

Fifth Circuit Court of Appeal
State of Louisiana

No. 25-KA-494

STATE OF LOUISIANA

versus

LOUIS GORDON AKA VINCENT PARKER AKA LOUIS BROWN AKA LOUIS JONES

ON APPEAL THE TWENTY-FOURTH JUDICIAL DISTRICT COURT
PARISH OF JEFFERSON, STATE OF LOUISIANA
NO. 22-3157, DIVISION "B"
HONORABLE R. CHRISTOPHER COX, III, JUDGE PRESIDING

August 26, 2026

SUSAN M. CHEHARDY
CHIEF JUDGE

Panel composed of Judges Susan M. Chehardy,
Jude G. Gravois, and Marc E. Johnson

AFFIRMED

SMC
JGG
MEJ



COUNSEL FOR DEFENDANT/APPELLANT,
LOUIS GORDON

Caitlin T. Fowlkes

DEFENDANT/APPELLANT,
LOUIS GORDON

In Proper Person

COUNSEL FOR PLAINTIFF/APPELLEE,
STATE OF LOUISIANA

Honorable Paul D. Connick, Jr.

Thomas J. Butler

Darren A. Allemand

Matthew Whitworth

Lindsay L. Truhe

Sarah Helmstetter

CHEHARDY, C.J.

Defendant-appellant, Louis Gordon a/k/a Vincent Parker a/k/a Louis Brown a/k/a Louis Jones, appeals his convictions and sentences for second degree murder, conspiracy to commit second degree murder, possession of a firearm by a convicted felon, and obstruction of justice. For the following reasons, we affirm defendant-appellant Louis Gordon's convictions and sentences.

PROCEDURAL HISTORY

On July 14, 2022, a Jefferson Parish Grand Jury returned an indictment charging defendant, Louis Gordon a/k/a Vincent Parker a/k/a Louis Brown a/k/a Louis Jones, with second degree murder in violation of La. R.S. 14:30.1 (count one), conspiracy to commit second degree murder in violation of La. R.S. 14:26 and La. R.S. 14:30.1 (count two), possession of a firearm by a convicted felon in violation of La. R.S. 14:95.1 (count four), and obstruction of justice in violation of La. R.S. 14:130.1 (count five).¹ Gordon was arraigned and pled not guilty to all counts on September 22, 2022.

Jury selection began on April 7, 2025, and on April 17, 2025, the jury found Gordon guilty as charged on all counts. On May 28, 2025, he filed a Motion for Post Verdict Judgment of Acquittal, a Motion for Arrest of Judgment, and a Motion for New Trial, all of which the trial court denied on May 29, 2025. Also on that date, after waiving delays, Gordon was sentenced to life imprisonment at hard labor without parole on count one; thirty years imprisonment at hard labor on count two; twenty years imprisonment at hard labor without probation, parole, or suspension of sentence on count four; and forty years imprisonment at hard labor on count five. The judge ordered the sentences for counts one, two, and four to run

¹ Count 3 of the indictment, a violation of R.S. 14:28.1, Solicitation to Commit Murder, was returned only against co-defendant Monica D. Every. See companion appeal, *State of Louisiana v. Monica D. Every*, 25-KA-495.

concurrently with each other, and the sentence for count five to run consecutively to the life sentence on count one.

On June 4, 2025, Gordon filed a Motion for Reconsideration of Sentence, which the trial court denied that day. Also on June 4, 2025, Gordon filed a written Motion for Appeal, which the trial court granted on June 10, 2025. This appeal followed.

FACTS

This matter arose from a murder-for-hire scheme perpetrated by co-defendant Monica Every and defendant Louis Gordon. At trial, the State presented evidence that after Reginald Anderson, ex-boyfriend of Monica Every, broke up with Every on Christmas Day in 2021, Mr. Anderson subsequently moved into Charlene Jones's home at the Gatehouse Apartments. Every immediately began harassing both Mr. Anderson and Ms. Jones with the paid assistance of defendant Gordon. On January 27, 2022, Gordon drove his girlfriend Deja Walls's vehicle to the Gatehouse Apartments where he shot Ms. Jones. Cell phone information placed Gordon at the complex at the time of the shooting, and video footage placed Walls's vehicle in the immediate vicinity of the Gatehouse Apartments at approximately the same time. Gordon shot and killed Ms. Jones in the early morning hours of January 27, 2022, in exchange for money from Every. Gordon then traveled to Slidell to exchange the murder weapon with his brother. The weapon was never recovered. Neither Gordon nor Every have admitted to any involvement in the planning or execution of Ms. Jones's murder.

At trial, the State called numerous witnesses to provide evidence in support of the charges. Mr. Anderson testified that he met defendant Every, who did tax preparation, nine or ten years prior to the murder. At that time, he lived in Paulina and she lived in LaPlace. After being friends for some time, they became romantically involved. He described their relationship as "off-and-on." By the time

they had become involved romantically, he did not have anywhere to live because his residence had been impacted by a hurricane, and he moved in with Every. Mr. Anderson testified that he broke up with Every and left her home sometime around Thanksgiving 2021.

Initially, after leaving Every, Mr. Anderson remained in Paulina. He testified that he and Ms. Jones, whom he described as a close friend of seven years, went out one night, returned to her home, and she offered him a place to stay with her at the Gatehouse Apartments. Mr. Anderson and Every continued communicating for some time after he initially broke up with her at Thanksgiving, and Mr. Anderson testified that he and Every broke up for the last time on Christmas Day in 2021. Mr. Anderson testified that at the time of Ms. Jones's death, he considered Ms. Jones to be his girlfriend.

Gladys Jones (Gladys), Charlene Jones's aunt who was staying with her on December 26, 2021, testified that after Ms. Jones went to work early that morning, Gladys and her daughter heard a knock at the door. When Gladys answered, a woman whom Gladys did not know stated that she had relatives in town who were looking to have their hair done. The woman asked to speak with the resident who "kept her hair so well." Gladys told the woman that she must be referring to her niece, Charlene Jones, and that she would let Ms. Jones know that she came by. The woman asked to leave her contact information and wrote it on a lottery ticket. Gladys passed along the woman's information to Ms. Jones. Gladys testified that the woman did not provide the name Monica Every. Upon returning to the apartment and seeing the lottery ticket, Mr. Anderson, co-defendant Every's then ex-boyfriend, recognized the phone number as Every's. He texted her to ask why she had been knocking on the door.

On that same day, Mr. Anderson also testified that he received a text message from Keith Ambrose, a neighbor of Ms. Jones, urging him not to break up

with Every.² When questioned about the text at trial, Mr. Ambrose testified that had not sent the message, citing the numerous grammatical and misspellings as evidence that the text was sent by someone other than him.

