

Fifth Circuit Court of Appeal
State of Louisiana

No. 25-KA-375

STATE OF LOUISIANA

versus

ADAM M CHAUVIN

ON APPEAL FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT
PARISH OF JEFFERSON, STATE OF LOUISIANA
NO. 24-5233, DIVISION "M"
HONORABLE SHAYNA BEEVERS MORVANT, JUDGE PRESIDING

February 25, 2026

JOHN J. MOLAISON, JR.

JUDGE

Panel composed of Judges Stephen J. Windhorst,
John J. Molaison, Jr., and Scott U. Schlegel

CONVICTION AND SENTENCE AFFIRMED

JJM
SJW
SUS

TRUE COPY



JALISA WALKER
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DEFENDANT/APPELLANT,

ADAM M CHAUVIN

In Proper Person

COUNSEL FOR PLAINTIFF/APPELLEE,

STATE OF LOUISIANA

Honorable Paul D. Connick, Jr.

Thomas J. Butler

Darren A. Allemand

Matthew Whitworth

MOLAISON, J.

The self-represented appellant/defendant in this criminal appeal seeks review of his conviction and sentence following a guilty plea. We affirm for the following reasons.

FACTS AND PROCEDURAL HISTORY

Because the appellant's conviction was the result of a guilty plea, the underlying facts of the case were not developed at trial. On October 15, 2024, the Jefferson Parish District Attorney's Office charged Adam Chauvin with one count of possession of two grams or more but less than twenty-eight grams of Methamphetamine, a violation of La. R.S. 40:967.C. The appellant pled not guilty at arraignment on October 17, 2024. The minute entry from November 12, 2024, shows that the defendant appeared with counsel for a discovery status hearing; discovery was marked satisfied, and oral notice was given for a December 3, 2024 pretrial conference. On December 3, 2024, the defendant appeared and tendered a guilty plea pursuant to a negotiated agreement after being advised of and waiving his rights with an executed *Boykin*¹ form and colloquy with the trial judge. The trial court sentenced the defendant to five years at hard labor, with credit for time served, and various fines. On January 8, 2025, the defendant filed a Motion to Reconsider Sentence that the trial court denied on January 31, 2025. On April 15, 2025, the trial court deemed the defendant's pro se motion for appeal to be timely filed under the "mailbox rule." See *Houston v. Lack*, 487 U.S. 266, 108 S.Ct. 2379, 101 L.Ed.2d 245 (1988). At a motion hearing regarding appeal costs/pauper status held July 21, 2025, the defendant did not appear but was represented by counsel. At the hearing, the trial court vacated a prior order denying pauper status, granted pauper status, and allowed the appeal to proceed; counsel's oral motion to withdraw was granted.

¹ *Boykin v. Alabama*, 395 U.S. 238, 89 S.Ct. 1709, 23 L.Ed.2d 274 (1969).

ASSIGNMENTS OF ERROR ON APPEAL

The defendant is representing himself on appeal. His brief is technically deficient because he does not cite any law or authority or develop an argument in support of assignments as required by Uniform Rules – Courts of Appeal, Rule 2-12.4. However, in the interest of justice, this Court reads *pro se* filings indulgently and attempts to discern the thrust of the appellant's position on appeal and the relief he seeks. *Magee v. Williams*, 50,726 (La. App. 2 Cir. 6/22/16), 197 So.3d 265, 268. In this appeal, the defendant appears to be raising three issues: 1) that he was not present for crucial hearing dates; 2) that he was not consulted by his attorney about his plea agreement, as evidenced by pre-printed initials on the *Boykin* form; and 3) his guilty plea was involuntary.

The State responds, in summary, that the record contains no evidence that the defendant's plea is constitutionally infirm.

LAW AND ANALYSIS

Even with the latitude extended to a *pro se* litigant in the form of liberally construed pleadings, he is required to meet his burden of proof. *Fobbs v. CompuCom Sys., Inc.*, 55,173 (La. App. 2 Cir. 9/27/23), 371 So.3d 1146, 1151 (citing *Magee v. Williams*, 197 So.3d 265).

As noted above, our review of the record shows that the defendant was present at his arraignment, at a discovery motion, and for his guilty plea. Although he was not present at the hearing on his motion seeking pauper status, he was represented by counsel and obtained the desired result of pauper status on appeal. We find no error in the defendant's argument that he was somehow prejudicially excluded throughout the proceedings.

