

NOT DESIGNATED FOR PUBLICATION

STATE OF LOUISIANA

COURT OF APPEAL

FIRST CIRCUIT

NO. 2010 CA 1612

BILLY SELF

VERSUS

STEVE RADER, WARDEN

Judgment Rendered: June 10, 2011

On Appeal from the
19th Judicial District Court,
in and for the Parish of East Baton Rouge
State of Louisiana
District Court No. 589,203

The Honorable R. Michael Caldwell, Judge Presiding

Billy Self
Jackson, La.

Petitioner/Appellant,
Appearing Pro Se

William Kline
Baton Rouge, La.

Counsel for Appellee,
Louisiana Department of Public
Safety and Corrections

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

CARTER, C.J.

Petitioner/Appellant, Billy Self, an inmate in the custody of the Louisiana Department of Public Safety and Corrections, appeals the district court judgment dismissing without prejudice his “Emergency Writ of Habeas Corpus” for lack of subject matter jurisdiction.

As thoroughly set forth in the commissioner’s screening recommendation, although titled as a request for habeas relief, the plaintiff actually asserts a time computation claim. Time computation claims must be brought pursuant to the Corrections Administrative Remedy Procedure (CARP). La. Rev. Stat. Ann. § 15:1171B. There is nothing in the record to establish the plaintiff exhausted his administrative remedies. An inmate who has not exhausted his available administrative remedies on a claim that falls within the scope of CARP shall have his request for relief dismissed without prejudice, as the district court lacks subject matter jurisdiction to consider the claim. La. Rev. Stat. Ann. §§ 15:1172C, 15:1184A(2); *Hull v. Stalder*, 00-2730 (La. App. 1 Cir. 2/15/02); 808 So. 2d 829, 833.

The plaintiff has filed with this court motions to supplement the record with documents that may prove he exhausted his administrative remedies. These documents are not part of the record created at district court, and because an appellate court can not receive evidence, the documents are not properly before us. *See Campbell v. Molton*, 01-2578 (La. 5/14/02); 817 So. 2d 69, 79.

For the foregoing reasons, the motions to supplement are denied, and the judgment of the district court is affirmed by summary disposition in

accordance with Uniform Rules-Louisiana Courts of Appeal, Rule 2-16.2(2),(4), and (5). Costs of this appeal are assessed to the plaintiff/appellant, Billy Self.

**MOTIONS TO SUPPLEMENT DENIED; JUDGMENT
AFFIRMED.**