Fifth Circuit Court of Appeal
State of Louisiana

No. 25-KA-184

STATE OF LOUISIANA

versus

CODY E. LABRANCHE

ON APPEAL FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT
PARISH OF JEFFERSON, STATE OF LOUISIANA
NO. 22-692, DIVISION "K"
HONORABLE ELLEN SHIRER KOVACH, JUDGE PRESIDING

December 22, 2025

JOHN J. MOLAISON, JR.

JUDGE

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

CONVICTIONS AND SENTENCES AFFIRMED; REMANDED WITH INSTRUCTIONS

JJM
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SUS

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MORGAN NAQUIN
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COUNSEL FOR DEFENDANT/APPELLANT,
CODY E. LABRANCHE
Prentice L. White

DEFENDANT/APPELLANT,
CODY E. LABRANCHE
In Proper Person

COUNSEL FOR PLAINTIFF/APPELLEE,
STATE OF LOUISIANA
Honorable Paul D. Connick, Jr.
Thomas J. Butler
Darren A. Allemand
Megan L. Gorman
Alyssa Aleman

MOLAISON, J.

The appellant in this criminal appeal seeks review of his convictions and the sentences imposed. We affirm for the following reasons.

PROCEDURAL HISTORY

On June 9, 2022, a Jefferson Parish Grand Jury indicted the defendant/appellant, Cody E. LaBranche, with two counts of first degree murder in violation of La. R.S. 14:30(C)(2) (counts one and two) and obstruction of justice in violation of La. R.S. 14:130.1 (count three). The defendant pleaded not guilty to all charges. On August 28, 2024, the trial court denied the defendant's motion to suppress his February 11, 2022 statement to police, when he confessed to murdering the two victims. We denied the defendant's writ from this ruling, finding the trial court did not abuse its discretion. *State v. LaBranche*, 24-425 (La. App. 5 Cir. 9/25/24) (unpublished writ disposition). A jury trial began on November 4, 2024, and the defendant was found guilty on all counts in a unanimous verdict on November 8, 2024. The trial court sentenced the defendant to consecutive life sentences at hard labor for counts one and two and imposed a forty-year consecutive sentence for count three. The defendant's motion for appeal was granted on December 4, 2024.[1] This appeal followed.

ASSIGNMENTS OF ERROR

In his first assignment of error, the defendant argues that the evidence at trial was insufficient to establish his identity as the shooter of the two victims. In his second assignment of error, the defendant asserts that he received excessive sentences. In his *pro se* assignment of error, the defendant argues that the trial court erred in allowing his statements into evidence because the State failed to prove that they were not the product of inducements or promises.

[1] On June 3, 2025, this Court noted that the trial court had granted the defendant's appeal while his motion for reconsideration of sentence remained pending. We ordered the trial court to rule on the motion for reconsideration and supplement the record on appeal with its judgment.

LAW AND ANALYSIS

No motion for PVJA filed

The question of sufficiency of evidence is properly raised in the trial court by a motion for post-verdict judgment of acquittal ("PVJA") under La. C.Cr.P. art. 821. *State v. Bazley*, 09-358 (La. App. 5 Cir. 1/11/11), 60 So.3d 7, 18, *writ denied*, 11-282 (La. 6/17/11), 63 So.3d 1039. Here, the record does not indicate that the defendant filed such a motion. This Court has previously held, however, that the failure to file a PVJA does not preclude appellate review of the sufficiency of the evidence. *State v. Thomas*, 08-813 (La. App. 5 Cir. 4/28/09), 13 So.3d 603, 606 n.3, *writ denied sub nom. State ex. rel. Thomas v. State*, 09-1294 (La. 4/5/10), 31 So.3d 361 (citing *State v. Washington*, 421 So.2d 887, 889 (La. 1982)). Accordingly, we will consider the merits of the defendant's first assignment of error.

