

Fifth Circuit Court of Appeal
State of Louisiana

No. 25-KA-495

STATE OF LOUISIANA

versus

MONICA D. EVERY

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

September 02, 2026

JUDE G. GRAVOIS
JUDGE

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

AFFIRMED

JGG
SMC
MEJ

TRUE COPY



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MONICA D. EVERY

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GRAVOIS, J.

Defendant, Monica D. Every, appeals her convictions and sentences for second degree murder, conspiracy to commit second degree murder, and solicitation for murder. For the following reasons, we affirm defendant's convictions and sentences.

PROCEDURAL HISTORY

On July 14, 2022, a Jefferson Parish Grand Jury returned an indictment charging defendant 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), and solicitation for murder in violation of La. R.S. 14:28.1 (count three).¹ Defendant was arraigned and pled not guilty on July 18, 2022.

Jury selection began on April 7, 2025; on April 17, 2025, the jury found defendant guilty as charged on all counts. Thereafter, defendant filed Motions for Post Verdict Judgment of Acquittal or For New Trial, which were denied on May 29, 2025. Also on May 29, 2025, after waiving delays, defendant was sentenced to life imprisonment at hard labor without parole on count one, thirty years imprisonment at hard labor on count two, and twenty years imprisonment at hard labor on count three. The judge ordered that the sentences run concurrently.

Defendant filed a Notice of Intent to Take Appeal and Request for Appointment of Counsel on June 3, 2025, which was granted the same day. On June 4, 2025, defendant filed a Motion to Reconsider Sentence, which was denied the same day.² This timely appeal followed.

¹ The same indictment charged Louis Gordon a/k/a Vincent Parker a/k/a Louis Brown a/k/a Louis Jones with those same three counts. Additionally, Gordon was charged with 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). Defendant and co-defendant Gordon were tried simultaneously. On August 26, 2026, we affirmed Gordon's convictions and sentences in 25-KA-494.

² Upon the entering of an order of appeal, the court retains jurisdiction to rule on a properly filed motion to reconsider sentence. *See* La. C.Cr.P. art. 916(3).

Defendant argues on appeal that the evidence was insufficient, a mistrial should have been granted on two separate grounds, the court erred in permitting a video of the lead detective interviewing co-defendant Louis Gordon to be played, and the sentences were excessive.

FACTS

At trial, the State presented evidence that after Reginald Anderson broke up with defendant, Monica Every, he moved in with Charlene Jones at the Gatehouse Apartments in Metairie, Louisiana. Defendant began harassing both Mr. Anderson and Ms. Jones with the paid assistance of Gordon. On January 27, 2022, Gordon drove his girlfriend's vehicle to the Gatehouse Apartments. Cell phone information placed Gordon at the complex. He shot and killed Ms. Jones in exchange for money from defendant. Gordon then traveled to Slidell to exchange the murder weapon with his brother; it was never recovered. Neither defendant nor Gordon admitted to any involvement in the murder.

Mr. Anderson testified that he met defendant, a tax preparer, nine or ten years prior. After being friends for some time, they became romantically involved in an "off-and-on" relationship. Mr. Anderson began staying with defendant after a hurricane damaged his residence. He broke up with defendant and left her home for the last time around Christmas 2021. Mr. Anderson then stayed in Paulina. He testified that he and Ms. Jones, a close friend of seven years, went out one night and returned to her home; she offered for him to stay with her. At the time of Ms. Jones' death, he considered Ms. Jones to be his girlfriend.

Gladys Jones, Ms. Jones' aunt, was at Ms. Jones' apartment on December 26, 2021, while Ms. Jones was at work. Gladys and her daughter heard a knock at the door. When Gladys answered, a woman stated that she had relatives in town who were looking to have their hair done and asked to speak with the resident who kept her hair nice. Gladys said that she must be referring to her niece and she would let Ms. Jones know that she came by. The woman left her contact information on a lottery ticket, which Gladys gave 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 recognized the phone number as defendant's and texted her to ask why she had been knocking on the door.

Mr. Anderson stated that on the same day, he received a text regarding defendant from Keith Ambrose, a resident of the Gatehouse Apartments whom he did not know at the time.³ Mr. Ambrose denied

³ The text reads as follows:

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 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 ! 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 6 years on and off and she loved you

if u tell me you don't want to pray and mind my business i won't be mad ; just make up to your lady Merry Xmas and be blessed Pastor Keith

Hey man that's lace mama talking to them people let all that mess go it's not worth it that lady knows what's going on cause the niece and aunt was all involved

sending the text and explained that he could not have written it due to the numerous errors in grammar and punctuation and the misspelling of his girlfriend's name.

New Orleans Police Department ("NOPD") homicide detective Walter Edmond and Sergeant Nicholas Williams testified that on January 8, 2022, they received an anonymous Crimestoppers tip during an ongoing investigation into the murder of a fifteen-year-old boy. The caller reported a suspect possessing a weapon used in the recent homicide of an eleven-year-old boy in New Orleans after Christmas. The caller relayed that Ms. Jones had the weapon in the right-side bumper of her vehicle; was keeping it for her nephew, who was involved in the homicide; and Ms. Jones' daughter, Dominique Jones, knew of the weapon and was working with her nephew. The caller added that Ms. Jones was trying to get her nephew to retrieve the weapon from her while she was working in customer service at a specified Wal-Mart. The caller described Ms. Jones' vehicle and stated it was parked outside while she worked.

On January 10, 2022, Detective Edmond was notified that a female was calling the FBI building trying to provide information about a homicide in New Orleans East. Sergeant Williams called the number provided by the FBI; the conversation was recorded and given to Detective Edmond.⁴

Detective Edmond went to the Wal-Mart, but the vehicle was not there. He later located the vehicle at the Gatehouse Apartments, where

please let all that stuff go it's confusing

Mr. Ambrose explained that he was temporarily dating a woman whose son, Lace, was seeing defendant's child, Mia. Mia stayed in Mr. Ambrose's apartment for several nights with Lace.

⁴ In the recording, the caller, who did not want to provide her name or phone number, explained that she had a coworker at Wal-Mart whose nephew was a drug dealer and was associated with guns. The caller relayed that the co-worker, who lives at 314A East Gatehouse Drive in Metairie, was trying to get her nephew to return to Louisiana to retrieve a gun from her car. The caller said her co-worker's daughter is Dominique Jones. The caller said that the co-worker had been in the east and her nephew was nervous. The caller described the co-worker's white Acura and gave its license plate number. The caller said that the co-worker was "too dumb" to get the gun out of her vehicle because the nephew put it in there and she did not know where it was aside from the right bumper. She said her co-worker's license was suspended and she is an alcoholic.

a dog alerted the presence of ammunition or ballistics evidence on the vehicle. After explaining to Ms. Jones why they were there, she consented to a search of her vehicle. A firearm was found taped to the engine block of the vehicle; however, because it was a different caliber than the one used in the New Orleans murder, Ms. Jones was not arrested.⁵ Ms. Jones gave a recorded statement. After speaking to Ms. Jones and Mr. Anderson, defendant was identified as the possible caller. Mr. Anderson denied planting the gun or framing Ms. Jones.

On January 27, 2022, Deputy Andrew Chauvet, previously with the Jefferson Parish Sheriff's Office ("JPSO"), responded to several 9-1-1 calls.⁶ The first 9-1-1 call came at 4:52 a.m., and the police arrived five minutes later. In a 4:55 a.m. call, an upset man stated his girlfriend had been shot in a car at 310 East Gatehouse Drive and was not breathing. He indicated he was inside the apartment when it happened.

The Gatehouse Apartments utilized a single entrance and exit for vehicular traffic, with a security post located to the right of the entry point and about twenty-five yards from the interstate service road. Access arms controlled 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. Turning left out of the complex led to a two-way road; turning right led to a one-way road.

Deputy Chauvet arrived at approximately 5:00 a.m., while it was still dark. The victim's vehicle was not in a parking spot and 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 door

⁵ An officer later explained that the gun found in Ms. Jones' car was reported stolen in St. John the Baptist Parish.

⁶ Multiple 9-1-1 callers reported hearing four to five gunshots at the Gatehouse Apartments located at 310 East Gatehouse Drive. None of the callers indicated that they witnessed the shooting.

was open. Ms. Jones was pronounced dead.⁷ She died from three gunshot wounds, and her manner of death was a homicide. Deputy Chauvet stated there was a bullet exit wound to her left arm. The vehicle's rear passenger door had five bullet strike marks, and Ms. Jones' seat had three. JPSO Detective Scott Bradley, the lead detective, explained that the vehicle was struck by bullets five times and Ms. Jones was hit three times. Five 9 mm spent casings and Ms. Jones' cell phone were recovered from the scene. Detective Bradley later learned all the casings were fired from the same gun.⁸

Mr. Anderson explained that on the morning Ms. Jones was killed, they both woke up around 4:30 a.m. They typically left the apartment together. However, on that day, she had to leave early, and he was not ready. Several seconds after she left, he heard gunshots. He 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, observed holes in her car, and called 9-1-1. Following the operator's instructions, he opened the car and saw that Ms. Jones was shot multiple times and was deceased. Mr. Anderson did not see defendant 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 defendant. Mr. Anderson testified that he was unaware that two days

⁷ Dr. Dana Troxclair, chief forensic pathologist at the Jefferson Parish Coroner's Office, performed an autopsy on Ms. Jones. She explained that the fatal wound entered Ms. Jones' 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.

⁸ Deputy Jene Rauch, previously the supervisor of the forensic identification section at the JPSO, testified as an expert in firearm and toolmark examination. She received five 9 mm fired cartridge cases from the initial scene and determined that they were fired from the same weapon. She also received three copper jacketed projectile fragments recovered during the victim's autopsy. She determined that they were consistent with a .38 caliber class ammunition, which is most commonly a 9 mm projectile. Deputy Rauch testified that all the projectiles were fired from the barrel of a firearm with five lands and grooves with a right twist, but that they did not possess sufficient individual striations for further conclusions, such as whether they were fired from the same gun. Deputy Rauch stated that a gun was not recovered for her to test-fire and compare. Most of the projectiles had most of the copper jacket sheared off, which is caused by the projectile hitting an object harder than itself.

after the murder, a tracking device was placed on his vehicle or that defendant was photographing his vehicle.⁹

Deputy Chauvet spoke to Mr. Anderson at the scene, which was captured on his body-worn camera. Mr. Anderson identified himself as Ms. Jones' 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 explained that they had been going through some "crazy stuff" with his ex, Monica Every.¹⁰ He said that there was a tip that a gun was found in Ms. Jones' car in an attempt to frame her. He said he was lying in bed when he heard the gunshots. When he looked out the window, he saw Ms. Jones' vehicle had moved. He told the deputy that another witness reported seeing a dark colored sedan. He provided his phone number as ***-6909.

