

No. 41,245-KA

ON REHEARING

COURT OF APPEAL
SECOND CIRCUIT
STATE OF LOUISIANA

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STATE OF LOUISIANA

Appellee

versus

TOMMY LOUIS DAVIS

Appellant

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Per Curiam on Rehearing

Originally Appealed from the
Fourth Judicial District Court for the
Parish of Ouachita, Louisiana
Trial Court No. 04F0937

Honorable Benjamin Jones, Judge

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W. JARRED FRANKLIN
Louisiana Appellate Project

Counsel for
Appellant

JERRY L. JONES
District Attorney

Counsel for
Appellee

STEPHEN T. SYLVESTER
Assistant District Attorney

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Before BROWN, STEWART, GASKINS, CARAWAY, and MOORE, JJ.

PER CURIAM,

We deny the State's application for rehearing. We note that this court's opinion remanded for the State to show defendant's actual discharge date. We direct the parties to the Texas DOC pen-pack and PSI. Both indicate that defendant's case was transferred to Louisiana, and the "subject expired on 04/29/1997."