

**NOT DESIGNATED FOR PUBLICATION**

STATE OF LOUISIANA

COURT OF APPEAL

FIRST CIRCUIT

NUMBER 2009 CA 0140

MARK C. LEACH

VERSUS

ROBERT HENDERSON, WARDEN, C. PAUL PHELPS CORRECTIONAL  
CENTER, AND CINDY HEBERT

**Judgment Rendered: June 12, 2009**

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Appealed from the  
Nineteenth Judicial District Court  
In and for the Parish of East Baton Rouge  
State of Louisiana  
Suit Number 557,417

Honorable R. Michael Caldwell, Presiding

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Mark C. Leach  
DeQuincy, LA

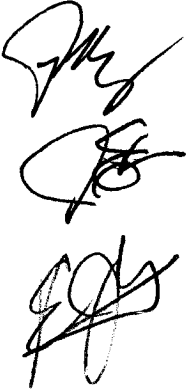
Pro Se

Debra A. Rutledge  
Baton Rouge, LA

Counsel for Defendant/Appellee  
Richard Stalder

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BEFORE: KUHN, GUIDRY, AND GAIDRY, JJ.



**GUIDRY, J.**

Mark Leach, an inmate in the custody of the Louisiana Department of Public Safety and Corrections (DPSC) at C. Paul Phelps Correctional Center, appeals from a judgment dismissing his petition for judicial review. For the reasons that follow, we affirm the district court's judgment.

On September 9, 2004, Leach was arrested and charged with possession and distribution of cocaine. Following his conviction, Leach was sentenced to serve six years, ten months and twenty-four days. From September 9, 2004 to September 21, 2006, the date of the last rule violation report that a forfeiture of good time was meted, Leach served 742 days in custody and earned 742 days of good time. See La. R.S. 15:571.3(A)(1). However, due to disciplinary reports received during that period, Leach forfeited 690 days of good time, leaving a balance of 52 days of good time earned as of September 21, 2006, and giving him an anticipated good time release date of January 12, 2008.

On December 27, 2006, Leach filed a request for administrative review, asserting that DPSC had forfeited more good time than he had earned and requested five months of good time be reimbursed that was wrongfully forfeited. When Leach's request for relief was denied, he filed a petition for judicial review of DPSC's decision. In a judgment dated July 30, 2008, the district court affirmed DPSC's decision and dismissed Leach's petition for judicial review.

From our review of the record, we find no error in the district court's judgment. The inmate good time balance sheet, submitted by DPSC, indicates that DPSC forfeited only good time that Leach had earned, and did not forfeit good time in excess of the amount actually earned. According to the balance sheet, as of May 5, 2005, the date of the first violation, Leach had a good time balance of 245 days. For each violation noted, the good time earned since the date of the previous violation was added to the running balance, and the forfeiture, if any, was then

deducted from that balance. There is no indication that the good time balance was ever less than the amount forfeited.

Further, according to La. R.S. 15:571.4(B)(4), forfeiture of good time may include up to a maximum of 180 days; however, none of the individual forfeitures of good time exceeded 180 days.

Accordingly, we affirm the district court's judgment in accordance with Uniform Rules--Courts of Appeal, Rule 2-16.1(B), and all costs of this appeal are assessed to Mark Leach.

**AFFIRMED.**