

Fifth Circuit Court of Appeal
State of Louisiana

No. 25-KA-355

STATE OF LOUISIANA

versus

DARRYL W. VINSON

ON APPEAL FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT
PARISH OF JEFFERSON, STATE OF LOUISIANA
NO. 21-658, DIVISION "A"
HONORABLE RAYMOND S. STEIB, JR., JUDGE PRESIDING

April 22, 2026

FREDERICKA HOMBERG WICKER
JUDGE

Panel composed of Judges Fredericka Homberg Wicker,
John J. Molaison, Jr., and Scott U. Schlegel

APPEAL DISMISSED;
REMANDED WITH INSTRUCTIONS;
COUNSEL OF RECORD WITHDRAWN.

FHW

JJM

SUS

TRUE COPY



JALISA WALKER
DEPUTY CLERK

COUNSEL FOR PLAINTIFF/APPELLEE,
STATE OF LOUISIANA

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

COUNSEL FOR DEFENDANT/APPELLANT,
DARRYL W. VINSON

Jane L. Beebe

WICKER, J.

On May 3, 2023, a twelve-person jury unanimously found Defendant Darryl W. Vinson guilty of attempted second-degree murder, second-degree kidnapping, second-degree sexual battery, and false imprisonment with a weapon. On June 15, 2023, the trial court sentenced Defendant on all counts to a total of 115 years imprisonment at hard labor, 67 years of which to be served without benefit of probation, parole, or suspension of sentence.

On May 21, 2025, Defendant filed a *pro se* application for post-conviction relief requesting an out-of-time appeal, which the trial court granted on June 9, 2025. Jane L. Beebe of the Louisiana Appeals & Writ Service was appointed to represent Defendant on appeal. Defendant filed his appellant brief on October 6, 2025 and the State filed its appellee brief on November 25, 2025. The matter was set to be submitted to this Court's docket on February 4, 2026. Before the submission date, Ms. Beebe informed this Court that Defendant had died in late-January 2026.

On April 1, 2026, considering Ms. Beebe's report of Defendant's death and the pendency of his outstanding appeal, this Court ordered Ms. Beebe to file a motion to dismiss the appeal, attaching a copy of Defendant's death certificate, within thirty days. On April 17, 2026, Ms. Beebe filed a Motion to Dismiss Appeal with Defendant's death certificate attached. The death certificate reflected Defendant's death on January 23, 2026. In light of Defendant's death during the pendency of his appeal, this Court must consider the effect of his death on the unresolved appellate proceeding.

In *State v. Gleason*, 21-1788 (La. 11/10/22), 349 So.3d 977, the Louisiana Supreme Court held:

The abatement *ab initio* doctrine is obsolete and inconsistent with our positive law. To abate a conviction would be as to say there has been no crime and there is no victim. Accordingly, we abandon the doctrine and hold that when a defendant dies during the pendency of an appeal, the appeal shall be dismissed and the trial court shall enter a notation in

the record that the conviction removed the defendant's presumption of innocence but was neither affirmed nor reversed on appeal due to the defendant's death.

Id. at 982–83.

Accordingly, Defendant's appeal is dismissed, and the matter is remanded to the trial court to enter a notation in the record that while the conviction removed Defendant's presumption of innocence, it was neither affirmed nor reversed on appeal due to his death. Furthermore, Jane L. Beebe and the Louisiana Appeals & Writ Service are ordered withdrawn as counsel of record in the captioned matter.

APPEAL DISMISSED;
REMANDED WITH INSTRUCTIONS;
COUNSEL OF RECORD WITHDRAWN.

SUSAN M. CHEHARDY
CHIEF JUDGE

FREDERICKA H. WICKER
JUDE G. GRAVOIS
MARC E. JOHNSON
STEPHEN J. WINDHORST
JOHN J. MOLAISSON, JR.
SCOTT U. SCHLEGEL
TIMOTHY S. MARCEL

JUDGES



FIFTH CIRCUIT

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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 **APRIL 22, 2026** TO THE TRIAL JUDGE, CLERK OF COURT, COUNSEL OF RECORD AND ALL PARTIES NOT REPRESENTED BY COUNSEL, AS LISTED BELOW:

CURTIS B. PURSELL
CLERK OF COURT

25-KA-355

E-NOTIFIED

24TH JUDICIAL DISTRICT COURT (CLERK)

HON. RAYMOND S. STEIB, JR. (DISTRICT JUDGE)

HONORABLE PAUL D. CONNICK, JR.

(APPELLEE)

JANE L. BEEBE (APPELLANT)

JULIET L. CLARK (APPELLEE)

THOMAS J. BUTLER (APPELLEE)

MAILED

NO ATTORNEYS WERE MAILED