Fifth Circuit Court of Appeal
State of Louisiana

No. 25-KA-147

STATE OF LOUISIANA

versus

JARRED ROBICHAUX

ON APPEAL FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT
PARISH OF JEFFERSON, STATE OF LOUISIANA
NO. 23-184, DIVISION "P"
HONORABLE LEE V. FAULKNER, JR., JUDGE PRESIDING

December 15, 2025

JUDE G. GRAVOIS

JUDGE

Panel composed of Judges Susan M. Chehardy,
Jude G. Gravois, and Scott U. Schlegel

CONVICTIONS AFFIRMED; SENTENCES AFFIRMED IN PART AND VACATED IN PART; REMANDED WITH INSTRUCTIONS

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Honorable Paul D. Connick, Jr.
Juliet L. Clark
Thomas J. Butler

GRAVOIS, J.

Defendant, Jarred Robichaux, appeals his convictions and sentences for possession of a firearm while in possession of a controlled dangerous substance and possession of a firearm by a convicted felon, arguing the evidence was insufficient to support his convictions. For the reasons that follow, we affirm defendant's convictions and sentences, except that we vacate the portions of defendant's sentences that imposed financial obligations and remand this matter to the trial court for compliance with La. C.Cr.P. art. 875.1. Further, we remand this matter to the trial court for correction of the Uniform Commitment Order and sentencing minute entry, as discussed below.

PROCEDURAL HISTORY

On September 5, 2023, the Jefferson Parish District Attorney filed a bill of information charging defendant with possession of a firearm while in possession of a controlled dangerous substance (marijuana) in violation of La. R.S. 14:95(E) (count two) and possession of a firearm by a convicted felon in violation of La. R.S. 14:95.1 (count three).[1] Both counts were alleged to have occurred on or about January 4, 2023. At his arraignment on September 29, 2023, defendant pled not guilty.

Defendant filed pre-trial motions on February 27, 2024, including motions to suppress statement and evidence. Following a suppression hearing on February 28, 2024, the trial court granted the motion to suppress statement and denied the motion to suppress evidence.

On September 24, 2024, defendant proceeded to trial before a twelve-person jury.[2] On September 25, 2024, the jury found defendant

[1] The State also charged co-defendants Harvess Binford and Asyaa I. Perkins with possession of a firearm while in possession of a controlled dangerous substance (marijuana) in violation of La. R.S. 14:95(E) in counts one and two. Defendant filed a motion to sever the parties for trial on May 13, 2024, which was granted on June 26, 2024.

[2] The case originally proceeded to trial on September 23, 2024. However, after opening statements, defendant requested a mistrial, arguing the State referenced defendant's suppressed statement; the trial court granted the mistrial.

guilty as charged as to both counts. Defendant filed a motion for a new trial, which was denied after arguments on October 23, 2024. Thereafter, the trial court sentenced defendant to ten years imprisonment at the Department of Corrections on each count, to run concurrently with each other. The court waived fines, fees, and costs with the exception of a $45.00 indigent defense board fee, a $175.00 commissioner fund fee, and a $750.00 crime lab fee.[3] Defendant filed a Motion for Appeal on January 8, 2025, which was granted on that same date.[4]

FACTS

At approximately 11:30 p.m. on January 4, 2023, Officer Courtney Coleman with the Gretna Police Department observed a green Ford Expedition with an "inoperable brake light" on the passenger's side.[5] Officer Coleman initiated a traffic stop and approached the driver's side of the vehicle, where the window was down. As he approached the vehicle, he advised the driver, subsequently identified as defendant, of the traffic violation and asked him to roll the other windows down for safety, given their heavy tint. Officer Coleman testified that he immediately smelled the odor of marijuana.

In addition to defendant, there were three other occupants in the vehicle: a male in the front passenger seat and two females in the second row. Officer Coleman explained that the vehicle had two back rows of seats. He asked all of the occupants to step out of the vehicle.