As further evidence of Every's ongoing harassment of Ms. Jones, the State called two New Orleans Police Department homicide detectives, Walter Edmond and Sergeant Nicholas Williams. Both witnesses testified that on January 8, 2022, they received an anonymous Crimestoppers tip while they were conducting an ongoing investigation of the murder of a fifteen-year-old boy. The caller reported a suspect in possession of a weapon used in the recent homicide of an eleven-year-old boy in New Orleans East after Christmas. The caller relayed that Charlene

² The referenced text message reads:

Good evening Reggie this keith ambrose your daughter gave me your number I told her we knew each other and it was cool ! First i would like to apologize my ex called your call and started confusion and called your ole lady ! We not together! See i couldn't get her to nothing! she never have money she selfish and to be honest she just wanted to hurt her cause she said she can't stand that red b***h ! why i don't know ! so between us guys a lil jealousy involved! That was f**ked up ! Let me say this to you I spent my whole life looking for the right one to have my back and have money of her own ! Tired of broke a** women ! The Grocery store might be cool but you got a real lady who at the crib just about all the time ! o u got a smart one help me with my taxes ! We all make mistakes and we all backslide ! Take some time and get you together and then send your woman some flowers and make that up to her you don't have to say why u doing it ! Do what God lay y upon your heart ! If u want to pray with me we can ! See i hurt my first wife cheating many years ago , God brought me right back to Nikki i love her and i can't nor won't mess up again ! She the real deal ! I would like to teach u about the bible and pray with u brother ! Your lady was very hurt today and my God telling me to tell u to do the right thing and fix it and no body in the streets should be more important than your own lady that's your Queen ! I had bad bad luck with them slick a** girls ! Nikki the one for me ! People say things when then are upset and be hurt and provoke! I want to pray and teach the bible to you ! We almost 60 years old make it right with your woman and leave the extra stuff alone ! look i know we all know the bible but we do t know it all ! I changed for God and Nikki ; she always stand at my side ! Monica a good woman and she's a keeper don't lose your lady for them wicked women ! Make it right cause that's your main woman i am a pastor know and would like to see the pain and the hurt corrected ! Do what God lay upon your heart I just want to pray for y'all and talk to u ! I see them ladies out there they will keep u at they house cause they know u got someone in your life ! But i respect one thing about Mon , she said my beef is what my n***r not the Xxx I was so impressed! i pray with rich people and poor people ! She also said

Jones, a resident of the Gatehouse Apartments, had the weapon in the right-side bumper of her vehicle and was keeping it for her nephew, who was involved in the homicide. The caller alleged that Ms. Jones's daughter, Dominique Jones, knew of the weapon and was working with her nephew. The caller further explained that Ms. Jones was trying to get her nephew to retrieve the weapon, and that he was going to pick it up from her while she was working in customer service at a specified Wal-Mart. The caller described Ms. Jones's vehicle and stated that it would be parked outside the store. Detective Edmond went to the Wal-Mart, but the vehicle was not there. He then went to the Gatehouse Apartments complex, where the vehicle was initially absent, but returned later that day.

Detective Edmond testified that upon inspecting the vehicle, a dog alerted to the presence of ammunition or ballistics evidence. Detective Edmond then knocked on Ms. Jones's door. Detective Edmond and the other officers explained why they were there. Ms. Jones consented to a search of her vehicle, and a firearm was found taped to the engine block of the vehicle, however it was a different caliber than the one used in the New Orleans murder, and Ms. Jones was not arrested. The firearm was later determined to have been stolen in St. John the Baptist Parish. Detective Edmond then questioned Ms. Jones and recorded her statement. A portion of that recorded video statement was played for the jury.

In the published portion of the video, Ms. Jones told Detective Edmond that "crazy things" happened to her regarding a woman. She said that the woman was stalking her and calling her apartment complex to report that a man was staying at her house, which she denied. Ms. Jones explained that she did not know who the woman was. In response to the detective's questions, Ms. Jones acknowledged that the Acura vehicle was hers but that her daughter was Chanice, not Dominique. Detective Edmond explained to Ms. Jones why they were there, and that the dog alerted on her car. She denied owning a gun or having one in her car. She told the

police she was going to call them to report the woman. She reiterated that she did not know the woman but indicated that it was someone whom the man she was dating previously dated. Ms. Jones then identified the woman as “Monica Everett [sic].” She told the officers that she did not lock her car door because the button did not work. She then consented to a search of her vehicle.

Detective Edmond continued asking about Every, and Ms. Jones said she was calling Mr. Anderson. Ms. Jones told the detective about the incident after Christmas in which Every came to her home, which was corroborated by the testimony of her Aunt Gladys at trial.

After speaking to Ms. Jones, Detective Edmond spoke to Mr. Anderson. Every was identified by both as the person who may have called in the Crimestoppers complaint regarding the weapon found in Ms. Jones’s vehicle, and the woman who had come to Ms. Jones’s apartment after Christmas. In his recorded statement, Mr. Anderson denied planting the gun or trying to frame Ms. Jones.

Detective Edmond also testified that on January 10, he was notified that a female caller was calling the FBI building trying to provide information about a homicide in New Orleans East. The FBI gave Sergeant Williams the caller’s phone number, which he called. That subsequent conversation was recorded and given to Detective Edmond. As the information from that call was similar to the tip from Crimestoppers, Detective Edmond did not investigate that call further.

On January 27, 2022, the day of the murder, Deputy Andrew Chauvet, previously with the Jefferson Parish Sheriff’s Office (JPSO), responded to several 9-1-1 calls. The first 9-1-1 call was made at 4:52 a.m., and the police arrived five minutes later. In a call made at 4:55 a.m., an upset man stated that his girlfriend had been shot in a car at 310 East Gatehouse Drive. He said she was not breathing. He indicated he had been inside the apartment at the time it happened.

At that time, the Gatehouse Apartments utilized a single entrance and exit for vehicular traffic, monitored by a guard shack located to the right of the entry point and about twenty-five yards from the interstate service road. Access arms controlled both entry and exit, and residents used an automated tag system to open the gate in the center lane. A security guard staffed the shack, screening non-residents and recording each visitor's name, vehicle information, including license plate number and description, the resident being visited, and the date and time of entry. Guests and residents exited through one lane where the gate lifted automatically. If someone turned left out of the complex, the road was two-way, but if they turned right, the road was one-way.

Deputy Chauvet recalled that it was dark when he arrived around 5:00 a.m. He indicated that the vehicle the victim was in was not parked in a spot, and that the vehicle had traveled a short distance before coming to rest. Ms. Jones was in the driver's seat of the running vehicle with her foot on the brake. The driver's side car door was open. Ms. Jones was pronounced dead at the scene. The cause of death was three gunshot wounds, and her manner of death was determined to be a homicide.³ Deputy Chauvet stated there was a bullet exit wound to her left arm. There were five strike marks from bullets to the vehicle's rear passenger door and three in the back of Ms. Jones's seat.