Standard of review

The constitutional standard for sufficiency of the evidence is whether, upon viewing the evidence in a light most favorable to the prosecution, any rational trier of fact could find that the State proved all of the essential elements of the crime beyond a reasonable doubt. *Jackson v. Virginia*, 443 U.S. 307, 99 S.Ct. 2781, 61 L.Ed.2d 560 (1979); *State v. Chinchilla*, 20-60 (La. App. 5 Cir. 12/23/20), 307 So.3d 1189, 1195, *writ denied*, 21-274 (La. 4/27/21), 314 So.3d 838, *cert. denied*, -- U.S. --, 142 S. Ct. 296, 211 L.Ed.2d 138 (2021). This directive, which requires the evidence to be viewed in the light most favorable to the prosecution, necessitates that the reviewing court defer to the actual trier of fact's rational credibility calls, evidence weighing, and inference drawing. *State v. Clifton*, 17-538 (La. App. 5 Cir. 5/23/18), 248 So.3d 691, 702.

This deference to the fact-finder does not permit a reviewing court to decide whether it believes a witness or whether the conviction is contrary to the weight of

the evidence. *State v. Hayman*, 20-323 (La. App. 5 Cir. 4/28/21), 347 So.3d 1030, 1040. As a result, under the *Jackson* standard, a review of the record for sufficiency of the evidence does not require the reviewing court to determine whether the evidence at trial established guilt beyond a reasonable doubt, but whether, upon review of the whole record, any rational trier of fact would have found guilt beyond a reasonable doubt. *State v. Ordonez*, 16-619 (La. App. 5 Cir. 3/15/17), 215 So.3d 473, 477.

Evidence presented at trial

The dead bodies of Jonathan Pizzuto and William Mitchell were discovered at 606 Rosa Avenue in Metairie on January 17, 2022. The initial scene contained no weapons, but investigators recovered ten fired .45 caliber shell casings. Pizzuto's pet dog, Dro, was also missing.

The defendant was personally acquainted with Pizzuto through his sister, Brittany LaBranche, who was Pizzuto's long-term partner and had lived with him at 606 Rosa Avenue for several years. After Brittany died following a drug overdose, the defendant harbored a grudge against Pizzuto, believing Pizzuto bore responsibility for his sister's death, and suspecting that Brittany may have been murdered. Witnesses at trial testified that the defendant's animosity toward Pizzuto also extended to disputes over Brittany's personal belongings—specifically, her cremated ashes and her pets Ruby and Dro, which remained in Pizzuto's home. Evidence introduced at trial documented the defendant's attempts to contact Pizzuto multiple times shortly before the murders took place. The other victim, William Mitchell, was the boyfriend of Melissa Oxford, Pizzuto's cousin, and had only recently been living at Pizzuto's residence as a guest, sleeping on the sofa.

After Brittany's death, LaBranche took possession of her black Honda Accord with chrome trim. As the investigation progressed, witnesses and

surveillance video pointed to a suspect vehicle: a small, black, four-door sedan with chrome features seen leaving the scene following the shootings. Surveillance footage from nearby homes captured this vehicle departing minutes after gunshots rang out. Further, on the night of the homicide, a neighbor witnessed an individual in dark clothing leaving the victims' residence and entering this car, which then quickly accelerated away. The family's information led police to confirm the suspect vehicle's link to Brittany LaBranche's Honda Accord, which was now registered to Cody LaBranche's mother at the same Ponchatoula address where LaBranche had lived.

Investigators utilized Automatic License Plate Reader (ALPR) systems to track the vehicle's movements further. Hours after the murders, the Honda Accord was observed traveling northbound on I-55 near Hammond, leaving the New Orleans area in a timeframe consistent with the window of the killings. The timing and trajectory matched travel from Metairie, where the homicide took place, to Ponchatoula.

Based on this and other evidence, the defendant was arrested on February 11, 2022, and transported to Jefferson Parish, where he gave a recorded statement to Detective Steven Quaintance of the Jefferson Parish Sheriff's Office after being advised of, and waiving his *Miranda* rights. LaBranche admitted to arming himself[2] at his home and driving to the Rosa Avenue address for the purpose of confronting Pizzuto about his sister. He entered Pizzuto's house through the side door and maintained a position in the doorway before first shooting Mitchell and then Pizzuto.[3] He denied taking the dog, Dro, from the scene. LaBranche admitted to ultimately throwing the murder weapon into a river.

