

NOT DESIGNATED FOR PUBLICATION

STATE OF LOUISIANA

COURT OF APPEAL

FIRST CIRCUIT

2010 CA 1318

JOSEPH ROUSSELL

VERSUS

**JAMES LEBLANC, SECRETARY,
LOUISIANA DEPARTMENT OF PUBLIC SAFETY &
CORRECTIONS AND LOUISIANA BOARD OF PAROLE**

Judgment Rendered: February 11, 2011

On Appeal from the 19th Judicial District Court
In and For the Parish of East Baton Rouge
Trial Court No. 585,571

Honorable Trudy M. White, Judge Presiding

Joseph Roussell
St. Gabriel, LA

Plaintiff/Appellant
In Proper Person

William L. Kline
Baton Rouge, LA

Counsel for Defendant/Appellee
Louisiana Department of Public Safety and
Corrections, et al.

BEFORE: PARRO, GUIDRY, AND HUGHES, JJ.

HUGHES, J.

This underlying basis of this appeal is a challenge to the validity and constitutionality of LSA-R.S. 15:571.5. Specifically, the appellant challenges the authority of the Department of Public Safety and Corrections to require good time parole supervision after an early release, demanding the release without supervision on the grounds that the statute violates due process, double jeopardy, and contract law. The jurisprudence is clear and has consistently upheld the constitutionality of LSA-R.S. 15:571.5. **Frederick v. Ieyoub**, 99-0616 (La. App. 1 Cir. 5/12/00), 762 So.2d 144, writ denied, 2000-1811 (La. 4/12/01), 789 So.2d 581 (rejecting substantive due process and equal protection challenges to LSA-R.S. 15:571.5); **State v. Duncan**, 98-1730 (La. App. 1 Cir. 6/25/99), 738 So.2d 706, 709-10 (holding that loss of previously earned good time credit does not constitute multiple punishment for the same offense and therefore does not constitute double jeopardy); and **Bancroft v. Louisiana Department of Corrections**, 93-1135 (La. App. 1 Cir. 4/8/94), 635 So.2d 738 (rejecting arguments of duress, ex post facto violation, and breach of contract). Accordingly, the judgment of the district court dismissing appellant's action is affirmed in accordance with URCA Rule 2-16.2(A)(2), (5), and (6). All costs of this appeal are assessed against the petitioner/appellant, Mr. Joseph Roussell.

AFFIRMED.