

NOT DESIGNATED FOR PUBLICATION

STATE OF LOUISIANA

COURT OF APPEAL

FIRST CIRCUIT

2006 CA 1529

CHRISTOPHER M. EDWARDS

VERSUS

STATE OF LOUISIANA

Judgment rendered: May 4, 2007

**On Appeal from the 19th Judicial District Court
Parish of East Baton Rouge, State of Louisiana
Suit Number 530,288; Division J (25)
The Honorable Curtis A. Calloway, Judge Presiding**

**Christopher M. Edwards
DeQuincy, LA**

**Plaintiff/Appellant
In Proper Person**

**Wendell C. Woods
Dept. of Justice –Litigation Div.**

**Counsel for Defendant/Appellee
Louisiana Parole Board
Baton Rouge, La.**

BEFORE: PETTIGREW, DOWNING AND HUGHES, JJ.

Handwritten notes:
C.M.E.
J.
⑧

DOWNING, J.

Petitioner, Christopher M. Edwards, an inmate in the custody of the Department of Public Safety and Corrections (DPSC), appeals a judgment dismissing his petition on the basis that he had stated no cause of action. We affirm the judgment of the trial court.

Edwards was incarcerated originally on June 19, 2002, due to a guilty plea to a fourth offense DWI. Edwards was originally sentenced to serve ten years, with eight of those years suspended. After serving fourteen months in custody he was released, but he was re-arrested on February 3, 2004, because he failed a drug screen.

The district court in Jefferson Parish revoked Edwards' parole on April 26, 2004.¹ Edwards filed for habeas corpus relief alleging that his custody was illegal based on an illegal revocation of his probation. The Commissioner's report states that Edwards acknowledged that he does not seek to challenge the revocation of his release on parole. Rather, he challenges the actions of his parole officer regarding the revocation of his probationary period by the Jefferson Parish District Court. The Commissioner's report further states that the Nineteenth Judicial District Court does not have jurisdiction to review another trial court's revocation of probation. Edwards' petition was then dismissed for no cause of action by the court *ex proprio motu* on grounds that it had no jurisdiction of this action. The district court also ordered that Edwards would not be allowed any opportunity to amend his suit since the instant defect in the pleading could not be removed by subsequent amendment. Judgment was signed November 16, 2005. Edwards now seeks review of that decision.

¹ The companion case 2006 CA 1430 states the date as April 16, 2004

We note the Motion to Reconsider the denial of Edwards' motion to supplement the record with a DOC regulation. However, since we concluded that the 19th Judicial District Court had not jurisdiction to hear the matter, the inclusion of the regulation would have no bearing on our determination. We therefore deny the motion to reconsider.

After a thorough review of the record and relevant jurisprudence, we find no error of law or abuse of discretion by the trial court. Therefore, we affirm the trial court's judgment by this summary disposition in accordance with Uniform Rules - - Courts of Appeal, Rule 2.16.2A(5). All costs associated with this appeal are assessed against petitioner, Christopher M. Edwards.

AFFIRMED