

LOUISIANA COURT OF APPEAL, SECOND CIRCUIT

State of Louisiana v. Taylor Jackson Kerley

No. 56,706-KA · No. 56,706-KA · Decided May 27, 2026

SUMMARY

The Louisiana Second Circuit Court of Appeal affirmed Taylor Jackson Kerley’s convictions for second degree murder, second degree battery, and obstruction of justice, and affirmed his concurrent sentences, including mandatory life imprisonment for second degree murder. The court rejected Kerley’s challenge to the sufficiency of the evidence, concluding that the evidence supported his participation as a principal in an armed robbery resulting in a killing. The opinion also addresses Kerley’s motions for a new trial, post-verdict acquittal, self-representation, and standby counsel.

CASE DETAILS

COURT	Louisiana Court of Appeal, Second Circuit
WRITING FOR THE COURT	Robinson, J.; Pitman, J.; Stephens, J.
JURISDICTION	Louisiana Court of Appeal, Second Circuit
DECIDED	May 27, 2026
DOCKET	56,706-KA
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed his convictions for second degree murder, second degree battery, and obstruction of justice, and the resulting concurrent sentences, after a jury trial and denial of post-verdict motions in the Twenty-Sixth Judicial District Court for Bossier Parish.
STANDARD OF REVIEW	For sufficiency of the evidence, the court applied the Jackson v. Virginia standard, viewing the evidence in the light most favorable to the prosecution and asking whether any rational trier of fact could have found the essential elements beyond a reasonable doubt. The court deferred to the jury's credibility determinations and did not reweigh evidence. Motions for new trial were reviewed for abuse of discretion, and the denial of standby counsel was reviewed under an abuse-of-discretion standard. Sentencing-delay error was reviewed for harmless error.
PRECEDENTIAL VALUE	Published Louisiana Court of Appeal opinion
PARTIES	Taylor Jackson Kerley v. State of Louisiana

TOPICS

criminal procedure

standard of review

evidence

right to counsel

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the evidence was sufficient to prove beyond a reasonable doubt that Kerley was the perpetrator of, or a principal to, second degree murder, second degree battery, and obstruction of justice.
2. Whether the trial court erred in denying Kerley's motion for a new trial based on alleged outside information about an undisclosed juror's knowledge of a surveillance video.
3. Whether the trial court erred by denying Kerley's request for standby counsel after permitting him to represent himself.
4. Whether the trial court's failure to observe the statutory 24-hour sentencing delay required vacatur of the sentences.
5. Whether Kerley's sentences were constitutionally excessive or improperly imposed without consideration of mitigating factors.

HOLDINGS

1. The evidence was sufficient to support Kerley's convictions for second degree murder, second degree battery, and obstruction of justice.
2. The trial court properly denied the motion for new trial because Kerley failed to establish prejudicial error, reasonable diligence, and compliance with the statutory pleading requirements.
3. The trial court acted within its discretion in denying Kerley's untimely request for standby counsel after Kerley knowingly, intelligently, and voluntarily waived appointed counsel and elected self-representation.
4. Any failure to observe the statutory 24-hour delay before sentencing was harmless because the life sentence for second degree murder was mandatory.
5. Kerley's excessive-sentence and mitigating-factor arguments were moot because the second degree murder sentence was mandatory and the other sentences ran concurrently with the life sentence.

KEY QUOTATIONS

"The evidence showed beyond a reasonable doubt that Kerley was a participant in, had knowledge of the planning of, and was present during the attempted robbery, which resulted in Bothwell's death." (at 13-15)

"The trial court was well within its discretion to deny Kerley's untimely filing of an additional motion for standby counsel." (at 21)

"For the reasons stated hereinabove, Kerley's convictions and sentences are hereby AFFIRMED." (at 24)

FACTUAL BACKGROUND

Kerley and Gregory went to Johnathan Bothwell's home in November 2019 ostensibly to purchase marijuana and THC syrup, but the evidence supported a plan to rob Bothwell. Bothwell was shot and killed, and his mother, Marta Pertuz, was struck in the face with a glass mason jar. Evidence included Kerley's presence inside the home, his participation in removing and replacing the vehicle's license plate, Gregory's testimony that Kerley was the person inside the home, Pertuz's identification of Kerley, cell-phone location evidence, and evidence that Kerley helped dispose of firearm-related evidence.

PROCEDURAL HISTORY

Kerley was initially indicted for first degree murder, aggravated second degree battery, and criminal damage to property. The State later amended the indictment to second degree murder, added obstruction of justice, and dismissed the property-damage charge. After a jury found Kerley guilty of second degree murder, obstruction of justice, and responsive second degree battery verdicts, the trial court denied motions for new trial and post-verdict judgment of acquittal. Following proceedings concerning substitution of counsel, self-representation, recusal, standby counsel, and additional pro se motions, the court imposed concurrent sentences of life imprisonment without benefits for second degree murder, five years for second degree battery, and ten years for obstruction of justice. The court of appeal affirmed.

DISPOSITION

affirmed

CASES CITED

- *Faretta v. California*, 422 U.S. 806 (1975)
- *Jackson v. Virginia*, 443 U.S. 307, 319 (1979)
- *State v. Tate*, 01-1658 (La. 5/20/03), 851 So. 2d 921
- *State v. Cummings*, 95-1377 (La. 2/28/96), 668 So. 2d 1132
- *State v. Crossley*, 48,149 (La. App. 2 Cir. 6/26/13), 117 So. 3d 585
- *State v. McGehee*, 15-2140 (La. 6/29/17), 223 So. 3d 1136
- *State v. Smith*, 94-3116 (La. 10/16/95), 661 So. 2d 442
- *State v. Marshall*, 04-3139 (La. 11/29/06), 943 So. 2d 362
- *State v. Mathis*, 52,500 (La. App. 2 Cir. 1/16/19), 263 So. 3d 613
- *State v. Dorsey*, 10-0216 (La. 9/7/11), 74 So. 3d 603
- *State v. Smith*, 47,983 (La. App. 2 Cir. 5/15/13), 116 So. 3d 884
- *State v. Stone*, 33,383 (La. App. 2 Cir. 5/15/00), 758 So. 2d 997
- *State v. Grant*, 623 So. 2d 204 (La. App. 2 Cir. 1993)
- *State v. Brown*, 43,775 (La. App. 2 Cir. 12/3/08), 999 So. 2d 179
- *State v. Cotton*, 341 So. 2d 362 (La. 1976)
- *State v. Anthony*, 427 So. 2d 1155 (La. 1983)

- State v. McKinnies, 13-1412 (La. 10/15/14), 171 So. 3d 861
- State v. Herrod, 412 So. 2d 564 (La. 1982)
- State v. Bodley, 394 So. 2d 584 (La. 1981)
- State v. Manuel, 17-1145 (La. App. 3 Cir. 5/2/18), 247 So. 3d 766
- State v. Wallace, 46,422 (La. App. 2 Cir. 8/10/11), 71 So. 3d 1142
- State v. White, 404 So. 2d 1202 (La. 1981)
- State v. Austin, 49,061 (La. App. 2 Cir. 7/16/14), 146 So. 3d 716

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