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[3] The State filed a habitual offender bill of information against defendant on November 14, 2024. On November 19, 2024, defendant filed an "Objection to the Multiple Offender Bill of Information and Incorporated Motion to Quash." On January 8, 2025, the State withdrew the habitual offender bill.

[4] The Motion for Appeal provided that defendant was aggrieved by the trial verdict, the sentence, and the habitual offender hearing (which was dismissed by the State). It was not filed until January 8, 2025—more than thirty days after defendant was sentenced on October 23, 2024. Although the Motion for Appeal was untimely pursuant to La. C.Cr.P. art. 914, we will address defendant's appeal in its entirety to avoid "further useless delay." *See State v. Gilbert*, 23-121 (La. App. 5 Cir. 11/8/23), 377 So.3d 378, 384, *writ denied*, 23-1640 (La. 5/29/24), 385 So.3d 704.

[5] Officer Coleman testified that he told defendant his "headlight" was out due to his being nervous. He also testified that he referred to it as the "taillight" in the police report. He confirmed that the brake light appeared partially out on the bodycam footage.

Officer Coleman searched the vehicle and found a large bag of marijuana and clear sandwich bags in the center console. He also found an "AR style rifle"[6] with three loaded magazines attached to it, an additional bag of marijuana, and a black digital scale—all on the center floorboard in the third row of the vehicle. He testified that the marijuana and the firearm were found under a backpack and clothes.

Officer Coleman was equipped with a bodycam that recorded the traffic stop. The bodycam footage was played for the jury on mute while Officer Coleman testified. In the footage, Officer Coleman is seen pulling defendant's vehicle over and approaching it. He is then seen talking to defendant, who already has his window rolled down. All of the occupants exit defendant's vehicle, and Officer Coleman speaks with defendant near his police unit. Officer Coleman goes back to defendant's vehicle, searches the front driver's side, and then opens the back driver's side door and looks into the vehicle. He walks back to his police unit and retrieves gloves. He testified that he retrieved his gloves because it was protocol to handle firearms with gloves. Officer Coleman returns to defendant's vehicle, moves one of the back seats down, and retrieves a large firearm and a black backpack. He disassembles the firearm, removes the magazine and ammunition, and places the firearm on the driver's seat of his police unit. He subsequently looks in the front passenger seat, and a small bag of marijuana can be seen on the passenger seat.[7] Officer Coleman retrieves a large bag of green vegetable matter from the center console.

Officer Coleman stated that the owner of the vehicle was defendant's uncle, and the vehicle was registered to an address on Pace Drive in New Orleans. This was also defendant's last known address. Officer Coleman obtained a search warrant for defendant's DNA.

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[6] The firearm is later described as an "Anderson pistol." The DNA report identifies it as an "Anderson Manufacturing, model AM-15, 223 WYLDE caliber semiautomatic pistol."

[7] The view is partially obstructed, and it is unclear if the smaller bag of marijuana was retrieved from the back seat or the front seat. Officer Coleman testified that he discovered a bag of marijuana from the third-row floorboard.

Brian Schulz, a supervisor for the drug forensic section of the Jefferson Parish Sherriff's Office ("JPSO") crime laboratory, testified as an expert in the field of identification and analysis of controlled dangerous substances. He created a report in this matter in which he examined two bags of vegetable matter. He concluded that the bags were found to contain 288.10 grams of marijuana and .481 kilograms of marijuana, respectively.

