

## DEATH BY BRADY: A CASE ANALYSIS OF STATE EX REL. ROBINSON V. VANNOY

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### I. ABSTRACT

This article examines *State ex rel. Robinson v. Vannoy* and the application of *Brady v. Maryland* by comparing two divided Louisiana Supreme Court rehearing opinions that reached opposing conclusions without new evidence. It analyzes how identical evidence was interpreted differently under the *Brady* standard focusing on undisclosed serology evidence, witness statements, jailhouse informant deals, and ballistics evidence. The article argues that the Court's second rehearing misapplied the *Brady* doctrine and wrongfully affirmed the denial of the defendant's post-conviction relief, and ultimately contends that the reinstatement of the defendant's death sentence and denial of his post-conviction relief violated the standard established under *Brady v. Maryland*.

### II. INTRODUCTION

In 2001, Mr. Darrell Robinson was convicted of four counts of first degree murder and sentenced to death.<sup>1</sup> Subsequently, the Louisiana Supreme Court affirmed his conviction and sentence on direct appeal.<sup>2</sup> In 2005, Robinson initiated post-conviction proceedings. Then, in 2014, the district court held an evidentiary hearing to address his *Brady* violation claims.<sup>3</sup> The district court rejected Robinson's *Brady* claims leading to a denial of his post-conviction relief.<sup>4</sup> However, upon application of a supervisory writ, the Louisiana Supreme Court found the State did violate the *Brady* doctrine, so it reversed Robinson's conviction, vacated his

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1. *State v. Robinson*, 874 So. 2d 66, 72 (La. 2004).
2. *Id.* at 90.
3. *State ex rel. Robinson v. Vannoy*, 378 So. 3d 11, 20 (La. 2024).
4. *Id.* at 27.

sentence, and remanded the case for a new trial.<sup>5</sup> Shortly thereafter, on rehearing at the state's request and without any new evidence, the Court reversed itself and reinstated Robinson's conviction and death sentence.<sup>6</sup>

Under *Brady v. Maryland*, the suppression of material, exculpatory evidence violates a defendant's constitutional right to due process.<sup>7</sup> Louisiana courts have struggled with applying this concept in past cases as "[h]alf of all U. S. Supreme Court reversals for Brady violations are from Louisiana."<sup>8</sup> This problem is further confirmed by Ivan Moreno in his article where he interviews Ellen Yaroshefsky "who has written extensively about Louisiana's criminal justice system..." and who confirmed that "Louisiana is an outlier in terms of the number of Brady petitions and Brady errors that have remained unaddressed."<sup>9</sup> Additionally, Moreno reviewed a N.A.C.D.L. study of 620 *Brady* violation cases over five years and in "145 of those cases, prosecutors did not disclose favorable information to the defense, the study said, but judges sided with the government 86% of the time in concluding there was no violation."<sup>10</sup> These materials demonstrate that Louisiana has a persisting problem with the *Brady* doctrine.

This article analyzes Robinson's alleged *Brady* claims by comparing the reasoning behind the conflicting rulings to determine whether his constitutional due process rights were violated. Section III reviews the established facts and procedural history of Robinson's journey. Section IV presents the legal framework of *Brady v. Maryland* and its progeny to establish the standard for assessing a potential violation. Section V compares the two conflicting opinions, analyzes their reasoning, and provides an ultimate determination for each category of undisclosed evidence. Lastly, Section VI delivers closing remarks.

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5. *Id.* at 45.

6. State ex rel. Robinson v. Vannoy, 397 So. 3d 333, 383 (La. 2024).

7. *Brady v. Maryland*, 373 U.S. 83, 87 (1963).

8. Wrongful conviction in Louisiana: Rates, causes & racial disparities: IJLA, Innocence & Justice Louisiana (2025), <https://justicelouisiana.org/criminal-justice-issues/wrongful-convictions/> (last visited Dec. 17, 2025).

9. Ivan Moreno, Louisiana has a brady crisis. Can the Supreme Court fix it? Law 360, <https://www.law360.com/articles/1561189> (last visited Dec. 17, 2025).

10. *Id.*

### III. BACKGROUND

Before determining whether Robinson's constitutional due process rights were violated under *Brady*, the relevant facts and procedural history must be established. Subsection (A) addresses Robinson's direct appeal to the Louisiana Supreme Court, subsection (B) examines the first rehearing that reversed his conviction and sentence, and subsection (C) assesses the second rehearing that ultimately reinstated his conviction and death sentence.

#### A. *State v. Robinson*, 874 So.2d 66 (La. 2004)

##### i. Established Facts

In 1996, four family members were discovered deceased in Poland, Louisiana at Mr. Billy Lambert's household including Billy Lambert, Carol Hooper, Paula Kelly, and 10-month-old Nicholas Kelly.<sup>11</sup> Ms. Doris Foster discovered the bodies around 12:10 p.m. noticing that all of the victims had been shot once in the head, except Lambert who had been shot twice in the head. Upon hearing noises coming from the back of the house, Foster left to notify law enforcement. After notifying law enforcement, she returned to the scene and realized that Lambert's Ford truck was now missing.<sup>12</sup> Then, around 12:15 p.m., two witnesses in the area viewed a Ford truck driving erratically on a nearby road with one witness describing the driver as "a young man with brown hair[.]"<sup>13</sup>

Shortly thereafter, another bystander was side-swiped by the same Ford truck leading him to pursue the driver and call his friend for help. The driver fled the scene prompting the witness to request his friend to follow the truck while he called law enforcement.<sup>14</sup> Eventually, the pursuit ended in Evangeline Parish where the driver rammed through a fence, attempted to hide the truck, and disappeared into the nearby woods. Officers arrived at the scene, found the driver hiding nearby, and apprehended him prompting the suspect to state "I'm not armed.

