

Fifth Circuit Court of Appeal State of Louisiana

No. 25-KH-562

WILLIE MOSES

versus

STATE OF LOUISIANA

IN RE WILLIE MOSES

APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE JACQUELINE F. MALONEY, DIVISION "D", No. 20-3741

TRUE COPY

December 11, 2025



LINDA TRAN
DEPUTY CLERK

Panel composed of Judges Susan M. Chehardy,
Fredericka Homberg Wicker, and Jude G. Gravois

WRIT DENIED

Relator, Willie Moses, seeks this Court's supervisory review of the trial court's September 4, 2025 ruling which denied his motion to reconsider sentence. For the following reasons, we deny this writ application.

On March 27, 2023, pursuant to a plea agreement, relator pled guilty to pornography involving juveniles under thirteen (counts one and two); computer-aided solicitation of a minor (count three); pornography involving juveniles (count four); sexual battery (count five); and oral sexual battery (count six). On the same date, the trial court sentenced relator to thirty years imprisonment at hard labor on counts one and two; ten years imprisonment at hard labor on count three; and twenty years imprisonment at hard labor on count four. The trial court ordered those counts to "run concurrent with one another and concurrent with any and all other sentences." He then sentenced relator to ten years imprisonment at hard labor on

counts five and six. The trial court ordered counts five and six to run “consecutive to one another but concurrent with any and all other sentences.” The sentences on each count were imposed without the benefit of parole, probation, or suspension of sentence.

This Court affirmed relator’s convictions on May 28, 2025. *State v. Moses*, 24-483 (La. App. 5 Cir. 5/28/25), 415 So.3d 514. However, on appeal, this Court found that relator’s sentences were indeterminate “because the trial court did not specify whether the sentences were ordered to run concurrently with specific sentences imposed or simultaneously with any other sentences imposed that defendant may have been serving at the time of his sentencing.” *Id.* at 519. As such, this Court vacated relator’s sentences on counts one through six and remanded the matter to the trial court for resentencing. *Id.* Relator did not file a writ application with the Louisiana Supreme Court.

On July 24, 2025, the trial court resentenced relator as follows:

- thirty years imprisonment at hard labor on counts one and two, concurrently;
- ten years imprisonment at hard labor on counts three, five, and six, concurrently (counts five and six consecutively to each other); and
- twenty years imprisonment at hard labor on count four, concurrently.

All sentences were imposed without the benefit of parole, probation, or suspension of sentence.

On September 2, 2025, relator filed a motion to reconsider sentence, requesting a reduction in his sentence based on his participation in treatment and rehabilitation programs. On September 4, 2025, the trial court denied relief, finding that because relator pled guilty and was sentenced in accordance with his negotiated plea agreements, he was not entitled to relief as a matter of law.

Louisiana Code of Criminal Procedure article 881.2(A)(2) precludes a defendant from seeking review of a sentence imposed in conformity with a plea agreement which was set forth in the record at the time of the plea. Here, relator was resentenced in conformity with his negotiated plea agreement. Thus, we find the trial court did not err by denying relator’s motion on those grounds.

Additionally, because the trial court denied relator's motion, he was not entitled to a contradictory hearing with the State. *See* La. C.Cr.P. art. 881.1(D).¹

Accordingly, we find that relator's claim does not warrant relief. This writ application is denied.

Gretna, Louisiana, this 11th day of December, 2025.

JGG
SMC
FHW

¹ La. C.Cr.P. art. 881.1(D) provides that the trial court may deny a motion to reconsider sentence without a hearing, but may not grant a motion to reconsider without a contradictory hearing.

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



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CURTIS B. PURSELL
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NOTICE OF DISPOSITION CERTIFICATE OF DELIVERY

I CERTIFY THAT A COPY OF THE DISPOSITION IN THE FOREGOING MATTER HAS BEEN TRANSMITTED IN ACCORDANCE WITH **UNIFORM RULES - COURT OF APPEAL, RULE 4-6** THIS DAY **12/11/2025** TO THE TRIAL JUDGE, THE TRIAL COURT CLERK OF COURT, AND AT LEAST ONE OF THE COUNSEL OF RECORD FOR EACH PARTY, AND TO EACH PARTY NOT REPRESENTED BY COUNSEL, AS LISTED BELOW:

CURTIS B. PURSELL
CLERK OF COURT

25-KH-562

E-NOTIFIED

24th Judicial District Court (Clerk)
Honorable Jacqueline F. Maloney (DISTRICT JUDGE)
Thomas J. Butler (Respondent)

MAILED

Willie Moses #777881 (Relator)
Rayburn Correctional Center
27268 Highway 21
Angie, LA 70426