April Solomon, DNA analyst with the JPSO's regional DNA laboratory, testified as an expert in the field of forensic DNA analysis. She prepared a DNA report in this matter and compared DNA buccal swabs from defendant and DNA swabs from the firearm. A DNA profile from the firearm was interpreted as being a mixture of DNA from four contributors. In comparison to defendant, the DNA obtained from the firearm was "at least a hundred-billion times more likely, if the DNA originated from [defendant] and three unknown contributors [than] if it originated from four unknown contributors." Ms. Solomon explained that this indicated very strong support that defendant was a contributor to the DNA obtained from the firearm. Though there were other unknown contributors, this did not exclude defendant as a contributor. Ms. Solomon explained that from the statistic of defendant's DNA, it was more likely that this would be consistent with "frequent use" of the object.[8]

Donna Quintanilla, latent print section supervisor at the JPSO crime laboratory, was qualified as an expert in the field of latent print examination and comparison. She compared a ten-print fingerprint card she took from defendant with fingerprints from defendant's May 23, 2012 St. Tammany conviction for simple burglary and a January 5, 2015 Orleans Parish conviction for possession with intent to distribute marijuana. After conducting a comparison from defendant's fingerprints that she took with each of the fingerprint sets from the prior convictions, she determined that the prints matched.

[8] Ms. Solomon also testified that her report shows that the DNA of Harvess Binford and Asyaa Perkins was also detected on the firearm.

LAW AND ANALYSIS

Sufficiency of the Evidence

In his only assignment of error, defendant challenges the sufficiency of the evidence as to both convictions. Defendant avers even if the State's evidence is viewed in the light most favorable to the State, it did not prove its case beyond a reasonable doubt.[9]

The question of sufficiency of the evidence is properly raised in the trial court by a motion for post-verdict judgment of acquittal pursuant to La. C.Cr.P. art. 821. *State v. Raines*, 24-177 (La. App. 5 Cir. 12/18/24), 410 So.3d 337, 345. In the instant matter, defendant did not file a motion for post-verdict judgment of acquittal. However, the failure to file a motion for post-verdict judgment of acquittal does not preclude appellate review of sufficiency of the evidence. *Id.*

The constitutional standard for sufficiency of the evidence is whether, upon viewing the evidence in a light most favorable to the prosecution, any rational trier of fact could find that the State proved all of the essential elements of the crime beyond a reasonable doubt. *Jackson v. Virginia*, 443 U.S. 307, 99 S.Ct. 2781, 61 L.Ed.2d 560 (1979); *State v. Gassenberger*, 23-148 (La. App. 5 Cir. 12/20/23), 378 So.3d 820, 829. This directive that the evidence be viewed in the light most favorable to the prosecution requires the reviewing court to defer to the actual trier of fact's rational credibility calls, evidence weighing, and inference drawing. *Id.* This deference to the fact-finder does not permit a reviewing court to decide whether it believes a witness or whether the conviction is contrary to the weight of the evidence.

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[9] Within his argument for sufficiency of the evidence, defendant asserts that the traffic stop in the case was pretextual and that the officers did not establish probable cause with their "on-again off-again testimony" about the lights on the vehicle, which was the reason for the stop. Defendant stated that the *Miranda* warnings "were so bad they led Judge Faulkner to take a disbelieving sarcastic tone." As discussed, the trial court suppressed the statement and denied the motion to suppress evidence. While defendant appears to be critical of the stop, asserts that there was no probable cause, and references "fruit of the poisonous tree," he does not brief or present any argument regarding suppression of the evidence. He also does not assign this as an assignment of error. *See* Uniform Rules Courts of Appeal, Rule 2-12.4; *State v. Blank*, 01-564 (La. App. 5 Cir. 11/27/01), 804 So.2d 132, 139 (Assignments of error that are neither briefed nor argued are considered abandoned on appeal.).

Further, a reviewing court errs by substituting its appreciation of the evidence and the credibility of witnesses for that of the fact-finder and overturning a verdict on the basis of an exculpatory hypothesis of innocence presented to, and rationally rejected by, the jury. *Id.* When addressing sufficiency of the evidence, consideration must be given to the entirety of the evidence, including inadmissible evidence which was erroneously admitted, to determine whether the evidence is sufficient to support the conviction. *State v. Tate*, 22-570 (La. App. 5 Cir. 6/21/23), 368 So.3d 236, 245.