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[2] LaBranche owned a .45 caliber weapon, consistent with a 1911-style pistol—as confirmed by photographic and video evidence from his phone, including a video made the morning of the murders in which LaBranche displayed such a firearm.

[3] Jefferson Parish Sheriff's Office Deputy Jene' Rauch testified at trial as an expert in firearm and toolmark examination. Her analysis indicated that all ten .45 caliber fired cartridge cases recovered at the scene in this case were fired from the same weapon. Dr. Timothy Scanlan, an expert in crime scene

Letters written by LaBranche while he was incarcerated at the Jefferson Parish Correctional Center contained admissions concerning the homicides of Jonathan Pizzuto and William Mitchell and document his evolving narrative regarding his responsibility for the killings. During a search of LaBranche's jail cell, investigators discovered four handwritten versions of essentially the same letter that appeared to represent sequential drafts. The earlier versions contained more direct admissions, while the later drafts increasingly shifted blame and attempted to reduce LaBranche's degree of responsibility for the deaths.

The content of the letters, along with evidence of multiple redrafted versions, was introduced at trial as substantive evidence and provided to the jury in a redacted form.

Ashley Smith testified that Cody LaBranche was her fiancé, with whom she shared a lengthy relationship and two children. She lived in Ponchatoula with LaBranche's mother and, formerly, his sister Brittany. Smith detailed LaBranche's actions leading up to and after the crime on January 17, 2022. She said LaBranche returned home from work on that date and appeared upset when he could not reach Jonathan Pizzuto by phone. LaBranche then took his gun and left the house in Brittany's old Honda Accord, which had become the primary vehicle.

Upon Cody's return later that night, Smith described him as "jittery" and "stressed out." He wore all black, and there was blood on his shoes. Cody immediately went to speak with his mother, and she did not question him about the events, saying it was "none of her business." She also observed that Dro, the dog, was brought home that night by Cody and was not seen again afterwards.

Smith recounted that police arrived early in the morning to search their residence and question her; she reiterated to the authorities that LaBranche often

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reconstruction, provided analysis on the positioning of the victims and the shooter. His testimony supported LaBranche's confession that he was positioned near the doorway and fired shots that were focused and deliberate.

left alone, and she did not inquire about his activities. She acknowledged that during the relevant period on January 17, 2022, LaBranche's phone was left at home on the kitchen counter. While Smith testified that she saw blood on Cody's shoes and described his black clothing, she also stated she had little personal knowledge of what became of them. She mentioned having heard secondhand that the clothing was burned in a fire and confirmed that there was a burn pit on their property. She also did not know what happened to LaBranche's handgun after that night. On cross-examination, Ashley consistently stated that she did not accompany LaBranche on the night of the homicide, did not go to the scene at 606 Rosa Street, did not witness the homicide, and did not ask Cody about the specifics of that night. She testified that Cody had been distraught by his sister Brittany's death.

Kasey Lanier testified at trial that he had interacted with Cody LaBranche in the immediate aftermath of the homicides for which LaBranche was arrested. Lanier explained that he knew LaBranche as an associate and occasional drug customer. Lanier recounted that on or about January 17, 2022, LaBranche arrived at his house in Jefferson Parish at night. LaBranche was short on cash during a marijuana transaction and offered Lanier a high-value firearm—a 1911-style, .45 caliber handgun—in a sort of "pawn" or trade that Lanier saw was disproportionate to the small amount of money involved. This unusual transaction was an early indication to Lanier that "something was not right." Along with the gun, LaBranche left magazines and ammunition. Lanier later learned from others that LaBranche had been involved in a double homicide, and upon realizing the potential implications for himself—especially given his prior conviction for accessory after the fact—he quickly contacted LaBranche and insisted that he retrieve the weapon to remove himself from legal jeopardy.