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11. *Robinson v. State of Louisiana*, 2004 WL 2418922, at 2.  
12. *State v. Robinson*, 874 So. 2d 66, 71 (La. 2004).  
13. *Id.*  
14. *Id.* at 72.

I don't have a gun." and "I'm on medication for violent tendencies[.]"<sup>15</sup> Upon searching the suspect, the officers recovered a yellow pocketknife belonging to Lambert, seventy-one dollars, and a pack of cigarettes that Lambert regularly smoked yet the officers never found a firearm.<sup>16</sup> Later testing of the suspect's confiscated clothing revealed gunshot residue on the suspect's shirt, waistband, and shorts and two drops of blood on his left shoe that matched the DNA of Nicholas Kelly.<sup>17</sup>

The identity of the suspect was Darrell Robinson who, about a week before the murders, was being treated for alcoholism at the Veteran's Administration Medical Center in Pineville, LA.<sup>18</sup> During treatment, Robinson met Lambert who invited Robinson to live with him in exchange for work. Robinson proceeded to move in with Lambert and was notified that no drinking would be tolerated.<sup>19</sup> However, Robinson's problem began again just days after his release.<sup>20</sup> The night before the murders, Lambert had told a witness that he was going to evict Robinson due to his persisting alcoholism.<sup>21</sup> This problem continued to the day of the murders with a store clerk attesting that Robinson purchased alcohol on the morning of the murders.<sup>22</sup>

## ii. Procedural History

In June 1996, Robinson was indicted on four counts of first degree murder.<sup>23</sup> His motion to set bail was denied following a preliminary hearing and he was then incarcerated in the Rapides Parish Detention Center.<sup>24</sup> While incarcerated, Robinson's cellmate was Mr. Leroy Goodspeed who alleged that

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15. *Id.* at 72.

16. *Id.* at 72-75.

17. *Id.* at 72.

18. Melissa Gregory, *'Truly warranted': Rapides DA says his office will pursue death penalty in 1996 murders*, The Town Talk (Dec. 20, 2024), <https://www.thetowntalk.com/story/news/2024/12/20/truly-warranted-phillip-terrell-rapides-da-says-his-office-will-pursue-death-penalty-in-1996-murders/77070710007/>

19. Robinson, *supra* note 11, at 3.

20. *State v. Robinson*, 874 So. 2d 66, 71 (La. 2004).

21. Robinson, *supra* note 11, at 4.

22. *State v. Robinson*, 874 So. 2d 66, 71 (La. 2004).

23. *Id.* at 72.

24. *Id.*

Robinson confessed to him “I did those people, a man, two women and a small child, and threw the gun off a bridge.”<sup>25</sup> Thereafter, Goodspeed promptly informed an investigator about Robinson’s statements.

After granting Robinson’s motion to change venue, jury selection took place in St. Landry Parish. Subsequently, Robinson’s trial began in March 2001 and the jury returned a verdict of guilty on all four counts within a week. Sentencing began the following day and the jury unanimously returned a recommendation for death. Defense counsel motioned for a new trial; however, the trial court denied the motion and imposed the death sentence.<sup>26</sup> Robinson appealed with 24 assignments of error and, upon review, the Louisiana Supreme Court affirmed the trial court’s ruling confirming Robinson’s conviction and sentence.<sup>27</sup>

*B. State ex rel. Robinson v. Vannoy, 378 So.3d 11 (La. 2024)*

i. Additional Facts

In the first rehearing opinion, the Court readdressed the previously established facts and introduced additional facts not discussed in the prior opinion. The Court recognized that a bystander spotted the defendant in a grocery store parking lot on the morning of the murders around 11:30 a.m.<sup>28</sup> Concerning the crime scene, the Court acknowledged the presence of a towel stained with Nicholas Kelly’s blood and a blood-stained red jacket which did not match either Robinson’s or the victims’ D.N.A. implying the existence of an alternate suspect. Defense counsel alleged that the unidentified blood belonged to Mr. Mark Moras, a former resident of Lambert’s household who got into a hostile engagement with Lambert over forging checks in his name.<sup>29</sup> Furthermore, only four bullets were found at the crime scene even though the victims together had five bullet wounds.<sup>30</sup> The Court recognized the State’s five bullet theory which claimed that Foster

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25. *Id.* at 73.

26. *Id.*

27. *Id.* at 90.

28. *State ex rel. Robinson v. Vannoy, 378 So.3d 11, 17 (La., 2024).*

29. *Id.* at 20.