At the scene, Deputy Chauvet spoke to Mr. Anderson. The interview was captured on his body-worn camera. Mr. Anderson identified himself as Ms. Jones's boyfriend and gave her address as 314A in the Gatehouse Apartments. In the video, Mr. Anderson was asked if he had any idea who would do this. He

³ Dr. Dana Troxclair with the Jefferson Parish Coroner's Office performed an autopsy on Ms. Jones. She explained that the fatal wound entered her outside left arm, exited, and re-entered her chest. Dr. Troxclair characterized the other two entrance wounds as irregular, which indicated that the projectiles went through intermediate objects before entering. She recovered three projectiles during the autopsy. Dr. Troxclair agreed that the injuries were consistent with a shooter standing behind Ms. Jones and holding the gun above her.

explained that they had been going through “some crazy stuff with [his] ex,” Monica Every. He explained that there had been a tip, that a gun was found in Ms. Jones’s car, and that someone tried to frame her. Mr. Anderson said he was lying in bed when he heard the gunshots. When he looked out the window, he saw Ms. Jones’s vehicle had moved. He told the deputy that another witness told him that she saw a dark-colored sedan. He provided the phone number of the witness to Deputy Chauvet.

At trial, Mr. Anderson explained that the morning Ms. Jones was killed, they both woke up around 4:30 a.m. They typically walked out of the apartment together in the mornings. She had to leave early that morning, but Mr. Anderson was not ready. He indicated that several seconds after she left, he heard gunshots. Mr. Anderson tried to call Ms. Jones, but there was no answer. He looked out the window and saw that her car was pulled away from her spot. Mr. Anderson ran outside. He observed holes in her car and called 9-1-1. Following the operator’s instructions, he opened the car. He saw that Ms. Jones was shot multiple times and was deceased. Mr. Anderson did not see Every at the scene or observe anyone fleeing. He denied killing Ms. Jones. Mr. Anderson testified that when the police asked if he knew who did it, he told them that he was having problems with Every.

JPSO Detective Scott Bradley was the lead detective. He and JPSO Detective Ryan Vaught attended the scene at the Gatehouse Apartments. The detectives spoke to Mr. Anderson and to Keith Ambrose, who lived at the Gatehouse Apartments. Mr. Anderson indicated to the detectives that he and Every broke up around Christmas. Detective Bradley testified that Mr. Anderson did not see the shooting but that he provided Every’s name as a potential perpetrator because she had been harassing him and Ms. Jones the month prior, leading them to change their phone numbers. Mr. Anderson showed Detective Bradley a text on his phone allegedly sent by Mr. Ambrose. He also told the detective that on

January 10, the police went to Ms. Jones's apartment regarding a firearm taped to her vehicle. The detectives recovered five 9 mm spent casings and Ms. Jones's cell phone from the scene. Detective Bradley also obtained video from Ron's Gumbo Shop. He explained that the video depicted a vehicle travelling south on North Causeway, turning onto the service road, and going toward the Gatehouse Apartments before the murder.

Detective Bradley also testified that he spoke to the complex's manager, who informed him that she received a fax from an unidentified sender on January 12 regarding Mr. Anderson's prior conviction. Detective Bradley testified that surveillance video from the Office Depot from which the fax was sent confirmed that Every entered the store on January 12, 2022. Detective Bradley stated that in Every's third statement, she admitted to sending the fax.

Detective Vaught testified that he interviewed Mr. Ambrose, and he learned that Mr. Ambrose knew Every because she did his taxes. Detective Vaught also testified that there were no suspects or persons of interest at that time.

The complex was canvassed door-to-door for surveillance cameras, but no footage was recovered. Mr. Anderson, whom Detective Vaught described as cooperative, was never placed under arrest.

Detective Vaught testified that the manager of the Gatehouse Apartments gave him access to the surveillance system, which was limited to the entrance and exit gates of the complex; the shooting was not recorded. Detective Bradley explained that when security guard Lester Coffman stepped away from his post, he left the gate arm raised. Detective Bradley testified that a Ford Fusion without a license plate entered the raised arm at 4:48 a.m., headlights indicated that the car went in the direction of Ms. Jones's apartment, and it exited at 4:52 a.m. Detective Bradley stated that the vehicle turned right on the service road. He stated the video did not show who occupied the vehicle.

Detective Vaught explained that through the surveillance videos, a Ford Fusion was identified as a vehicle of interest. The vehicle did not have a license plate, but it had an identifiable sticker that allowed the officers to use license plate readers and other surveillance video to identify the vehicle. Detective Vaught testified that the registered owner, Deja Walls, was identified, and that this initial evidence guided the investigation.

Detective Bradley researched Deja Walls and discovered that a dark colored Ford Fusion was registered to her. He searched the vehicle's license plate through license plate recognition cameras; he identified a printout of those results. The detective explained that in photographs prior to and after the murder the license plate was on the vehicle. Detective Bradley stated that the vehicle in those photographs and in the surveillance video from Gatehouse Apartments on the day of the murder had the same decal under the taillight on the driver's side. Detective Bradley then compared Walls's license plate to the Gatehouse visitor log and saw that on January 23, the vehicle entered the complex to see Mr. Ambrose. The detective said Every's daughter previously lived with Mr. Ambrose.

Detectives Bradley and Vaught testified that Every called Detective Bradley on February 9. At that time, the detectives had not yet contacted her and did not yet know defendant Gordon's name. Detective Bradley stated that Every told him she heard her name had come up in his investigation and that she wanted to speak to him. The detective stated Every did not want to go to the detective bureau, where her statement could be recorded. Instead, she wanted to meet at a coffee shop. Detectives Bradley and Vaught met her that same day. Once they met at the coffee shop, Detective Bradley explained to Every that they wanted to talk to anyone with knowledge of the murder or the victim. Unprompted, Every gave the detectives an alibi for the time of the murder and showed them surveillance footage from her home in LaPlace corroborating that she was there at the time. Detective Bradley

testified that Every showed them that on January 26, her front door was opened at 4:39 p.m. and closed a minute later. She indicated that it did not open again until 9:30 the next morning.

After Detective Bradley was able to identify the vehicle in question, an arrest warrant was obtained, and Walls was arrested at a hotel in New Orleans on February 25, 2022. Also present in the hotel room were Walls's mother, aunt, four children, and a friend. JPSO Detective Jesus Falcon testified that when Walls was arrested, a search warrant for her 2013 Ford Fusion with license plate number 941EXY was executed. The vehicle registration paperwork showed that it was registered to Deja Walls. A search warrant for the hotel room was also obtained. Two cell phones belonging to Walls were located and seized from the room. Detective Vaught authored search warrants for those phones. An iPhone 8 belonging to Walls's eight-year-old daughter contained a text message sent on January 26, 2022, sending Every's phone number to Walls's phone.