When LaBranche returned to collect the gun, a few days after initially dropping it off, he arrived in a black Honda sedan. During the exchange, LaBranche attempted to justify his actions related to the homicides. Still, Lanier refused to hear any explanations or details, making clear he did not want to be further implicated or involved. Lanier emphasized that after returning the gun, he did not know what became of it, though LaBranche suggested he would dispose of it by throwing it off a bridge—possibly near Manchac.

Additionally, Lanier related that LaBranche offered him the victim's pit bull dog, but he declined, explaining he already had too many dogs and could not take another. He made clear he did not accept or keep the dog and was not provided a name for it. Lanier repeatedly insisted that all of his actions upon learning of LaBranche's involvement in the homicides were motivated by a desire to distance himself from any criminal liability.

Lanier stated that he had no firsthand knowledge or eyewitness account of the events on Rosa Avenue on the night of the homicides.

Isaiah Kent provided a recorded statement to the police, which was made to Detective Steven Quaintance of the Jefferson Parish Sheriff's Office during an interview at the Investigations Bureau on February 11, 2022. Before the interview, Kent was advised of his *Miranda* rights in writing, which he acknowledged and waived. He was informed that he was under investigation for accessory after the fact to first degree murder. The interview, which lasted just over two hours, was both audio and video recorded and later logged as evidence in the Homicide Evidence Book.

In his statement, Kent described an encounter with Cody LaBranche immediately following the double homicide. Kent reported that LaBranche arrived at his residence unannounced and in a clear state of intoxication, bringing with him a large dog. LaBranche asked Kent to keep the dog at his residence. Wanting

LaBranche to leave, Kent agreed to keep the dog for one night. The following day, LaBranche told Kent that he "took care of the guy who killed his sister"—a remark interpreted as an incriminating statement suggesting LaBranche committed the murder as an act of revenge. Kent later recognized the dog, Dro, on the news and realized its association with the homicide victims. Prompted by this realization, Kent called LaBranche and asked him to retrieve the dog. LaBranche subsequently informed Kent that he had "dropped the dog off somewhere," though he did not specify where. The interview with Kent concluded after the recounting of these events.

The defendant did not testify at trial and rested without calling any witnesses.

The elements of First Degree Murder

To sustain a first degree murder conviction under La. R.S. 14:30, the State must prove that the defendant had specific intent to kill or to inflict great bodily harm and that the killing occurred under one of twelve enumerated circumstances, including when the offender has a specific intent to kill or to inflict great bodily harm upon more than one person. In this case, it is not disputed that there were two victims of homicide.

As discussed above, the State offered direct evidence of the defendant's own verbal confession that the defendant shot the victims. Evidence was also presented demonstrating that the defendant admitted to the homicides in jailhouse writings. In addition, the defendant told Isaiah Kent the day after the murders that he "took care of the guy who killed his sister." Under similar facts, the Fourth Circuit opined in *State v. Sandifer*, 16-842 (La. App. 4 Cir. 6/27/18), 249 So.3d 142, 152-53, *writ denied*, 18-1316 (La. 3/25/19), 267 So.3d 593, *and writ denied*, 18-1261 (La. 3/25/19), 267 So.3d 599, *and writ denied*, 18-1310 (La. 3/25/19), 267 So.3d 600:

> Additionally, each of the Defendants confessed to various family members, friends, or acquaintances his involvement in the murders. A confession is also direct evidence. *State v. Allen*, 41,548, p. 5 (La. App. 2 Cir. 11/15/06), 942 So.2d 1244, 1251 (observing that "[a] defendant's confession is direct evidence, for it is an acknowledgment of guilt for which no inference need be drawn") (citing La. R.S. 15:449; *State v. McNeal*, 34,593 (La. App. 2 Cir. 4/4/01), 785 So.2d 957; *State v. Jones*, 451 So.2d 35 (La. App. 2d Cir. 1984)). Such testimony was alone sufficient to negate any reasonable probability of misidentification as to each of the Defendants. *Allen*, 41,548 at p. 5, 942 So.2d at 1251 (observing that "once proof independent of the confession confirms the fact of death by violent means, the confession alone can supply the proof linking the accused to the crime").