Detective Bradley and JPSO Detective Ryan Vaught went to the scene at the Gatehouse Apartments and spoke to Mr. Anderson and Mr. Ambrose. Mr. Anderson told Detective Bradley that he and defendant broke up around Christmas. Detective Bradley explained that Mr. Anderson did not see the shooting, but he provided defendant's name as a potential perpetrator because she had harassed 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' apartment regarding a firearm taped to her vehicle. Mr. Anderson, whom Detective Vaught described as cooperative, was never placed under arrest.

Detective Vaught said there were no suspects or persons of interest at that time. The complex was canvassed door-to-door and for surveillance cameras. Detective Bradley obtained video from Ron's

⁹ Mr. Anderson explained that defendant continued to do his taxes and business filings following the murder and they continued to communicate for that purpose.

¹⁰ Alexis Thompson, Ms. Jones' daughter, identified Mr. Anderson as her mother's "friend guy." Alexis visited her mom at the Gatehouse Apartments after New Years 2022. At that time, Ms. Jones indicated to her daughter that she was having issues and showed her a picture of defendant standing with Mr. Anderson. Alexis testified that she became worried about her mother's safety.

Gumbo Shop showing a vehicle travelling south on North Causeway, turning onto the service road, and heading towards the Gatehouse Apartments before the murder.

Detective Bradley also spoke to the complex's manager, who said she received a fax from an unidentified sender on January 12 regarding Mr. Anderson's prior conviction.¹¹ Surveillance video from the Office Depot where the fax originated confirmed that defendant entered the store on January 12, 2022. Detective Bradley stated that in defendant's third statement to the police, she admitted sending the fax.

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

Detective Vaught testified that the manager of the Gatehouse Apartments gave him access to the surveillance system, which only covered the entrance and exit gates; the shooting was not recorded. Detective Bradley explained that when security guard Lester Coffman stepped away from his post that morning, he left the gate arm raised. Detective Bradley agreed that a Ford Fusion without a license plate entered the raised arm at 4:48 a.m., and the headlights indicated that the car went towards Ms. Jones' apartment. The vehicle exited at 4:52 a.m.

¹¹ Mr. Anderson acknowledged that in 1989, he pled guilty to illegal possession of stolen things and was sentenced to "two years suspended, five years of active probation." He also agreed that in 1997, he pled guilty to manslaughter in Tangipahoa Parish under docket number 75-317 and was sentenced to twenty years imprisonment.

and turned right on the service road.¹² The video did not show who occupied the vehicle.

Because of the surveillance videos, a Ford Fusion vehicle was identified as a vehicle of interest. Though it had no license plate, an identifiable sticker on the vehicle allowed the officers to use license plate readers and other surveillance videos to identify the vehicle.

The registered owner of the dark Ford Fusion was Deja Walls. Detective Bradley searched for the vehicle's license plate through license plate recognition cameras. In photographs before and after the murder, the license plate was on the vehicle. Detective Bradley stated that the vehicle in those photographs and in the Gatehouse surveillance video from the day of the murder had the same decal under the driver's side taillight. Comparing Deja's license plate to the Gatehouse visitor log, he saw that on January 23, 2022, the vehicle entered the complex to see Mr. Ambrose. The detective said defendant's daughter previously lived with Mr. Ambrose.

On February 9, 2022, defendant called Detective Bradley. At that time, Detectives Bradley and Vaught had not yet contacted her and did not know Gordon's name. Defendant said she heard that her name had come up in his investigation and she wanted to speak to him. She did not want to go to the detective bureau, where her statement could be recorded, and instead wanted to meet at a coffee shop. Detectives Bradley and Vaught met her at a coffee shop that same day.

At the coffee shop, Detective Bradley explained that they wanted to talk to anyone with knowledge of the murder or the victim. Unprompted, defendant gave the detectives an alibi for the time of the

¹² On January 27, 2022, Lester Coffman worked overnight (10 p.m.–6 a.m.) at the Gatehouse Apartments security post. Mr. Coffman testified that emergency vehicles were frequently called to the complex for elderly residents, so when he had to leave his post for any reason, the gate to the complex was left raised. He identified surveillance video from the complex that day and said it showed him leaving the post. A vehicle entered while he was not there. He indicated that he had not returned to his post when a vehicle sped by.

murder. Defendant showed them surveillance footage from her home in Laplace corroborating that she was there at the time.¹³

Deja was arrested at a hotel in New Orleans on February 25, 2022. JPSO Detective Jesus Falcon testified that a search warrant for her 2013 Ford Fusion with license plate number 941EXY was executed upon her arrest. Two cell phones were seized from the hotel room: an iPhone 8 belonging to Deja's eight-year-old daughter and an iPhone 12.

In a post-arrest interview, Deja told Detective Bradley that she loaned her car and her daughter's phone associated with number ***-4226 to her boyfriend, Gordon, at various times, including on the night of the murder.¹⁴ Detective Bradley explained that this was the first he had heard of Gordon. Asked if she knew defendant, Deja said that she knew her as Gordon's friend, and defendant would pay Gordon to do jobs such as putting voodoo dust around someone's car or planting a gun in a car. Deja said that Gordon did an overnight stakeout at the Gatehouse Apartments. On the day of the murder, Gordon told her that he had a job to do for \$10,000. She saw him later that day with money. After the murder, she received \$1,000 from Gordon's mother and ultimately a total of \$1,500. Deja identified defendant in a photograph. Detective Bradley agreed that Deja said Gordon brought the gun he used to his mother's house to trade with his brother, and Gordon left town two days after the murder in a vehicle her mother had rented for him.¹⁵

At trial, Deja described her relationship with Gordon as a "boyfriend fling" of a couple months. She did not know Ms. Jones or Mr. Anderson. Deja first met defendant in passing when she dropped off Gordon to meet her. She also saw defendant several times in

¹³ At the time, neither Detective Vaught nor Detective Bradley was aware that their conversation was recorded by defendant. Detective Vaught agreed that in that recording, defendant denied knowing Ms. Jones or ever calling her. He acknowledged defendant also said Mr. Anderson was non-violent. Detective Vaught said defendant spoke to Mr. Anderson before she spoke to them.

¹⁴ Detective Bradley read several texts between Deja's phone and her daughter's phone. On January 26, 2022, Deja's daughter's number sent Deja defendant's phone number.

¹⁵ Detective Bradley stated the plotting of Gordon's cell phone and Deja's daughter's cell phone corroborated that he went to Slidell after the murder.

passing on FaceTime. In January 2022, Gordon did not have a car and got around either with Deja or defendant. Deja said Gordon told her that defendant was an “older family friend that took at him while he was in jail.” Deja ultimately learned that Gordon did “shady, underhanded stuff for payment from her.” She clarified that he was doing “weird” things for her. Deja learned that defendant 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 said Gordon returned with money from defendant.

Deja testified that she lent her vehicle to Gordon on multiple occasions, allowing him access to it to carry out tasks for defendant. He also used the vehicle to sell drugs. In January 2022, Deja had multiple phones, including one for her eldest daughter, then eight years old. Gordon had his own phone when they met, but after losing it, he used her daughter’s phone until Deja got him a “government phone.”¹⁶

Deja stated that one night in Slidell, defendant repeatedly called Gordon. She overheard defendant confront Gordon that he was not the same with Deja, was not “about making no money,” and was not doing what she asked him to do. Gordon replied that defendant did not know what he did; he said that he sat around there all day and did homework.

Deja testified that she and Gordon discussed her long-term living arrangements, since she had previously been evicted, and he said 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 defendant and needed a stolen car. Deja said she knew Gordon always carried a firearm.

Deja testified that she had never been to the Gatehouse Apartments, despite her license plate appearing in the apartment’s log on January 23, 2022. She stated Gordon must have been driving it at that time. Deja denied ever removing her license plate and never saw Gordon do so. Deja recalled going with Gordon to her aunt’s house in

¹⁶ When asked to explain a government phone, Deja stated she was referring to the free phones at the stands throughout the neighborhoods that could be obtained after showing identification and a food stamp card.

January because he was looking for black clothes, and they left with some.

Deja testified that on January 26, 2022, she expected to be financially saved because she was expecting money from Gordon via his mother. She last saw her car that day when she parked it at the hotel where she was staying, and Gordon left in it.

When she saw Gordon on January 27, he said he needed to go to his mother's house, shower, switch clothes, and switch guns. After he did so, he stopped at the store and picked up Deja and her children from a hotel. Deja recalled that her car had its license plate on, and Gordon appeared normal. They dropped the children off, picked up a friend, and returned to the hotel to swim. As Deja was changing, Gordon left with defendant to retrieve payment. Deja and her friend later picked him up at a Walgreens, where he was with his brother; Gordon had a lot of cash and a pound of "weed." Deja testified that Gordon was not paid in full, which caused issues between defendant and Gordon. 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.

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

Deja stated she was later arrested for second degree murder at a hotel.¹⁷ Her car with its license plate was there. She told detectives that they were looking for Gordon. She acknowledged telling the police that she "smoked a lot of weed that day" and took pills. She said she

¹⁷ In exchange for her cooperation and testimony in court, Deja pled guilty to money laundering, rather than being prosecuted for second degree murder.

lied when she told the police she had trouble remembering details. Deja acknowledged that although she told the police that Gordon stole the car, he actually paid for the rental. Deja identified defendant and Gordon in two photographic lineups.

Defendant was arrested on February 26. After being advised of her rights, defendant agreed to speak to Detectives Bradley and Vaught.

In the interview, defendant told the detectives that she takes insulin three to six times a day and does not remember things. She initially said she did not remember faxing the apartment complex about Mr. Anderson, but then said that she “probably” did it. She said he accused her of calling so then she called. She did not remember calling Mr. Ambrose, how she knew where Ms. Jones lived, or calling Crimestoppers regarding a gun associated with Ms. Jones’ vehicle. Defendant said she had never been to Ms. Jones’ apartment or on the property. When shown a photograph and asked who it was, defendant asked to call her attorney, and the interview ended.