Walls was ultimately released into JPSO custody and transported to the Jefferson Parish Detective Bureau. Detective Bradley stated that in an interview, Walls told him that she loaned her car and her daughter's phone associated with the number ***-4226 to her boyfriend, Louis Gordon, at various times, including the night of the murder. Detective Bradley explained that this was the first time he heard defendant Gordon's name. Detective Bradley asked Walls if she knew Every. Walls responded that she knew her as Gordon's friend. Walls told him that Every would pay Gordon to do jobs such as putting voodoo dust around someone's car or planting a gun in a car. Detective Bradley testified that Walls told him that Gordon did an overnight stakeout at the Gatehouse Apartments. Walls told the detective that on the day of the murder, Gordon told her that he had a job to do for \$10,000. She later saw him that day with money. After the murder, she received

\$1,000 from Gordon's mother, and ultimately a total of \$1,500. Walls identified Every in a photograph, and identified Every and Gordon in court.

Walls described her relationship with defendant as a "boyfriend fling" of several months. She said she did not know Ms. Jones or Mr. Anderson. She indicated that she first met Every in passing when she dropped off Gordon to meet her. She also saw Every several times in passing on FaceTime. She explained that in January 2022, Gordon did not have a car and got around either with her or Every. Walls testified that she asked defendant who Every was because she was calling him while they were together. She said he told her that Every was "an older family friend that took at him while he was in jail." Walls testified that she ultimately learned that Gordon did "shady, underhanded stuff for payment from her." She clarified that he was doing "weird, violent, semi-violent things for her." Walls learned that Every paid Gordon to walk across someone's car, plant a gun by the tire of someone's car, and do something with voodoo ashes. She indicated that Gordon often returned with money from Every.

Walls further testified that before her eviction, she began lending her vehicle to Gordon. She stated that he used her vehicle on multiple occasions and that she allowed him access to it, with her permission, to carry out tasks for Every. She further acknowledged that he also used the vehicle to sell drugs. Walls explained that in January 2022, she had multiple phones, one of which was for her eldest daughter, who was then eight years old. Walls testified that Gordon had his own phone when they met but he lost it, so he used her daughter's phone until she got him a "government phone." Walls recalled a day when she and Gordon went to meet Every in Kenner. She stayed in the car while they went into a phone store, but they did not leave with a phone. That day, Walls went to Wal-Mart and got Gordon a "government phone" so that her daughter could get her phone back.

Walls further testified that one night while they were in Slidell, Every repeatedly called Gordon. She overheard Every confront Gordon that he was not the same with Walls, and that he was not “about making no money.” She said Every told Gordon that he was not doing what she asked him to do. Walls recounted that Gordon replied that Every did not know what he did.

Walls testified that she and Gordon discussed her long-term living arrangements, and he told her that he would give her a set amount of money to get a rental home. She explained that Gordon had an opportunity to make \$10,000 for a big job for Every and that he needed a stolen car. Walls admitted that she knew Gordon always carried a firearm.

Walls testified that she had never been to the Gatehouse Apartments, despite her license plate appearing in the apartment’s logbook on January 23, 2022. She indicated that Gordon must have been driving her vehicle that day. She denied ever removing the license plate from the car, and said she never saw Gordon do so. She admitted that she recalled a time in January when she and Gordon went to her aunt’s house because he was looking for black clothes, and they left with some.

Walls testified that on January 26, 2022, she expected to be financially saved because she was expecting money from Gordon via his mother. She said she last saw her car that day when she parked it at the hotel where she was staying. She said Gordon left in the car alone. She stated that when she saw Gordon on January 27, he told her that he needed to go to his mother’s house, take a shower, switch clothes, and switch guns. She explained that he went to his mother’s house and did as he said. She stated he stopped at the store and then picked her and her children up from the hotel. Walls recalled that her car had its license plate at that time, and Gordon appeared normal. They then dropped the children off, picked up a friend, and returned to the hotel to swim. As she was changing, Gordon left with Every to retrieve payment. She and her friend later picked him up at a Walgreens, where he

was with his brother. She testified that Gordon had a lot of cash and a pound of “weed.” She testified that Gordon was not paid in full, and that there were issues about the money between Every and Gordon because it was not full payment.

Walls explained that ultimately the rest was paid with a check, which she offered to deposit into her bank account. Instead, Gordon said his mother would handle it.

Walls recalled that when she met up later with Gordon, he was planning a trip to Mississippi. Her mother obtained a rental car for him to get there. Walls testified that the last time she saw Gordon was after they switched cars with the rental car. She indicated that they were supposed to meet back up again, but that Gordon called her and said he was leaving town. Walls explained that she was upset by the change because he was supposed to give her money. Walls indicated that she later received \$1,500 in cash from his mother. She testified that when Gordon did not return with her mother’s rental car, she called his probation officer.

Walls testified she was later arrested for second degree murder at a hotel. Her car with its license plate was there. She was transferred to Jefferson Parish, where she told detectives that they were looking for Every. She acknowledged that she also told the police that she “smoked a lot of weed that day” and took pills. She said she lied when she told the police she had trouble remembering details. Walls acknowledged that although she told the police that Gordon stole the car, he actually paid for the rental. Walls identified a photographic lineup that the police showed her and indicated that it showed Gordon’s friend who had introduced them. She identified Every and Gordon in two other photographic lineups.

Detective Bradley corroborated what Walls told officers—that after the murder, Gordon brought the gun he used to his mother’s house to trade with his brother. Detective Bradley also testified that Walls told him that two days after the murder, Gordon left town in a vehicle Walls’s mother rented for him.

Detective Bradley further testified that an arrest warrant for Monica Every was obtained on February 26, 2022, on the charge of murder. Every was arrested that day at her home in St. John the Baptist Parish and transported to the criminal investigations bureau to be interviewed by Detectives Bradley and Vaught. After being advised of her rights, Every agreed to speak to the detectives.

In that interview, Detectives Bradley and Vaught elicited information from Every regarding the events that led up to the murder. Every initially said she did not remember faxing the apartment complex about Mr. Anderson, then indicated that she “probably” did it. She said Mr. Anderson, in text exchanges, accused her of calling, so then she called. She did not remember calling Keith Ambrose, or how she knew where Ms. Jones lived. Every told the detectives that she takes insulin three to six times a day and does not remember things. When asked how often she has instances where she does not remember things, Every stated it was a lot. Every indicated she did not remember calling Crimestoppers regarding a gun associated with Ms. Jones’s vehicle. She said she had never been to Ms. Jones’s apartment or on the property. She was shown a photograph and asked to identify the individual. At that point, Every asked to call her attorney, and the interview ended.

Detective Bradley testified that Every indicated in her interview that she had never been to the Gatehouse Apartments. This contradicted the apartment’s log as the log showed her car entered the apartment complex the day before the Crimestoppers tip was made. Detective Bradley stated the last photograph he showed Every during that interview was of her co-defendant Gordon. After the interview, Every was processed into the St. John the Baptist Parish jail facility to await extradition to Jefferson Parish and was later transported to Jefferson Parish.