Evidence may be direct or circumstantial. *State v. Robertson*, 22-363 (La. App. 5 Cir. 3/29/23), 360 So.3d 582, 590. When circumstantial evidence is used to prove the commission of the offense, La. R.S. 15:438 provides, "[A]ssuming every fact to be proved that the evidence tends to prove, in order to convict, it must exclude every reasonable hypothesis of innocence." *Id*. On appeal, the reviewing court does not determine if another possible hypothesis suggested by the defendant could afford an exculpatory explanation of the events. *State v. Williams*, 14-882 (La. App. 5 Cir. 5/14/15), 170 So.3d 1129, 1136, *writ denied*, 15-1198 (La. 5/27/16), 192 So.3d 741. Instead, the appellate court must evaluate the evidence in a light most favorable to the State and determine whether the possible alternative hypothesis is sufficiently reasonable that a rational juror could not have found proof of guilt beyond a reasonable doubt. *Id.*

The credibility of a witness is within the sound discretion of the trier of fact, who may accept or reject, in whole or in part, the testimony of any witness. *State v. Hutchinson*, 22-536 (La. App. 5 Cir. 8/18/23), 370 So.3d 769, 781, *writ denied*, 23-1296 (La. 2/27/24), 379 So.3d 662. In the absence of internal contradiction or irreconcilable conflicts with physical evidence, the testimony of one witness, if believed by the trier of fact, is sufficient to support a conviction. *Id.* at 782.

Defendant was convicted of possession of a firearm while in possession of a controlled dangerous substance in violation of La. R.S. 14:95(E) and possession of a firearm by a convicted felon in violation of La. R.S. 14:95.1.

At the time the offense was committed, La. R.S. 14:95.1 provided, in pertinent part:

> A. It is unlawful for any person who has been convicted of, or has been found not guilty by reason of insanity for, a crime of violence as defined in R.S. 14:2(B) which is a felony or simple burglary, burglary of a pharmacy, burglary of an inhabited dwelling, unauthorized entry of an inhabited dwelling, felony illegal use of weapons or dangerous instrumentalities, manufacture or possession of a delayed action incendiary device, manufacture or possession of a bomb, or possession of a firearm while in the possession of or during the sale or distribution of a controlled dangerous substance, or any violation of the Uniform Controlled Dangerous Substances Law which is a felony, or any crime which is defined as a sex offense in R.S. 15:541, or any crime defined as an attempt to commit one of the above-enumerated offenses under the laws of this state, or who has been convicted under the laws of any other state or of the United States or of any foreign government or country of a crime which, if committed in this state, would be one of the above-enumerated crimes, to possess a firearm or carry a concealed weapon.

To support a conviction under La. R.S. 14:95.1, the State must prove beyond a reasonable doubt that defendant had: (1) possession of a firearm; (2) a prior conviction for an enumerated felony; (3) absence of the ten-year statutory period of limitation; and (4) the general intent to commit the offense. With respect to the third element, the State must prove that ten years has not elapsed since the date of completion of the punishment for the prior felony conviction. *State v. Woods*, 23-41 (La. App. 5 Cir. 11/15/23), 376 So.3d 1144, 1156, *writ denied*, 23-1615 (La. 5/29/24), 385 So.3d 700.

With regard to proof of defendant's prior conviction, Ms. Quintanilla testified that defendant was the same person convicted of possession with intent to distribute marijuana on January 5, 2015, in Orleans Parish. The instant offense occurred on January 4, 2023. Because the State proved that defendant was the same person convicted of the previous offense and that it occurred within the ten-year statutory period, we find that this element was proven.