Detective Bradley stated the last photograph shown was of Gordon. He agreed that defendant’s claim that she had never been to the Gatehouse Apartments contradicted the apartment’s log showing her car entered the apartment complex on January 7, 2022—the day before the Crimestoppers tip.¹⁸

Detective Falcon executed a search warrant for defendant’s residence in St. John the Baptist Parish. A Mercedes with license plate number 909EHM was in the driveway. Detective Bradley testified that evidence in defendant’s home showed defendant was “obsessed” with Mr. Anderson. A picture in the residence showed Mr. Anderson’s ID; the cover sheet for his conviction packet was also found. Prayer cards were on a garage table.¹⁹ Various documents, including a checkbook

¹⁸ Detective Bradley stated that Gordon’s phone records showed it was pinging off a tower located half a mile from the apartment complex at 9:00 p.m. on January 7.

¹⁹ Detective Falcon read from one prayer card: “San Expedito any magic or spells or witchcraft that Tracey Lynn Green Horn Savage put on Reginald Anderson, let it be removed off him ASAP.” He read that the back said: “And remove Tracey out of his life, stop calling and stop all communication with Tracey Savage and Reginald Anderson today and let Tracey forget him so she can be happy

and bank documents, were in a cabinet. The mailing address on some of the documents contained the name Ashlea Banks, defendant's name, and defendant's address. Detective Bradley agreed that documents showed that Ashlea and defendant tried to obtain funding together.

Detective Falcon found a bag of black salt in the living room with a Spanish label stating it was black salt to have your bad neighbors go away, and two red bags labeled red brick dust. He read from one, "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, a photograph of defendant and a man, and pages of yellow paper were all collected.²⁰ Detective Falcon testified that mail and papers found in the primary bedroom bore Mr. Anderson's name and an address that was not defendant's. A Regions Bank document showed a \$31,000 deposit under the customer's name Reggie's Electrical. A Gulf Coast Bank check was also found in the primary bedroom. The signature bore the letters M and E. Five additional prayer cards were collected from the primary bedroom. In the master bathroom were various candles, multiple stating, "Law stay away" and another stated, "protection against wrong, bad things" in Spanish.

Detective Vaught and Detective Sergeant Donald Clogher met with defendant again on March 2, 2022, at her request. Detective Vaught asked defendant about the photograph he showed her previously. Defendant said it showed Deja's boyfriend, Louis, though she did not know his last name. Defendant said she met him through her sister and another friend and was in contact with him through her

with her husband, John Savage, now today ASAP." Detective Falcon stated that another prayer card stated in part: "Jail and police, I don't want to go to jail, will you grant my wish: Protect me from law enforcement in Jesus' name and keep to give my clients loans banks to [.]"

²⁰ Detective Falcon read from a yellow page that asked St. Expedite to remove all women from Mr. Anderson's life so that he could spend more time with her, to bring him back to her faithful and with love for only her, and for them to marry. Detective Falcon read from a second page: "Everyone need or deserve a second chance in Jesus name, I beg in Jesus name, I beg a second chance with Reginald, like David had. Saint -- illegible remove and please let him see I won't cause any more trouble or problems for him. Allow him me [sic] a second chance. Bring him."

sister while he was in jail. She met Deja at her sister's party. She mentioned previously going to Mr. Ambrose's apartment, but he was not there.²¹ Defendant stated that Deja was always asking for money.

When asked about her relationship with Gordon, defendant stated it was not romantic. Deja thought defendant slept with Gordon and was acting crazy, but defendant said it was her sister who was "fooling with him." Defendant explained that Gordon would ask them for rides to his other girlfriend. She mostly talked to Deja and occasionally communicated with Gordon. When Gordon told her that they were kicked out of their apartment and asked to stay with her, defendant said no because she just "redid" her house.

In the interview, Detective Vaught summarized the evidence he had. Defendant said Deja told her she had a friend at the police department, who said "the lady's" license was suspended. Defendant told Detective Clogher that she did not know why she was arrested. As he set out the Crimestoppers tip incident, defendant said Deja told her that the person Mr. Anderson was staying with was not a good person. Defendant admitted that she made the Crimestoppers call, giving the information that Deja told her. She stated Deja did not know Ms. Jones or Mr. Anderson. She guessed that Deja asked her police contact about them but could not explain why. She did not ask Deja how she knew Ms. Jones had a gun under her bumper.

Defendant also confirmed that she faxed the apartment complex information regarding Mr. Anderson's prior conviction and told Mr. Ambrose about it. When asked about a text in which she identified herself as Mr. Ambrose, defendant stated she was "selling" herself and that it was not a crime. Defendant denied giving Gordon money beyond \$120 for a cell phone and denied giving him or his mother a check. When asked who she gave a \$4,000 check made out to cash, defendant asserted she does not write checks. When Detective Clogher said he had such a check, defendant said that if she wrote a check, it was to fix her house. Defendant agreed that she once picked up Gordon and

²¹ Detective Bradley explained that the logs from Gatehouse Apartments for December 27, 2021 showed defendant's Mercedes enter the complex.

another man, Kendrick, from a hotel to bring them to see a girl. She said Gordon did not tell her about the murder. Defendant identified Ashlea Stewart²² as her best friend and said they owned a house together that they were fixing. When a detective told her that there was a \$4,000 check written to Ashlea, defendant said it was a deposit slip. When she was later told that she had written a check to Ashlea, she denied it, but subsequently agreed that she had written Ashlea a check from her Navy Federal account, saying it was unrelated.

Officers went to Gordon's house on February 28 to arrest him, but he was not there. Gordon's mother, Melanie Gordon, and his brother, Vincent Parker, also lived there. Detective Bradley testified that the 9 mm murder weapon was not at the house. Detective Bradley spoke to Ms. Gordon who acknowledged that Gordon gave her a Capital One check dated January 29 from defendant made out to cash for \$4,000. The detective identified the check and stated it bore the name Ashlea.²³ Ashlea told him that she wrote the check to defendant for cabinets. Ms. Gordon told him that she gave \$1,500 to Deja, which he confirmed via her bank records.

In 2022, Ms. Gordon lived in Slidell with Vincent and her daughter. Gordon occasionally came home. Ms. Gordon testified that Gordon did odd construction jobs after getting out of jail and frequently asked her to cash checks because he did not have a bank account. She stated that Gordon had a female friend with four children. On one occasion, Ms. Gordon went to Capital One and cashed a check for \$4,000. The check was made out to cash, and Ms. Gordon did not see the name on it. She testified that she gave the cash to Deja for her mother's rental vehicle and for Deja and Gordon to get an apartment together. Ms. Gordon denied telling the police that Gordon got the check from defendant but said she told them that when Gordon called her about cashing the check, he was "talking to whoever the lady was

²² The record references Ashlea Stewart, Ashlea Lewis, and Ashlea Banks Lewis. They appear to be the same person.

²³ The Capital One check was dated January 29, 2022. It was made out to cash for \$4,000. The pre-printed name on the check stated Ashlea Banks Lewis, which appears to match the signature. The "for" line stated, "Loan."

whose house that he did.” Ms. Gordon identified herself in a video of her statement to detectives.²⁴

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. In a recorded interview, Gordon said he was released from prison around Christmas 2021, and although he initially paroled to his mother’s house, he then went to stay with “Nee,” later indicated to be Jonice Bates. Gordon denied knowing defendant. He was shown two photographs; he said he did not know the person in one, and the other depicted Dee, later clarified to be Deja. 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 Deja claimed he used her car nightly to make money. Gordon said he was actually with Nee, who would confirm his whereabouts.²⁵ He asserted that Deja permitted him to use her car only when she believed he would earn money and denied ever lending it to anyone else. Gordon stated that after losing his phone, he borrowed Deja’s daughter’s phone so that Deja could track him and keep tabs on him. He denied using that phone to communicate with the unidentified woman shown in the photograph and repeatedly denied knowing her.

²⁴ In the interview, Ms. Gordon explained that Gordon’s time in jail mentally messed him up and he was vulnerable. Gordon had money when he came home from jail and was not broke. He met several women after prison, one of whom was Deja and another of whom was defendant’s sister. Ms. Gordon indicated that at some point, Gordon lost his phone and would contact her from various numbers. Ms. Gordon said that Gordon asked her to cash a check from defendant for the purchase of a car and she could hear defendant speaking in the background during that call. Although she did not know defendant, Ms. Gordon stated that she had briefly spoken with her once during a phone conversation involving Gordon. She provided that Gordon brought her a check made out to “cash,” which she cashed and brought to her bank to deposit in her account. Because her CashApp was not working, she transferred the funds to her niece via Zelle so the niece could forward the money to Gordon through CashApp. Ms. Gordon stated she gave \$1,500 in cash to Deja after Gordon left town in a rental car.

²⁵ Sergeant Keller testified that he attempted to speak to Jonice Bates and her grandmother regarding Gordon’s alibi, but they would not speak to him. Detective Bradley similarly stated he attempted to speak to her (Jonice Bates) but was unsuccessful.

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

Detective Bradley indicated that both women in the photographs were arrested. He explained that Deja said Gordon would meet the woman in the other photograph. Tapping the picture, he said, "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 others before him. Detective Bradley provided that Deja said 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 her.

In the interview, Gordon denied getting any money from the unidentified woman in the photograph. When asked about a \$4,000 check he gave his mother, Gordon said his friend Dominique Jones from Detroit gave it to him for money she owed him.²⁶ Detective Bradley told Gordon that his mother and Deja said it came from defendant. Gordon continuously stated he was not protecting defendant, he did not know her, and never got a check from her.

Sergeant Keller explained that surveillance cameras captured Deja's car at the apartment complex at various times, including two days before Ms. Jones was killed and on "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 Deja told him not to do anything in her car. Gordon stated he was being framed. When presented with information provided by Deja and the evidence against him, Gordon

²⁶ Sergeant Keller stated Gordon told him that Dominique Jones gave him a \$4,000 check. He explained that this was important because the NOPD previously received a Crimestoppers tip from defendant that Ms. Jones' daughter, Dominique Jones, knew about the gun. Sergeant Keller testified that Ms. Jones did not have a daughter by that name.

denied everything. Gordon continued to deny having Deja's car or her daughter's phone on the day of the murder.

Sergeant Keller testified that Gordon continuously denied any knowledge or involvement in the murder and denied knowing or having met defendant. He stated this was inconsistent with phone records that showed he communicated with her device. Sergeant Keller stated that defendant, in her final statement, admitted she knew Gordon.

Detective Bradley testified that, according to her bank account, defendant withdrew \$4,000 in cash on the day of the murder. She also wrote a check for \$4,000, which she gave to Gordon's mother. Ms. Gordon cashed that check for Gordon.²⁷

Detective Dustin Ducote with the JPSO digital forensics testified as an expert in the field of mobile device forensics. He performed extractions on eight cell phones in this case. Ms. Jones' phone contained a picture of a lottery ticket that stated "Cookie," "hair did," and defendant's phone number.²⁸ Detectives Ducote and Bradley agreed that on December 26, defendant repeatedly contacted Ms. Jones through Facebook Messenger.

