

Judgment rendered March 14, 2012  
Application for rehearing may be filed  
within the delay allowed by Art. 922,  
La. C.Cr.P.

No. 47,049-KA

COURT OF APPEAL  
SECOND CIRCUIT  
STATE OF LOUISIANA

\* \* \* \* \*

STATE OF LOUISIANA

Appellee

versus

ANTROWN DANGELO MCGARR

Appellant

\* \* \* \* \*

Appealed from the  
Fifth Judicial District Court for the  
Parish of Richland, Louisiana  
Trial Court No. F-2010-123

Honorable E. Rudolph McIntyre, Jr., Judge

\* \* \* \* \*

EDWARD MARQUET  
Louisiana Appellate Project

Counsel for  
Appellant

JOHN M. LANCASTER  
District Attorney

Counsel for  
Appellee

PENNY W. DOUCIERE  
K. DOUGLAS WHEELER  
Assistant District Attorneys

\* \* \* \* \*

Before WILLIAMS, STEWART and CARAWAY, JJ.

NOT DESIGNATED FOR PUBLICATION.  
Rule 2-16.3, Uniform Rules, Courts of Appeal.

PER CURIAM.

Our error patent review reveals the prematurity of this appeal caused by the trial court's failure to rule on defendant's pro se motion for new trial.

On March 24, 2011, the defendant was convicted of aggravated second degree battery and possession of a firearm by a convicted felon, and on June 21, 2011, he was sentenced to 10 years at hard labor for the aggravated second degree battery conviction and 15 years at hard labor, without the benefit of probation, parole or suspension of sentence, and a \$1,000.00 fine for the firearm conviction; 5 years of the sentence imposed for the aggravated second degree battery conviction is to run consecutively with the possession of a firearm conviction, and the remaining 5 years is to run concurrently with the possession of a firearm conviction.

The record does not indicate that the trial court has ruled on defendant's pro se motion for new trial filed on or about May 24, 2011.

Accordingly, the sentence imposed is hereby set aside and vacated and the matter is remanded to the trial court for further proceedings. The appellant may appeal any adverse rulings or any sentence. *State v. Jackson*, 614 So. 2d 783 (La. App. 2d Cir. 1993).