30. *Id.* at 18-19.

previously possessed Lambert's revolver and she had forgot one of the six bullets upon returning it.<sup>31</sup>

## ii. Procedural History

After the Louisiana Supreme Court's affirmance and the United States Supreme Court's denial of certiorari, Robinson initiated post-conviction proceedings. The district court granted an evidentiary hearing to address Robinson's *Brady* claims which uncovered extensive evidence relevant to his contentions.<sup>32</sup>

First, Robinson presented evidence suggesting that Goodspeed was given undisclosed, favorable treatment. This evidence included a redacted note on a statement provided by Goodspeed's wife, correspondence between Goodspeed's probation officer with a Rapides Parish judge requesting leniency, two pardons entered for Goodspeed despite being a habitual offender, and communications between Rapides Parish and Lafayette Parish D.A. offices along with the subsequent dismissal of pending charges in Lafayette Parish.<sup>33</sup>

Second, Robinson presented evidence that portions of 51 pages of serology bench notes and diagrams, which contained blood evidence and DNA testing information, were not disclosed.<sup>34</sup> These notes documented high and medium blood impact splatter on a red jacket found at the crime scene which did not match either Robinson's or the victim's DNA.<sup>35</sup> Robinson claimed these findings were inconsistent with trial testimony theorizing the blood on the jacket resulted from routine farm work.<sup>36</sup> Robinson also provided evidence that ballistics bench notes and crime scene diagrams were not disclosed to him.<sup>37</sup>

Third, Robinson presented evidence showing exculpatory eyewitness testimony which contradicted the State's theories was not disclosed. One witness claimed that he saw another vehicle leaving Lambert's household on the morning of the

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31. *Id.* at 19.

32. *Id.* at 20-21.

33. *Id.* at 21-24.

34. State ex rel. Robinson v. Vannoy, 378 So.3d 11, 24 (La., 2024).

35. *Id.*

36. *Id.*

37. *Id.* at 24-25.

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event.<sup>38</sup> Additionally, defense counsel did not receive notes from an interview with another witness who claimed that Mr. Kirby Brown saw Robinson get dropped off at Lambert's household the morning of the event. Upon interviewing Brown, it was discovered that Robinson was not dropped off until noon opposing the State's timeline.<sup>39</sup>

Upon the hearing's conclusion, the district court denied Robinson's post-conviction relief.<sup>40</sup> The Louisiana Supreme Court then granted Robinson's supervisory writ contesting the district court's determination.<sup>41</sup> On rehearing, the Court focused on the major categories of undisclosed evidence which included Goodspeed's deal, the serology notes, the ballistics evidence, and eyewitness statements.<sup>42</sup> Considering the evidence cumulatively, the Court concluded that Robinson did not receive a fair trial so it reversed his conviction, vacated his sentence, and remanded the case for a new trial.<sup>43</sup>

*C. State ex rel. Robinson v. Vannoy, 397 So.3d 333 (La. 2024)*

i. Additional Facts & Procedural History

Unsatisfied with the previous determination, the State applied for a rehearing which the Louisiana Supreme Court subsequently granted.<sup>44</sup> The only additional fact considered by the Court was that Robinson was present at Lambert's house around 9 a.m. on the morning of the murders since he had answered an incoming call to the household.<sup>45</sup> The Court readdressed all of Robinson's *Brady* claims and concluded that the trial court did not abuse its discretion in denying Robinson's post-conviction relief thereby affirming its decision, vacating the rehearing decision, and reinstating Robinson's death sentence.<sup>46</sup>

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38. *Id.* at 25–26.

39. *Id.* at 26.

40. *State ex rel. Robinson v. Vannoy*, 378 So.3d 11, 27 (La., 2024).

41. *Id.*

42. *Id.* at 29.

43. *Id.* at 44–45.

44. *State ex rel. Robinson v. Vannoy*, 397 So.3d 333, 345 (La. 2024).

45. *Id.* at 346.

46. *Id.* at 383.

#### IV. THE FRAMEWORK OF BRADY V. MARYLAND AND ITS PROGENY

Again, before determining whether Robinson's constitutional due process rights were violated, the legal principles behind the *Brady* doctrine must be established. This section follows *Brady v. Maryland* and its progeny to ascertain a basis for what constitutes a *Brady* violation. The United States Supreme Court has communicated the elements of a valid *Brady* claim include: (1) the evidence must be favorable to the accused, (2) the State must have suppressed the favorable evidence, and (3) the evidence must be material to the accused such that prejudice resulted.<sup>47</sup> To fully understand these elements, a further analysis of *Brady v. Maryland* and its progeny is required.

The United States Supreme Court established the *Brady* doctrine in *Brady v. Maryland*. In that case, the prosecution withheld an extrajudicial statement proving the defendant had not committed murder even after the defense made a specific request for such statements.<sup>48</sup> The Court held that a defendant's due process is violated when the prosecution, upon request, withholds or suppresses favorable evidence that is material to guilt or punishment regardless of whether a prosecutor acted in good or bad faith.<sup>49</sup> Following the ruling in *Brady* establishing the category of exculpatory evidence, the United States Supreme Court affirmed that impeachment evidence is another category which prosecutors must disclose in *Giglio v. United States*. In that case, the Court found that evidence regarding the credibility of the government's essential witness including "evidence of any understanding or agreement as to a future prosecution" could have been used to impeach the essential witness and thus was favorable to the defendant.<sup>50</sup>

The next case to develop the *Brady* doctrine was *United State v. Bagley* which clarified the materiality standard. The Court found that "evidence is material only if there is a reasonable probability that, had the evidence been disclosed to the defense,

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47. Strickler v. Greene, 527 U.S. 263, 281-82 (1999).