From Mr. Anderson's phone, Detective Bradley read a series of texts²⁹ from December 26. At 4:17 a.m. a text stated, "So I playing games by that b***h Charlene." 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' 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

²⁷ The withdrawal bears the signature "Donna Stewart."

²⁸ Detective Bradley said that a woman went to the Gatehouse Apartments on December 26 and knocked on Ms. Jones' door. Gladys answered and spoke to the woman, who left her contact information on a lottery ticket. The detective said the woman gave the name "Cookie" and her number was ***-6082, which was registered to defendant.

²⁹ These texts were sent to Mr. Anderson by ***-6082. The master list of phone numbers associates that number with the e-mail address MonicaEvery25@yahoo.com.

changed, God sit high and look low.” A text from 4:35 a.m. stated: “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 explained 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.” The number associated with defendant replied, “Did you see me?” Detective Bradley testified that Mr. Anderson said defendant 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 Mr. 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., and from January 12, 2022, at 1:27 p.m.

Two phones were associated with Deja: ***-9371, which belonged to her, and ***-4226, which was her daughter’s. Detective Bradley stated that on January 27 at 3:11 a.m. Deja’s phone number called her daughter’s phone number. The cell tower data indicated that Deja’s phone was in downtown New Orleans at the time, consistent with her statement.

Detective Ducote performed an extraction of defendant’s physical phone associated with number ***-9587.³⁰ Detective Bradley reviewed records for another number associated with defendant, ***-7055. He indicated that around the time of the murder, that phone was communicating with Deja’s daughter’s phone (***-4226).

³⁰ Detective Ducote agreed that two days after the murder, defendant’s phone had a map on it. He also agreed that around 10:30 p.m. on January 29, two days after the murder, defendant’s phone had a picture of a truck at a bar. From the same day and time, there was “another capture of a truck at a bar” and a picture of a truck’s license plate. Detective Ducote agreed that defendant’s phone was tracking a vehicle.

Deja testified that at the time of the homicide, Gordon had her daughter's cell phone and the "government phone" she got him. Detective Bradley stated Deja'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. Gordon's phone responded, "LoL IK that." At 2:58 a.m., she sent, "You still not done." At 5:50 a.m., after the murder, Gordon texted Deja money signs and "It's up." There were five calls between ***-7466, a number associated with Gordon, and defendant's number the day of the murder.

Detective Bradley explained that when Gordon was arrested, the cell phone associated with ***-7466 was seized from him and extracted. Detective Bradley obtained a search warrant for phone number ***-4226, associated with Deja's daughter. Sergeant Anthony Buttone plotted the coordinates of cell site information for ***-7466 (Gordon) and ***-4226 (Deja's daughter). Gordon's phone pinged at the Gatehouse Apartments at 4:51 a.m. on the day of the murder. The number associated with Deja's daughter was also at the Gatehouse Apartments "at the night of the murder" and was in proximity to Gordon's phone. At 4:54 a.m., Gordon's cell phone was moving away from the complex towards New Orleans. At 6:00 a.m., his phone was moving towards Slidell. The phones traveled in unison from the scene of the murder to Slidell. Sergeant Buttone agreed that the cell phone records corroborated Deja's testimony that Gordon had her daughter's phone 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 Deja's phone and one of defendant's phone numbers. He explained that at 8:05 a.m. on the day of the murder, Deja texted defendant that "he's here." Defendant replied, "He's playing games." At 10:27 a.m., Deja texted defendant that "he's on his way to Broad Street." The detective said this was one of the locations where Deja said Gordon went to get money from defendant.

Detective Bradley said that on February 4, Deja'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."³¹ Deja 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, Deja texted Gordon to call his mom to see if she could cash the check.

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

Lester Wheeler testified that in 2022 he worked in home renovations under his company, Let Us Help. In January 2022, he agreed to do defendant's bathroom cabinets and countertops for Gordon. Mr. Wheeler stated that Gordon brought him \$3,200 to purchase the cabinets and countertops. 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 he could not find it after gutting his house due to storm damage.

Gordon testified that in December 2021, he lived with his mother in Slidell. He was helping Deja out, and they were just friends. He stated that Deja wanted more with him, became vindictive, and tried to get his probation revoked by calling his probation officer.

Gordon testified that he did not murder Ms. Jones, possess a firearm, or get rid of a firearm. Gordon testified, "So it so happened I got caught up on a murder scene. Cell phones. And she said I had all

³¹ Deja testified that "ten bands" refers to \$10,000. She heard Gordon use the term when referring to his payment for the "big job" he was going to do for defendant.

that. I didn't have none of that.” He stated he had his own phone, which was in evidence. He said the “355”³² number was not his. He used Deja's daughter's phone, but he had his own. He said that he was with Ms. Bates at the time, but she was afraid her grandmother was going to be taken away.

Gordon acknowledged that he lied in his statement when he said he did not know defendant. He said he lied because he did not “want to get caught up in no bull.”

Gordon testified that he said Dominique Jones from Detroit gave him the \$4,000 check because he was not “trying to get involved with the bull.” Gordon testified that defendant gave him \$4,000 in January 2022 for cabinets. He then paid Mr. Wheeler \$3,200 for cabinets, and the additional \$800 was for himself. Gordon testified that his mother told the truth when she said he told her the check was from defendant and she gave the money to Deja.

ASSIGNMENT OF ERROR NUMBER FOUR³³

In this assignment of error, defendant asserts that the State presented insufficient evidence of each count and it relied solely on circumstantial evidence pieced together using other acts evidence. She argues that the evidence pointed to Deja's guilt, Deja received a deal to testify, and Deja's testimony was weak.

In reviewing 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.

³² It is unclear which phone number Gordon was attempting to distance himself from, as none of the phone numbers in the record contain “355.”

³³ When the issues on appeal relate to both sufficiency of the evidence and one or more trial errors, the reviewing court should first determine the sufficiency of the evidence by considering the entirety of the evidence. *State v. Hearold*, 603 So.2d 731, 734 (La. 1992).

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 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, “[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. 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. *State v. Williams*, 24-567 (La. App. 5 Cir. 9/24/25), 423 So.3d 93, 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 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), and solicitation for murder in violation of La. R.S. 14:28.1 (count three). As it relates to this matter, the jury was instructed that second degree murder is the killing of a human being when the offender has the specific intent to kill or to inflict great bodily harm. *See* La. R.S. 14:30.1(A)(1). All persons concerned in the commission of a crime, whether present or absent, and whether they directly commit the act constituting the offense, aid and abet in its commission, or directly or indirectly counsel or procure another to commit the crime, are principals. La. R.S. 14:24. Under the law of principals, a person may still be convicted of a crime even if he has not personally fired the

fatal shot. *State v. King*, 22-371 (La. App. 5 Cir. 5/24/23), 365 So.3d 897, 908, *writ denied*, 23-790 (La. 1/17/24), 377 So.3d 242.

Specific criminal intent is “that state of mind which exists when the circumstances indicate that the offender actively desired the prescribed criminal consequences to follow his act or failure to act.” La. R.S. 14:10(1). Specific intent need not be proven as a fact but may be inferred from the circumstances surrounding the offense and the defendant’s conduct. *State v. Fuxan*, 24-302 (La. App. 5 Cir. 5/14/25), 415 So.3d 387, 402. Specific intent to kill may be inferred from a defendant’s act of pointing a gun and firing at a person, as well as the extent and severity of the victim’s injuries. *Id.*

La. R.S. 14:26(A) defines criminal conspiracy as follows:

Criminal conspiracy is the agreement or combination of two or more persons for the specific purpose of committing any crime; provided that an agreement or combination to commit a crime shall not amount to a criminal conspiracy unless, in addition to such agreement or combination, one or more of such parties does an act in furtherance of the object of the agreement or combination.

Thus, the elements of the crime of conspiracy are: (1) an agreement or combination of two or more persons for the specific purpose of committing a crime, plus (2) an act done in furtherance of the object of the agreement or combination. *State v. Lang*, 13-21 (La. App. 5 Cir. 10/9/13), 128 So.3d 330, 333, *writ denied*, 13-2614 (La. 5/2/14), 138 So.3d 1244. Proof of a conspiracy may be made by direct or circumstantial evidence. *State v. Nguyen*, 22-286 (La. App. 5 Cir. 2/27/23), 359 So.3d 108, 121.

Solicitation for murder is the intentional solicitation by one person of another to commit or cause to be committed a first or second degree murder. La. R.S. 14:28.1. In the absence of qualifying provisions, the terms “intent” and “intentional” have reference to “general criminal intent.” La. R.S. 14:11. Therefore, solicitation for murder requires only general criminal intent. *State v. Clement*, 07-650 (La. App. 3 Cir. 2/6/08), 2008 WL 315146, at *4. General criminal intent is present whenever there is specific intent, and also when the

circumstances indicate that the offender, in the ordinary course of human experience, must have adverted to the prescribed criminal consequences as reasonably certain to result from his act or failure to act. La. R.S. 14:10(2).

Here, evidence established that at defendant's request and in exchange for money, Gordon killed Ms. Jones and he demonstrated his specific intent by firing at her five times, ultimately striking her thrice. There was substantial evidence that, after their breakup, defendant became fixated on Mr. Anderson and began directing her attention towards Ms. Jones. Under the guise of visiting someone else, defendant went to Ms. Jones' apartment, identified herself as "Cookie," and spoke to her aunt. She attempted to have Mr. Anderson removed from Ms. Jones' apartment by reporting his prior conviction to the complex's management. The evidence presented revealed that she tried to frame Ms. Jones by planting a gun in her vehicle. Items discovered in her home revealed that she attempted to use voodoo to keep Mr. Anderson away from other women. She impersonated Mr. Ambrose in an attempt to convince Mr. Anderson to reconcile with her. She also appeared to have been tracking Mr. Anderson after the murder. There was no evidence to establish that Gordon or Deja had any connection to Ms. Jones that was unrelated to Gordon's employment for such endeavors by defendant.

Additionally, Deja's text messages from the morning of the murder corroborated her testimony that Gordon was driving her car at that time. 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 described that its headlights indicated that it went in the direction of Ms. Jones' apartment. Deja's vehicle then sped out of the complex at 4:52 a.m., the same time as the first 9-1-1 call. Deja testified that on the morning of the murder, Gordon had his phone and her daughter's phone. In attempts to reach him that morning, she texted both phones. Both phones were at the murder scene during the time of the murder.