In this case, the defendant's confession was supported by independent evidence that included video footage of the car he drove to and from the murders, and digital evidence showing his movements before and after the killings. An expert in crime scene reconstruction verified that the defendant shot the victims in the manner and from the position he confessed to. Bullet casings from the scene matched the caliber of the defendant's own gun, which he had taken a video of on the morning of the murders. Witnesses also established that he had the victim's dog after the shootings took place.

Based on the totality of evidence presented, viewed in the light most favorable to the prosecution, we find no error in the jury's verdict on counts one and two. This assignment of error lacks merit.

Count three

The defendant does not appear to directly challenge his conviction for obstruction of justice in violation of La. R.S. 14:130.1, which provides in relevant part:

> A. The crime of obstruction of justice is any of the following acts when committed with the knowledge that the act has, reasonably may, or will affect an actual or potential present, past, or future criminal proceeding, civil immigration proceeding, or official act of an agent or employee of a governmental entity:
>
> (1) Tampering with evidence with the specific intent of distorting the results of any criminal investigation or

> proceeding which may reasonably prove relevant to a criminal investigation or proceeding. Tampering with evidence shall include the intentional alteration, movement, removal, or addition of any object or substance either:
>
> (a) At the location of any incident which the perpetrator knows or has good reason to believe will be the subject of any investigation by state, local, or United States law enforcement officers; or
>
> (b) At the location of storage, transfer, or place of review of any such evidence.

We note that the evidence presented at trial sufficiently established the elements of obstruction of justice. Specifically, the defendant admitted to disposing of the gun used in the murders. Also, there was evidence that he destroyed the blood-soaked clothing he wore to the crime scene. Finally, it appears that the defendant successfully disposed of the dog, Dro, which connected him to the scene of the murder.

Excessive sentence

In his second assignment of error, the defendant contends that the consecutive nature of his two life sentences for first degree murder, plus 40 years for obstruction, is excessive.

When, as in this case, the State elects not to seek the death penalty for first degree murder, La. R.S. 14:30(C)(2) provides in part that "the offender shall be punished by death or life imprisonment at hard labor without benefit of parole, probation, or suspension of sentence," in accordance with the determination of the jury. The defendant received mandatory sentences for counts one and two.

In the instant case, the defendant filed a written motion requesting that his sentence be reconsidered in the lower court. However, the defendant failed to state the specific grounds or legal basis for a reduction in his sentence within his motion. Therefore, defendant is precluded from raising those issues on appeal. Accordingly, he is limited to a bare review of his sentences for unconstitutionally

excessive length. *State v. Hernandez-Zuniga*, 11-378 (La. App. 5 Cir. 12/13/11), 81 So.3d 129, 134, *writ denied*, 12-28 (La. 4/20/12), 85 So.3d 1268.

The Eighth Amendment to the United States Constitution prohibits cruel and unusual punishment. Article I, § 20 of the Louisiana Constitution also prohibits cruel and unusual punishment but further explicitly prohibits excessive punishment. *State v. Diaz*, 20-381 (La. App. 5 Cir. 11/17/21), 331 So.3d 500, 519, *writ denied*, 21-1967 (La. 4/5/22), 335 So.3d 836. A sentence is considered excessive, even when it is within the applicable statutory range "if it makes no measurable contribution to acceptable goals of punishment and is nothing more than the purposeless imposition of pain and suffering and is grossly out of proportion to the severity of the crime." *State v. Dixon*, 17-422 (La. App. 5 Cir. 3/14/18), 241 So.3d 514, 523, *writ denied*, 18-542 (La. 2/11/19), 263 So.3d 415. When reviewing a sentence for excessiveness, the appellate court must consider both the punishment and the crime in light of the harm to society and determine whether the penalty is disproportionate, thereby shocking the court's sense of justice. *State v. Ramirez*, 22-92 (La. App. 5 Cir. 11/2/22), 353 So.3d 902, 908; *Diaz*, 331 So.3d at 519.

