

**NOT DESIGNATED FOR PUBLICATION**

**STATE OF LOUISIANA**

**COURT OF APPEAL**

**FIRST CIRCUIT**

**2010 CA 1900**

**ERRICK JERMAINE ARCENEUX**

**VERSUS**

**THE LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND  
CORRECTIONS, ET AL.**

*AHB  
Guz*

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**On Appeal from the 19th Judicial District Court  
Parish of East Baton Rouge, Louisiana  
Docket No. 584,318, Section 28  
Honorable Trudy M. White, Judge Presiding**

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**Erick Jermaine Arceneaux  
Jackson, LA**

**Plaintiff-Appellant  
In Proper Person**

**William L. Kline  
Baton Rouge, LA**

**Attorney for  
Defendants-Appellees  
Louisiana Department of Public Safety  
and Corrections, et al.**

**BEFORE: PARRO, GUIDRY, AND HUGHES, JJ.**

**Judgment rendered May 6, 2011**

*Hughes, J., concurs.*

**PARRO, J.**

Errick Jermaine Arceneaux, an inmate in the custody of the Louisiana Department of Public Safety and Corrections, appeals the judgment of the district court, which dismissed his petition for an emergency writ of habeas corpus based on the court's lack of subject matter jurisdiction to review his complaint when he did not exhaust his administrative remedies under LSA-R.S. 15:1177, *et seq.* After a thorough review of the record and relevant law and jurisprudence, we find that the district court's reasons for judgment, as set forth in the commissioner's recommendation, adequately explain the decision. Because the district court had no subject matter jurisdiction, this court has no appellate jurisdiction and is required to dismiss the appeal without reaching the merits of the case. See Metro Riverboat Associates, Inc. v. Louisiana Gaming Control Bd., 01-0185 (La. 10/16/01), 797 So.2d 656, 663; see also LSA-C.C.P. art. 2162. Therefore, we dismiss the appeal in accordance with URCA Rule 2-16.2(A)(1). All costs of this appeal are assessed against the inmate-appellant.<sup>1</sup>

**APPEAL DISMISSED.**

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<sup>1</sup> Although the inmate's suit was brought *in forma pauperis*, the costs of an unsuccessful appeal may be assessed against him. See Hull v. Stalder, 00-2730 (La. App. 1st Cir. 2/15/02), 808 So.2d 829, 833 n. 3; see also LSA-C.C.P. art. 5188.