF LOUISIANA

NO. 02-3223

DIVISION "E" RECEIVED

STATE OF LOUISIANA

NOV 21 2024

VERSUS

ERIC WILLIAMS

WFP SO

FILED: November 15, 2024

*Sharon Butler*  
DEPUTY CLERK

OS ORDER

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Gretna, Louisiana this 15 day of November, 2024.

*J.A. [Signature]*  
JUDGE

**PLEASE SERVE:**  
DEFENDANT: Eric Williams, DOC # 478201, Louisiana State Penitentiary, Angola, LA 70712

Thomas Butler, Appeals Division, District Attorney's Office, 200 Derbigny Street, Gretna, LA 70053

ISSUED: 11/15/2024 13:57:43



11/15/2024 13:57:43 CERTIFIED TRUE COPY - Pg:1 of 1 - Jefferson Parish Clerk of Court - ID:

IMAGED DEC 09 2024

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DATE: 11/25/24          DPS&C CORRECTIONS SERVICES          CINQMAS
TIME: 08:54:10663     CAJUN II - MASTER RECORD INQUIRY          SCREEN 1 OF 3
                       P E R S O N A L   D A T A
LAST NAME...: WILLIAMS          FIRST...: ERIC          MI:
SUFFIX.....:                   ADDRESS: 1805 WEST MINISTER
CITY.....: MARRERO            STATE...: LA          ZONECODE:
ZIPCODE.....:                   PHONE.....:
RACE.....: BLACK              SEX.....: MALE
BIRTH DATE...: 04/22/1977      BIRTH CITY: NEW ORLEANS
BIRTH STATE...: LOUISIANA      DOC NUMBER: 00478201
CVNR.....: DNR: Y TEST DATE: 20040219  STRIKE: NO
TRANSFER DATE: 03/30/2022     SUPV: A          REASON...: ADMN
ASSIGNED LOC.: RAYBURN CORR CENTER  PHYS. LOC: RAYBURN CORR CENTER
DETAINER.....:                   NCIC FLASH: NO      WARRANT...:
TOTAL DOC.....: 0600000        P&P MAX.....:
FTD DATE.....: 05/02/2056      ECC DATE.....:
GTPS DATE...: 07/13/2041     GT ACT: ACT1099    GT DATE...: NOT ELIGIB
PAROLE ELG DT: 04/22/2022     PROB EXP...:
EMER CONTACT.: BARBARA WILLIAMS    PHONE.....: ( ) -
STATUS: ACTIVE ONLINE        ALIAS: YES        AGENT:
PRECLASS STATUS: P          XMIT FROM HERE-->-
F2=RETURN TO MENU  F3=PREV. SCREEN  F4=CINQPRE  F5=CINQALIAS  F6=C0FNPRO  F7=STRIKE

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On the 25th day of November 2024  
after making a careful and diligent search for  
the defendant (no William)

as per instructions of Attorney for Plaintiff,  
and being unable to locate him or anyone to  
legally represent him in the Parish of West  
Felicia, Louisiana, I therefore, Now return  
the within copy

To the office J. J. Johnson Clerk of Court, Parish of  
J. J. Johnson without service

J. J. Johnson  
Deputy Sheriff, West Feliciana Parish

*Subject is at Rayburn  
Cementation*

SUSAN M. CHEHARDY  
CHIEF JUDGE

FREDERICKA H. WICKER  
JUDE G. GRAVOIS  
MARC E. JOHNSON  
STEPHEN J. WINDHORST  
JOHN J. MOLAISSON, JR.  
SCOTT U. SCHLEGEL  
TIMOTHY S. MARCEL

JUDGES



FIFTH CIRCUIT  
101 DERBIGNY STREET (70053)  
POST OFFICE BOX 489  
GRETNA, LOUISIANA 70054  
[www.fifthcircuit.org](http://www.fifthcircuit.org)

CURTIS B. PURSELL  
CLERK OF COURT

SUSAN S. BUCHHOLZ  
CHIEF DEPUTY CLERK

LINDA M. WISEMAN  
FIRST DEPUTY CLERK

MELISSA C. LEDET  
DIRECTOR OF CENTRAL STAFF

(504) 376-1400  
(504) 376-1498 FAX

**NOTICE OF DISPOSITION CERTIFICATE OF DELIVERY**

I CERTIFY THAT A COPY OF THE DISPOSITION IN THE FOREGOING MATTER HAS BEEN TRANSMITTED IN ACCORDANCE WITH **UNIFORM RULES - COURT OF APPEAL, RULE 4-6** THIS DAY **03/27/2025** TO THE TRIAL JUDGE, THE TRIAL COURT CLERK OF COURT, AND AT LEAST ONE OF THE COUNSEL OF RECORD FOR EACH PARTY, AND TO EACH PARTY NOT REPRESENTED BY COUNSEL, AS LISTED BELOW:

**CURTIS B. PURSELL**  
CLERK OF COURT

**25-KH-94**

**E-NOTIFIED**

24th Judicial District Court (Clerk)  
Honorable Frank A. Brindisi (DISTRICT JUDGE)  
Thomas J. Butler (Respondent)

**MAILED**

Eric Williams #478201 (Relator)  
Rayburn Correctional Center  
27268 Highway 21  
Angie, LA 70426