48. Brady v. Maryland, 373 U.S. 83, 84 (1963).

49. *Id.* at 87.

50. Giglio v. United States, 405 U.S. 150, 155 (1972).

the result of the proceeding would have been different.”<sup>51</sup> The Court elaborated that a reasonable probability “is a probability sufficient to undermine confidence in the outcome.”<sup>52</sup> The *Bagley* Court found this materiality standard sufficient to cover cases involving specific requests, general request, or no requests.<sup>53</sup>

The final case extending the *Brady* doctrine was *Kyle v. Whitley* which refined the materiality standard set forth in *Bagley* by clarifying some misunderstandings of the principle. The Court explained that materiality is not a question of “whether the defendant would more likely than not have received a different verdict with the evidence, but whether in its absence he received a fair trial, understood as a trial resulting in a verdict worthy of confidence.”<sup>54</sup> Furthermore, *Kyles* specified that a valid *Brady* violation is shown when the accused demonstrates that the favorable evidence “could reasonably be taken to put the whole case in such a different light as to undermine confidence in the verdict.”<sup>55</sup> Finally, the *Kyles* Court set forth the principle that suppressed evidence must be “considered collectively, not item by item.”<sup>56</sup> Essentially, the cumulative effect of the suppressed evidence must be considered when determining materiality, not item by item, to understand whether an accused’s constitutional rights have been violated.

## V. COMPARISON AND ANALYSIS

Now that a background and framework have been established, an in-depth analysis is required to examine the Court’s reasoning in each rehearing to determine whether the undisclosed evidence constituted a *Brady* violation. In the first rehearing, the Court considered four categories of undisclosed evidence including the alleged undisclosed deal between the State and Goodspeed, an undisclosed serology report and notes, undisclosed ballistics evidence, and undisclosed eyewitness information finding all of these categories together constituted a

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51. United States v. Bagley, 473 U.S. 667, 682 (1985).

52. *Id.*

53. *Id.*

54. *Kyles v. Whitley*, 514 U.S. 419, 434 (1995).

55. *Id.* at 435.

56. *Id.* at 436.

*Brady* violation.<sup>57</sup> In the second rehearing, the Court reconsidered all of the previous categories finding that none of the undisclosed evidence constituted a *Brady* violation.<sup>58</sup> To resolve the discrepancies between the opinions and establish whether a *Brady* violation occurred, all the above mentioned categories must be analyzed.

A. *The Alleged Undisclosed Deal Between the State and Goodspeed*

The first category of undisclosed evidence concerned the alleged undisclosed deal between the State and Goodspeed. Robinson contended that the following undisclosed pre-trial evidence demonstrated the existence of a deal between Goodspeed and the State: (1) a 1998 Rapides Parish plea deal received by Goodspeed, (2) two pardons Goodspeed received in January 1999 and February 2001, and (3) a letter from Goodspeed's probation officer requesting a Rapides Parish judge to not take any action regarding his probation.<sup>59</sup>

In addition to the alleged undisclosed pre-trial evidence, Robinson also contended the following undisclosed post-trial evidence also demonstrated a deal existed: (1) a redated note on a transcript of a statement provided by Goodspeed's wife, reading "try and reconcile ... said this may help you get out Det[tention]", (2) communications made between the Rapides Parish D.A. and a Lafayette Parish A.D.A. which led the Lafayette Parish A.D.A. to send a five page fax to the Rapides Parish D.A., though only the cover page of the fax was discovered, (3) dismissals of two charges in Lafayette Parish including a charge for being a principal to the a first degree robbery and a charge for issuing worthless checks, (4) a note from a Lafayette Parish A.D.A., who spoke with the Rapides Parish D.A., to another Lafayette Parish A.D.A. which requested the worthless check charge be dismissed, (5) post-trial statements made by Goodspeed informing a post-conviction investigator he received a deal in exchange for his testimony, and

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57. State ex rel. Robinson v. Vannoy, 378 So. 3d 11, 45 (La. 2024)

58. State ex rel. Robinson v. Vannoy, 397 So. 3d 333, 365 (La. 2024).

59. *Id.* at 350.

(6) post-trial statements made by Goodspeed to a previous cellmate regarding the existence of a deal.<sup>60</sup>

In the first rehearing, the Court found that the evidence presented sufficiently supported the contention that Goodspeed “both desired to have a deal and received special treatment in exchange for his testimony.”<sup>61</sup> The Court rested its reasoning on a ruling from *LaCaze v. Warden Louisiana Correctional Inst. for Women*.<sup>62</sup> *Lacaze* established the principle that *Brady* violation cases have never been limited to those where “the facts demonstrate that the state and the witness have reached a bona fide, enforceable deal.”<sup>63</sup> According to *Lacaze*, the “key question is [...] whether the witness ‘might have believed that [the state] was in a position to implement ... any promise of consideration.’”<sup>64</sup> The Court proceeded by addressing the evidence produced. The Court took note of the post-trial statements made by Goodspeed to both the post-conviction investigator and his former cellmate which it found supported the existence of a deal.<sup>65</sup> The Court also recognized the two pardons and the letter from Goodspeed’s probation officer as clear pre-trial benefits which further supported the existence of a deal.<sup>66</sup> Ultimately, the Court concluded that the circumstantial evidence established “special treatment that could have been used as impeachment evidence... [and thus] [t]he prosecution has a duty to disclose it.”<sup>67</sup>

