

Fifth Circuit Court of Appeal State of Louisiana

No. 25-KH-521

STATE OF LOUISIANA

versus

CHRISTOPHER SANBORN

IN RE CHRISTOPHER SANBORN
APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-NINTH JUDICIAL DISTRICT
COURT, PARISH OF ST CHARLES, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE
ROCHELLE C. FAHRIG, DIVISION "D", No. 99-313

TRUE COPY

December 15, 2025



LINDA TRAN
DEPUTY CLERK

Panel composed of Judges Jude G. Gravois,
Marc E. Johnson, and Scott U. Schlegel

WRIT DENIED

Relator, Christopher Sanborn, seeks this Court's supervisory review of the trial court's September 22, 2025 ruling which denied his application for post-conviction relief ("APCR"). In his APCR, filed on September 8, 2025, relator contends that the *enactment* in 1898 of Article 116 of the Louisiana Constitution of 1898¹ allowing non-unanimous jury verdicts (the pre-cursor to Article 1, Section 17 of the Louisiana Constitution of 1974 and La. C.Cr.P. art. 782(A)), and as amended in 1974, is unconstitutional, rather than the *operation* of the statute being unconstitutional. Thus, he argues, the trial court erred in denying his APCR as successive and repetitive, because in a prior APCR filed in 2021, he argued that the *operation* of the statute was unconstitutional.²

¹ Article 116 of the Louisiana Constitution of 1898 provided, in pertinent part: "[C]ases in which the punishment is necessarily at hard labor, [shall be tried] by a jury of twelve, nine of whom concurring may render a verdict;"

² It does not appear that relator sought this Court's supervisory review of the denial of his APCR filed and denied in 2021.

Relator was found guilty of two counts of armed robbery on June 26, 2000. His convictions were affirmed by this Court, and became final in 2003. *See State v. Sanborn*, 02-257 (La. App. 5 Cir. 10/16/02), 831 So.2d 320, *writ denied*, 02-3130 (La. 9/26/03), 854 So.2d 346.

No matter how his present argument is couched, relator is seeking a new trial based upon the assertion that his prior conviction in 2000 was by a non-unanimous jury, which the U.S. Supreme Court found unconstitutional in *Ramos v. Louisiana*, 590 U.S. 83, 140 S.Ct. 1390, 206 L.Ed.2d 583 (2020). As the trial court noted in its ruling, the U.S. Supreme Court held that the *Ramos* decision shall not be applied retroactively to individuals whose convictions had become final. *See Edwards v. Vannoy*, 593 U.S. 255, 141 S.Ct. 1547, 209 L.Ed.2d 651 (2021). The Louisiana Supreme Court thereafter also held that *Ramos* was not to be applied retroactively to individuals whose convictions had become final. *See State v. Reddick*, 21-01893 (La. 10/21/22), 351 So.3d 273. Relator's conviction was long final prior to 2020, when *Ramos* was decided.

Relator further claims that the court erred in summarily denying relief without further proceedings pursuant to La. C.Cr.P. art. 929(A),³ and that his APCR is not untimely because his claim is predicated upon facts not known to him or his attorney pursuant to La. C.Cr.P. art. 930.8(A)(1).⁴ On the showing made, relator has not shown how the court erred in its rulings on these claims. Accordingly, these claims are likewise without merit.

For the foregoing reasons, we conclude that relator is not entitled to the requested relief. This writ application is denied.

Gretna, Louisiana, this 15th day of December, 2025.

JGG
MEJ
SUS

³ La. C.Cr.P. art. 929(A) provides: "If the court determines that the factual and legal issues can be resolved based upon the application and answer, and supporting documents, including relevant transcripts, depositions, and other reliable documents submitted by either party or available to the court, the court may grant or deny relief without further proceedings."

⁴ La. C.Cr.P. art. 930.8(A)(1) provides, in pertinent part: "A. No application for post conviction relief, including applications which seek an out-of-time appeal, shall be considered if it is filed more than two years after the judgment of conviction and sentence has become final under the provisions of Article 914 or 922, unless any of the following apply: (1) The application alleges, and the petitioner proves or the state admits, that the facts upon which the claim is predicated were not known to the petitioner or his prior attorneys. ..."

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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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 **12/15/2025** 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:

A handwritten signature in blue ink that reads "Curtis B. Pursell".

CURTIS B. PURSELL
CLERK OF COURT

25-KH-521

E-NOTIFIED

29th Judicial District Court (Clerk)
Honorable Rochelle C. Fahrig (DISTRICT JUDGE)
No Attorney(s) were ENOTIFIED

MAILED

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