

Fifth Circuit Court of Appeal State of Louisiana

No. 26-KH-208

STATE OF LOUISIANA

versus

BRANDON GRAY

IN RE BRANDON GRAY
APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT
COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE
DANYELLE M. TAYLOR, DIVISION "O", No. 14-5895

TRUE COPY

May 26, 2026



LINDA TRAN
DEPUTY CLERK

Panel composed of Judges Susan M. Chehardy,
Marc E. Johnson, and Stephen J. Windhorst

WRIT DENIED

Relator, Brandon Gray, seeks review of the district court's recent denial of his second or subsequent application for post conviction relief (APCR)¹. For the following reasons, the writ is denied.

In 2016, Relator was found guilty by a jury of five counts of armed robbery (counts one through five) and aggravated flight from an officer (count six). The trial court sentenced Relator to fifty years imprisonment at hard labor, without benefit of parole, probation, or suspension of sentence, on each of counts one through five, and to five years imprisonment at hard labor on count six, all to run concurrently. Thereafter, the State filed a multiple offender bill of information on count one, alleging Relator to be a second-felony offender. Relator stipulated to the multiple bill. The trial court vacated Relator's sentence on count one and resentenced him as a second-felony offender, to fifty years imprisonment at hard labor without benefit of parole, probation, or suspension of sentence, to run concurrently with his other sentences.

¹ Relator's application does not include a copy of the ruling complained of in compliance with Uniform Rules – Courts of Appeal, Rule 4-5(C)(6). However, a copy of the judgment, and the missing documentation of the return date required pursuant to Uniform Rules – Courts of Appeal, Rule 4-3, are in the district court record.

This Court affirmed Relator's convictions and sentences on December 20, 2017. *State v. Gray*, 17-166 (La. App. 5 Cir. 12/20/17), 235 So.3d 1270, writ not considered, 18-250 (La. 4/16/18), 239 So.3d 830.

In Relator's second APCR, he again contends that his convictions were obtained in violation of the U.S. Constitution and Louisiana Constitution pursuant to *Ramos v. Louisiana*, 590 U.S. 83, 140 S.Ct. 1390, 206 L.Ed.2d 583 (2020). Relator's previous APCR argued that *Ramos* could be retroactively applied to his case. See *State v. Gray*, No. 21-KH-724, 2022 WL 29835 (La. App. 5 Cir. 1/3/2022), writ denied, 22-373 (La. 2/7/23), 354 So.3d 676. Citing *Edwards v. Vannoy*, 593 U.S. 255, 141 S.Ct. 1547, 209 L.Ed.2d 651 (2021), this Court advised Relator the Louisiana Supreme Court similarly declined to extend *Ramos*; the requirement of unanimity in jury verdicts is not retroactively applicable upon state collateral review. See also *State v. Reddick*, 21-1893 (La. 10/21/22), 351 So.3d 273. The instant APCR fails to raise any new or different claim.

Accordingly, we find Relator's application repetitive and successive under La. C.Cr.P. art. 930.4 and deny the writ.

Gretna, Louisiana, this 26th day of May, 2026.

MEJ
SMC
SJW

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 **05/26/2026** 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:

CURTIS B. PURSELL
CLERK OF COURT

26-KH-208

E-NOTIFIED

24th Judicial District Court (Clerk)
Honorable Danyelle M. Taylor (DISTRICT JUDGE)
Thomas J. Butler (Respondent)

MAILED

Brandon Gray #391978 (Relator)
Dixon Correctional Institute
Post Office Box 788
Jackson, LA 70748