Regarding materiality, the Court in the first rehearing rejected the State’s argument, that additional evidence attacking Goodspeed’s credibility was worthless since he was already intensely cross examined, finding that the jury was unable to hear evidence regarding multiple pre-trial and post-trial benefits.<sup>68</sup> Additionally, the Court specified that Goodspeed’s misleading testimony of not receiving or expecting any favorable

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60. *Id.* at 350-52.

61. State ex rel. Robinson v. Vannoy, 378 So.3d 11, 29 (La. 2024).

62. *Id.* at 30.

63. *LaCaze v. Warden Louisiana Correctional Inst. for Women*, 645 F.3d 728, 735 (5th Cir. 2011).

64. *Id.* (quoting *Napue v. Illinois*, 360 U.S. 264, 270 (1959).).

65. State ex rel. Robinson v. Vannoy, 378 So.3d 11, 30 (La. 2024).

66. *Id.* at 31.

67. *Id.*

68. *Id.* at 39.

treatment not only went unopposed, but it was reinforced by the State.<sup>69</sup> The Court continued by furthering that the State's case is largely based on circumstantial evidence.<sup>70</sup> The Court rejected the State's argument that Goodspeed's testimony was of little value compared to the other evidence and disclosure of the suppressed evidence would not have changed the jury's determination by again rests its reasoning on *LaCaze v. Warden Louisiana Correctional Inst. for Women*.<sup>71</sup> *Lacaze* propagates the standard that "the [materiality] inquiry is whether an undisclosed source of bias-even if it is not the only source or even the 'main source'-could reasonably be taken to put the whole case in a different light."<sup>72</sup> Using this standard, the Court concluded that the undisclosed evidence and deal was material since "there [was] at least a 'reasonable likelihood'" the disclosure to the jury of Goodspeed's motive for testifying against defendant might have affected the jury's judgment and put the whole case in a different light."<sup>73</sup>

Regarding the second rehearing, the Court found that there was "no direct evidence" which supported the existence of a deal prior to trial.<sup>74</sup> The Court noted that multiple testimonies rejected the existence of a deal before trial.<sup>75</sup> Concerning the two pre-trial pardons, the Court asserted that there was no evidence presented showing that the pardons "were directed to be entered as a benefit to Goodspeed to induce his testimony[.]"<sup>76</sup> Regarding the letter from Goodspeed's probation officer, the Court determined that the letter did not refer to the existence of any deal and did not request any sort of benefit.<sup>77</sup> Concerning the 1998 Rapides Parish plea deal, the Court noticed that evidence of the deal was already presented at trial.<sup>78</sup> Furthermore, the Court also reviewed testimony from Goodspeed's previous attorney who confirmed that

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69. *Id.*

70. *Id.* at 41-42.

71. *Id.*

72. *LaCaze v. Warden Louisiana Correctional Inst. for Women*, 645 F.3d 728, 736 (5th Cir. 2011) (quoting *Kyles v. Whitley*, 514 U.S. 419, 434-435 (1995)).

73. *State ex rel. Robinson v. Vannoy*, 378 So.3d 11, 42 (La. 2024).

74. *State ex rel. Robinson v. Vannoy*, 397 So.3d 333, 352 (La. 2024).

75. *Id.* at 352-353.

76. *Id.* at 353.

77. *Id.* at 354.

78. *Id.* at 352.

his participation in Robinson's trial was not part of the plea deal discussion.<sup>79</sup>

The Court then moved on to address the post-trial evidence which it found did not support the contention that a pre-trial deal was in place.<sup>80</sup> Regarding the redacted note on the transcript of the statement provided by Goodspeed's wife, the Court found it held significantly low evidentiary value and was not material.<sup>81</sup> Concerning the dismissed first degree robbery charge and issuing worthless checks charge, the Court noticed that they were wholly beneficial to Goodspeed; however, it stated that "the fact that a witness who testified at a trial thereafter received benefits, even if they were imparted because of the witness's testimony, is insufficient to demonstrate a *Brady* violation."<sup>82</sup> The Court continued by relaying that nondisclosure of an express agreement may warrant a reversal but it must be shown that the agreement was made before trial and that the witness's subjective belief as to the existence of a deal is not sufficient.<sup>83</sup> The Court rested its reasoning on *State v. Williams* which established that "[t]he fact that an unrelated charge has been dropped against a state witness, standing alone, does not offend defendant's right to due process, and, absent additional showing that her testimony was bargained for, does not violate the proscription set down in *Giglio* and *Brady*."<sup>84</sup> Additionally, the Court relied on *Medellin v. Dretke* which provided that "speculation about the suppression of exculpatory evidence is an insufficient basis to support a *Brady* claim."<sup>85</sup> Using this authority, the Court ultimately concluded that the dismissed charges do not evidence a deal existed prior to Robinson's trial.<sup>86</sup>

Regarding the post-trial statements made by Goodspeed, the Court reiterated that Goodspeed's subjective belief that he had a

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79. *Id.*

80. State ex rel. Robinson v. Vannoy, 397 So.3d 333, 354 (La. 2024).

81. *Id.* at 354-55.

