

LOUISIANA COURT OF APPEAL, SECOND CIRCUIT

State of Louisiana v. Robert Earl Williams, Jr.

No. 56,680-KA · No. 56,680-KA · Decided December 17, 2025

SUMMARY

The Louisiana Second Circuit affirmed Robert Earl Williams, Jr.'s conviction for fourth-offense operating a vehicle while intoxicated and affirmed his 15-year hard-labor sentence. The court held that the sentence was not constitutionally excessive and that probation was discretionary under La. R.S. 14:98.4. The court vacated the \$5,000 fine and remanded for compliance with the financial-hardship hearing requirements of La. C. Cr. P. art. 875.1.

CASE DETAILS

COURT	Louisiana Court of Appeal, Second Circuit
WRITING FOR THE COURT	Ellender, J.; Hunter, J.; Marcotte, J.
JURISDICTION	Louisiana Court of Appeal, Second Circuit
DECIDED	December 17, 2025
DOCKET	56,680-KA
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Williams appealed his conviction and sentence for fourth-offense operating a vehicle while intoxicated, arguing that his 15-year sentence was constitutionally excessive and that the trial court failed to apply statutory sentencing factors and probation provisions.
STANDARD OF REVIEW	Sentences within statutory limits are reviewed for abuse of the trial court's broad or vast discretion. Excessiveness review has two prongs: whether the record shows compliance with Louisiana Code of Criminal Procedure article 894.1 and whether the sentence is constitutionally excessive under Louisiana Constitution article I, section 20.
PRECEDENTIAL VALUE	published
PARTIES	Robert Earl Williams, Jr. v. State of Louisiana

TOPICS

- sentencing
- criminal procedure
- cruel and unusual punishment
- appellate procedure
- statutory interpretation

PRACTICE AREAS

criminal law

criminal procedure

sentencing

driving while intoxicated

QUESTIONS PRESENTED

1. Whether the trial court complied with Louisiana Code of Criminal Procedure article 894.1 when sentencing Williams.
2. Whether Williams's 15-year sentence for fourth-offense operating a vehicle while intoxicated was constitutionally excessive under Louisiana Constitution article I, section 20.
3. Whether Louisiana Revised Statutes § 14:98.4 required the trial court to suspend part of Williams's sentence and impose a period of supervised probation.
4. Whether the trial court's imposition of a \$5,000 fine without a financial-hardship hearing complied with Louisiana Code of Criminal Procedure article 875.1.

HOLDINGS

1. The sentencing record adequately reflected the trial court's consideration of the applicable aggravating and mitigating factors, including Williams's lack of felony history and the fact that he was parked rather than operating on a roadway.
2. Williams's 15-year hard-labor sentence for fourth-offense operating a vehicle while intoxicated was not constitutionally excessive.
3. Louisiana Revised Statutes § 14:98.4(A)(2)(a) does not require a sentencing court to suspend any portion of a fourth-offense operating-while-intoxicated sentence or impose probation.
4. The \$5,000 fine had to be vacated because the record did not show that the trial court conducted the financial-hardship hearing required by article 875.1 or that Williams waived the hearing.

KEY QUOTATIONS

“A sentence violates La. Const. art. 1, § 20, if it is grossly out of proportion to the seriousness of the offense or nothing more than a purposeless and needless imposition of pain and suffering.” (at 3)

“La. R.S. 14:98.4(A)(2)(a) does not require any portion of the sentence to be suspended.” (at 6)

“CONVICTION AFFIRMED; SENTENCE AFFIRMED IN PART AND VACATED IN PART; CASE REMANDED.” (at 7)

FACTUAL BACKGROUND

Police found Williams in the driver's seat of a running vehicle at a Shreveport park and observed signs of intoxication, including the odor of alcohol, slurred speech, red and glossy eyes, and an unsteady gait. Williams failed field sobriety tests and registered a blood alcohol concentration of .241 grams percent, approximately three times the legal limit. Fingerprint evidence connected him to three prior operating-while-intoxicated convictions, making the present conviction his fourth. The trial court imposed a 15-year sentence and a \$5,000

fine, while recognizing both aggravating factors and mitigating circumstances, including that Williams was parked rather than driving on a roadway when arrested.

PROCEDURAL HISTORY

A unanimous jury convicted Williams of fourth-offense operating a vehicle while intoxicated in the First Judicial District Court for Caddo Parish. The trial court imposed 15 years at hard labor, including two years without benefit of probation, parole, or suspension of sentence, and a \$5,000 fine. The trial court denied Williams's motions to reconsider and reduce sentence. The Louisiana Court of Appeal, Second Circuit, affirmed the conviction and imprisonment term, vacated the fine, and remanded for compliance with Louisiana Code of Criminal Procedure article 875.1.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Vacate the \$5,000 fine and remand for the trial court to comply with Louisiana Code of Criminal Procedure article 875.1(C). The conviction and 15-year hard-labor sentence are affirmed.

CASES CITED

- State v. Caldwell, 56,269 (La. App. 2 Cir. 5/21/25), 411 So. 3d 934
- State v. Benavides, 54,265 (La. App. 2 Cir. 3/9/22), 336 So. 3d 114
- State v. Abercumbia, 412 So. 2d 1027 (La. 1982)
- State v. Williams, 56,184 (La. App. 2 Cir. 2/26/25), 409 So. 3d 306
- State v. Bell, 53,712 (La. App. 2 Cir. 1/13/21), 310 So. 3d 307
- State v. Williams, 03-3514 (La. 12/13/04), 893 So. 2d 7
- State v. Cook, 95-2784 (La. 5/31/96), 674 So. 2d 957
- State v. Cozzetto, 07-2031 (La. 2/15/08), 974 So. 2d 665
- State v. Shepherd, 56,075 (La. App. 2 Cir. 2/26/25), 408 So. 3d 375, reh'g denied (La. App. 2 Cir. 4/2/25)