

Fifth Circuit Court of Appeal State of Louisiana

No. 26-KH-362

STATE OF LOUISIANA

versus

JARROD HENRY

IN RE JARROD HENRY
APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT
COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE E.
ADRIAN ADAMS, DIVISION "G", No. 09-4079

TRUE COPY

August 13, 2026



LINDA TRAN
DEPUTY CLERK

Panel composed of Judges Susan M. Chehardy,
Jude G. Gravois, and Marc E. Johnson

WRIT DENIED

Relator, Jarrod Henry, seeks this Court's supervisory review of the trial court's July 16, 2026 ruling which denied his Motion to Correct Illegal Sentence. For the following reasons, we deny the writ application.

On November 10, 2012, relator was convicted of manslaughter. On January 18, 2013, the trial court sentenced relator to forty years imprisonment at hard labor. On May 24, 2013, relator stipulated to his status as a second felony offender and was sentenced to forty years imprisonment at hard labor to be served without the benefit of probation or suspension of sentence. On March 26, 2014, this Court affirmed relator's conviction and sentence. *State v. Henry*, 13-558 (La. App. 5 Cir. 3/26/14), 138 So.3d 700, writ denied, 14-962 (La. 2/27/15), 159 So.3d 1064. In a prior writ application before this Court, relator argued that his conviction, obtained through a non-unanimous jury verdict, violated his constitutional rights under the Sixth and Fourteenth Amendments as determined by *Ramos v. Louisiana*, 590 U.S. 83, 140

S.Ct. 1390, 206 L.Ed.2d 583 (2020), and that *Ramos* should apply retroactively. Relator’s writ application was denied by this Court. *See State v. Henry*, 21-44 (La. App. 5 Cir. 2/2/21) (unpublished writ disposition), *writ denied*, 21-410 (La. 6/1/21), 316 So.3d 831.

On July 9, 2026, relator filed a Motion to Correct Illegal Sentence. Therein, relator argued that *State v. Reddick*, 21-1893 (La. 10/21/22), 351 So.3d 273, where the Louisiana Supreme Court held that *Ramos* was not retroactive on state collateral review, violates his constitutional rights under the Thirteenth and Fourteenth Amendments. On July 16, 2026, the trial court denied relator’s motion, finding that he failed to state a term that is illegal in his sentence and sought relief available in an application for post-conviction relief (“APCR”). The trial court found that such relief is unwarranted on the merits and is procedurally barred as untimely and successive under La. C.Cr.P. arts. 930.8 and 930.4. Relator now seeks supervisory review of the trial court’s July 16, 2026 ruling which denied his Motion to Correct Illegal Sentence.¹

Under La. C.Cr.P. art. 882(A), “[a]n illegal sentence may be corrected at any time by the court that imposed the sentence or by an appellate court on review.” In a motion to correct an illegal sentence, a defendant may only raise claims relating to the legality of the sentence itself under the applicable sentencing statutes. *See State v. Ellison*, 17-319 (La. App. 5 Cir. 12/13/17), 234 So.3d 217, 223, *writ denied*, 18-0053 (La. 10/29/18), 255 So.3d 568. When a defendant fails to point to a claimed illegal term in his sentence, he does not raise a claim cognizable in a motion to correct an illegal sentence. *Id.*; *State v. Parker*, 98-256 (La. 5/8/98), 711 So.2d 694, 695.

Upon review, we conclude that relator has failed to identify an illegal term in his sentence and as such failed to raise a claim cognizable in a motion to correct an illegal sentence. Construing relator’s motion to be an APCR, we find no error in the trial court’s determination that it is procedurally barred as untimely pursuant to La.

¹ It is noted that relator filed a notice of intent on July 9, 2026—the same day he filed his Motion to Correct Illegal Sentence. On July 16, 2026, the trial court denied relief, finding that a request for writs prior to rendition of an order is premature. It does not appear that relator filed a notice of intent with the trial court following the trial court’s July 16, 2026 ruling which denied his Motion to Correct Illegal Sentence, as required by Uniform Rules—Courts of Appeal, Rule 4-2. Also, there is no documentation of a return date with relator’s writ application, as required by Uniform Rules—Courts of Appeal, Rule 4-3. Nonetheless, relator’s *pro se* writ application was filed in this Court within thirty days of the trial court’s ruling in accordance with Rule 4-3.

C.Cr.P. art. 930.8, which provides “[n]o 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” Relator’s conviction and sentence became final in 2015. Additionally, none of the exceptions contained in La. C.Cr.P. art. 930.8(A) are applicable to relator’s claim. Accordingly, this writ application is denied.

Gretna, Louisiana, this 13th day of August, 2026.

JGG
SMC
MEJ

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 **08/13/2026** 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

26-KH-362

E-NOTIFIED

24th Judicial District Court (Clerk)
Honorable E. Adrian Adams (DISTRICT JUDGE)
Thomas J. Butler (Respondent)

MAILED

Jarrold Henry #547251 (Relator)
Raymond Laborde Correctional Center
1630 Prison Road
Cottonport, LA 71327