

SUPREME COURT OF LOUISIANA

State of Louisiana v. Khoi Q. Hoang

State of Louisiana v. Hoang, No. 2017-K-0100 (La. Mar. 26, 2019) · No. 2017-K-0100 · Decided March 26, 2019

SUMMARY

The Supreme Court of Louisiana reviewed the sufficiency of the evidence supporting Khoi Q. Hoang’s conviction for obstruction of justice. The court held that a rational jury could infer that Hoang removed or directed the removal of a truck’s license plate with the intent to affect a criminal investigation, reversed the court of appeal, and reinstated the conviction and sentence. Chief Justice Johnson and Justice Weimer dissented.

CASE DETAILS

COURT	Supreme Court of Louisiana
WRITING FOR THE COURT	Per curiam
JURISDICTION	Louisiana
DECIDED	March 26, 2019
DOCKET	2017-K-0100
DISPOSITION	reversed
PROCEDURAL POSTURE	The State sought review by writ of certiorari after the Louisiana Fourth Circuit Court of Appeal reversed Hoang's obstruction-of-justice conviction for insufficient evidence.
STANDARD OF REVIEW	Under Jackson v. Virginia, the court views the evidence in the light most favorable to the prosecution and determines whether any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt. In circumstantial-evidence cases, Louisiana law requires that the evidence exclude every reasonable hypothesis of innocence. A sufficiency challenge is assessed against the statutory elements of the charged crime, not an erroneously heightened jury instruction that adds an extra element.
PRECEDENTIAL VALUE	Published Louisiana Supreme Court opinion; precedential.
PARTIES	State of Louisiana v. Khoi Q. Hoang

TOPICS

criminal procedure

evidence

standard of review

appellate procedure

preservation of error

PRACTICE AREAS

Criminal law

Criminal procedure

Appellate litigation

Evidence

QUESTIONS PRESENTED

1. Whether the evidence was sufficient under Jackson v. Virginia and Louisiana's circumstantial-evidence rule to support Hoang's obstruction-of-justice conviction based on his role as a principal in removing the truck's license plate.
2. Whether the jury's use of the conjunction "and" in describing two alleged obstruction acts required the State to prove both acts, despite the governing statute requiring only one act and the absence of a defense objection.

HOLDINGS

1. The evidence, viewed in the light most favorable to the prosecution, was sufficient for a rational jury to infer that Hoang removed the truck's license plate or directed someone else to remove it with the specific intent to distort an investigation into the abduction and murder.
2. The erroneous use of "and" in the jury instruction did not require the State to prove both removal of the surveillance system and removal of the license plate for purposes of sufficiency review.

KEY QUOTATIONS

“Here, from all of the evidence presented, a jury could reasonably infer (without speculating) that defendant removed the truck’s license plate or directed someone else to do so because the truck was going to be used in a murder or had just been used in a murder.” (at 1, 7)

“A reviewing court’s limited determination on sufficiency review thus does not rest on how the jury was instructed.” (at 5)

“To accept defendant’s hypothesis of innocence, that the license plate went coincidentally missing at some point after the murder, would indeed be to accept an “extraordinary coincidence” when viewed in the context of the entirety of the State’s case.” (at 7)

FACTUAL BACKGROUND

Lien Nguyen was abducted from his home, shot, and left to die; he later died at the scene. Surveillance video showed a Nissan Titan at the victim's home, and the vehicle was identified as one owned by Irene Booker and loaned to Hoang on the afternoon of the murder. The truck was returned after midnight by an unidentified person, and Booker later discovered that its license plate was missing. The State also presented evidence linking Hoang to the victim's wife and to the events surrounding the murder.

PROCEDURAL HISTORY

Hoang was indicted on conspiracy to commit second degree murder, solicitation to commit second degree murder, second degree murder, and obstruction of justice. The jury convicted him of obstruction of justice but could not reach verdicts on the other charges, and he was sentenced to life imprisonment without parole eligibility as a third-felony habitual offender. The Fourth Circuit reversed the obstruction conviction, concluding that the circumstantial evidence did not connect Hoang to removal of the truck's license plate or the victim's security system. The Louisiana Supreme Court granted review, reversed the court of appeal, and reinstated the conviction and sentence.

DISPOSITION

reversed

REMAND INSTRUCTIONS

The court reversed the Fourth Circuit's decision and reinstated Hoang's obstruction-of-justice conviction and sentence.

CASES CITED

- State v. Hoang, 16-0479 (La. App. 4 Cir. 2/21/16), 207 So. 3d 473
- Jackson v. Virginia, 443 U.S. 307, 99 S. Ct. 2781, 61 L. Ed. 2d 560 (1979)
- Musacchio v. United States, 577 U.S. —, 136 S. Ct. 709, 193 L. Ed. 2d 639 (2016)
- State v. Captville, 448 So. 2d 676, 678 (La. 1984)
- State v. Mussall, 522 So. 2d 1305, 1311 (La. 1988)
- State v. Mussall, 523 So. 2d 1305, 1310 (La. 1988)
- State v. Schwander, 345 So. 2d 1173, 1175 (La. 1978)
- Maquiz v. Hedgpeth, 907 F.3d 1212, 1217 (9th Cir. 2018)
- United States v. Rojas Alvarez, 451 F.3d 320, 333 (5th Cir. 2006)
- United States v. Pettigrew, 77 F.3d 1550, 1521 (5th Cir. 1996)
- Hudson v. Louisiana, 450 U.S. 40, 44-45, 101 S. Ct. 970, 67 L. Ed. 2d 30 (1981)
- State v. Crawford, 2014-2153, p. 19 (La. 11/16/16), 218 So. 3d 13, 25