Deja testified that Gordon was completing a job worth \$10,000 for defendant on the day of the murder. At 5:50 a.m., Gordon sent Deja

a text of money signs and stated, “It’s up,” suggesting that he had finished the job. There were five calls that day between Gordon and defendant. Also, on the day of the murder, defendant withdrew \$4,000 in cash. Deja testified that Gordon left the hotel after the murder with defendant to retrieve payment. Deja saw Gordon later that day with a lot of money and a pound of “weed,” but stated he was not paid in full at that time. Deja and Ms. Gordon both testified regarding a check from defendant for \$4,000 that was cashed on behalf of Gordon.

Based on the evidence presented at trial, we conclude that the State presented sufficient evidence of each element of the offenses. Evidence established that Gordon, at defendant’s behest, killed Ms. Jones with the specific intent to do so. It also established that defendant intentionally solicited Gordon to commit the second degree murder. Finally, the evidence showed that she and Gordon agreed that he would do it, and he did, in fact, commit the second degree murder. This assignment of error is without merit.

ASSIGNMENT OF ERROR NUMBER ONE

Defendant argues in this assignment of error that the trial court erred by failing to grant defendant’s request for a mistrial after permitting the State to play Ms. Jones’ recorded statements that were explicitly prohibited in its pretrial order. She avers that the State “opened the door” and publishing Ms. Jones’ recorded statement was highly prejudicial and inadmissible hearsay. Defendant contends that this violated the Confrontation Clause of the Sixth Amendment. She concludes that the only remedy was a mistrial, her convictions should be reversed, and she should receive a new trial.

On April 6, 2025, defendant filed a Motion *in Limine*, wherein she asked in relevant part that the State be prohibited from “making any direct or indirect reference, whether through testimony, argument, or the introduction of documentary evidence, to any alleged or unproven prior criminal conduct involving” her. This included any alleged statements made by Ms. Jones to the NOPD, including references to four NOPD audio-recorded statements. She argued that evidence of alleged other crimes would be more prejudicial than probative and any

attempt to introduce the out-of-court statements by Ms. Jones implicated the Confrontation Clause.

At a hearing the next day, the prosecutor asserted that she did not intend to publish the NOPD recorded audio statement of Ms. Jones as it related to the gun planted in her car. She explained that, should a hearsay exception arise, she would approach the court, but she agreed that she would not present it during the State's case-in-chief. The judge clarified that the motion was no longer relevant or moot based on the prosecutor's representation. The judge signed the order attached to the motion excluding Ms. Jones' recorded statements.

During Detective Edmond's trial testimony, the prosecutor asked him if Mr. Anderson and Ms. Jones gave a name for the person that could have made the Crimestoppers complaint. The detective answered affirmatively. When the prosecutor asked who, Detective Edmond stated "Monica," but was interrupted by defense counsel, who objected based on hearsay. The prosecutor replied that it fell under the police explanation doctrine. The judge overruled the objection. Detective Edmond answered that it was Monica Every. The prosecutor tendered the witness.

On cross-examination, Gordon's counsel asked the detective if he obtained Mr. Anderson's phone number from Ms. Jones. The detective stated he did not know the number but recalled that at some point, Mr. Anderson arrived. Detective Edmond was asked if he remembered the number being ***-3058. He said he did not recall but acknowledged that the conversation was recorded. Gordon's counsel asked the detective if playing the recording would help his recollection as to whether he received that number and what the number was. He answered affirmatively. The prosecutor stated she did not object to publishing Ms. Jones' statement. Gordon's counsel then tendered the witness without playing the recording.

Later, on redirect, the prosecutor sought to play Ms. Jones' recorded statement to Detective Edmond arguing that the defense's questioning of the detective had "opened the door." Defendant's counsel objected, citing the motion *in limine* and contending that the

statement constituted inadmissible, highly prejudicial “other crimes” evidence under Article 404(B). Defendant’s counsel further argued that no door was opened because the statement was never played and he was not co-counsel to Gordon’s attorney. Gordon’s counsel asserted that he was asking Detective Edmond about a phone number, not the contents of the statement, and he was going to limit his examination to her providing the number and what it was.

The judge noted the State had stated on the record it did not object to playing it, but counsel ultimately chose not to; the judge ruled the door had been opened for admission. Defendant’s counsel asked for a mistrial, which the court denied. The court also denied the objection to playing the statement. The prosecutor was asked to review the statement to determine which portions needed to be published.

Later, the prosecutor informed the court that she was asking that the statement be published in its entirety because the defense opened the door. Defendant’s attorney denied opening the door, reiterated his objection, and requested a severance. He stated that he wanted to take a writ and asked for a stay of the proceedings. The motion to sever and the stay were denied. The judge gave counsel twenty-four hours to file a writ. The judge explained that the State would be allowed to play the statement because Gordon’s counsel had opened the door and the State said it had no objection to playing it. The judge acknowledged that counsel decided not to play it, but the door was opened.

After further argument, the court denied the motion for a mistrial, and the State offered the recording into evidence. Counsel for both defendants objected. The judge overruled the objections and permitted the State to publish the recording. While the recording was published, defendant’s counsel objected based on hearsay. The prosecutor argued that there was the police explanation doctrine. Gordon’s counsel asserted that the police explanation doctrine did not allow hearsay to come in as a probative or substantive issue. The judge overruled the objections, and the recording was further published.

In the published portion of the video, Ms. Jones told Detective Edmond that crazy things have been happening to her regarding a

woman. She said that woman was stalking her and calling her apartment complex to report that a man was staying at her house. 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 Shanice, not Dominique. Detective Edmond explained to Ms. Jones why they were there and that the dog had alerted upon approaching her car. She denied owning a gun or having one in her car. She told the police that 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 the man she was dating previously dated. When an officer asked her if she thought the woman was why they were there, she 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 consented to a search of her vehicle. Detective Edmond continued asking about defendant, and Ms. Jones said she was calling Mr. Anderson. Ms. Jones told the detective about the incident after Christmas, which her aunt testified about at trial.

The recording was stopped, and counsel for defendant argued there was hearsay, double hearsay, and allegations of other bad acts in the statement. The prosecutor responded, pointing out that there was already testimony from Gladys about what Ms. Jones said. Defense counsel replied that Gladys did not say defendant's name and the recording was highly prejudicial and an instruction could not cure it. Defense counsel asserted that Ms. Jones mentioned other bad acts and he could not cross-examine her. The prosecutor reiterated that the door was opened and "a 404" was filed. The court asked Gordon's counsel if it was his position that the entire recording should be played. Gordon's counsel argued that he only opened the door to the detective asking Ms. Jones for Mr. Anderson's phone number and her providing it. He indicated that if the recording was being admitted, he did not want the State to pick things out of it. He referenced the rule of completeness if it was not limited to the portion he wanted.

The judge then ruled that the recording would not be played further. He explained that the portion already played did not reveal any information that had not already been alluded to or discussed at trial.

He said that he thought the decedent was about to say things that were told to her and the jury could not hear that information. The prosecutor clarified that 15:14 (15 minutes plus 14 seconds) of recording one was published. The judge reiterated that the information heard in the recording was cumulative. Defendant's counsel re-urged his motion for a mistrial. The court stated Gladys testified that she met with someone at the apartment.

At a bench conference during Mr. Anderson's testimony, counsel for defendant explained that he was trying to take a writ and requested a limiting instruction regarding Ms. Jones' statement. The judge stated he would not give a limiting instruction at that time, but that it could be discussed regarding the final jury charges. Defendant's counsel objected.

Defendant sought a writ with this Court, which was denied on April 16, 2025. *See State v. Every*, 25-163 (La. App. 5 Cir. 4/16/25), 2025 WL 1124232, *writ denied*, 25-473 (La. 4/16/25), 406 So.3d 1174. This Court explained that it had a partial transcript and several exhibits, and it had no way of knowing exactly how much of the recorded interview was heard by the jury. It acknowledged that the prosecutor said it was stopped at 15:14. This Court provided that while the trial court said the portion played did not contain new information, this Court had no way to make that comparison. This Court found that on the showing made, it could not say that the playing of the recorded statement was reversible error or that it was so prejudicial as to merit granting of a mistrial or severance. Further, this Court explained that no specific limiting instruction was requested or suggested by defendant and the trial court should make such a determination. Thus, the writ was denied.

However, Judge Johnson dissented and opined that the trial court should have granted a mistrial and severed the defendants. He explained that the trial court allowed the State to elicit defendant's name as the possible complainant in the Crimestoppers tip stemming from Detective Edmond's conversation with Ms. Jones. He found that the error occurred prior to cross-examination by either defense counsel.

Judge Johnson explained that the State was later allowed to play a recording wherein Ms. Jones implicated defendant in alleged prior bad acts. He stated that the trial court allowed the introduction of evidence it had explicitly prohibited in its pretrial order and no reference to Ms. Jones' statements should be allowed at trial. Judge Johnson provided that the erroneously admitted evidence was highly prejudicial and this could not be cured. He stated the motion for mistrial and to sever defendants should have been granted.

Defendant sought a writ with the Supreme Court, which was denied on April 16, 2025. Justice Hughes concurred and noted that there was an adequate remedy on appeal if a conviction occurred. *See State v. Every*, 25-473 (La. 4/16/25), 406 So.3d 1174.

On April 17, 2025, defense counsel requested a limiting instruction that the jury must not consider any references, direct or indirect, to alleged prior bad acts or uncharged conduct by defendant made in Ms. Jones' statement. The judge said he would not include the requested language and there was already language about prior bad acts.

After trial, defendant filed a Motion for Post Verdict Judgment of Acquittal or for New Trial. In relevant part, defendant asserted that she was denied a fair trial when the court admitted Ms. Jones' statement after ruling that it was inadmissible. At a hearing on that motion, the judge explained that he stopped the recording when he thought it was appropriate. The judge stated the door was opened and his prior ruling stood. He provided that he reviewed the transcript of the portion of the statement that was published and found that it was all cumulative. The judge denied the Motion for Post Verdict Judgment of Acquittal or for New Trial; defense counsel objected.

Under the discretionary principle of law of the case, an appellate court will generally refuse to reconsider its own rulings of law on a subsequent appeal in the same case. *State v. Chester*, 19-363 (La. App. 5 Cir. 2/3/21), 314 So.3d 914, 952, *writ denied*, 21-350 (La. 6/8/21), 317 So.3d 321. The principle is applicable to all decisions of an appellate court, not solely those arising from a full appeal. *State v. Sly*, 23-60 (La. App. 5 Cir. 11/2/23), 376 So.3d 1047, 1079, *writ denied*, 23-

1588 (La. 4/23/24), 383 So.3d 608. One reason for the imposition of the doctrine is the avoidance of indefinite re-litigation of the same issue, but it will not be applied in cases of palpable former error. *Id.* Reconsideration is warranted, however, when, in light of a subsequent trial record, it is apparent that the determination was patently erroneous and produced unjust results. *State v. Gomez-Colon*, 20-302 (La. App. 5 Cir. 12/22/21), 334 So.3d 975, 985, *writ denied*, 22-125 (La. 4/20/22), 336 So.3d 466.

