

NOT DESIGNATED FOR PUBLICATION

STATE OF LOUISIANA

COURT OF APPEAL

FIRST CIRCUIT

NO. 2010 CA 1166

RONNIE WILLIAMS

VERSUS

CARLA MAXWELL, RECORDS ANALYST, HUNT
CORRECTIONAL CENTER, AND LINDI RAMSAY,
DEPARTMENT OF CORRECTIONS

Judgment Rendered: February 11, 2011.

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On Appeal from the
19th Judicial District Court,
in and for the Parish of East Baton Rouge
State of Louisiana
District Court No. 582,618

The Honorable William Morvant, Judge Presiding

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Ronnie Williams
St. Gabriel, La.

Petitioner/Appellant,
Appearing Pro Se

William L. Kline
Baton Rouge, La.

Counsel for Defendant/Appellee,
James M. LeBlanc

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

CARTER, C.J.

The petitioner-appellant, prisoner Ronnie Williams, appeals the district court judgment affirming the Louisiana Department of Corrections's decision and dismissing his petition for judicial review of his administrative remedy procedure claim. Specifically, Williams maintains the district court erred in denying his request for additional good time credit, as he allegedly has worked 84 hours a week for the past ten years.

Certain inmates in the custody of the Department of Corrections who have been convicted of a felony may earn, in lieu of incentive wages, a diminution of sentence known as "good time." La. Rev. Stat. Ann. § 15:571.3. On September 23, 1994, Williams executed the "GOOD TIME RATE OPTION AND APPROVAL FORM," which specifically provides:

OFFENDER DOES WANT TO RECEIVE GOOD TIME AT THE RATE OF THIRTY DAYS FOR EVERY THIRTY DAYS IN ACTUAL CUSTODY PURSUANT TO R.S. 15:571.3.

In selecting the above option, Williams chose not to receive incentive wages, a matter he does not dispute. The department regulation Williams refers to in his brief (B-09-001, 9/20/2008) establishes the policy regarding the payment of incentive wages, not the accrual of good time. Williams failed to establish his entitlement to good time at a rate in excess of thirty days for every thirty days in actual custody.

For these reasons, the district court judgment, rendered in conformance with the commissioner's recommendation, is affirmed by summary disposition in accordance with Uniform Rules- Courts of Appeal, Rule 2-16.2(A)(2), (4)-(6). Costs of this appeal are assessed to the petitioner-appellant, Ronnie Williams.

AFFIRMED.