Detective Jesus Falcon executed a search warrant for Every’s residence. A Mercedes with license plate number 909EHM was in the driveway. Detective Bradley testified that there was evidence in Every’s home that corroborated her

obsession with Mr. Anderson. Prayer cards were found on a table in the garage. A picture in the residence also showed Mr. Anderson's ID, and the cover sheet for his conviction packet was also found in the living room. He explained that various documents, such as a checkbook and bank documents, were recovered from a cabinet. The mailing address on some of those documents contained the name Ashlea Banks, Every's name, and Every's address. Detective Bradley stated that documents in the house showed that Banks and Every had attempted to obtain funding together.

Detective Falcon found a bag of black salt in the living room. He explained that a Spanish label on it stated it was black salt to have your bad neighbors go away. Two red bags were labeled red brick dust. Detective Falcon read from that bag, "Put a line of red brick dust in front of your doorway or threshold. No one that means you harm may cross over the dust. This red brick dust can also be used in mojo bags for added protection." A cell phone was collected. A photograph of Every and a man along with pages of yellow paper were collected from the bedroom. Detective Falcon testified that mail and papers were found in the primary bedroom bearing Mr. Anderson's name, and an address that was not Every's address. He stated there was a document from Regions Bank showing a deposit for \$31,000. The customer's name was Reggie's Electrical. A Gulf Coast Bank check was also found in the primary bedroom. Five additional prayer cards were collected from the primary bedroom. Detective Falcon stated that a pair of men's underwear and women's underwear tied together were found under the mattress. Inside the master bathroom, various candles were found. Multiple candles said, "Law stay away" and another stated, "protection against wrong, bad things" in Spanish.

Detective Vaught and Detective Sergeant Donald Clogher subsequently met with Every again on March 2, 2022, at her request. During that interview,

Detective Vaught asked about a photograph he had showed Every previously. Every stated it showed Walls's boyfriend, Louis, but that she did not know his last name. She met him through her sister and had been in contact with him through her sister while he was in jail. Every said she met Walls at Every's sister's party, and that Walls was always asking for money. Every stated that Walls asked what kind of work Mr. Anderson did, and Every told Walls that he did not work. Every told the detective that Walls asked if Mr. Anderson would pay ransom to them if they said they agreed to kidnap Every. Every said she told Walls that he would not pay. Every clarified that Walls did not say who else would be involved, and that she made it into a joke. When Every was asked about her relationship with her co-defendant Gordon, she stated she met him through her sister and that it was not romantic. Every explained that Walls thought she had slept with Gordon, but that Every's sister was "fooling with him." She explained that Gordon would ask them for rides to his other girlfriend. Every said she mostly talked to Walls and occasionally communicated with Gordon. Every stated that Gordon told her that he and Walls were kicked out of their apartment and asked if they could stay with her. Every said she told him no because she just "redid" her house. Every told the detective that Walls had gone "crazy" when she thought Every was sleeping with Gordon.

In the interview, Detective Vaught summarized the evidence he had obtained. Every indicated that Walls told her she had a friend at the police department, who told them "the lady's"⁴ license was suspended. Every told Detective Clogher in the course of the interview that she did not know why she was arrested. He then related the Crimestoppers tip incident. Every responded that Walls told her that the person Mr. Anderson was staying with was not a good person, and Every admitted that she made the Crimestoppers call. She said that she

⁴ This reference was to the victim, Ms. Charlene Jones.

gave Crimestoppers information that Walls told her. Every stated that Walls did not know Ms. Jones or Mr. Anderson. She guessed that Walls asked her police contact about them but could not explain why Walls would do so. Every indicated that she did not ask Walls how she knew Ms. Jones had a gun under her bumper.

During that same interview, Every confirmed that she faxed the apartment complex information regarding Mr. Anderson's prior conviction, and that she told Keith Ambrose about it. When asked about a text she sent from Keith Ambrose's phone where she identified herself as Ambrose, Every stated that she was "selling" herself and that it was not a crime.

Every denied giving co-defendant Gordon money beyond \$120 for a cell phone, and further denied giving him or his mother a check. When asked to whom she gave a check made out to cash for \$4,000, Every stated that she does not write checks. Detective Clogher indicated that he had such a check. Every said that if she wrote a check, it was to fix her house. Every agreed that she once picked up Gordon from a hotel to bring him to see a girl. She said Gordon did not tell her about the murder, and that she never believed he was involved.

Every identified Ashlea Stewart as her best friend and said they owned a house together that they were repairing. A detective told her that there was a \$4,000 check written to Ashlea. Every said it was a deposit slip. She was later told by the detective that she wrote a check to Ashlea, which she denied. Every ultimately agreed that she wrote Ashlea a check from her Navy Federal account, but indicated that it was unrelated to these events.

Detective Bradley obtained an arrest warrant for Louis Gordon on February 25. Officers went to his house on February 28, but he was not there. Defendant's mother, Melanie Gordon, and his brother, Vincent Parker, were there.

Detective Bradley testified that the 9 mm murder weapon used to kill Ms. Jones was not found in the house. Detective Bradley spoke to Ms. Gordon, who

acknowledged that Gordon gave her a Capital One check dated January 29 from Every to cash for him in the amount of \$4,000. The detective identified the check and stated it had the name Ashlea Stewart as signatory. Detective Bradley stated that Ashlea Stewart told him she wrote the check to Every to pay for cabinets.

Ms. Gordon stated that her son Louis Gordon had a female friend, Walls, with four children. Detective Bradley testified that Ms. Gordon told him that she gave \$1,500 to Walls, which he confirmed via her bank records. Although she initially recalled a time when Walls brought her a check to cash, on cross-examination, she testified that Gordon gave her the check, and that she gave the cash to Walls for her mother's rental vehicle, and for Walls and Gordon to get an apartment together. While she recalled the check was made out to cash, Ms. Gordon stated she did not see the signatory name on the check.

Ms. Gordon said she went to Capital One and cashed the check for \$4,000. Ms. Gordon denied telling the police that her son Louis Gordon got the check from Every, but did admit that she told the detectives that when Gordon called her about cashing the check, he was "talking to whoever the lady was whose house that he did." Ms. Gordon identified herself in a video of her statement to detectives.

Defendant Louis Gordon was ultimately arrested under his brother's name (Vincent Parker) in Florida. Sergeant Keller and Detective Bradley went to Florida on March 3 to speak to him. Defendant Gordon's interview was recorded.

In that interview, Gordon said he was released from prison around Christmas 2021 and although he was initially paroled to his mother's house, he then went to stay with "Nee", later indicated to be Jonice Bates. Gordon denied knowing Every. He was shown two photographs, and said he did not know who one depicted, and that the other depicted "Dee", later clarified to be Deja Walls.