A trial judge is in the best position to consider the aggravating and mitigating circumstances of a particular case, and therefore, is given broad discretion when imposing a sentence. *Diaz*, 331 So.3d at 519-20. The issue on appeal is whether the trial court abused its discretion, not whether another sentence might have been more appropriate. *Id*. at 520. The review of sentences under La. Const. art. 1, § 20 does not provide an appellate court with a vehicle for substituting its judgment for that of a trial judge as to what punishment is most appropriate in a given case. *State v. Corea-Calero*, 22-117 (La. App. 5 Cir. 12/28/22), 355 So.3d 697, 701.

La. C.Cr.P. art. 883 provides, in relevant part, that "[i]f the defendant is convicted of two or more offenses based on the same act or transaction, or constituting parts of a common scheme or plan, the terms of imprisonment shall be served concurrently unless the court expressly directs that some or all be served consecutively." This court has previously affirmed consecutive life sentences for first degree murder convictions where the victims were killed in close succession. *State v. Bibb*, 626 So. 2d 913, 940 (La. Ct. App. 1993), *writ denied*, 93-3127 (La. 9/16/94), 642 So.2d 188. In *State v. Cornejo-Garcia*, 11-619 (La. App. 5 Cir. 1/24/12), 90 So.3d 458, 466, we noted several other cases decided after *Bibb* with similar holdings. *See also, State v. Bernard*, 14-0580 (La. App. 4 Cir. 6/3/15), 171 So.3d 1063, 1079, *writ denied*, 15-1322 (La. 6/17/16), 192 So.3d 776, *cert. denied*, 580 U.S. 967, 137 S.Ct. 387, 196 L.Ed.2d 305 (2016), and *State v. Hamilton*, 99-523 (La. App. 3 Cir. 11/3/99), 747 So.2d 164.

The appellate court shall not set aside a sentence for excessiveness if the record supports the sentence imposed. La. C.Cr.P. art. 881.4(D). Here, the trial court did not articulate reasons for the sentences imposed. However, the life sentences imposed in this case are the mandatory minimum terms prescribed by the legislature. Because the trial court did not exercise discretion in determining this sentence, we find that "to require a listing of the factors considered would be an exercise in futility." *State v. Carter*, 32,733 (La. App. 2d Cir. 10/27/99), 746 So. 2d 711, 713, *writ denied*, 99-3336 (La. 5/5/00), 761 So.2d 542.

In this case, the record shows that the defendant made a plan to murder Jonathan Pizzuto and went to Pizzuto's home on January 17, 2022, armed for that purpose. By the defendant's own admission, he then shot Pizzuto and a second man he did not know, William Mitchell, without hesitation—firing 10 rounds in total. The defendant then attempted to conceal his crimes by destroying evidence. Given that the defendant received mandatory life sentences for two counts of first

degree murder, we cannot say that the trial court's determination to run the sentences consecutively is disproportionate as to shock this court's sense of justice. Thus, we do not find that the sentences for counts one and two are constitutionally excessive. This assignment is without merit.

Finally, the defendant contends that the consecutive nature of his sentence for obstruction of justice makes it excessive. He also argues, for the first time on appeal, that the sentence is excessive because it was not established at trial that he killed Pizzuto and Mitchell. As discussed above, the defendant is precluded from raising those issues on appeal and is limited to a bare review of his sentences for unconstitutional excessiveness.

We considered a similar issue in *State v. Thach*, 24-437 (La. App. 5 Cir. 4/2/25), 413 So.3d 1147. In that case, the defendant was convicted of second degree murder and obstruction of justice and was sentenced to life without the benefit of parole, probation, or suspension of sentence for murder and to a consecutive forty years for obstruction. We cited a body of case law upholding a forty-year sentence for obstruction of justice, and also observed:

> Further, Louisiana jurisprudence supports the district court's decision to impose consecutive sentences. *See Calloway, supra*; *State v. Bench*, 18-79 (La. App. 3 Cir. 9/26/18), 256 So.3d 345; *Roberson*, 929 So.2d at 803-05 (where courts have upheld consecutive sentences for the defendants' convictions of second degree murder and obstruction of justice resulting in the same total period of incarceration as Lam herein).

