

JONATHAN JOHNSON

NO. 25-KH-462

VERSUS

FIFTH CIRCUIT

STATE OF LOUISIANA

COURT OF APPEAL

STATE OF LOUISIANA



October 07, 2025

Linda Tran  
First Deputy Clerk

IN RE JONATHAN JOHNSON

APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE DONALD A. ROWAN, JR., DIVISION "L", NUMBER 02-3243

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

## WRIT DENIED

In his self-represented application, the relator, Jonathan Johnson, seeks review of the trial court's denial of his most recent Motion to Correct Illegal Sentence.

On December 18, 2002, a jury found the relator guilty as charged of armed robbery in violation of La. R.S. 14:64. On January 23, 2003, the trial court sentenced the relator to forty-one years imprisonment at hard labor without the benefit of parole, probation, or suspension of sentence. After the filing of a multiple offender bill of information, the trial court adjudicated the relator a third felony offender. On February 25, 2003, the trial court vacated the original sentence of forty-one years. It sentenced the relator to sixty-six years imprisonment at hard labor without the benefit of parole, probation, or suspension of sentence. The relator filed a motion to appeal, and this Court affirmed his sentence and conviction on October 28, 2003. *State v. Johnson*, 03-620 (La. App. 5 Cir. 10/28/03), 860 So.2d 180, *writ denied*, 03-3171 (La. 3/19/04), 869 So.2d 849.

After his sentence and conviction became final, the relator filed multiple applications for post-conviction relief (APCR) that were denied by both the trial court and this Court.<sup>1</sup> On April 24, 2025, the relator filed his most recent APCR, claiming that his habitual offender sentence is illegal. The trial court denied the relator's APCR on June 24, 2025, after ordering the State's response. In relevant parts, the court found that his claim was not cognizable in a motion to correct an illegal sentence, as the relator had not pointed to an unlawful term in his sentence. The court also found the relator's constitutional challenges to his multiple offender

<sup>1</sup> Notably, we previously addressed the legality of the relator's sentence in *State v. Johnson*, 13-742 (La. App. 5 Cir. 10/11/13) (unpublished writ) and *State v. Johnson*, 18-605 (La. App. 5 Cir. 1/15/19) (unpublished writ).

adjudication and sentencing to be untimely under La. R.S. 15:529.1(D)(1)(a) and (b). Finally, the court found that the relator is not entitled to relief, even if it were to consider the merits of the APCR. The trial court denied the relator's motion to reconsider his APCR on August 19, 2025.

The relator's application does not contain evidence that he mailed a copy of his notice of intent to the State, as required by Louisiana Rules, Courts of Appeal Rules 4-2, and it also does not show that the trial court set a return date as required by Louisiana Rules, Courts of Appeal Rules 4-3. Nevertheless, after a review of the writ application, we find no error in the trial court's denial of his motion to correct an illegal sentence. His APCR does not point to an illegal term in his sentence, and his claims about predicate offenses are untimely under La. R.S. 15:529.1(D)(1).<sup>2</sup> We also find no error in the trial court's conclusion that the relator's arguments fail on the merits. Accordingly, we deny relief based on the showing made.

Gretna, Louisiana, this 7th day of October, 2025.

**JJM**  
**SJW**  
**SUS**

---

<sup>2</sup> That provision states, in part, "[a]ny challenge to a previous conviction which is not made before sentence is imposed may not thereafter be raised to attack the sentence."

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  
101 DERBIGNY STREET (70053)  
POST OFFICE BOX 489  
GRETN, LOUISIANA 70054  
[www.fifthcircuit.org](http://www.fifthcircuit.org)

CURTIS B. PURSELL  
CLERK OF COURT

SUSAN S. BUCHHOLZ  
CHIEF DEPUTY CLERK

LINDA M. TRAN  
FIRST DEPUTY CLERK

MELISSA C. LEDET  
DIRECTOR OF CENTRAL STAFF

(504) 376-1400  
(504) 376-1498 FAX

**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 **10/07/2025** 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-462**

**E-NOTIFIED**

24th Judicial District Court (Clerk)  
Honorable Donald A. Rowan, Jr. (DISTRICT JUDGE)  
Thomas J. Butler (Respondent)

**MAILED**

Jonathan Johnson #119406 (Relator)  
Rayburn Correctional Center  
27268 Highway 21  
Angie, LA 70426