82. *Id.* at 355.

83. *Id.*

84. State v. Williams, 338 So. 2d 672, 677 (La. 1976).

85. Medellin v. Dretke, 371 F.3d 270, 281 (5th Cir. 2004) (citing Hughes v. Johnson, 191 F. 3d 607, 630 (5th Cir. 1999).).

86. State ex rel. Robinson v. Vannoy, 397 So.3d 333, 357 (La. 2024).

deal in place was not sufficient to support a *Brady* violation.<sup>87</sup> Additionally, the Court relied on *Smith v. Cain* which found that the witness's testimony "was the only evidence linking [the defendant] to the crime ... [and that] evidence impeaching an eyewitness may not be material if the State's other evidence is strong enough to sustain confidence in the verdict."<sup>88</sup> The Court determined that the circumstantial evidence presented in the trial was sufficient to render a verdict of confidence.<sup>89</sup>

It is clear that the opinions diverge when evaluating impeachment value and materiality; however, the Court in the first rehearing correctly determined that the withheld special treatment and undisclosed deal between Goodspeed and the State constituted a violation. Regarding the 1998 plea deal and the letter from Goodspeed's probation officer, the Court presented sound reasoning which explained why these piece of evidence did not support the existence of an undisclosed deal and a violation under the *Brady* doctrine. However, the two pardons should have been designated as valuable circumstantial evidence which supported the contention that an undisclosed deal existed. Though there was no direct evidence, these pardons still comprised valuable circumstantial evidence of special treatment in exchange for Goodspeed's testimony. Not only were these pardons not available to Goodspeed as a habitual offender, but they were also entered around the same time Goodspeed gave his testimony. The coincidentally short timing and unavailability of such pardons are facts which were too great to be ignored. One can reasonably infer that these pardons were not just random acts and were entered by the State to benefit Goodspeed for being a material witness in Robinson's trial.

Regarding the redacted note on the transcribed statement provided by Goodspeed's wife, the Court in the second rehearing again presented sound reasoning as to why it did not hold any evidentiary value. However, the Court incorrectly determined that the two dismissed Lafayette charges did not support this contention. In making this determination, the Court relied on the principle established in *State v. Williams*, however, unlike that

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87. *Id.*

88. *Smith v. Cain*, 565 U.S. 73 (2012).

89. *State ex rel. Robinson v. Vannoy*, 397 So.3d 333, 358 (La. 2024).

case, this case involved two dropped charges so there was not a dropped charged standing alone. Additionally, the Court failed to consider the two pre-trial pardons and the previous communications between the Rapides Parish and Lafayette Parish D.A. offices. The dismissed charges paired with the pre-trial pardons and D.A. office communications demonstrate valuable circumstantial evidence that a deal existed between Goodspeed and the State. Here, the State was aware of the importance of Goodspeed's testimony, as displayed through the communications between the Rapides Parish and Lafayette Parish D.A. offices, since it was the only direct evidence linking Robinson to committing the murders. These instances of special treatment provided blatant circumstantial evidence of inducement and compensation to Goodspeed for his testimony.

The Court in the second rehearing attempted to undermine the evidentiary value of Goodspeed's special treatment by stating that there was no evidence supporting an express agreement existed prior to trial and that Goodspeed's subjective belief as to the existence of a deal was insufficient to make such a finding.<sup>90</sup> However, the Court in the first rehearing already established that agreements between a witness and the State do not require a "bona fide, enforceable deal."<sup>91</sup> Rather, the central determination is "whether the witness 'might have believed that [the state] was in a position to implement ... any promise of consideration.'"<sup>92</sup> Goodspeed's belief as the existence of a deal was memorialized in the testimony of the post-conviction investigator and his former cellmate. Concerning the testimony of the post-conviction investigator, Goodspeed had told her that he had "received a deal on his Lafayette charges in exchange for his testimony against defendant."<sup>93</sup> Though this only evidenced the fact that Goodspeed received a deal after his testimony, it also showed that he had an understanding that the State was in a position to offer him favorable treatment. The testimony of Goodspeed's former cellmate also furthered this idea purporting that Goodspeed, after testifying, "returned to the cell 'really mad cause they

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90. *Id.* at 355-359.

91. *LaCaze v. Warden Louisiana Correctional Inst. for Women*, 645 F.3d 728, 735 (5th Cir. 2011).

92. *Id.* (quoting *Napue v. Illinois*, 360 U.S. 264, 270 (1959).).

93. *State ex rel. Robinson v. Vannoy*, 397 So. 3d 333, 351 (La. 2024).

incriminated' him and he worried that 'it messed his deal up[.]'"<sup>94</sup> These testimonies unrefutably portrayed Goodspeed's belief as to the existence of deal between him and the State and his understanding that the State was in a position to offer him favorable treatment.