In his second and third arguments, the defendant claims he was not consulted before entering his guilty plea and that the plea was therefore involuntary.

Our review of the record reveals no irregularities in the defendant's guilty plea that would render it invalid. Once a defendant is sentenced, only constitutionally infirm guilty pleas may be withdrawn by appeal or post-conviction relief. A guilty plea is constitutionally infirm if it is not entered freely and voluntarily, if the *Boykin* colloquy is inadequate, or when a defendant is induced to enter the plea by a plea bargain or what he justifiably believes was a plea bargain and that bargain is not kept. *State v. McCoil*, 05-658 (La. App. 5 Cir. 2/27/06), 924 So.2d 1120, 1124.

The record shows that the defendant was aware that he was pleading guilty to one count of possession of two grams or more but less than twenty-eight grams of Methamphetamine, a violation of La. R.S. 40:967.C. Defendant was also advised adequately of his *Boykin* rights. On the waiver of rights form and during the guilty plea colloquy, the defendant was advised of his right to a jury trial, his right to confrontation, and his privilege against self-incrimination. Defendant specifically acknowledged that he had placed his handwritten initials throughout the form and his signature at the end of the waiver of rights form. He indicated that he understood he was waiving these rights and further affirmatively stated to the trial court during the colloquy that he understood that by pleading guilty, he was waiving these rights.

Defendant was also informed that his guilty plea could be used to enhance a penalty for any future conviction.² Defendant indicated that he understood the possible legal consequences of pleading guilty and specifically confirmed that he had not been forced, coerced, or intimidated into entering his guilty plea. Further, the defendant was informed during the colloquy of the sentencing range for the

² In this case, the State agreed to not multiple bill the defendant as part of the plea.

offense, and the actual penalty that would be imposed upon acceptance of his guilty plea.³

Although the defendant contends that his pre-printed initials on the form prove his plea was not voluntary, the entirety of the record demonstrates that the defendant personally handwrote his initials and signature on the waiver of rights form. Even if the defendant had not signed the waiver, the record shows that he was advised of, and waived, his rights.⁴ We find no merit in the defendant's argument that his plea was not knowingly, intelligently, freely, and voluntarily entered.

Based on the foregoing, we find no merit in the defendant's arguments regarding his guilty plea.

ERRORS PATENT DISCUSSION

This Court routinely reviews an appellate record for errors patent in accordance with 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), regardless of whether a defendant requests an errors patent review. We find no errors that require correction.

DECREE

We affirm the defendant's conviction and sentence for the reasons assigned.

CONVICTION AND SENTENCE AFFIRMED

³ We note that the defendant's sentence was within statutory limits under La. R.S. 40:967(C)(2):

(2) An aggregate weight of two grams or more but less than twenty-eight grams shall be imprisoned, with or without hard labor, for not less than one year nor more than five years and, in addition, may be sentenced to pay a fine of not more than five thousand dollars.

⁴ We observed in *State v. Jones*, 13-99 (La. App. 5 Cir. 8/27/13), 123 So. 3d 758, 764 n.5:

"There has never been a requirement that a defendant initial each line in a plea form." *State v. Woods*, 09-399 (La. App. 5 Cir. 3/9/10), 38 So.3d 391, 405, writ denied, 10-0784 (La. 10/29/10), 48 So.3d 1096. See also, *State v. Nelson*, 10-760 (La. App. 5 Cir. 3/29/11), 63 So.3d 280, 283-284 (even though the well-executed waiver of constitutional rights form did not contain the defendant's initials, the plea colloquy and waiver form constituted a sufficient affirmative showing on the record that the defendant was advised of her rights, that she understood them, and that she made a knowing and intelligent waiver of them).

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 **FEBRUARY 25, 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-375

E-NOTIFIED

24TH JUDICIAL DISTRICT COURT (CLERK)

HONORABLE SHAYNA BEEVERS MORVANT (DISTRICT JUDGE)

DARREN A. ALLEMAND (APPELLEE)

HONORABLE PAUL D. CONNICK, JR.
(APPELLEE)

THOMAS J. BUTLER (APPELLEE)

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