

LOUISIANA COURT OF APPEAL, THIRD CIRCUIT

State of Louisiana v. Derrick Jermaine Cotlong

25-516 · No. 25-516; KA-0025-0516 · Decided March 18, 2026

SUMMARY

The Louisiana Third Circuit Court of Appeal reversed Derrick Jermaine Cotlong’s conviction for second-offense violation of a protective order. The majority held that the evidence did not establish that Cotlong harassed or abused the protected child, or that he specifically intended to do so, when he went to her school and asked to see her. A dissent would have affirmed, concluding that his conduct willfully violated the order and caused significant psychological harm to the child.

CASE DETAILS

COURT	Louisiana Court of Appeal, Third Circuit
WRITING FOR THE COURT	Clayton Davis; Shannon J. Gremillion; Ledricka J. Thierry
JURISDICTION	Louisiana Court of Appeal, Third Circuit
DECIDED	March 18, 2026
DOCKET	25-516; KA-0025-0516
DISPOSITION	reversed
PROCEDURAL POSTURE	Defendant appealed his jury conviction for second-offense violation of a protective order. The Third Circuit reversed the conviction and set aside the sentence on sufficiency-of-the-evidence grounds.
STANDARD OF REVIEW	For a sufficiency challenge, the court views the evidence in the light most favorable to the prosecution and asks whether any rational trier of fact could have found the essential elements proven beyond a reasonable doubt under Jackson. The appellate court does not second-guess credibility determinations beyond the sufficiency review.
PRECEDENTIAL VALUE	Unknown
PARTIES	Derrick Jermaine Cotlong v. State of Louisiana

TOPICS

- criminal procedure
- standard of review
- statutory interpretation
- appellate procedure
- evidence

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the evidence was sufficient to prove that Cotlong willfully violated the protective order by harassing or abusing N.C.
2. Whether the evidence was sufficient to support the responsive verdict of attempted violation of a protective order.
3. Whether the trial court erred by refusing to instruct the jury on the definition of harassment.
4. Whether the trial court erred in admitting other-crimes, wrongs, or bad-acts evidence.

HOLDINGS

1. The evidence was insufficient to prove that Cotlong harassed N.C. in violation of the portion of the protective order that remained effective. Cotlong never saw or spoke to N.C., did not act in her presence, and did not intentionally communicate with her.
2. The evidence was insufficient to support an attempted violation because the State did not prove that Cotlong had the specific intent to harass N.C.
3. The assignments concerning the definition of harassment and admission of other-crimes evidence were moot because the conviction was reversed on sufficiency grounds.

KEY QUOTATIONS

“However, the record does not reflect that the State has satisfied its burden of proving that defendant harassed N.C.” (6)

“Violation of a protection order requires “willful disobedience” under La.R.S. 14:79. Therefore, it requires more than the fact alone that a protected individual subjectively felt harassed or abused.” (7)

“The State did not prove the defendant had the specific intent to harass N.C. when he went to her school and asked to see her.” (7)

FACTUAL BACKGROUND

On October 18, 2023, Cotlong went to an elementary school seeking to see his daughter, N.C., despite a protective order and the mother's sole custody. School personnel refused access, after which Cotlong became aggressive, threatened to tear up the school, and was escorted out; deputies later located him nearby. N.C. learned of the incident afterward and experienced fear, emotional regression, loss of appetite, clinginess, and reluctance to return to school.

PROCEDURAL HISTORY

Cotlong was charged with second-offense violation of a protective order and two counts of resisting a police officer with force or violence. A jury found him guilty of all charges. He appealed only the protective-order conviction; the court held his remaining assignments of error moot after reversing that conviction.

DISPOSITION

reversed

CASES CITED

- State v. Kennerson, 96-1518, p. 5 (La.App. 3 Cir. 5/7/97), 695 So.2d 1367, 1371
- State v. Odom, 07-516, p. 12 (La.App. 1 Cir. 7/31/08), 993 So.2d 663, 672 n.5
- Culp v. Culp, 42,239, pp. 6–7 (La.App. 2 Cir. 6/20/07), 960 So.2d 1279, 1282–83
- Rouyea v. Rouyea, 00-2613 (La.App. 1 Cir. 3/28/01), 808 So.2d 558
- Harper v. Harper, 537 So.2d 282 (La.App. 4th Cir. 1988)
- State v. Brown, 03-2788, p. 6 (La. 7/6/04), 879 So.2d 1276, 1280

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