

LOUISIANA COURT OF APPEAL, SECOND CIRCUIT

State of Louisiana v. Jaroderick Harper

No. 56,619-KA · No. 56,619-KA · Decided December 17, 2025

SUMMARY

The Louisiana Second Circuit affirmed Jaroderick Harper’s 60-year sentence for molestation of a juvenile under the age of 13, with the first 25 years to be served without benefits. The court held that the record adequately reflected consideration of the sentencing factors and that the sentence was not constitutionally excessive. The court remanded the matter to correct a discrepancy in the resentencing minute entry concerning post-conviction relief advisements.

CASE DETAILS

COURT	Louisiana Court of Appeal, Second Circuit
WRITING FOR THE COURT	Marcotte, J.; Pitman, J.; Robinson, J.
JURISDICTION	Louisiana Court of Appeal, Second Circuit
DECIDED	December 17, 2025
DOCKET	56,619-KA
DISPOSITION	affirmed
PROCEDURAL POSTURE	Harper appealed the sentence imposed after resentencing for molestation of a juvenile under the age of 13. He argued that the 60-year sentence, including 25 years without benefits, was constitutionally excessive and that the trial court failed to consider the sentencing factors and mitigating circumstances. The court affirmed the sentence but remanded for correction of the resentencing minute entry.
STANDARD OF REVIEW	A sentence within statutory limits is reviewed for abuse of the trial court's wide sentencing discretion. The appellate court determines whether the trial court adequately considered La. C. Cr. P. art. 894.1 and whether the sentence is constitutionally excessive; it does not decide whether another sentence would have been more appropriate.
PRECEDENTIAL VALUE	published
PARTIES	Jaroderick Harper v. State of Louisiana

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether Harper's 60-year sentence at hard labor, with the first 25 years to be served without benefits, was constitutionally excessive.
2. Whether the trial court's failure to restate the La. C. Cr. P. art. 894.1 factors at resentencing required remand for resentencing.
3. Whether the trial court's refusal to allow Harper to speak at the resentencing hearing required reversal or remand.

HOLDINGS

1. The 60-year sentence at hard labor, with the first 25 years to be served without benefits, was not constitutionally excessive and did not constitute an abuse of sentencing discretion.
2. Remand for resentencing was unnecessary because the record from the original sentencing hearing provided an adequate factual basis and demonstrated consideration of the Article 894.1 guidelines.
3. The trial court's refusal to allow Harper to speak personally did not require reversal because any error was harmless and Harper had an opportunity to present mitigating circumstances through counsel and his motion to reconsider.
4. The matter must be remanded for correction of the minute entry because it stated that the trial court advised Harper of his right to post-conviction-relief proceedings, contrary to the transcript.

KEY QUOTATIONS

"The defendant must be given an opportunity to rebut or explain misinformation upon which the trial court relies or to which it is exposed in its sentencing decision." (4)

"Articulation of the factual basis for a sentence is the goal of Article 894.1, not rigid or mechanical compliance with its provisions." (5)

"When there is a discrepancy between the minutes and the transcript, the transcript prevails." (8)

FACTUAL BACKGROUND

Harper, age 30, was convicted of molesting a 10-year-old child who had been left in his care. The victim reported that Harper showed her a pornographic video, placed her on a bed, and attempted to kiss her on her face, cheeks, and private area; she kicked him to make him stop. At sentencing, the trial court considered Harper's prior criminal record, his supervisory relationship with the child, the child's vulnerability, and the seriousness of the offense.

PROCEDURAL HISTORY

Harper was convicted by a jury of molestation of a juvenile under the age of 13 and originally sentenced to 60 years at hard labor, with at least 25 years without benefits. In a prior appeal, the Louisiana Second Circuit affirmed the conviction but vacated the sentence as indeterminate and remanded for resentencing. On March 6, 2025, the trial court imposed the same 60-year sentence and specified that the first 25 years were to be served without benefits. The trial court denied Harper's motion to reconsider, and he appealed. The appellate court affirmed the sentence and remanded solely to correct the minutes concerning the post-conviction-relief advisement.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

Remand to the First Judicial District Court for the Parish of Caddo to amend the minutes to remove or correct the entry stating that the trial court advised Harper of his right to post-conviction relief proceedings, because the transcript does not reflect that advisement.

CASES CITED

- State v. Harper, 56,060 (La. App. 2 Cir. 12/18/24), 402 So. 3d 1247
- State v. Wilson, State v. Wilson, 53,913, p. 8 (La. App. 2 Cir. 5/26/21), 317 So. 3d 923, 930
- State v. Jones, 54,264 (La. App. 2 Cir. 3/9/22), 335 So. 3d 532
- State v. Jones, 54,264 (La. App. 2 Cir. 3/9/22), 335 So. 3d 532, writ denied, 22-00656 (La. 6/22/22), 339 So. 3d 642
- State v. Smith, 433 So. 2d 688 (La. 1983)
- State v. Lanclos, 419 So. 2d 475 (La. 1982)
- State v. Williams, 03-3514 (La. 12/13/04), 893 So. 2d 7
- State v. Dorthey, 623 So. 2d 1276 (La. 1993)
- State v. Lynch, 441 So. 2d 732 (La. 1983)