

No. 56,579-KA

ON REHEARING

COURT OF APPEAL
SECOND CIRCUIT
STATE OF LOUISIANA

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STATE OF LOUISIANA Appellee

versus

JOHN D. LaFLEUR Appellant

* * * * *

Per Curiam on Rehearing

Originally appealed from the
First Judicial District Court for the
Parish of Caddo, Louisiana
Trial Court No. 397,839

Honorable Donald E. Hathaway, Jr., Judge

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LOUISIANA APPEALS & WRIT SERVICE Counsel for
By: Holli Herrle-Castillo Appellant

JAMES E. STEWART, SR. Counsel for
District Attorney Appellee

ASHLIN N. THOMAS
ERIC M. WHITEHEAD
Assistant District Attorneys

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Before STONE, STEPHENS, ROBINSON, MARCOTTE,
and ELLENDER, JJ.

PER CURIAM.

Despite the silence of one penalty provision, R.S. 14:35.3 (L), with respect to the denial of benefits, another subsection, 14:35.3 (C), required the district court to impose “at least forty-eight hours of the sentence” without benefit of probation, parole, or suspension of sentence. *State v. Caldwell*, 56,269 (La. App. 2 Cir. 5/21/25), 411 So. 3d 934; *State v. Williams*, 56,351 (La. App. 2 Cir. 7/16/25), 416 So. 3d 943. On rehearing, we find the district court’s imposition of one year without benefits satisfied both portions of the statute. The original sentence is affirmed in its entirety.

**REHEARING GRANTED; ORIGINAL SENTENCE
AFFIRMED.**