

# Fifth Circuit Court of Appeal State of Louisiana

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No. 25-KH-553

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STATE OF LOUISIANA

*versus*

RAYMOND H. KIMBLE, III

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**IN RE** RAYMOND H. KIMBLE, III  
APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT  
COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE  
RAYMOND S. STEIB, JR., DIVISION "A", No. 16-3781

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December 08, 2025

FIFTH CIRCUIT COURT OF APPEAL  
A TRUE COPY OF DOCUMENTS AS  
SAME APPEARS IN OUR RECORDS  
  
Linda Tran  
First Deputy, Clerk of Court

Panel composed of Judges Marc E. Johnson,  
Stephen J. Windhorst, and John J. Molaison, Jr.

## WRIT DENIED

On December 17, 2021, the relator was found guilty by a jury of eight counts of burglary of a residence, one count of theft, and one count of aggravated flight from an officer. On February 7, 2022, the relator stipulated to being a fourth felony offender and was sentenced to twenty years imprisonment at hard labor without benefit of parole, probation, or suspension of sentence on count 10. His total sentence was 67 years. On appeal, this Court affirmed the relator's convictions, amended two of his sentences, and remanded for further proceedings. *State v. Kimble*, 22-373 (La. App. 5 Cir. 5/8/24), 389 So.3d 902, *writ denied*, 24-882 (La. 12/27/24), 397 So.3d 1219.

The relator has filed several writ applications seeking a return of an Apple iPhone seized in connection with his criminal proceedings. The trial court previously denied relief on this same issue. *See, State v. Kimble*, No. 22-KH-396 2022 WL 4129016 (La. App. 5 Cir. Sep. 12, 2022). *See also*, 22-KH-409 (La. App. 5 Cir. 9/12/22) (unpublished writ disposition).<sup>1</sup> More recently, we ordered the trial court to rule on another of the relator’s pending motions to return property. *Kimble v. Louisiana*, No. 25-KH-183, 2025 WL 1262317 (La. App. 5 Cir. May 1, 2025). We observed in another disposition that the trial court denied the relator’s motions on June 9, 2025, and copies of the judgments were mailed to the relator. *State ex rel. Kimble v. State*, No. 25-KH-245, 2025 WL 1662855 (La. App. 5 Cir. June 12, 2025).<sup>2</sup> Against this procedural history, we now turn to the instant application, which seeks review of the trial court’s August 14, 2025 denial of his motion to return seized property.

The writ application does not include the relator’s prior filings seeking the return of an iPhone. Therefore, we have no basis upon which to evaluate the trial court’s conclusion that the request was first raised as a pre-trial matter that is now moot considering the relator’s

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<sup>1</sup> We noted in that disposition:

Relator, Raymond Kimble, III, seeks review of the trial court’s May 26, 2022, Order, in case number 14-0064, denying his “Motion by Owner for Release of Seized Property In accord [sic] with LSA-R.S. 15:41,” which was filed on May 11, 2022. In his motion, relator sought the return of an Apple iPhone seized in connection with these criminal proceedings... In its May 26, 2022, Order in case number 14-0064, at issue herein, the trial court found that relator’s Motion by Owner for Release of Seized Property was repetitive, because the trial court had previously denied the requested relief. The trial court also noted that relator had filed for the same relief in case number 16-3781.

<sup>2</sup> The relator’s instant filing contains a copy of the trial court’s June 9, 2025, order which states, in relevant part:

The defendant has continuously sought release of seized property (an iPhone). Notably, he sought release of this property on May 11, 2022. This court denied relief in open court on October 21, 2022. The defendant again filed a motion for the return of the seized iPhone on March 13, 2025.

convictions.<sup>3</sup> However, the relator’s motion is clearly repetitive, having been filed and denied by the trial court on at least two prior occasions. On the showing made, the issue appears to be *res judicata* in the trial court.<sup>4</sup> Accordingly, we find no error in the trial court’s ruling that denied the relator’s successive and repetitive motion to return seized property. The relator’s application for a writ is denied.

Gretna, Louisiana, this 8th day of December, 2025.

**JJM**  
**MEJ**  
**SJW**

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<sup>3</sup> The application also does not contain any information about whether the phone itself was seized as contraband and/or is subject to forfeiture. This would determine whether the relator is entitled to a return of the property at all. Alternatively, if the phone was not contraband, the relator would only have six months after seizure to bring a claim before the court could sell or otherwise dispose of it.

<sup>4</sup> An appellate court can even “notice[ ] and suppl[y]” the objection of *res judicata* “on its own motion.” *Alexander v. Louisiana State Bd. of Priv. Investigator Examiners*, 23-159 (La. App. 4 Cir. 10/25/24), 409 So.3d 37, 59, *writ denied*, 24-1438 (La. 2/25/25), 401 So.3d 659.

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

(504) 376-1400  
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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 **12/08/2025** 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-553**

**E-NOTIFIED**

24th Judicial District Court (Clerk)  
Hon. Raymond S. Steib, Jr. (DISTRICT JUDGE)  
Thomas J. Butler (Respondent)

**MAILED**

Raymond H. Kimble, III #503830 (Relator)  
Allen Correctional Center  
3751 Lauderdale Woodyard Road  
Kinder, LA 70648