

NUMBER 06-1218

COURT OF APPEAL, THIRD CIRCUIT

STATE OF LOUISIANA

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VERSUS

DENNIS WAYNE BAKER

Amy, J., concurring in part and dissenting in part.

I join the majority in the affirmation of the defendant's conviction. However, I dissent in part as I would vacate the defendant's sentence due to the trial court's failure to impose the mandatory fine of La.R.S. 14:95.1. *See State v. Williams*, 00-1725 (La. 11/28/01), 800 So.2d 790. I would then remand for re-sentencing in accordance with the statute.