Gordon indicated that he knew Kendrick, whom Detective Bradley stated was related to the woman in the photograph Gordon denied knowing. Gordon was

informed that Walls claimed he used her car nightly to make money. Gordon indicated that he was with Nee, who would confirm his whereabouts. He asserted that Walls permitted him to use her car only when she believed he would earn money, and he denied that he ever lent it to anyone else. Gordon stated that after his phone broke, he would borrow Walls's daughter's phone so that Walls could track him and make sure he was not cheating. He denied using that phone to communicate with the unidentified woman shown in the photograph and repeatedly denied knowing her.

Detective Bradley then explained to Gordon that he knew Walls's car and her daughter's phone were at the scene of the homicide. He explained that the woman in the other photograph was communicating with that phone right before the homicide, and that Walls and that woman were not connected. Gordon said he stopped using Walls's daughter's phone and obtained his own government phone.

Detective Bradley told Gordon that both women in the photographs had been arrested. He explained that Walls established that Gordon would meet the woman in the other photograph. As he tapped the picture, Detective Bradley stated, "This woman here. This woman has problems, okay? She's a liar and manipulator and she puts people in positions that ruin their lives." Detective Bradley said that she did it to Gordon, and to other people before him. Detective Bradley indicated that Walls had said that Gordon would "go off and do stupid crazy s**t for this woman." Gordon denied throwing voodoo dust on cars or planting a gun for Every.

During the interview, Gordon denied getting any money from the unidentified woman in the photograph. Detective Bradley asked Gordon about a \$4,000 check he gave his mother. He stated his friend Dominique Jones from Detroit gave him the check for money she owed him. Detective Bradley told defendant that his mother and Walls said it came from Every. Gordon continuously

stated he was not protecting Every, that he did not know her, and that he never got a check from her.

Detective Bradley told Gordon that there were texts on Walls's phone showing that Every was looking for Gordon. Sergeant Steven Keller, also present at the interview, informed Gordon that he knew everything happened because Every's ex-boyfriend, Mr. Anderson started dating Ms. Jones, and that Every had tried to ruin Ms. Jones's life. He said that Every took advantage of Gordon after he was in jail for ten years. Detective Bradley stated that the tasks she asked of him started small, and Gordon continued to deny knowledge. Sergeant Keller explained that surveillance cameras captured Walls's car at the apartment complex at various times, including two days before Ms. Jones was killed, and "the night of the homicide." Gordon said Nee's grandmother would confirm that he was at her house every day in January. He denied swapping guns with his brother in Slidell "the next morning" after Walls told him "not to do anything in her car," and he ultimately texted her "it's up." Gordon stated he was being framed. When presented with information provided by Walls and the evidence against him, Gordon continued to deny everything.

The detectives briefly left the interview room. After they returned, Gordon continued to deny having Walls's car or her daughter's phone the day of the murder. Sergeant Keller stated that Gordon denied any knowledge or involvement in the murder, as well as denying knowing Every or having met her. He told Gordon that this was inconsistent with phone records that showed that he communicated with her device. Sergeant Keller stated that Every, in her final statement, admitted that she knew Gordon.

Detective Bradley testified that according to her bank account, Every withdrew \$4,000 in cash on the day of the murder; he said that she wrote a check

for \$4,000, which she gave to Gordon's mother. He testified that Ms. Gordon had cashed that check for her son Louis Gordon.

Detective Dustin Ducote with the JPSO digital forensics unit testified that he performed phone extractions on eight cell phones in this case. Detective Ducote explained that Ms. Jones's phone contained a picture of a lottery ticket that stated "Cookie," "hair did," and Every's phone number. Detective Ducote indicated that on December 26, Every's Facebook account repeatedly contacted Ms. Jones.

Mr. Anderson's phone was also seized, and Detective Ducote did an extraction of the phone to obtain its contents. Detective Bradley read a text on Mr. Anderson's phone from December 26 at 4:17 a.m. that stated, "So I playing games by that b***h Charlene." He explained that a minute later, a text stated, "I knew you were still playing with the old b***h dog." At 4:20 a.m. there were two texts; one said Ms. Jones's name, and the other said, "wow." The detective read a text from 4:26 a.m. that stated, "So you picked an argument with me to go play by Charlene, wow, you love me, wow." A text several minutes later stated, "Charlene, old broke down ass old b***h who hang in the streets like you, you talk a good game but never changed, God sit high and look low." The detective read the following text from 4:35 a.m.: "You blocked her but you took your black ass over there and f**ked that old b***h. You not going to change so you said you changed and lied again and again, then you talk about God." He agreed that the person then sent a picture of Ms. Jones.

Detective Bradley testified that at 9:52 p.m. on December 26, Mr. Anderson sent a text that stated, "So you went and knock on someone's door today." He stated the number associated with Every replied, "Did you see me?" Detective Bradley also testified that Mr. Anderson said Every also contacted him from two additional phone numbers, neither of which had subscriber information.

Detective Bradley identified the text Mr. Anderson received on December 26, 2021, at 9:50 p.m., that stated it was from Keith Ambrose. The e-mail address associated with the account that sent the text was MonicaEvery25@yahoo.com. Detective Bradley explained that Mr. Anderson's phone contained voicemails from December 26, 2021, at 4:32 a.m. and 4:33 a.m., as well as January 12, 2022, at 1:27 p.m.

Two phones were associated with Walls: ***-9371, which belonged to her, and ***-4226, which was her daughter's. Detective Bradley testified that on January 27 at 3:11 a.m. Walls's phone number called her daughter's phone number. The cell tower data indicated that Walls's phone was in downtown New Orleans when the call was made; the detective said this was consistent with her statement.

Detective Ducote performed an extraction of Every's physical phone associated with number ***-9587. Detective Bradley looked at records for a number associated with Every, ***-7055. He indicated that around the time of the murder, that phone was communicating with Walls's daughter's phone (***-4226).

Walls testified that at the time of the homicide, Gordon had her daughter's cell phone and the government phone she got him. Detective Bradley indicated that Walls's phone showed it was texting her daughter's phone at 2:05 a.m. on January 27, 2022. That text read, "Please don't do nothing in my car; don't bring nobody back with you; then you keep rushing me off the phone." The same text was sent again at 2:14 to Gordon's phone. The detective stated that Gordon's phone responded, "LOL IK that." Then, at 2:58 a.m., she sent him "You still not done." Detective Bradley explained that at 5:50 a.m., which was after the murder, defendant texted Walls money signs, and a text that said, "It's up."

There were five calls between ***-7466 associated with Gordon and Every's number the day of the murder. Detective Bradley explained that when defendant

was arrested, a cell phone associated with ***-7466 was seized from him and its information extracted. Detective Bradley obtained a search warrant for phone number ***-4226, associated with Walls's daughter.

Sergeant Anthony Buttone plotted the coordinates of cell site information for ***-7466 associated with defendant and ***-4226 associated with Walls's daughter's phone. Gordon's phone pinged at the Gatehouse Apartments at 4:51 a.m. on the day of the murder. The number associated with Walls's daughter was also at the Gatehouse Apartments "the night of the murder" and was in proximity to Gordon's phone. At 4:54 a.m. that morning, Gordon's cell phone was moving away from the complex toward New Orleans. At 6:00 a.m., his phone was moving toward Slidell. The phones traveled in unison from the scene of the murder to Slidell. Sergeant Buttone agreed that the cell phone records corroborated Walls's testimony that Gordon had the phone with the number associated with Walls's daughter and his phone at the murder scene, and then traveled to Slidell after the murder to get rid of the murder weapon.

