

Fifth Circuit Court of Appeal State of Louisiana

No. 26-K-398

STATE OF LOUISIANA

versus

ALAN B. JONES

IN RE ALAN B. JONES
APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT
COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE
R. CHRISTOPHER COX, III, DIVISION "B", No. 22-2119

TRUE COPY

September 14, 2026



LINDA TRAN
DEPUTY CLERK

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

WRIT DENIED

Defendant, Alan B. Jones, is charged with possession of a firearm by a convicted felon in violation of La. R.S. 14:95.1, and in a companion bill of information with battery of a police officer, resisting an officer, possession of drug paraphernalia, and possession 14 grams or less of marijuana. All charges arise from a traffic stop that occurred on April 30, 2022. Defendant moved to suppress evidence, including a gun, seized from his vehicle and statements he made during the traffic stop. During the May 21, 2026 evidentiary hearing, Officer Danny Rees of the Westwego Police Department testified that he detected the smell of marijuana emanating from the vehicle when defendant rolled down the windows.

On July 22, 2026, the district court denied the motions to suppress, and defendant now seeks supervisory review of this ruling.

Louisiana courts have consistently held that the odor of marijuana provides an officer with probable cause to conduct warrantless searches of vehicles. *State v. Ladmirault*, 26-127 (La. 2/12/26), 427 So.3d 731, 732; *State v. Simmons*, 22-232 (La. App. 5 Cir. 7/6/22), 346 So.3d 349, 355. And the fact that little or no marijuana is ultimately recovered does not vitiate probable cause, which turns on an objective evaluation of the circumstances known to the officer at the time of the search, not on what the search reveals. *Ladmirault*, 427 So.3d at 732. Further, just as with the legalization of medical marijuana, a legislative change to the penalties applicable to the offense of possession of marijuana in the amount of 14 grams or less does not disturb the settled rule that the odor of marijuana from a vehicle establishes probable cause to search it. *See State v. Harris*, 25-484, p. 1 (La. App. 5 Cir. 10/20/25), 2025 WL 2967496, *writ denied*, 25-1436 (La. 1/28/26), 425 So.3d 110. Thus, the search of defendant's vehicle was valid and the physical evidence, including the gun, was lawfully seized.

In addition, after reviewing the officer's testimony and body camera video, we find no abuse of the district court's discretion and no legal error in its denial of defendant's motion to suppress statements.

Accordingly, we deny defendant's writ application.

Gretna, Louisiana, this 14th day of September, 2026.

SUS
SJW
JJM

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
CLERK OF COURT

SUSAN S. BUCHHOLZ
CHIEF DEPUTY CLERK

LINDA M. TRAN
FIRST DEPUTY CLERK

MELISSA C. LEDET
DIRECTOR OF CENTRAL STAFF

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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 **09/14/2026** 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-K-398

E-NOTIFIED

24th Judicial District Court (Clerk)
R. Christopher Cox, III (DISTRICT JUDGE)
Darren A. Allemand (Respondent)

Jerome W. Matthews, Jr. (Relator)

MAILED

Sarah Helmstetter (Respondent)
Assistant District Attorney
Twenty-Fourth Judicial District
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