Id. at 1164-65.

At the time defendant committed the offenses, La. R.S. 14:130.1(B)(1) provided that when the obstruction of justice involves a criminal proceeding in which a sentence of death or life imprisonment may be imposed, the offender shall be fined not more than one hundred thousand dollars, imprisoned for not more than forty years at hard labor, or both. Therefore, the trial judge imposed the maximum

term of imprisonment of forty years at hard labor, but she did not impose the discretionary fine.

When two or more convictions arise from the same act or transaction, or constitute parts of a common scheme or plan, the terms of imprisonment shall be served concurrently unless the court expressly directs that some or all be served consecutively. La. C.Cr.P. art. 883; *State v. Yelverton*, 12-745 (La. App. 5 Cir. 2/21/13), 156 So.3d 53, 66-67, *writ denied*, 13-629 (La. 10/11/13), 123 So.3d 1217. If the trial court elects to impose consecutive sentences for crimes arising out of a single course of conduct, it must articulate the reasons it feels consecutive sentences are necessary. *Cornejo-Garcia*, 90 So.3d at 465. Although the imposition of consecutive sentences requires particular justification when the crimes arise from a single course of conduct, consecutive sentences are not necessarily excessive. *State v. Calloway*, 19-335 (La. App. 5 Cir. 12/30/19), 286 So. 3d 1275, 1279, *writ denied*, 20-266 (La. 7/24/20), 299 So.3d 69. A trial judge retains discretion to impose consecutive sentences based on factors such as the offender's past criminal acts, the violent nature of the charged offenses, or the risk that the defendant may pose to the community's safety. *State v. Williams*, 08-556 (La. App. 5 Cir. 1/13/09), 8 So.3d 3, 9, *writ denied*, 09-330 (La. 11/6/09), 21 So.3d 298. The failure to articulate specific reasons for imposing consecutive sentences does not, however, require remand if the record provides an adequate factual basis to support the consecutive sentences. *Cornejo-Garcia*, 90 So.3d at 465.

In this case, despite the trial court's failure to articulate its reasons for sentencing, we find that the record supports the imposition of a consecutive sentence for obstruction of justice.[4]

[4] Further, even assuming that defendant's sentence for count three is excessive because of its consecutive nature, a remand for resentencing would be "an academic exercise which has no practical benefit to anyone." *State v. Funes*, 11-120 (La. App. 5 Cir. 12/28/11), 88 So.3d 490, 510, *writ denied*, 12-290 (La. 5/25/12), 90 So.3d 408. First degree murder carries a mandatory life sentence. *See* La. R.S. 14:30. Defendant received two life sentences without benefits for his convictions of first degree murder,

Suppression of the defendant's statements

In his *pro se* assignment of error, the defendant argues that the trial court erred in allowing his confession into evidence because the State failed to prove that it was not the product of inducements or promises. The defendant first challenged the admission of his statements in a pretrial motion that was denied by the trial court. We denied writs from that ruling, finding, in relevant part, that the defendant's inculpatory statements "were not the product of a promise of inducement to reopen the investigation into his sister's death." *State v. Labranche*, 24-425 (La. App. 5 Cir. 9/25/24) (unpublished writ). Under the discretionary principle of "law of the case," an appellate court will generally refuse to consider its own rulings of law on a subsequent appeal in the same case. *State v. Sly*, 23-60 (La. App. 5 Cir. 11/2/23), 376 So.3d 1047, 1079, *writ denied*, 23-1588 (La. 4/23/24), 383 So.3d 608, *citing State v. Allen*, 17-685 (La. App. 5 Cir. 5/16/18), 247 So.3d 179, 185. Reconsideration of a prior ruling is warranted when, in light of a subsequent trial record, it is apparent that the determination was patently erroneous and produced unjust results. *Id*. However, after our review of the entire record in this case, including the trial testimony of Detective Steven Quaintance and the recording of the defendant's confession, we find no basis to disturb our prior ruling on this issue.

