

LOUISIANA COURT OF APPEAL, FIRST CIRCUIT

State of Louisiana v. Christopher Lee Johnson

2026 KW 0024 · No. 2026 KW 0024 · Decided April 8, 2026

SUMMARY

The Louisiana Court of Appeal, First Circuit granted the State's supervisory writ application and reversed the trial court's ruling granting Christopher Lee Johnson a new trial. The court held that the video evidence was merely impeaching and that Johnson failed to show reasonable diligence in discovering it before trial, reinstating his conviction and sentence on count one and remanding for further proceedings.

CASE DETAILS

COURT	Louisiana Court of Appeal, First Circuit
WRITING FOR THE COURT	Theriot, J.; Balfour, J.; Haggerty, J.
JURISDICTION	Louisiana Court of Appeal, First Circuit
DECIDED	April 8, 2026
DOCKET	2026 KW 0024
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The State of Louisiana applied for supervisory writs seeking review of the district court's ruling granting the defendant's motion for a new trial based on newly discovered evidence.
STANDARD OF REVIEW	The court reviewed the district court's ruling on the motion for new trial under the statutory framework governing newly discovered evidence and supervisory-writ review.
PRECEDENTIAL VALUE	Unknown; supervisory writ opinion with no express precedential designation in the source.
PARTIES	State of Louisiana v. Christopher Lee Johnson

TOPICS

criminal procedure

appellate procedure

evidence

impeachment

standard of review

PRACTICE AREAS

criminal procedure

appellate procedure

criminal appeals

new trial motions

evidence

QUESTIONS PRESENTED

1. Whether the district court properly granted a motion for new trial under La. Code Crim. P. art. 851(B)(3) based on newly discovered video evidence.
2. Whether newly discovered evidence affecting only a witness's credibility and usable for impeachment may support a motion for a new trial.
3. Whether the defendant satisfied the reasonable-diligence requirement for newly discovered evidence.

HOLDINGS

1. When considering a motion for new trial based on newly discovered evidence, the trial judge must determine the diligence shown, the truth of the matters stated, and the materiality and probability of their effect if believed true; the judge may not weigh the new evidence as though deciding the defendant's guilt or innocence as a jury.
2. Newly discovered evidence affecting only a witness's credibility and serving merely to impeach ordinarily does not support a motion for a new trial.
3. A defendant seeking a new trial based on newly discovered evidence must prove that reasonable diligence was exercised in discovering the evidence before trial.

KEY QUOTATIONS

“When ruling on a motion for new trial pursuant to La. Code Crim. P. art. 851(B) (3), a trial judge’s duty is not to weigh the new evidence as though the court were a jury deciding guilt or innocence or to determine what is true or false in light of the additional information.” (unpaginated opinion)

“Instead, the discretion vested in the trial judge in passing on a motion for a new trial based on the ground of newly discovered evidence in a criminal case is to be exercised in determining the diligence shown, the truth of the matters stated, and the materiality and probability of their effect, if they are believed to be true.” (unpaginated opinion)

FACTUAL BACKGROUND

Johnson sought a new trial on count one based on video evidence that could have been used to impeach the victim's testimony. The district court found that Johnson failed to prove he exercised reasonable diligence in discovering the evidence before trial, yet granted the motion for a new trial. The appellate court concluded that the evidence was impeachment evidence and that the diligence requirement was not satisfied.

PROCEDURAL HISTORY

The matter arose from the Twenty-First Judicial District Court for Livingston Parish, case number 45700. The district court granted Johnson's motion for a new trial concerning count one. The Louisiana Court of Appeal, First Circuit, granted the State's writ application, reversed the ruling granting a new trial, reinstated the conviction and sentence on count one, and remanded for further proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The ruling granting the motion for new trial is reversed, the conviction and sentence on count one are reinstated, and the matter is remanded for further proceedings.

CASES CITED

- State v. McKinnies, 2013-1412 (La. 10/15/14), 171 So. 3d 861, 871-72
- State v. Cavalier, 96-3052 (La. 10/31/97), 701 So. 2d 949 (per curiam)
- State v. Savoie, 2024-0769 (La. App. 1st Cir. 7/11/25), 417 So. 3d 1149, 1152, writ denied, 2025-01006 (La. 1/28/26), 425 So. 3d 115

OPINION

PER CURIAM.

STATE OF LOUISIANA COURT OF APPEAL, FIRST CIRCUIT STATE OF LOUISIANA NO. 2026 KW 0024 VERSUS CHRISTOPHER LEE JOHNSON APRIL 8, 2026 In Re: State of Louisiana, applying for supervisory writs, 21st Judicial District Court, Parish of Livingston, No. 45700. BEFORE: THERIOT, BALFOUR, AND HAGGERTY,1 JJ. WRIT GRANTED. When ruling on a motion for new trial pursuant to La. Code Crim.

P. art. 851(B) (3), a trial judge's duty is not to weigh the new evidence as though the court were a jury deciding guilt or innocence or to determine what is true or false in light of the additional information. Instead, the discretion vested in the trial judge in passing on a motion for a new trial based on the ground of newly discovered evidence in a criminal case is to be exercised in determining the diligence shown, the truth of the matters stated, and the materiality and probability of their effect, if they are believed to be true.

See State v. McKinnies, 2013-1412 (La. 10/15/14), 171 So.3d 861, 871-72. Newly discovered evidence affecting only a witness's credibility ordinarily will not support a motion for a new trial, because new evidence which is merely cumulative or impeaching is not, according to the often-repeated statement of the courts, an adequate basis for the grant of a new trial.

State v. Cavalier, 96-3052, (La. 10/31/97), 701 So.2d 949 (per curiam). The video evidence in question could have been used to impeach the testimony of the victim on count one. Furthermore, the record shows the district court found the defendant failed to meet his burden of proving he exercised reasonable diligence in discovering the evidence before trial. State v. Savoie, 2024-0769 (La.

App. 1st Cir. 7/11/25), 417 So.3d 1149, 1152, writ denied, 2025-01006 (La. 1/28/26), 425 So.3d 115. Accordingly, the ruling granting the motion for new trial is reversed, the conviction and sentence on count one are reinstated, and this matter is remanded for further proceedings. MRT BDH Balfour, J., dissents and would deny the writ application. URT OF APPEAL, FIRST CIRCUIT do BIW ho DEPUTY CLERK OF COURT FOR THE COURT 4 * Haggerty, J., serving pro tempore, by special appointment of the Louisiana Supreme Court.