

LOUISIANA COURT OF APPEAL, FOURTH CIRCUIT

Darvin Castro Santos v. State of Louisiana

No. 2025-CA-0246 (La. Ct. App. Dec. 19, 2025) · No. 2025-CA-0246 · Decided December 19, 2025

SUMMARY

The Louisiana Fourth Circuit Court of Appeal affirmed the denial of Darvin Castro Santos's petition for compensation for wrongful conviction and imprisonment under La. R.S. 15:572.8. The court held that the district court did not manifestly err in finding that the evidence, considered cumulatively, failed to establish factual innocence by clear and convincing evidence. The court also upheld the exclusion of unauthenticated or hearsay affidavits and the limitation of expert testimony concerning eyewitness identification.

CASE DETAILS

COURT	Louisiana Court of Appeal, Fourth Circuit
WRITING FOR THE COURT	Judge Rachael D. Johnson; Chief Judge Roland L. Belsome; Judge Paula A. Brown
JURISDICTION	Louisiana Court of Appeal, Fourth Circuit
DECIDED	December 19, 2025
DOCKET	2025-CA-0246
DISPOSITION	affirmed
PROCEDURAL POSTURE	Darvin Castro Santos appealed the St. Bernard Parish district court's denial of his petition for compensation for wrongful conviction and imprisonment under La. R.S. § 15:572.8.
STANDARD OF REVIEW	The appellate court affords great weight to the trier of fact's findings and applies the manifest-error standard when reviewing a claim for compensation for wrongful conviction and imprisonment under La. R.S. § 15:572.8.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Darvin Castro Santos v. State of Louisiana

TOPICS

- appellate procedure
- post-conviction relief
- burden of proof
- hearsay
- expert testimony

PRACTICE AREAS

appellate procedure

post-conviction relief

wrongful conviction compensation

evidence

QUESTIONS PRESENTED

1. Whether the district court manifestly erred by failing to consider Santos's evidence cumulatively in determining whether he proved factual innocence.
2. Whether the district court manifestly erred in evaluating and crediting the State's eyewitness evidence.
3. Whether the district court manifestly erred by excluding unauthenticated or hearsay affidavits and signed statements offered in support of the compensation claim.
4. Whether the district court manifestly erred by limiting the testimony of Santos's eyewitness-identification expert to subjects within the expert's qualifications.

HOLDINGS

1. The district court did not manifestly err in evaluating the evidence cumulatively; even considered together, the DNA, cell-phone, work-record, and Rodriguez evidence did not clearly and convincingly prove Santos's absence from the robbery or factual innocence.
2. The district court did not manifestly err in crediting Fleming's eyewitness identification and rejecting contrary testimony from Rodriguez.
3. The district court did not manifestly err by excluding unauthenticated signed statements and affidavits whose authors did not testify, because La. R.S. § 15:572.8(D) does not eliminate ordinary evidentiary requirements and the affidavits were hearsay without a showing supporting an exception.
4. The district court did not manifestly err by limiting the retired police chief's expert testimony to lineup-identification procedures because he lacked formal training or qualifications in psychology or related fields concerning memory and mistaken identification.

KEY QUOTATIONS

“As the Louisiana Supreme Court previously explained in Jones, to meet the “clear and convincing” burden of proving factual innocence, a petitioner must only demonstrate it is “highly probable or much more probable than not that he did not commit the crime.”” (p. 7)

“Though the sui generis wrongful conviction compensation statute allows for consideration of “any relevant evidence,” this does not permit the court to abandon the rules of evidence.” (p. 14)

“Appellant did not present any clear and convincing evidence that proved he is factually innocent and did not commit armed robbery or any other crime in connection with the events of July 18, 2009 at the Gold Star Diner in Chalmette, Louisiana.” (p. 17)

FACTUAL BACKGROUND

Santos was convicted of participating in the 2009 armed robbery of the Gold Star Diner in Chalmette, Louisiana, based principally on eyewitness identifications, including testimony from John Fleming that Santos pointed a

gun at him. Later-presented evidence included DNA profiles from items at the crime scene that excluded Santos, work records showing that he worked in Houston the day before the robbery, cell-phone records allegedly linking other participants to the crime, and testimony from codefendant Selvin Rodriguez identifying another man as the perpetrator for whom Santos was mistaken. The district court found the eyewitness identification credible and compelling and concluded that the additional evidence did not clearly and convincingly establish Santos's factual innocence.

PROCEDURAL HISTORY

Santos was convicted in 2012 of two counts of armed robbery and received concurrent fifty-year sentences. His convictions were affirmed on appeal, and the Louisiana Supreme Court denied review. His conviction was later vacated by joint motion of Santos and the district attorney, but the district court denied his 2023 petition for wrongful-conviction compensation after excluding several affidavits and limiting expert testimony. The Fourth Circuit affirmed, holding that the district court was not manifestly erroneous in finding that Santos failed to prove factual innocence by clear and convincing evidence.

DISPOSITION

affirmed

CASES CITED

- State v. Santos-Castro, 2012-0568 (La. App. 4 Cir. 7/31/13), 120 So. 3d 933
- State ex rel. Santos-Castro v. State, 2013-2151 (La. 6/5/15), 171 So. 3d 940 (Mem.)
- Ballard v. State, 2024-0606, p. 19 (La. App. 4 Cir. 3/14/25), 414 So. 3d 800, 810
- State v. Ruano, 2019-0709, pp. 4, 10-11 (La. App. 4 Cir. 3/4/19), 294 So. 3d 44, 46, 49-50
- Jones v. State, 2022-01455, pp. 4-5 (La. 5/5/23), 362 So. 3d 341, 344-45
- Burge v. State, 10-2229, p. 6 (La. 2/11/11), 54 So. 3d 1110, 1113
- State v. Walter, 2024-0420, p. 8 (La. App. 4 Cir. 4/29/25), 414 So. 3d 1009, 1015
- Rosell v. ESCO, 549 So. 2d 840, 844 (La. 1989)
- Arceneaux v. Domingue, 365 So. 2d 1330, 1333 (La. 1978)
- State v. Martin, 356 So. 2d 1370, 1373-74 (La. 1978)
- Reuther v. Smith, 2005-0794, p. 7 (La. App. 4 Cir. 2/15/06), 926 So. 2d 9, 14-15
- King's Joint Venture v. Marino, 02-0847, p. 4 (La. App. 4 Cir. 9/25/02), 827 So. 2d 521, 524
- Arkla, Inc. v. Maddox and May Bros. Casing Service, Inc., 624 So. 2d 34, 36 (La. App. 2 Cir. 1993)
- Board of Commissioners of Port of New Orleans v. Louisiana Commission on Ethics for Public Employees, 416 So. 2d 231, 238 (La. App. 1 Cir.), writ denied, 421 So. 2d 248 (La. 1982)
- Pyburn v. Walle Corporation, 454 So. 2d 1128, 1130 (La. App. 4 Cir. 1984)
- State v. Alexander, 22-12, pp. 17, 21-23 (La. App. 5 Cir. 6/21/23), 367 So. 3d 867, 883-85, 897 n.7