

Supreme Court of Mississippi.

Albert MOORE

v.

STATE of Mississippi.

No. 90-KA-0687.

Aug. 28, 1991.

Petitioner appealed from order of the Circuit Court, Hinds County, [William F. Coleman](#), J., denying motion for writ of habeas corpus. The Supreme Court, [Prather](#), J., held that the five-year probationary period for 15-year suspended portion of petitioner's 30-year sentence did not begin to run until the day he was released on supervised probation following discharge from the 15-year "to serve" portion of original sentence, and did not begin to run on the date of imposition of the original sentence; neither did the probationary period begin to run on the date the department of corrections released petitioner on parole; hence, subsequent offense was committed during period of probation and warranted revocation of suspended sentence.

Affirmed.