

LOUISIANA COURT OF APPEAL, SECOND CIRCUIT

State of Louisiana v. Eric D. Green

No. 56,800-KA (La. Ct. App. Apr. 8, 2026) · No. 56,800-KA · Decided April 8, 2026

SUMMARY

The Louisiana Second Circuit Court of Appeal affirmed Eric D. Green’s conviction for second degree murder and his life sentence with parole eligibility based on his age at the time of the offense. The court rejected challenges to the sufficiency of the evidence, cross-examination regarding a witness’s potential benefits from the State, and the constitutionality and propriety of the sentence. The court also found harmless the trial court’s failure to observe the statutory sentencing delay.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| COURT                 | Louisiana Court of Appeal, Second Circuit                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| WRITING FOR THE COURT | Thompson, J.; Cox, J.; Ellender, J.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| JURISDICTION          | Louisiana Court of Appeal, Second Circuit                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| DECIDED               | April 8, 2026                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| DOCKET                | 56,800-KA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| DISPOSITION           | affirmed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| PROCEDURAL POSTURE    | Green appealed his conviction for second degree murder and life sentence, arguing insufficient evidence, violation of his Sixth Amendment confrontation rights, and excessive sentencing.                                                                                                                                                                                                                                                                                                                                                      |
| STANDARD OF REVIEW    | Sufficiency of the evidence is reviewed under Jackson v. Virginia: whether, viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found every essential element beyond a reasonable doubt. Sentencing is reviewed for constitutional excessiveness and for abuse of the district court's sentencing discretion. Because Green did not preserve a specific objection to the alleged failure to comply with La. C. Cr. P. art. 894.1, that issue was barred under La. C. Cr. P. art. 881.1. |
| PRECEDENTIAL VALUE    | published                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| PARTIES               | Eric D. Green v. State of Louisiana                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

TOPICS

criminal procedure

reasonable doubt

sixth amendment

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## PRACTICE AREAS

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## QUESTIONS PRESENTED

1. Whether the evidence was sufficient to support Green's conviction for second degree murder.
2. Whether the trial court violated Green's Sixth Amendment right of confrontation by limiting his cross-examination of McDaniel regarding benefits or leverage allegedly provided by the State.
3. Whether Green's mandatory life sentence was excessive because the trial court did not order a presentence investigation or adequately articulate the La. C. Cr. P. art. 894.1 factors.
4. Whether the mandatory life sentence was constitutionally excessive.
5. Whether sentencing on the same date that Green's motion for new trial was denied violated the sentencing delay required by La. C. Cr. P. art. 873.

## HOLDINGS

1. The evidence was sufficient for a rational juror, viewing it in the light most favorable to the prosecution, to find beyond a reasonable doubt that Green committed second degree murder.
2. The trial court did not violate Green's Sixth Amendment confrontation right because Green had an adequate opportunity to cross-examine McDaniel about possible benefits, plea offers, or incentives supplied by the State.
3. Green could not obtain appellate relief based on the alleged failure to articulate sentencing factors because he did not raise that specific ground in his motion to reconsider sentence, and the sentence was mandatory.
4. Green's mandatory life sentence, with parole eligibility based on his age, was not constitutionally excessive.
5. Although the trial court sentenced Green on the same date it denied his motion for new trial, the sentencing-delay violation was harmless because Green did not object and suffered no prejudice from the mandatory life sentence.

## KEY QUOTATIONS

*“The standard of appellate review for a sufficiency of the evidence claim is whether, after viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.” (7)*

*“Constitutional review turns upon whether the sentence is illegal, grossly disproportionate to the severity of the offense, or shocking to the sense of justice.” (12)*

*“A sentence violates La. Const. art. I, § 20, if it is grossly out of proportion to the seriousness of the offense or nothing more than a purposeless and needless infliction of pain and suffering.” (13)*

## FACTUAL BACKGROUND

Seventeen-year-old D'Anthony Walker was lured toward a stolen Kia by gang-related signals and music before Green and two other assailants exited the vehicle and shot him nineteen times. Surveillance footage showed the Kia following Walker from his high school, and witness testimony identified Green as the first shooter. Cell-site data placed Green near the shooting, and a codefendant's prior sworn testimony identified Green as having fired first. The jury convicted Green of second degree murder, and he received the mandatory life sentence with parole eligibility applicable because of his age.

## PROCEDURAL HISTORY

A jury unanimously convicted Green of second degree murder after a five-day trial. The trial court denied his motion for new trial and motion for post-verdict judgment of acquittal, then sentenced him to life imprisonment at hard labor without suspension or probation but with parole eligibility because he was under eighteen when the offense occurred. The Louisiana Court of Appeal, Second Circuit, affirmed the conviction and sentence.

## DISPOSITION

affirmed

## CASES CITED

- Miller v. Alabama, Miller v. Alabama, 567 U.S. 460 (2012)
- Jackson v. Virginia, 443 U.S. 307 (1979)
- State v. Hearold, 603 So. 2d 731 (La. 1992)
- State v. Smith, 47,983 (La. App. 2 Cir. 5/15/13), 116 So. 3d 884
- State v. Pigford, 05-0477 (La. 2/22/06), 922 So. 2d 517
- State v. Casey, 99-0023 (La. 1/26/00), 775 So. 2d 1022
- State v. Smith, 94-3116 (La. 10/16/95), 661 So. 2d 442
- State v. Allen, 36,180 (La. App. 2 Cir. 9/18/02), 828 So. 2d 622
- State v. Broome, 49,004 (La. App. 2 Cir. 4/9/14), 136 So. 3d 979
- State v. Brown, 03-0897 (La. 4/12/05), 907 So. 2d 1
- State v. Odums, 50,969 (La. App. 2 Cir. 11/30/16), 210 So. 3d 850
- State v. Jackson, 50,400 (La. App. 2 Cir. 2/24/16), 189 So. 3d 1150
- State v. Carper, 45,178 (La. App. 2 Cir. 6/9/10), 41 So. 3d 605
- State v. Smith, 53,827 (La. App. 2 Cir. 3/3/21), 315 So. 3d 407
- State v. Mims, 619 So. 2d 1059 (La. 1993)
- State v. Ivory, 54,886 (La. App. 2 Cir. 1/11/23), 355 So. 3d 1157
- State v. Lobato, 603 So. 2d 739 (La. 1992)
- State v. Davis, 50,149 (La. App. 2 Cir. 11/18/15), 181 So. 3d 200
- State v. Scott, 50,920 (La. App. 2 Cir. 11/16/16), 209 So. 3d 248

- State v. Dorthey, 623 So. 2d 1276 (La. 1993)
- State v. Davis, 52,453 (La. App. 2 Cir. 2/27/19), 265 So. 3d 1194
- State v. Weaver, 01-0467 (La. 1/15/02), 805 So. 2d 166
- State v. Boehm, 51,229 (La. App. 2 Cir. 4/5/17), 217 So. 3d 596
- State v. Williams, 03-3514 (La. 12/13/04), 893 So. 2d 7
- State v. Diaz, 46,750 (La. App. 2 Cir. 12/14/11), 81 So. 3d 228
- State v. Free, 46,894 (La. App. 2 Cir. 1/25/12), 86 So. 3d 29
- State v. Jones, 56,042 (La. App. 2 Cir. 12/18/24), 403 So. 3d 659

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