"Possession" includes both actual and constructive possession. *State v. Stewart*, 24-50 (La. App. 5 Cir. 10/30/24), 398 So.3d 812, 821, *writ denied*, 24-1445 (La. 2/19/25), 400 So.3d 931. A person is in "constructive possession" of a firearm if the firearm is subject to defendant's dominion and control. *Id*. A person's dominion over a weapon constitutes constructive possession even if it is only temporary in nature and even if control is shared. *Id.*

A defendant's mere presence in an area where a firearm was found does not necessarily establish possession. *Stewart*, 398 So.3d at 821. The State must also prove that the offender was aware that a firearm was in his presence and that the offender had the intent to possess the weapon. Guilty knowledge may be inferred from the circumstances and proved by direct or circumstantial evidence. The question of whether there is sufficient "possession" to convict is dependent on the facts of each case. *Id.*

In this matter, the State avers that the presence of defendant's DNA on the firearm established that he "actually possessed" the weapon, and its location in the same area of the vehicle as one of the bags of marijuana supports defendant's knowledge and constructive possession of both.

Upon review, we find that the State proved that defendant at least constructively possessed and had knowledge of the firearm under a totality of the circumstances. While it is possible that defendant may have actually possessed the firearm at some point due to his DNA being present, no evidence was provided regarding a timeline of when the firearm was actually possessed by him. While the record provides that multiple occupants were in the vehicle, and the firearm was not in close proximity to defendant (as he was the driver of the vehicle, and it was found on the floor of the third row of seats), we consider the size of the firearm in determining whether he had knowledge of it. Further, the testimony provided that the DNA results could reflect that defendant was a "frequent user." Additionally, while the vehicle was not registered to defendant, he was driving it, and the registered owner was his uncle, whose address matched defendant's. No evidence was

provided that anyone else in the vehicle claimed ownership of the firearm. We find that defendant exercised dominion and control over the vehicle and the contents inside of it.[10] As such, viewing the evidence in the light most favorable to the State, we find that a rational trier of fact could have found beyond a reasonable doubt that the evidence was sufficient to support defendant's conviction for a violation of La. R.S. 14:95.1.

As for La. R.S. 14:95(E), at the time the offense was committed, the statute provided, in pertinent part:

> E. If the offender uses, possesses, or has under his immediate control any firearm, or other instrumentality customarily used or intended for probable use as a dangerous weapon, while committing or attempting to commit a crime of violence or while unlawfully in the possession of a controlled dangerous substance except the possession of fourteen grams or less of marijuana, or during the unlawful sale or distribution of a controlled dangerous substance, the offender shall be fined not more than ten thousand dollars and imprisoned at hard labor for not less than five nor more than ten years without the benefit of probation, parole, or suspension of sentence. Upon a second or subsequent conviction, the offender shall be imprisoned at hard labor for not less than twenty years nor more than thirty years without the benefit of probation, parole, or suspension of sentence.

In order to convict a defendant of illegal possession of a weapon while in possession of a controlled dangerous substance pursuant to La. R.S. 14:95(E), the State must prove: "(1) that the defendant possessed within his immediate control a firearm or other instrumentality customarily intended for use as a dangerous weapon (2) while in possession of, during the sale, or during the distribution of CDS." *State*

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[10] *See State v. Jones*, 09-688 (La. App. 5 Cir. 2/9/10), 33 So.3d 306, 314-15, where this Court found that the defendant had constructive possession of a firearm found under the hood of the vehicle. Though the vehicle was registered to a family member, a traffic citation issued five months prior showed it was not the first time the defendant drove the vehicle. Also, a receipt in the defendant's name for repairs to the vehicle was found in an apartment where the defendant's belongings were found. This Court found the evidence showed the defendant exercised dominion and control over the vehicle.

v. Brown, 42,188 (La. App. 2 Cir. 9/26/07), 966 So.2d 727, 745, *writ denied*, 07-2199 (La. 4/18/08), 978 So.2d 347.