In the majority's writ disposition, it pointed out that it had a partial transcript. This Court explained that it had no way to compare whether the played portion of the recording contained new information. Now, this Court has the benefit of the record of the entire trial. At trial, the State presented evidence that corroborated that defendant was harassing Ms. Jones and contacted her apartment complex about Mr. Anderson. As to the suggestion that defendant was involved with the gun found in Ms. Jones' car, evidence was presented that defendant's car was at the Gatehouse Apartments the day before the Crimestoppers tip was made. In her interview, defendant admitted that she made the tip, but denied going to the apartment complex. Deja testified that defendant paid Gordon to plant a gun in a vehicle. As such, although the record contains new information, we find that it would not alter this Court's previous determination; the law of the case doctrine is applicable. *See State v. Lane*, 20-137 (La. App. 5 Cir. 12/23/20), 309 So.3d 886, 912, *writ denied*, 21-100 (La. 4/27/21), 314 So.3d 836.

In any event, we find that any error would be harmless.

The Sixth Amendment to the United States Constitution guarantees an accused in a criminal prosecution the right to be confronted with the witnesses testifying against him. The Confrontation Clause of the Louisiana Constitution likewise expressly guarantees the accused the right "to confront and cross-examine the witnesses against him." La. Const. art. I, § 16; *State v. Augustus*, 25-296 (La. App. 5 Cir. 2/25/26), 432 So.3d 292, 321. The main purpose of confrontation is to secure for the opponent the opportunity of cross-

examination. *Id.* Cross-examination is the primary means of testing the truthfulness of testimony. *Id.*

Hearsay is an oral or written assertion, other than one made by the declarant while testifying at the present trial, offered in evidence to prove the truth of the matter asserted. La. C.E. art. 801. Hearsay evidence is not admissible except as otherwise specified in the Code of Evidence or other legislation. La. C.E. art. 802. Hearsay is excluded because the value of the statement rests on the credibility of the out-of-court asserter, who is not subject to cross-examination and other safeguards of reliability. *State v. Bello-Urbina*, 24-8 (La. App. 5 Cir. 10/30/24), 398 So.3d 782, 794.

A law enforcement officer may testify about information provided by another individual without it constituting hearsay if it is offered to explain the course of the police investigation and the steps leading to the defendant's arrest. *State v. Henry*, 08-658 (La. App. 5 Cir. 10/27/09), 27 So.3d 935, 944, *writ denied*, 09-2485 (La. 4/23/10), 34 So.3d 269. A law enforcement officer's testimony about statements made to him by other persons involved in the case in order to explain their actions are not hearsay. Instead, these statements often fall under the *res gestae* exception and are admissible, not to prove the truth of the statement being made, but rather to explain the sequence of events leading to the arrest of the defendant. *Id.*

It is well recognized that when one side has partially gone into a matter during its direct examination, the other side may fully go into it on cross-examination. *State v. Smart*, 05-814 (La. App. 5 Cir. 3/14/06), 926 So.2d 637, 647, *writ denied*, 06-1225 (La. 11/17/06), 942 So.2d 533. Any doubt as to the propriety or extent of cross-examination is resolved in favor of the cross-examination. *Id.* Once the defense opens the door in cross-examination on a subject, it becomes a proper subject for redirect. *State v. Hugle*, 11-1121 (La. App. 4 Cir. 11/7/12), 104 So.3d 598, 615, *writ denied*, 12-2721 (La. 6/14/13), 118 So.3d 1079. The defense may not approach a prohibited area and then close the door to clarification by the State. *See Id.*

A trial judge's determination regarding admissibility of evidence will not be overturned by an appellate court absent a clear abuse of the trial judge's discretion. *State v. Jenkins*, 22-443 (La. App. 5 Cir. 2/27/23), 359 So.3d 1006, 1013. Although a statement may constitute inadmissible hearsay, if the statement is merely cumulative or corroborative of other evidence, the admission of the evidence is harmless error. *Bello-Urbina*, 398 So.3d at 794. Even if defendant's right to confrontation was violated, such a violation is subject to a harmless error analysis. *State v. Mejia*, 23-161 (La. App. 5 Cir. 11/29/23), 377 So.3d 860, 879, *writ denied*, 23-1722 (La. 5/29/24), 385 So.3d 705. Any error regarding the admission of the other crimes evidence is subject to the harmless error rule. *State v. E.M.*, 22-293 (La. App. 5 Cir. 2/27/23), 359 So.3d 90, 105, *writ denied*, 23-419 (La. 10/10/23), 371 So.3d 452. The test for determining if an error was harmless is whether the verdict rendered at trial was surely unattributable to the error. *Id.*

Upon review, we conclude that if the judge erred, even without the video of Ms. Jones stating that defendant planted the gun, there was sufficient evidence to prove defendant's guilt for the charged offenses. Other evidence beyond the video at issue established defendant's involvement with the planted gun and the Crimestoppers tip. Further, the State established several instances in which defendant sought to separate Mr. Anderson from Ms. Jones. The evidence also established that, at defendant's request and in exchange for money, Gordon killed Ms. Jones. This assignment of error is without merit.

ASSIGNMENT OF ERROR NUMBER TWO

In this assignment of error, defendant argues the trial court erred in denying her motion for a mistrial after the State played a voicemail that defendant left for Mr. Anderson that contained inadmissible "other crimes, wrongs, or acts" evidence that was both irrelevant and highly prejudicial. She avers that a January 12, 2022 voicemail was cumulative and only published to inflame the jury. She points out that she attempted to proffer additional voicemails, but her request was

denied. Defendant asserts that a mistrial should have been granted, and she should be granted a new trial.

Mr. Anderson's phone contained three voicemails: two from December 26, 2021, and one from January 12, 2022. The January 12, 2022 voicemail is the only one at issue on appeal. At trial, the voicemail was played several times. In the voicemail, the caller, apparently defendant, mentioned Mr. Anderson giving something back. Defendant questioned how he would give something back and that doing so would not hurt her because she had already written him a check to pay him back. She said, "But can you give this stolen merchandise back from Dow Chemicals?" Defendant asked if they would take it back without firing him. She said, "You want to talk s**t. B***h, you not ready for me. ... You want me to bring this motherf***ing s**t to your f***ing job? Mind your mother***ing business."

When it was first played, defense counsel objected. He opined that the State was introducing evidence of other crimes "if they're talking about stealing or having stolen or having heard." The prosecutor replied that defendant was accusing Mr. Anderson of committing a crime and counsel did not have a right to protect him. Defense counsel indicated that defendant was saying she possessed Dow products that Mr. Anderson stole from his job. Counsel argued that it was a bad act by defendant because "she's saying she'll bring this, that means she has possession of it." A mistrial was requested. The judge overruled the objection and denied the motion for a mistrial.

Counsel objected again during another publication of the voicemail, asserting that it was evidence of other prior bad acts. The judge explained that it was already discussed and played for the jury three times. The objection was overruled.

Later, defense counsel sought to proffer three audio exhibits that he explained confirmed that defendant intended to bring stolen goods from her home to Dow Chemicals. He provided that the State played the audio three times and he wanted to proffer other audio for record-keeping purposes. The prosecutor objected. The judge read aloud the

portion of the jury instructions regarding other crimes evidence that he would read to the jury. The judge asked defense counsel if he was offering the voicemails into evidence. Counsel answered affirmatively, and the judge denied the request. Defense counsel objected and proffered the audio. The judge reiterated that the jury would be instructed as to other acts. The judge said he did not see how the three calls counsel was attempting to introduce supported his contention, but he would allow the calls to be proffered as “Proffer 1 Ms. Every.”³⁴

In Louisiana, the fundamental rule governing the use of evidence of other crimes, wrongs, or acts is that such evidence is not admissible to prove that the accused committed the charged crime because he has committed other such crimes in the past. La. C.E. art. 404(B)(1); *State v. Perez-Espinosa*, 23-353 (La. App. 5 Cir. 5/22/24), 389 So.3d 284, 292, *writs denied*, 24-431 (La. 10/15/24), 394 So.3d 812, and 24-464 (La. 10/15/24), 394 So.3d 823, and 24-811 (La. 10/15/24), 394 So.3d 818. However, while the State may not admit evidence of other crimes to prove the defendant is a person of bad character, evidence of prior crimes may be admitted if the State establishes an independent relevance aside from proving the defendant’s criminal character. *Gilmore*, 421 So.3d at 1060. Evidence of other crimes is admissible to prove motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake or accident, or when it relates to conduct that constitutes an integral part of the act or transaction that is the subject of the present proceeding to such an extent that the State could not accurately present its case without reference to the prior bad acts. La. C.E. art. 404(B)(1); *State v. James*, 24-508 (La. App. 5 Cir. 7/30/25), 417 So.3d 103, 112.

Even when the other crimes evidence is offered for a purpose allowed under La. C.E. art. 404(B)(1), the evidence is not admissible

³⁴ As to the proffered voicemails, one proffered voicemail appears to be the same as one offered by the State. In another, defendant asked if Mr. Anderson wanted to get the portable AC or the tents that he stole from work. She then stated she would bring him the AC. She told him to tell his boss that she was bringing it to him. In a third proffered voicemail, she asked if he told his boss that she was bringing the tent and AC that he stole from his job. She said she was going to tell them that it was employee theft. She informed him that he would not get unemployment when he is fired.

unless it tends to prove a material fact at issue or to rebut a defendant's defense. *Fuxan*, 415 So.3d at 413. For other crimes evidence to be admitted under Article 404(B)(1), one of the factors enumerated in the article must be at issue, have some independent relevance, or be an element of the crime charged. *Id.* The State is only required to make some showing of sufficient evidence to support a finding that the defendant committed the other independently relevant acts. *Id.* Additionally, the probative value of the extraneous evidence must outweigh its prejudicial effect. La. C.E. art. 403; *State v. Washington*, 24-550 (La. App. 5 Cir. 8/27/25), 421 So.3d 1020, 1036, *writ denied*, 25-1190 (La. 2/10/26), 425 So.3d 1201.