Detective Bradley addressed communication between Walls's phone and one of Every's phone numbers. He explained that at 8:05 a.m. on the day of the murder, Walls texted Every that "he's here." Every replied, "He's playing games." At 10:27 a.m., Walls texted Every that "he's on his way to Broad Street." The Detective said this was one of the locations Walls said Gordon went to get money from Every.

Detective Bradley said that on February 4, Walls's phone texted Gordon saying, "You just had bands when you did what you want and gave me a thousand to get a house, boy, don't blame me." Walls told the detective that she got \$1,000 from Gordon's mother. Gordon responded that he was going to give her another \$500. Detective Bradley provided that on January 31, 2022, four days after the murder, Walls texted Gordon to call his mom to see if she could cash the check.

Detective Bradley spoke to Keith Ambrose about the text he allegedly sent to Mr. Anderson, and Mr. Ambrose denied it. Detective Bradley said the number it was sent from was registered to Every. Detective Bradley testified that Mr. Ambrose told him that Every called him. She asked him to report to the Gatehouse Apartments' office that Mr. Anderson was living on the property and that he was a murderer.⁵ The detective explained that in her third statement, Every admitted that she sent the text to Anderson. The detective obtained Mr. Ambrose's phone records, which showed Every repeatedly called him on January 14, 2022.

Lester Wheeler testified that in 2022, he worked in home renovations under his company, Let Us Help. In January 2022, he agreed to do Every's bathroom cabinets and countertops for Gordon. Mr. Wheeler stated that Gordon brought him \$3,200 to purchase the cabinets and countertops. He explained that he bought the items and sent his workers to deliver and install them. Mr. Wheeler said that he previously had paperwork regarding this transaction but that he could not find it after "gutting" his house due to storm damage.

Gordon took the stand and testified that in December 2021, he lived with his mother in Slidell. He stated that he was helping Walls out. Gordon explained that after an incident with Walls's "baby daddy," he was just friends with Walls. He stated that Walls wanted more with him and became vindictive. Gordon testified that Walls had even tried to get his probation revoked by calling his probation officer after he failed to return the rental car that her mother had procured for him.

⁵ Mr. Ambrose testified that he received multiple calls from a woman on January 14, 2022, and he spoke with her three times. During the second call, Mr. Ambrose realized that the caller was Every when she asked about his taxes. According to Mr. Ambrose, during the first call Every provided Mr. Anderson's name and apartment number and claimed he had killed someone. Mr. Ambrose gave the information to the apartment complex's front office. In the third call, he informed Every that he relayed the information.

DISCUSSION

Defendant Louis Gordon contends that the evidence was insufficient to prove his identity. He also asserts that the evidence was circumstantial and based on the testimony of an unreliable witness. He argues that because the State failed to prove his identity as the gunman on the charge of second degree murder, it failed to establish his guilt for the other offenses. Defendant explains that there was ample evidence to suggest that Mr. Anderson was the perpetrator. He concludes that his convictions should be vacated.

The State points out that defendant does not contest the elements of the offenses but rather his identity. It explains that Walls's alleged unreliability goes to her credibility, not to sufficiency. The State asserts that there was sufficient evidence beyond Walls's testimony to support the convictions. 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. Williams*, 24-567 (La. App. 5 Cir. 9/24/25), 423 So.3d 93, 99. Here, defendant filed a Motion for Post Verdict Judgment of Acquittal, a Motion for Arrest of Judgment, and a Motion for New Trial, challenging the sufficiency of the evidence.

In reviewing the sufficiency of the evidence, an appellate court must determine that the evidence, whether direct, circumstantial, or a mixture of both, viewed in the light most favorable to the prosecution, was sufficient to convince a rational trier of fact that all of the elements of the crime have been proven beyond a reasonable doubt. *Jackson v. Virginia*, 443 U.S. 307, 99 S.Ct. 2781, 61 L.Ed.2d 560 (1979); *State v. Martin*, 24-233 (La. App. 5 Cir. 2/26/25), 406 So.3d 702, 713-14. Under the *Jackson* standard, a review of the record for sufficiency of the evidence does not require this Court to determine whether the evidence at the trial established guilt beyond a reasonable doubt, but rather whether, upon review of the whole record, any rational trier of fact would have found guilt beyond a reasonable

doubt. *State v. Gilmore*, 24-552 (La. App. 5 Cir. 8/27/25), 421 So.3d 1039, 1052.

When addressing the sufficiency of the evidence, consideration must be given to the entirety of the evidence, including inadmissible evidence that was erroneously admitted, to determine whether the evidence is sufficient to support the conviction. *State v. Reed*, 24-329 (La. App. 5 Cir. 4/2/25), 413 So.3d 1166, 1177, *writ denied*, 25-561 (La. 9/10/25), 415 So.3d 1277.

Circumstantial evidence consists of proof of collateral facts and circumstances from which the existence of the main fact can be inferred according to reason and common experience. *State v. Salvant*, 24-205 (La. App. 5 Cir. 3/19/25), 411 So.3d 74, 88, *writ denied*, 25-485 (La. 9/16/25), 416 So.3d 473. When circumstantial evidence is used to prove the commission of the offense, La. R.S. 15:438 provides, “assuming 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. Ford*, 24-197 (La. App. 5 Cir. 2/26/25), 406 So.3d 652, 668, *writ denied*, 25-356 (La. 5/20/25), 409 So.3d 216. 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 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. *Martin*, 406 So.3d at 714. 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. *Id.* 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. *Salvant*, 411 So.3d at 88.

Encompassed within proving the elements of an offense is proving the identity of the defendant as the perpetrator. The State is required to negate any reasonable probability of misidentification to carry its burden of proof. *Williams*, 423 So.3d at 100. Positive identification by only one witness is sufficient to support a conviction. *Ford*, 406 So.3d at 668.

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. Ellis*, 25-96 (La. App. 5 Cir. 10/29/25), 426 So.3d 120, 128. Additionally, the resolution of conflicting testimony rests solely with the trier of fact, who may accept or reject, in whole or in part, the testimony of any witness. *Gilmore*, 421 So.3d at 1052. Thus, 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.*

Defendant was charged with and convicted of second degree murder in violation of La. R.S. 14:30.1 (count one), conspiracy to commit second degree murder in violation of La. R.S. 14:26 and La. R.S. 14:30.1 (count two), possession of a firearm by a convicted felon in violation of La. R.S. 14:95.1 (count four), and obstruction of justice in violation of La. R.S. 14:130.1 (count five). On appeal, defendant does not contest the sufficiency of the evidence as to the essential statutory elements of the offenses. Rather, defendant argues the State failed to prove his identity as the perpetrator of the offenses.