The Court in the second rehearing tried to undermine this belief by referencing two occasions which it understood contradicted Goodspeed's belief.<sup>95</sup> However, these instances neither confirmed that Goodspeed would not testify against Robinson nor did they ratify Goodspeed's disbelief in the existence of a deal. Additionally, the Court in the second rehearing continuously referenced testimonies which rejected the existence of a deal before trial to undermine evidence and testimonies establishing the existence of a deal.<sup>96</sup> The Court failed to recognize that the majority of the people who testified had an interest in the outcome of the case. The Court was willing to accept these testimonies over the testimonies of the post-conviction investigator and Goodspeed's previous cellmate who both had no interest in the outcome of case. The Court should have given greater consideration to these testimonies since these individuals held no bias or interest in the outcome.

Based on the previous determinations, the Court in the second rehearing should have concluded that the pre-trial and post-trial evidence as well as previous testimony supported the existence of an undisclosed deal between the State and Goodspeed. The Court in the second rehearing found otherwise reasoning that there was a variety of other evidence presented which already rigorously attacked Goodspeed's credibility so the presentation of additional discrediting evidence would hold little value.<sup>97</sup>

In making this determination, the Court in the second rehearing compared Robinson's case to *State v. Henry*, but, unlike that case, Robinson's case involved multiple instances of circumstantial evidence which implicated an undisclosed deal existed which could have been used to attack witness credibility. Though Goodspeed was thoroughly cross-examined, the jury was

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94. *Id.*

95. *Id.* at 357.

96. *Id.* at 352-353.

97. *Id.* at 358.

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not able to hear about the possibility of Goodspeed receiving favorable treatment in exchange for his testimony. There was certainly a reasonable probability that disclosure of Goodspeed's true motive for testifying would have influenced the jury's determination and outcome of the trial.

Furthermore, the Court tried to undermine the value of Goodspeed's testimony by using *Smith v. Cain* to support its assertion that his testimony was of little value compared the assortment of other evidence reinforcing Robinson's conviction.<sup>98</sup> This conclusion is misplaced as the Court in the second rehearing failed to recognize that Goodspeed's testimony was direct evidence linking Robinson to actually committing the murders. Goodspeed's testimony was of upmost importance because without it Robinson's conviction would be based almost entirely on circumstantial evidence. The only other direct evidence insinuating Robinson was involved in the murders was the gunshot residue found on his clothing and the DNA evidence found on his shoe. Moreover, the Court in the second rehearing failed to acknowledge previously cited authority. As cited by the Court in the first rehearing, "the [materiality] inquiry is whether an undisclosed source of bias-even if it is not the only source or even the 'main source'-could reasonably be taken to put the whole case in a different light."<sup>99</sup> Here, the alleged undisclosed deal could reasonably put the case in a different light as it would have allowed the jury to understand Goodspeed's actual motive thereby making it material.

*B. Serology Report and Notes*

The second category of alleged undisclosed evidence concerned "at least some portion of ... 51 pages of serology documents [and notes.]"<sup>100</sup> The documents established the existence of high and medium velocity impact blood stains on the front of a red jacket found at the household and other blood stains on the back of the jacket which did not match either the defendant's or the victims' DNA and was later matched to another

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98. *Id.*

99. *LaCaze v. Warden Louisiana Correctional Inst. for Women*, 645 F.3d 728, 736 (5th Cir. 2011) (quoting *Kyles v. Whitley*, 514 U.S. 419, 434-435 (1995)).

100. *State ex rel. Robinson v. Vannoy*, 378 So. 3d 11, 31 (La. 2024).

individual, Mark Moras.<sup>101</sup> Additionally, undisclosed photographs of the scene displayed an unidentified blood drip on the wall immediately next to the jacket.<sup>102</sup>

In the first rehearing, the Court found the undisclosed evidence to be exculpatory by relying on the principle established in *Kyles v. Whitley* which provides that “evidence need not be definitive to be exculpatory.”<sup>103</sup> The Court determined that even though the blood stain evidence was not definitive it still supported Robinson’s position and was therefore exculpatory.<sup>104</sup> Moreover, the Court addressed an undisclosed letter from the Rapides Parish D.A.’s office to a company conducting a test on the red jacket which explained “the ‘significance’ of the high velocity blood spatter detected on the red jacket[.]”<sup>105</sup> The Court concluded that the State had a duty to disclose the letter regardless of the defense counsel’s access to the red jacket since it held exculpatory value.<sup>106</sup> Regarding materiality, the Court found that the undisclosed evidence was material since it could have been used not only to bolster Robinson’s case, but it also could have been used to undermine the State’s case by impeaching one of the State’s witnesses which gave an alternate explanation for the blood stains on the red jacket and furthering Robinson’s actual innocence claim.<sup>107</sup>

In the second rehearing, the Court dismissed Robinson’s position by reasoning that there was no evidence presented to support when the blood stains were left on the red jacket and declaring that Robinson’s reliance on letter’s designation as significant is misplaced.<sup>108</sup> The Court also rejected Robinson’s argument regarding an undisclosed photograph since the blood drip stain pictured in the photograph was never tested to confirm it was the same blood found on the red jacket or even that it was blood at all.<sup>109</sup> The Court noted that attempting to link the blood

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101. *Id.* at 31-32.

102. *Id.* at 32.

