

NOT DESIGNATED FOR PUBLICATION

STATE OF LOUISIANA

COURT OF APPEAL

FIRST CIRCUIT

NO. 2010 CA 1479

STEPHEN WRIGHT

VERSUS

TIM WILKINSON, WARDEN,
LIBBY TIGNER, MONA HEYSE, LINDA RAMSEY
AND DEPARTMENT OF CORRECTIONS

Judgment Rendered: February 11, 2011.

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On Appeal from the
19th Judicial District Court,
In and for the Parish of East Baton Rouge,
State of Louisiana
Trial Court No. 579,703

The Honorable Wilson Fields, Judge Presiding

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Stephen Wright
Winnfield, LA

Plaintiff/Appellant,
In Proper Person

Jonathan R. Vining
Baton Rouge, LA

Attorney for Defendant/Appellee,
Louisiana Department of Corrections

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BEFORE: CARTER, C.J., GAIDRY AND WELCH, JJ.

CARTER, C. J.

The plaintiff/appellant, Stephen Wright, an inmate in the custody of the Louisiana Department of Corrections, filed a petition for judicial review of a final agency decision rendered under the Corrections Administrative Procedure Act, LSA-R.S. 15:1171-1179. Wright challenged the Department's calculation of his sentence, complaining that the Department credited him only one-half of the educational good time that he earned. Following *de novo* review, the district court adopted the Commissioner's May 24, 2010 report as its reasons for affirming the administrative decision and dismissing Wright's petition. Wright now appeals.

As set forth in the Commissioner's report, this court considered a similar challenge to the Department's method of crediting educational good time in **Estrade v. Stalder**, 06-0160 (La. App. 1 Cir. 5/4/07), 961 So.2d 492, and concluded that a day-for-day credit is not mandated by LSA-R.S. 15:828B. Herein, the Department's calculation of Wright's total good time credits includes sixty days of educational good time (the full amount that Wright contends he earned). The Department utilized the total good time credits to compute Wright's "must serve time." After review of the record herein, we agree with the Commissioner's analysis and conclude that Wright was credited with the full amount of good time credits earned.

Wright has filed a motion seeking to have this court impose sanctions on the named defendants for failing to submit a brief in response to his appeal. The motion is denied.

For the reasons set forth herein, we affirm the district court's judgment by summary opinion in accordance with Uniform Rules – Courts of Appeal, Rule 2-16.2A(2), (4), and (5). The motion for sanctions filed by

Wright is denied. All costs of this appeal are assessed against Stephen Wright.

JUDGMENT AFFIRMED; MOTION DENIED.