Text messages sent by Walls on the morning of the incident corroborated her testimony that defendant was driving her car at the time of the murder. That car, which did not have a license plate at the time, was seen entering the apartment

complex at 4:48 a.m. Detective Bradley stated that its headlights indicated that the vehicle went in the direction of Ms. Jones's apartment. Walls's vehicle then sped out of the complex at 4:52 a.m., the same time the first 9-1-1 call was made. Walls testified that on the morning of the murder, defendant had his phone and her daughter's phone. In attempts to reach him that morning, she texted both phones. Both phones were present at the scene of the murder as it was occurring. The phones then traveled together to Slidell, where defendant's mother and brother lived. Walls testified that defendant told her he was going to Slidell to trade guns with his brother.

Walls testified that defendant was completing a job worth \$10,000 for Every on the day of the murder. At 5:50 a.m., Gordon sent Walls a text of money signs and suggested that he finished the job. There were five calls that day between Every and defendant. On the day of the murder, Every withdrew \$4,000 in cash. Walls saw defendant that day with a lot of money and a pound of "weed", but stated he was not paid in full at that time. Walls and Ms. Gordon both testified regarding a check Gordon received from Every for \$4,000 that was cashed for him.

Considering the cumulative nature of the evidence offered by the State, we conclude that there was sufficient evidence, including Walls's testimony and the other corroborating physical evidence, that defendant was the perpetrator of the murder and associated offenses. It appears the jury heard the witnesses' testimony and found the State's witnesses credible. We therefore conclude that a rational trier of fact could have found that the evidence was sufficient under the *Jackson* standard to identify Gordon as the perpetrator, and to support his convictions of second degree murder, conspiracy to commit second degree murder, possession of a firearm by a convicted felon, and obstruction of justice.

ASSIGNMENT OF ERROR NUMBER TWO

Louis Gordon is constitutionally entitled to a jury comprised of twelve competent jurors. The trial court committed reversible error in declining to dismiss a juror observed to be sleeping during the testimony of various critical State witnesses and was thus not a competent juror.

DISCUSSION

Defendant argues that the court committed reversible error by declining to dismiss a juror who was observed by both counsel and the judge periodically asleep during testimony he described as critical. Defendant asserts that the error was not harmless and that his convictions should be vacated.

The State avers that while the issue was brought to the judge's attention, counsel did not move to remove the juror, and therefore, the claim is not preserved. Alternatively, the State contends that the juror did not sleep during a substantial portion of the trial and that the judge did not abuse his discretion.

On April 11, 2025, the judge recessed trial at 12:43 p.m., and the jury went to lunch. After the lunch break, defense counsel stated, "Judge, I have a couple of issues. The first thing is Juror No. 12, I notice, was kind of in and out, looked like he was sleeping." After the prosecutor questioned if there was a juror number twelve, the judge said, "Matthew Follis, yes." Every's counsel explained that he was likely the juror who was trying to work at night. Defendant's counsel then addressed an unrelated issue.

On April 14, 2025, Every's counsel asked to approach the bench after he finished cross-examining a witness, but before defense counsel's cross examination. The following exchange occurred:

MR. VICKNAIR [Every's counsel]: On the second row on your end, I think that's the gentlemen that --

MS. JACKSON [Every's counsel]: -- he's still sleeping --

MR. VICKNAIR: -- had all the paperwork.

THE COURT: Mr. Follis?

an opportunity to correct the alleged error. *State v. Brown*, 23-1715 (La. 12/13/24), 397 So.3d 321, 326.

In *State v. Fluker*, 618 So.2d 459, 464 (La. App. 4th Cir. 1993), the defendant complained on appeal that the trial court erred in not declaring a mistrial when a juror was admonished about being asleep during jury instructions. The court explained, “Shortly after the trial judge commenced instructing the jury, he stated: Ask the young lady next to you to sit straight up. I am going to have to hold you in contempt of Court [sic] for sleeping during instructions.” The court found that there was no request by either defendant or the State that a mistrial be declared or that the sleeping juror be replaced by the alternate juror. The court stated that there was nothing in the record indicating how long the juror had been asleep, the sleeping juror was not identified, and there was no further reference to the juror being held in contempt. The Fourth Circuit concluded that because the defendant made no objection to the juror remaining on the panel, there was no basis for reviewing any alleged error. *Id.* at 464.

In *State v. Sterling*, 13-287 (La. App. 5 Cir. 12/12/13), 131 So.3d 295, 305, *writ denied*, 14-65 (La. 8/25/14), 147 So.3d 698, the defendant argued that the trial judge erred in failing to replace a sleeping juror with an alternate prior to deliberations at the request of defense counsel. This Court explained that after the jury was instructed and just before it retired for deliberations, defense counsel requested a side-bar. He said he wanted the record to reflect that when the trial judge stopped during the jury charges and addressed a juror, Mr. Freeman, it was because the juror was “nodding off.” Defense counsel and the State added that the juror was “nodding off” in their closing arguments as well. The trial judge agreed and said the juror “nodded off” several other times during trial, including *voir dire* and when he was sitting out in the hall, but noted that defense counsel and the State still chose him. This Court provided that when the trial judge again asked defense

counsel what he wanted to do about it, he replied that he did not know. The trial judge stated that she did not see the juror sleeping for any extended period of time and that usually someone nudged the juror when he was sleeping. Defense counsel asserted that he did not know if the juror was falling asleep during the trial because he could not see him from where he was sitting. The trial judge said that at one time, while the jury was passing around the exhibits, she thought she saw the juror sleeping. The trial judge subsequently stated that she did not know for sure whether the juror was actually asleep during the taking of evidence and, therefore, she was not going to remove him at that time. *Id.*

In *Sterling*, we explained that although the juror was observed “nodding off” during *voir dire*, the viewing of exhibits, the jury instructions, and closing arguments, he was not observed sleeping during a substantial part of the trial or during the taking of evidence at trial. Further, the defendant did not request a hearing to determine whether the juror was actually sleeping or unable to perform his function. This Court stated that even if the juror briefly dozed off, this would not be *per se* proof that he was unable to perform his duties, or that he should be disqualified, and thus, there would be no legal cause for removing him. Moreover, we found that the defendant did not promptly bring the matter to the court’s attention, as he objected just prior to deliberations, even though he saw the juror asleep during *voir dire*. *Id.* at 306. This Court determined that the trial judge did not err in not removing the juror.

Here, as in *Sterling*, we find that the matter was not properly preserved. The first time the issue was mentioned, defendant did not make any kind of motion or request any action. The second time the juror was mentioned, it was Every’s counsel that brought the matter to the court’s attention. While defendant’s counsel stated this was the “same objection” he previously made, the record shows that he did not object. Regardless, the judge addressed the juror, and the issue was not