The defendant bears the burden to show that he was prejudiced by the admission of the other crimes evidence. *James*, 417 So.3d at 112. Absent an abuse of discretion, a trial court's ruling on the admissibility of evidence pursuant to La. C.E. art. 404(B)(1) will not be disturbed. *Id.*

A mistrial is mandated upon a defendant's motion "when a remark or comment, made within the hearing of the jury by the judge, district attorney, or a court official, during the trial or in argument, refers directly or indirectly to ... another crime committed or alleged to have been committed by the defendant as to which evidence is not admissible." La. C.Cr.P. art. 770(2). An admonition to the jury to disregard the remark or comment shall not be sufficient to prevent a mistrial. La. C.Cr.P. art. 770. To trigger a mandatory mistrial, the remark must unmistakably point to evidence of another crime. *State v. Rodas*, 15-792 (La. App. 5 Cir. 9/22/16), 202 So.3d 518, 523, *writ denied*, 16-1881 (La. 9/6/17), 224 So.3d 980.

La. C.Cr.P. art. 775 provides for a mistrial if prejudicial conduct inside or outside the courtroom makes it impossible for the defendant to obtain a fair trial, or when authorized under La. C.Cr.P. arts. 770 or 771. Mistrial is a drastic remedy, to be used only upon a clear showing of prejudice by the defendant; a mere possibility of prejudice is not sufficient. *State v. Myers*, 25-46 (La. App. 5 Cir. 10/29/25), 426 So.3d 133, 144. Whether a mistrial should be granted is within the sound

discretion of the trial court and the denial of a motion for mistrial will not be disturbed absent an abuse of that discretion. *Id.* The standard to judge whether a mistrial should have been granted is whether the defendant suffers such substantial prejudice that he has been deprived of any reasonable expectation of a fair trial. *Id.*

Here, a mistrial was not mandatory because the issue involved an exhibit, rather than a court official, as prohibited by Article 770(2).³⁵ Additionally, it does not appear that the remark unmistakably points to evidence of another crime. The comments in the voicemail directly stated that Mr. Anderson committed a prior bad act, *i.e.*, that he stole merchandise from Dow Chemicals. However, there is some ambiguity as to whether defendant's comments indicated that she possessed that stolen merchandise. She specifically said in the voicemail, "But can you give this stolen merchandise back from Dow Chemicals?" She then commented, "You want to talk s**t. B***h, you not ready for me. ... You want me to bring this Motherf***ing s**t to your f***ing job? Mind your mother***ing business." This could be a reference to bringing the information she had about the theft or the stolen merchandise to his job. It could suggest that although she did not possess it, she knew where it was and could get it. Moreover, we find that defendant has not demonstrated prejudice, and the judge did not abuse his discretion.

Even if the trial court erred in allowing admission of the evidence, the erroneous admission of other crimes evidence is subject to a harmless error analysis. *State v. Thomas*, 19-582 (La. App. 5 Cir. 7/29/20), 300 So.3d 517, 529, *writ denied*, 20-1503 (La. 3/2/21), 311 So.3d 1053. In determining harmless error, it is "not whether, in a trial that occurred without the error, a guilty verdict would surely have been rendered, but whether the guilty verdict actually rendered in the trial

³⁵ In the exhibit, defendant spoke. The voicemail was played during Mr. Anderson's testimony. Neither defendant nor Mr. Anderson are court officials. The exhibit was also played during Detective Ducote's testimony, and again during Detective Bradley's testimony. Neither of them is a court official. *See State v. Gray*, 17-166 (La. App. 5 Cir. 12/20/17), 235 So.3d 1270, 1282 ("A police officer is not considered a 'court official' within the meaning of La. C.Cr.P. art. 770.").

was surely unattributable to the error.” *State v. Brown*, 24-16 (La. App. 5 Cir. 10/30/24), 398 So.3d 796, 804.

Even if the trial court erroneously admitted the evidence, we find the error was harmless given the other evidence of defendant’s guilt presented at trial. As previously set forth, evidence established that at defendant’s request and in exchange for money, Gordon killed Ms. Jones. There was ample evidence that defendant became obsessive regarding Mr. Anderson after they broke up and she began targeting Ms. Jones, his new girlfriend. Evidence established that Gordon entered the apartment complex where the murder occurred in Deja’s car, which did not have a license plate at that time, at 4:48 a.m. He drove in the direction of Ms. Jones’ apartment, then sped out of the complex at 4:52 a.m. Cell phone evidence corroborated Gordon’s whereabouts at the time. Defendant was to pay Gordon \$10,000 for the murder. She withdrew \$4,000 in cash that day and later had a check written to cash for the same amount, which was given to Gordon. Thus, considering the other evidence presented at trial, we find that the guilty verdicts rendered by the jury were surely unattributable to the admission of the evidence and any error in its admission was harmless. This assignment of error is without merit.

ASSIGNMENT OF ERROR NUMBER THREE

In this assignment of error, defendant argues that the State improperly played Gordon’s recorded statement where Detective Bradley referred to her as a liar and a manipulator, which constituted inadmissible opinion and character evidence. She asserts that the State did not address this in its Article 404(B) notices or redact it prior to trial. Defendant contends that the court erred when it overruled her objection and violated her right to a fair trial.

The record does not appear to contain any pretrial motions wherein defendant asked to redact any portion of Gordon’s statement. During trial, on April 16, 2025, the prosecutor explained for the record that Gordon’s statement, which would be published as State’s Exhibit 235A, had additional redactions. She explained that the redacted version was given to her that morning, but that she e-mailed the defense

the muted times. Later, before publishing the exhibit, the judge asked counsel for both defendants if there was an objection to the admission of State's Exhibit 235A into evidence. Defendant's counsel stated, "Not at this time as to the redacted copy, Judge." Gordon's counsel stated he had no objection. The exhibit was admitted into evidence.

As it was being played, defendant's counsel objected to Detective Bradley "testifying that [his] client is a liar and a manipulator." He asserted that it should not be played and that it was character evidence presented to the jury. The prosecutor argued that the detective's questioning was not being offered for the truth of the matter asserted and it was being asked to Gordon in a statement that was ruled admissible. She also pointed out that counsel had the statement since 2022. The judge asked when counsel was provided with a copy of the statement. Defendant's attorney stated he was not so provided. The prosecutor replied that it was "in Box" since 2022. Counsel clarified that he was referring to a redacted copy. The prosecutor explained that she e-mailed the statement to both defense counsels and the issue should have been raised before.

The judge said the evidence was provided in discovery and that this was not the time to object. He explained that an objection to the statement should have been made before then. The judge said defendant's counsel would be able to cross-examine Sergeant Keller and the lead detective. He also noted that this was a law enforcement technique used for many years. He explained that a law enforcement officer's assertions in an interview do not, by themselves, establish the truth of those statements. The judge overruled the objection.

To preserve the right to seek appellate review of an alleged trial court error, the party claiming the error must state an objection contemporaneously with the occurrence of the alleged error, as well as the grounds for that objection. *James*, 417 So.3d at 111. An irregularity or error cannot be availed of after verdict unless it was objected to at the time of occurrence. La. C.Cr.P. art. 841. Louisiana courts have long held a defendant may not raise new grounds for suppressing evidence on appeal that he did not raise at the trial court in a motion to

suppress. *State v. Jaramillo*, 23-322 (La. App. 5 Cir. 2/28/24), 382 So.3d 1072, 1078, *writ denied*, 24-367 (La. 10/8/24), 394 So.3d 267.

Upon review, we conclude that this issue is not preserved. The record does not reflect that defendant sought to redact any portions of Gordon's statement. When the State sought to admit the redacted recording, the judge asked counsel for both defendants if there was an objection to the admission of State's Exhibit 235A into evidence. Defendant's counsel stated, "Not at this time as to the redacted copy, Judge." Then, counsel objected as it was published. We conclude that the trial judge did not err when he overruled the objection and found it untimely.

In any event, even if the issue was properly preserved and error occurred, it was harmless. In determining harmless error, it is "not whether, in a trial that occurred without the error, a guilty verdict would surely have been rendered, but whether the guilty verdict actually rendered in the trial was surely unattributable to the error." *Sly*, 376 So.3d at 1082. Other evidence was presented that could have led the jury to independently find that defendant was a liar and a manipulator. For example, evidence was presented that defendant chose to identify herself under a pseudonym when she went to Ms. Jones' apartment and spoke to her aunt. She also attempted to conceal her identity when she reported the Crimestoppers tip and when she faxed the Gatehouse Apartments regarding Mr. Anderson's prior conviction, which she did attempting to get him removed from Ms. Jones' apartment. Defendant lied when she identified herself as Mr. Ambrose in a text she sent to Mr. Anderson wherein she tried to manipulate him into reconciling with her. Additionally, the State presented sufficient evidence as to each offense notwithstanding the detective's comment.

This assignment of error is without merit.

ASSIGNMENT OF ERROR NUMBER FIVE

In her final assignment of error, defendant argues the court erred in sentencing her to the mandatory minimum sentence on count one and the maximum sentences on counts two and three. She contends that the

sentences should be vacated and the case remanded for resentencing. Defendant cites to *State v. Dorthey*, 623 So.2d 1276, 1278 (La. 1993) for the general proposition that the Eighth Amendment to the United States Constitution and Article I, § 20 of the Louisiana Constitution prohibit excessive or cruel punishments.

Prior to sentencing, the State presented several victim impact statements. Alexis Thompson testified regarding her mother and the impact of her loss. She described Gordon as a coward and stated he let a broken woman's lies turn him into a murderer. Alexis described defendant as jealous, obsessive, and pure evil. Next, Shanice Thompson described her mother and stated she did not deserve what happened. She characterized defendant's conduct as disturbing and stated Gordon would be remembered in shame. She labeled defendant a monster and Gordon the devil.

Gladys recounted when defendant came to the door and that she wished it had gone differently. Gladys stated that she hoped both defendants never see the light of day and they never get any visitors because she could never visit Ms. Jones again. Lynette Hayes, Ms. Jones' cousin, stated, "You know, some people can't do their own dirty work, so they get like the scum of the earth to do it and they sit tall. That's not what the truth is, because you are a baby." Ms. Hayes stated defendant took Ms. Jones over a man because she was mad; she pointed out that Mr. Anderson did not want her. Finally, Riya Roberts, Ms. Jones' goddaughter, stated she hoped the defendants thought about their actions because they did not do so beforehand.

