

LOUISIANA COURT OF APPEAL, FIRST CIRCUIT

State of Louisiana v. Vonnie Frank Todd, Jr.

2026 KW 0228 · No. 2026 KW 0228 · Decided June 1, 2026

SUMMARY

The Louisiana First Circuit partially granted and partially denied supervisory writs in a post-conviction relief matter. The court held that the 2025 amendments to the post-conviction relief articles could not be applied retroactively to the relator’s 2013 filings, vacated the district court’s rulings on those filings, and remanded for further proceedings under the law in effect when they were filed; it upheld the denial of relief as to the untimely 2024 supplemental memorandum.

CASE DETAILS

COURT	Louisiana Court of Appeal, First Circuit
WRITING FOR THE COURT	Theriot, J.; Balfour, J.; Haggerty, J., serving pro tempore
JURISDICTION	Louisiana Court of Appeal, First Circuit
DECIDED	June 1, 2026
DOCKET	2026 KW 0228
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Vonnie Frank Todd, Jr. applied for supervisory writs challenging the Sixteenth Judicial District Court's rulings dismissing his 2013 application for postconviction relief, its first supplement, and addressing his 2024 supplemental memorandum.
STANDARD OF REVIEW	The court reviewed the district court's postconviction-relief rulings through a supervisory writ and applied statutory limits governing the district court's authority to extend postconviction deadlines.
PRECEDENTIAL VALUE	Unknown; supervisory-writ per curiam opinion with no reporter citation identified.
PARTIES	Vonnie Frank Todd, Jr. v. State of Louisiana

TOPICS

- post-conviction relief
- state post-conviction relief
- statutory interpretation
- appellate procedure
- criminal procedure

PRACTICE AREAS

criminal procedure

post-conviction relief

appellate procedure

QUESTIONS PRESENTED

1. Whether the 2025 amendments to Louisiana's postconviction-relief articles could be applied retroactively to Todd's 2013 application and first supplement.
2. Whether the district court had authority to extend the postconviction-relief filing deadlines for Todd's untimely 2024 supplemental memorandum.

HOLDINGS

1. The 2025 amendments could not be applied retroactively because they contained no express statement of retroactive application. Applying La. Code Crim. P. art. 927.1 to dismiss Todd's 2013 application and first supplement was impermissible.
2. Because Todd's counseled 2024 supplemental memorandum was filed after the statutory deadline, and no exception under La. Code Crim. P. art. 930.8 applied, the district court lacked authority to extend the legislatively prescribed time limits.

KEY QUOTATIONS

“No Section of the Revised Statutes is retroactive unless it is expressly so stated.”

“Except as provided in La. Code Crim. P. art. 930.8, the district court has no authority to extend those limits beyond the delays set forth by the legislature.”

FACTUAL BACKGROUND

Todd filed an application for postconviction relief in 2013 and later filed a first supplement. The district court dismissed those filings by applying 2025 amendments to the postconviction-relief articles, which became effective August 1, 2025, without an express retroactivity provision. Todd also filed a counseled supplemental memorandum in 2024 after the applicable statutory deadline had expired.

PROCEDURAL HISTORY

The Sixteenth Judicial District Court for the Parish of St. Mary dismissed Todd's 2013 application for postconviction relief and first supplement under the 2025 amendments to Louisiana's postconviction-relief statutes. The district court also considered Todd's counseled 2024 supplemental memorandum, which was filed after the statutory time limit. The First Circuit granted the writ in part, vacated the rulings concerning the 2013 application and first supplement, remanded for further proceedings under the law in effect when those filings were made, and denied the writ in all other respects.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

The district court must vacate its treatment of the 2013 application for postconviction relief and first supplement under the later amendments and order the district attorney to file any procedural objections or an answer on the merits based on the law in effect when those filings were made. The writ was denied in all other respects.

CASES CITED

- Benoit v. Guerin, 2022-547 (La. App. 5th Cir. 1/18/23), 357 So. 3d 434, 440, writ denied, 2023-00250 (La. 6/7/23), 361 So. 3d 966

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