Analogous to the law regarding possession of a firearm, possession of a controlled dangerous substance may be established by showing that the defendant exercised either actual or constructive possession of it. *State v. Favorite*, 11-1075 (La. App. 5 Cir. 5/31/12), 97 So.3d 1057, 1063. A person can be found to be in constructive possession of a controlled dangerous substance if the State can establish that the person had dominion and control over the contraband, even in the absence of physical possession. *Id*. at 1064.

In *State v. Blanchard*, 99-3439 (La. 1/18/01), 776 So.2d 1165, 1174, the Louisiana Supreme Court held that "when a defendant is found to be in constructive possession of a firearm while simultaneously in possession of a controlled dangerous substance, the state must prove that there is a nexus between the firearm and the controlled dangerous substance." The State must prove some connection between the firearm possession and the drug offense. This connection may be established by the following evidence: (1) the type of firearm involved; (2) the type of controlled dangerous substance involved; (3) the quantity of drugs involved; (4) the proximity of the firearm to the drugs; (5) whether the firearm is loaded; and (6) any other relevant evidence. *Id.* at 1173.

Upon review, we find that in addition to being in constructive possession of the firearm, defendant was also in constructive possession of the marijuana found in his vehicle and the State proved a nexus between the firearm and the marijuana.

As discussed, marijuana was found in defendant's vehicle in the third row of seats with the firearm and a digital scale. A large bag of marijuana and clear sandwich bags were also found in the center console next to where defendant was located as the driver of the vehicle immediately before he was pulled over by Officer Coleman. While three other passengers were located in the vehicle, defendant still had dominion and control over the contents of it. Defendant was the driver of the vehicle, and while it was not registered to him, evidence provided

that it was registered to his uncle at the same address associated with defendant. No evidence was provided that anyone else in the vehicle claimed ownership of the marijuana. Additionally, Officer Coleman testified that he immediately smelled marijuana emanating from the vehicle when he walked up to the driver's side window. We find that it is very difficult to say that defendant would not have had knowledge of the marijuana in the vehicle if the smell of marijuana was emanating from it, as testified to by Officer Coleman.

As to the nexus between the firearm and the marijuana, the firearm involved was an "AR style rifle," which appeared to be a large rifle-style firearm, and evidence provided that the marijuana bags found in the vehicle weighed 288.10 grams and .481 kilograms, respectively. The smaller bag of marijuana was found next to the firearm and the digital scale in the third row of seats in the vehicle. The larger bag of marijuana was found in the center console next to where defendant had been seated. Additionally, "guns and drugs frequently go hand-in-hand." *See State v. Allen*, 15-231 (La. App. 5 Cir. 10/14/15), 177 So.3d 771, 781.

Considering the foregoing, we find that viewing the evidence in the light most favorable to the prosecution under the *Jackson* standard, a rational trier of fact could have found that the evidence was sufficient to convict defendant of possession of a firearm by a convicted felon and possession of a firearm while in possession of a controlled dangerous substance (marijuana). Accordingly, this assignment of error is without merit.

ERRORS PATENT REVIEW

The record was reviewed for errors patent according to La. C.Cr.P. art. 920, *State v. Oliveaux*, 312 So.2d 337 (La. 1975), and *State v. Weiland*, 556 So.2d 175 (La. App. 5 Cir. 1990). Upon review, we find the following errors.

Restriction of Benefits

The sentencing transcript reflects that the trial judge failed to order defendant's sentences on counts two and three to be served

without the benefit of parole, probation, or suspension of sentence, as mandated by La. R.S. 14:95(E) and La. R.S. 14:95.1. Likewise, the October 23, 2024 sentencing minute entry and uniform commitment order ("UCO") also reflect that the sentence was imposed without these restrictions. No corrective action is required, however, since under La. R.S. 15:301.1 and *State v. Williams*, 00-1725 (La. 11/28/01), 800 So.2d 790, a statute's requirement that a defendant be sentenced without the benefit of parole, probation, or suspension of sentence is self-activating. *State v. Fisher*, 19-504 (La. App. 5 Cir. 12/23/20), 307 So.3d 1204, 1227, *writ denied*, 21-130 (La. 5/4/21), 315 So.3d 219. Nevertheless, we remand this matter for correction of the sentencing minute entry and the UCO and direct the Clerk of Court for the 24th Judicial District Court to transmit the original of the corrected UCO to the institution to which defendant has been sentenced and to the Department of Corrections' legal department.

