

NOT DESIGNATED FOR PUBLICATION

STATE OF LOUISIANA

COURT OF APPEAL

FIRST CIRCUIT

NUMBER 2011 CA 0741

LESLIE JEFFERSON

VERSUS

JAMES LONGINO, COLONEL, AVOYELLES CORRECTIONAL CENTER;  
CHRISTOPHER FREDERICK, WARDEN, CALDWELL CORRECTIONAL  
CENTER; MICHELE DAUZAT, WARDEN, DAVID WADE CORRECTIONAL  
CENTER; JERRY GOODWIN, WARDEN, DAVID WADE CORRECTIONAL  
CENTER; AND JAMES LEBLANC, SECRETARY, DEPARTMENT OF  
PUBLIC SAFETY AND CORRECTIONS

Judgment Rendered: NOV - 9 2011

\*\*\*\*\*

Appealed from the  
Nineteenth Judicial District Court  
In and for the Parish of East Baton Rouge  
State of Louisiana  
Suit number 573,709

Honorable Kay Bates, presiding

\*\*\*\*\*

Leslie Jefferson  
Homer, LA

Appellant/Pro Se

Susan Wall Griffin  
Baton Rouge, LA

Counsel for Defendant/Appellee  
James LeBlanc

\*\*\*\*\*

BEFORE: WHIPPLE, KUHN, AND GUIDRY, JJ.

*July*  
*WJW*  
*JEK by [Signature]*

**GUIDRY, J.**

Leslie Jefferson, an inmate in the custody of the Department of Public Safety and Corrections (“DPSC”), appeals a judgment of the Nineteenth Judicial District Court, Parish of East Baton Rouge, which affirmed the DPSC’s decision in a disciplinary matter and dismissed Jefferson’s petition for judicial review. Based on our review of the record and applicable law, we affirm.

On August 23, 2008, Jefferson was housed at Caldwell Correctional Center. During a search of his bed and locker area, officials discovered two shirts worn by officers at Caldwell Correctional Center hidden inside a pillow in Jefferson’s locker. In a disciplinary report filed on the same date, Jefferson was accused of violating Rule 1-Contraband. The report also noted that Jefferson was transferred to Wade Correctional Center. Following a disciplinary board hearing, Jefferson was found guilty of violating Rule 1-Contraband. The board determined that the disciplinary report was clear and precise and found the investigating officer’s version to be more credible than the inmate’s version. The board imposed two penalties, a transfer to extended lockdown and forfeiture of 180 days of good time.<sup>1</sup>

After exhausting the administrative remedy procedures available to him without obtaining relief, Jefferson filed this petition for judicial review. After reviewing the administrative record and considering Jefferson’s arguments, the commissioner recognized that “a number of details regarding how the petitioner obtained the contraband and whether the contraband was to be used in an escape attempt are not contained in this record.” However, the commissioner noted that “the record is clear that the contraband was discovered in the petitioner’s housing

---

<sup>1</sup> Under DPSC rules governing disciplinary matters, “contraband,” any item detrimental to the security of the facility, is a “Schedule B” offense, for which discipline can include disciplinary detention/extended lockdown and forfeiture of up to 180 days good time. See La. Admin. Code 22:I.357(A)(2) and I.363(A) and (B).

area ... [and that] there is nothing in the record to indicate the contraband was left by another inmate or was planted by corrections officials.” Further, the commissioner noted that although Jefferson filed a discovery request for production of documents and interrogatories in the judicial review proceeding, as provided in La. R.S. 15:1177(A)(4), such a discovery request is not properly raised in a request for judicial review. Accordingly, the commissioner found no violation of Jefferson’s due process rights and therefore, recommended that the final agency decision be affirmed and that Jefferson’s request for judicial review be dismissed with prejudice. A judgment in accordance with the commissioner’s recommendation was signed by the district court judge on February 1, 2011.

Jefferson now appeals from this judgment, asserting that his due process rights have been violated, and that the penalties imposed by DPSC should be reversed. After a thorough review of the record, we find no error in the district court’s judgment. See La. R.S. 15:1177(A)(5) and (9). Accordingly, we affirm the judgment in accordance with Uniform Court of Appeal Rules 2-16.2(A)(2),(4),(5),(6) and (8). All costs of this appeal are assessed to Leslie Jefferson.

**AFFIRMED.**