ERROR PATENT REVIEW

We reviewed the record for patent errors following La. C.Cr.P. art. 920; *State v. Oliveaux*, 312 So.2d 337 (La. 1975); and *State v. Weiland*, 556 So.2d 175 (La. App. 5 Cir. 1990).

There is a discrepancy between the sentencing transcript, the minute entry, and the uniform commitment order (UCO) as to counts one and two. The

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so the imposition of the forty-year consecutive sentence has "no practical effect as defendant will be in jail for the rest of his life unless he is pardoned." *See Funes*, 88 So.3d at 510.

transcript reflects that the trial court imposed defendant's sentence on each count of first degree murder to be served without the benefit of parole, probation, or suspension of sentence. However, the UCO and the minute entry do not reflect that the trial court restricted benefits. Accordingly, the sentencing minute entry and UCO are inconsistent with the sentencing transcript. The transcript prevails. *See State v. Lynch*, 441 So.2d 732, 734 (La. 1983).

We remand this matter with instructions for the judge to correct the sentencing minute entry and the UCO. The Clerk of Court for the 24th Judicial District Court is directed to transmit the corrected UCO to the appropriate authorities in accordance with La. C.Cr.P. art. 892(B)(2) and to the Department of Corrections' legal department. *See State v. Lasalle*, 22-577 (La. App. 5 Cir. 8/18/23), 370 So.3d 521, 534.

DECREE

For the reasons stated above, the defendant's convictions and sentences are affirmed. The matter is remanded to the trial court with instructions to correct the sentencing minute entry and the UCO as noted above.

CONVICTIONS AND SENTENCES AFFIRMED; REMANDED WITH INSTRUCTIONS

SUSAN M. CHEHARDY
CHIEF JUDGE

FREDERICKA H. WICKER
JUDE G. GRAVOIS
MARC E. JOHNSON
STEPHEN J. WINDHORST
JOHN J. MOLAISON, JR.
SCOTT U. SCHLEGEL
TIMOTHY S. MARCEL

JUDGES

FIFTH CIRCUIT
101 DERBIGNY STREET (70053)
POST OFFICE BOX 489
GRETNA, LOUISIANA 70054
www.fifthcircuit.org

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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 JUDGMENT AND CERTIFICATE OF DELIVERY

I CERTIFY THAT A COPY OF THE OPINION IN THE BELOW-NUMBERED MATTER HAS BEEN DELIVERED IN ACCORDANCE WITH **UNIFORM RULES - COURT OF APPEAL, RULE 2-16.4 AND 2-16.5** THIS DAY **DECEMBER 22, 2025** TO THE TRIAL JUDGE, CLERK OF COURT, COUNSEL OF RECORD AND ALL PARTIES NOT REPRESENTED BY COUNSEL, AS LISTED BELOW:

Curtis B. Pursell

CURTIS B. PURSELL
CLERK OF COURT

25-KA-184

E-NOTIFIED
24TH JUDICIAL DISTRICT COURT (CLERK)
HONORABLE ELLEN SHIRER KOVACH (DISTRICT JUDGE)
CHRISTOPHER A. ABERLE (APPELLANT)
DARREN A. ALLEMAND (APPELLEE)
THOMAS J. BUTLER (APPELLEE)

MAILED
CODY LABRANCHE #791390 (APPELLANT)
LOUISIANA STATE PENITENTIARY
ANGOLA, LA 70712

ALYSSA ALEMAN (APPELLEE)
HONORABLE PAUL D. CONNICK, JR. (APPELLEE)
MEGAN L. GORMAN (APPELLEE)
ASSISTANT DISTRICT ATTORNEYS
TWENTY-FOURTH JUDICIAL DISTRICT
200 DERBIGNY STREET
GRETNA, LA 70053