Post-Conviction Relief Advisal

The minute entry reflects that defendant was informed he had "two (2) years after judgement of conviction and sentence has become final to seek post-conviction relief." However, the sentencing transcript does not reflect that defendant was advised of the prescriptive period to seek post-conviction relief pursuant to La. C.Cr.P. art. 930.8. The transcript prevails. *See State v. Lynch*, 441 So.2d 732, 734 (La. 1983). It is well-settled that if a trial court fails to advise, or provides an incomplete advisal, pursuant to La. C.Cr.P. art. 930.8, the appellate court may correct this error by informing the defendant of the applicable prescriptive period for post-conviction relief by means of its opinion. *State v. Taylor*, 20-215 (La. App. 5 Cir. 4/28/21), 347 So.3d 1008, 1023. Accordingly, we now advise defendant by way of this opinion that no application for post-conviction relief, including applications that seek an out-of-time appeal, shall be considered if filed more than two years after the judgment of conviction and sentence has become final under the provisions of La. C.Cr.P. arts. 914 or 922.

Lack of Financial Hardship Hearing

The trial court waived defendant's court costs, fines, and fees with the exception of a $45.00 indigent defense board fee, a $175.00 commissioner fund fee, and $750.00 crime lab fee.

La. C.Cr.P. art. 875.1 requires the court to conduct a hearing to determine whether payment of any fine, fee, cost, restitution, or monetary obligation would cause substantial financial hardship to the defendant or his dependents. Upon review of the record, we find there is no indication that the trial court conducted such a hearing or that the judicial determination was waived. Accordingly, due to the requirements of La. C.Cr.P. art. 875.1, we vacate the financial obligations imposed on defendant and remand this case for compliance with La. C.Cr.P. art. 875.1. *See State v. Chest*, 24-199 (La. App. 5 Cir. 2/26/25), 406 So.3d 684, 701, *writ denied*, 25-387 (La. 5/20/25), 409 So.3d 222.

DECREE

For the foregoing reasons, defendant's convictions and sentences are affirmed, except that the portion of defendant's sentences that imposed a financial obligation is vacated and the matter is remanded to the trial court for compliance with La. C.Cr.P. art. 875.1. We also remand this matter for correction of the sentencing minute entry and UCO as set forth above.

CONVICTIONS AFFIRMED; SENTENCES AFFIRMED IN PART AND VACATED IN PART; REMANDED WITH INSTRUCTIONS

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NOTICE OF JUDGMENT AND CERTIFICATE OF DELIVERY

I CERTIFY THAT A COPY OF THE OPINION IN THE BELOW-NUMBERED MATTER HAS BEEN DELIVERED IN ACCORDANCE WITH **UNIFORM RULES - COURT OF APPEAL, RULE 2-16.4 AND 2-16.5** THIS DAY **DECEMBER 15, 2025** TO THE TRIAL JUDGE, CLERK OF COURT, COUNSEL OF RECORD AND ALL PARTIES NOT REPRESENTED BY COUNSEL, AS LISTED BELOW:

Curtis B. Pursell

CURTIS B. PURSELL
CLERK OF COURT

25-KA-147

E-NOTIFIED
24TH JUDICIAL DISTRICT COURT (CLERK)
HON. LEE V. FAULKNER, JR. (DISTRICT JUDGE)
CHRISTOPHER A. ABERLE (APPELLANT)
DARREN A. ALLEMAND (APPELLEE)
JULIET L. CLARK (APPELLEE)
THOMAS J. BUTLER (APPELLEE)

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