The judge explained that he agreed with the verdicts. Then, speaking to defendant, he addressed the sentencing guidelines contained in La. C.Cr.P. art. 894.1, explaining that the three subsections of paragraph A applied. As to paragraph B, he stated factors one, three, six, eight, and nine applied and weighed in favor of imprisonment.³⁶

³⁶ La. C.Cr.P. art. 894.1(A) and (B) provide, in pertinent part:

A. When a defendant has been convicted of a felony or misdemeanor, the court should impose a sentence of imprisonment if any of the following occurs:

The judge ultimately sentenced defendant to life imprisonment at hard labor without parole on count one (second degree murder), thirty years imprisonment at hard labor on count two (conspiracy to commit second degree murder), and twenty years imprisonment at hard labor on count three (solicitation for murder). The judge ordered that the sentences run concurrently with each other. Defense counsel objected.

La. C.Cr.P. art. 881.1(B) provides that a motion for reconsideration of sentence “shall be oral at the time of sentence or shall be in writing thereafter and shall set forth the specific grounds on which the motion is based.” Here, defendant filed a Motion to Reconsider Sentence wherein she asked the court to reconsider the sentence imposed for second degree murder, or alternatively, the sentences imposed for conspiracy to commit second degree murder and for solicitation for murder because the sentences were excessive. She contended that she is exceptional in that because of unusual circumstances, she is a victim of the legislature’s failure to assign

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- (1) There is an undue risk that during the period of a suspended sentence or probation the defendant will commit another crime.
 - (2) The defendant is in need of correctional treatment or a custodial environment that can be provided most effectively by his commitment to an institution.
 - (3) A lesser sentence will deprecate the seriousness of the defendant's crime.

B. The following grounds, while not controlling the discretion of the court, shall be accorded weight in its determination of suspension of sentence or probation:

- (1) The offender's conduct during the commission of the offense manifested deliberate cruelty to the victim.

...

- (3) The offender offered or has been offered or has given or received anything of value for the commission of the offense.

...

- (6) The offender used threats of or actual violence in the commission of the offense.

...

- (8) The offender committed the offense in order to facilitate or conceal the commission of another offense.

- (9) The offense resulted in a significant permanent injury or significant economic loss to the victim or his family.

...

sentences that are meaningfully tailored to the culpability of the offender, the gravity of the offense, and the circumstances of the case. She explained that she suffers from numerous medical issues which may be exacerbated by incarceration. She asserted that the facts of this case and the evidence suggest that the court should depart from the mandatory sentences. She provided that the sentences for conspiracy to commit second degree murder and solicitation for murder are excessive given the life sentence imposed for second degree murder. The trial court denied the motion.

The Eighth Amendment to the United States Constitution prohibits cruel and unusual punishment. Article I, § 20 of the Louisiana Constitution also prohibits cruel and unusual punishment but further explicitly prohibits excessive punishment. *State v. Perez-Espinosa*, 24-587 (La. App. 5 Cir. 9/24/25), 423 So.3d 185, 188, *writ denied*, 25-1351 (La. 3/31/26), 428 So.3d 693. A sentence is considered excessive, even when it is within the applicable statutory range “if it makes no measurable contribution to acceptable goals of punishment and is nothing more than the purposeless imposition of pain and suffering and is grossly out of proportion to the severity of the crime.” *Id.* A sentence is grossly disproportionate if the crime and punishment shock the sense of justice in light of the harm done to society. *Id.*

A trial judge is in the best position to consider the aggravating and mitigating circumstances of a particular case and, therefore, is given broad discretion when imposing a sentence. *State v. Pike*, 25-47 (La. App. 5 Cir. 10/29/25), 426 So.3d 148, 155. On review, an appellate court does not determine whether another sentence might have been more appropriate, but rather, whether the district court abused its discretion. *Id.* The review of sentences under La. Const. art. I, § 20 does not provide an appellate court with a vehicle for substituting its judgment for that of a trial judge as to what punishment is most appropriate in a given case. *Id.* Generally, courts reserve maximum sentences for cases involving the most serious violations of the offense charged and the worst type of offender. *Id.* A mandatory minimum sentence is presumed constitutional. *State v. Lods*, 23-319 (La. App. 5 Cir. 12/27/23), 379 So.3d 766, 769.

The appellate court shall not set aside a sentence for excessiveness if the record supports the sentence imposed. La. C.Cr.P. art. 881.4(D); *State v. Haten*, 24-588 (La. App. 5 Cir. 9/24/25), 423 So.3d 118, 124. In reviewing a sentence for excessiveness, the reviewing court shall consider the crime and the punishment in light of the harm to society and gauge whether the penalty is so disproportionate as to shock the court's sense of justice, while recognizing the trial court's wide discretion. *Id.* In reviewing a trial court's sentencing discretion, three factors are considered: 1) the nature of the crime; 2) the nature and background of the offender; and 3) the sentence imposed for similar crimes by the same court and other courts. However, there is no requirement that specific matters be given any particular weight at sentencing. *Id.* at 124–25.

Defendant was 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), and solicitation for murder in violation of La. R.S. 14:28.1 (count three). Whoever commits the crime of second degree murder shall be punished by life imprisonment at hard labor without the benefit of parole, probation, or suspension of sentence. La. R.S. 14:30.1. Whoever is a party to a criminal conspiracy to commit a crime punishable by death or life imprisonment shall be imprisoned at hard labor for not more than thirty years. La. R.S. 14:26(C). Whoever commits the crime of solicitation for murder shall be imprisoned at hard labor for not less than five years nor more than twenty years. La. R.S. 14:28.1. Defendant received the mandatory minimum sentence on count one and the maximum sentences on counts two and three.

Considering the nature of the crime, the record reflects that defendant became obsessive regarding Mr. Anderson after they broke up, and she conspired with and paid Gordon to harass and ultimately kill Ms. Jones, Mr. Anderson's new girlfriend. Gordon fired at Ms. Jones five times as she attempted to leave her home for work; he ultimately shot her three times. Prior to the murder, defendant attempted to have Mr. Anderson removed from Ms. Jones' apartment by reporting his prior conviction to the complex management and

having a resident also do so. She tried to frame Ms. Jones by planting a gun in her vehicle and reporting it to the police. She impersonated Mr. Ambrose trying to convince Mr. Anderson to reconcile with her. She appeared to have been tracking Mr. Anderson after the murder. Although Mr. Anderson and defendant continued to communicate after the breakup and after the murder, evidence at trial showed that her communication with him was aggressive.

As to defendant's nature and background, the record reflects that defendant, who was a tax preparer, was approximately forty-nine years old at the time of the offenses. The record indicates that defendant had a son who was "on the spectrum" and graduated high school while she awaited trial. She also had another minor child. Additionally, at the time of trial, defendant's son, Joshua Every, was "a capital murder defendant" with his own trial pending. A notice filed by the State prior to trial reflects that defendant had a conviction for obstruction of justice in St. Charles Parish. The record reflects that defendant believed she could outsmart the police investigation by paying Gordon to commit the murder, then inserting herself into the investigation and offering an unsolicited alibi. She also initiated her second interview. Additionally, she paid a portion of the money to Gordon in cash and another portion via check. Defendant initially denied knowing Gordon and continuously denied any involvement in these offenses.

This Court and other courts have upheld life sentences for second degree murder. *See Sly*, 376 So.3d at 1092; *State v. Horton*, 24-458 (La. App. 4 Cir. 7/24/25), 431 So.3d 88, 107, *writs denied*, 25-1076 (La. 1/28/26), 425 So.3d 114, and 25-1083 (La. 2/3/26), 425 So.3d 835; *State v. Cockerhem*, 56,772 (La. App. 2 Cir. 2/25/26), 430 So.3d 672, 682; *State v. Ledezma*, 24-258 (La. App. 1 Cir. 12/27/24), 404 So.3d 988, 1000, *writ denied*, 25-114 (La. 4/8/25), 405 So.3d 574; *State v. Matthews*, 22-422 (La. App. 3 Cir. 11/1/22), 353 So.3d 301, 311.

Courts have upheld similar sentences for convictions of conspiracy to commit second degree murder. *See State v. Toby*, 22-481 (La. App. 3 Cir. 4/22/25), 416 So.3d 484, 494, *writ denied*, 25-669 (La. 11/12/25), 420 So.3d 702 (twenty-five-year sentence for conspiracy to

commit second degree murder); *State v. Sizemore*, 13-529 (La. App. 3 Cir. 12/18/13), 129 So.3d 860, 870, *writ denied*, 14-167 (La. 8/25/14), 147 So.3d 699 (life sentence for second degree murder and twenty-five-year sentence for conspiracy to commit second degree murder).

Regarding sentences for convictions of solicitation for murder, in *State v. Falcon*, 06-798 (La. App. 5 Cir. 3/13/07), 956 So.2d 650, this Court found that the record supported the seventeen-year sentence for solicitation for murder where the defendant thought he was hiring a hitman to murder his former wife of twenty years and the mother of his children. In *State v. Blow*, 45,415 (La. App. 2 Cir. 8/11/10), 46 So.3d 735, *writ denied*, 10-2093 (La. 2/11/11), 56 So.3d 1000, the Second Circuit upheld two concurrent fifteen-year sentences for two counts of solicitation for murder where the defendant, on two occasions, contacted acquaintances about having her husband murdered.

Upon review, we conclude that the facts of the instant case, particularly that the murder actually took place, justify the increased sentence for solicitation for murder beyond those upheld in *Falcon* and *Blow*, neither of which progressed beyond the solicitation. We also note that the sentences were imposed to run concurrently with each other. For those reasons, we conclude that the sentences are not excessive. 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). Our review reveals no errors patent in this case that require corrective action.

DECREE

For the foregoing reasons, defendant's convictions and sentences are affirmed.

AFFIRMED

SUSAN M. CHEHARDY
CHIEF JUDGE

FREDERICKA H. WICKER
JUDE G. GRAVOIS
MARC E. JOHNSON
STEPHEN J. WINDHORST
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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 **SEPTEMBER 2, 2026** TO THE TRIAL JUDGE, CLERK OF COURT, COUNSEL OF RECORD AND ALL PARTIES NOT REPRESENTED BY COUNSEL, AS LISTED BELOW:

A handwritten signature in blue ink, reading "Curtis B. Pursell", is written over a horizontal line.

CURTIS B. PURSELL
CLERK OF COURT

25-KA-495

E-NOTIFIED

24TH JUDICIAL DISTRICT COURT (CLERK)
R. CHRISTOPHER COX, III (DISTRICT JUDGE)
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REMY V. STARNES (APPELLANT)

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MATTHEW WHITWORTH (APPELLEE)
SARAH HELMSTETTER (APPELLEE)

HONORABLE PAUL D. CONNICK, JR.
(APPELLEE)

MAILED

NO ATTORNEYS WERE MAILED