

Fifth Circuit Court of Appeal State of Louisiana

No. 26-KH-306

STATE OF LOUISIANA

versus

ERIC RICHARDSON

IN RE ERIC RICHARDSON

APPLYING FOR SUPERVISORY WRIT TO THE TWENTY-FOURTH JUDICIAL DISTRICT COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE JUNE B. DARENSBURG, DIVISION "C", No. 16-6969

TRUE COPY

July 31, 2026



LINDA TRAN
DEPUTY CLERK

Panel composed of Judges Stephen J. Windhorst,
Michael P. Mentz, Pro Tempore, and Timothy S. Marcel

WRIT DENIED

Relator/defendant, Eric Richardson, seeks review of the trial court's denial of his motion to correct illegal sentence.

Defendant was convicted and sentenced in 2018. His convictions and sentences were affirmed. State v. Richardson, 18-717 (La. App. 5 Cir. 9/4/19), 279 So.3d 501, writ denied, 19-1722 (La. 7/2/20), 297 So.3d 764.

Defendant filed this motion to correct illegal sentence on April 14, 2026, challenging the validity of his multiple offender stipulation based on his claim that the State failed to file a formal habitual offender bill of information. On April 28, 2026, the trial court denied defendant's motion. Defendant filed the instant writ application.

Upon review, we find that defendant's motion to correct an illegal sentence was properly denied. Defendant's motion did not point to a claimed illegal term in his sentence but rather challenged the manner in which the State instituted the habitual offender proceeding. Therefore, we find that defendant failed to raise a claim cognizable in a motion to correct an illegal sentence. Consequently, the "at any time" language of La. C.Cr.P. art. 882 does not apply to his motion, and the prescriptive period of La. C.Cr.P. art. 930.8 is applicable, resulting in an untimely application for post-conviction relief. Additionally, we find defendant's claim is repetitive and successive.

Accordingly, this writ application is denied.

Gretna, Louisiana, this 31st day of July, 2026.

SJW
MPM
TSM

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
GRETN, LOUISIANA 70054
www.fifthcircuit.org

CURTIS B. PURSELL
CLERK OF COURT

SUSAN S. BUCHHOLZ
CHIEF DEPUTY CLERK

LINDA M. TRAN
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 **07/31/2026** 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:

A handwritten signature in blue ink, reading "Curtis B. Pursell", is written over a horizontal line.

CURTIS B. PURSELL
CLERK OF COURT

26-KH-306

E-NOTIFIED

24th Judicial District Court (Clerk)
Honorable June B. Darensburg (DISTRICT JUDGE)
Thomas J. Butler (Respondent)

MAILED

Eric Richardson #125418 (Relator)
Dixon Correctional Institute
Post Office Box 788
Jackson, LA 70748