103. *Id.* (citing *Kyles v. Whitley*, 514 U.S. 419, 450–51 (1995)).

104. *Id.*

105. *Id.* at 36.

106. *State ex rel. Robinson v. Vannoy*, 378 So. 3d 11, 36 (La. 2024).

107. *Id.* at 42–43.

108. *State ex rel. Robinson v. Vannoy*, 397 So. 3d 333, 360 (La. 2024).

109. *Id.*

stains to the murders required speculation and that the blood stains were not relevant to the murders.<sup>110</sup> The Court also rejected Robinson's argument that the serology report could have been used to impeach a State witness who testified that blood stains potentially resulted from working around the residence since there was no evidence linking the blood stains to the murders and thus could it not be used as impeached evidence.<sup>111</sup>

It is apparent that the opinions differ when evaluating the exculpatory value and materiality; however, the Court in the first rehearing correctly determined that the undisclosed evidence constituted a violation. Though there was no evidence presented to link Robinson's contentions to the undisclosed evidence, it was still exculpatory since "[e]vidence need not be definitive to be exculpatory."<sup>112</sup> The Court in the second rehearing is confusing the undisclosed evidence's weight with its exculpatory value. Though there is not much weight to Robinson's argument, the undisclosed evidence still held exculpatory value in that it allowed for an alternative theory that there was another preparator present during the murders.

Furthermore, the second rehearing's conclusion that the high and medium velocity impact blood splatter was not material and irrelevant to the murders is entirely unfounded. Though there was no direct evidence presented, the existence of the high and medium velocity impact blood splatter on the jacket, which results from violent injuries, can be reasonably linked to the murders. The stains on the jacket could not have resulted from a routine farm work, and it required a more violent injury. The State knowingly produced testimony to undermine the true nature of the blood stains and Robinson could have used the undisclosed evidence to impeach the State's witness.

Regarding materiality, the Court in the first rehearing correctly ruled that the undisclosed evidence was material as it "could have been used to attack the investigation and lessen the credibility of the State's case[.]"<sup>113</sup> Firstly, the undisclosed evidence could have been used to further Robinson's actual

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110. *Id.* at 360-361.

111. *Id.*

112. *State ex rel. Robinson v. Vannoy*, 378 So. 3d 11, 32 (La. 2024) (citing *Kyles v. Whitley*, 514 U.S. 419, 450-51 (1995)).

113. *Id.* at 43 (citing *Kyles v. Whitley*, 514 U.S. 419, 445 (1995)).

innocence claim. Secondly, the undisclosed evidence purporting the existence of high and medium blood impact splatter on the red jacket could have been used to impeach the State's witness. Therefore, the undisclosed evidence was material as it could have been used to weaken the credibility of the State's case.

### C. *Ballistics Evidence*

The third category of alleged undisclosed evidence concerned “crime scene photographs, ballistic bench notes, sketches and diagrams of the crime scene[.]”<sup>114</sup> Robinson alleged that this information was important in determining the events of the crime and understanding the interworking of the crime scene.<sup>115</sup>

In the first rehearing, the Court found the ballistic evidence was exculpatory by relying on previous expert testimony explaining that the “undisclosed crime scene photos, ricochet and divot marks support a conclusion that at least six or more shots were fired (undermining the State's ‘five bullet theory’ of the crime) and that more than one shooter was involved.”<sup>116</sup> The State countered this testimony since it did not take into account a previous altercation at the household where shots were fired.<sup>117</sup> However, the Court rejected this proposition by again relying on the principle established in *Kyles v. Whitley* that “evidence need not be definitive to be exculpatory.”<sup>118</sup> Regarding materiality, the Court found that the undisclosed evidence was material since it undermined the State's five bullet theory and “could have been used to attack the investigation and lessen the credibility of the State's case[.]”<sup>119</sup>

In the second rehearing, the Court dismissed the expert's testimony since it was speculative reasoning that he provided no explanation for his opinions.<sup>120</sup> Robinson's expert even acknowledged that the different types of bullets found could have been fired from the same gun.<sup>121</sup> Furthermore, the Court took note

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114. *Id.* at 35.

115. State ex rel. Robinson v. Vannoy, 397 So. 3d 333, 361 (La. 2024).

116. State ex rel. Robinson v. Vannoy, 378 So. 3d 11, 36 (La. 2024).

117. *Id.*

118. *Id.* (citing *Kyles v. Whitley*, 514 U.S. 419, 450–51 (1995)).

119. *Id.* at 43. (citing *Kyles v. Whitley*, 514 U.S. 419, 445 (1995)).

120. State ex rel. Robinson v. Vannoy, 397 So. 3d 333, 362 (La. 2024).

121. *Id.*

that Robinson's expert was not aware of previous incidents in the household resulting gun fire which the expert even conceded such incidents would have impacted his conclusions.<sup>122</sup> The Court found that though expert's opinions' purported the existence of more than one shooter, there was no evidence which showed that Robinson was not one of the preparators.<sup>123</sup> Ultimately, the Court determined that the undisclosed evidence was not material because even if the State provided the evidence to Robinson's expert, there was no reasonable probability the result of the proceeding would have different.<sup>124</sup>

It clear that the opinions conflict when evaluating materiality, however, the Court in the first rehearing correctly identified the evidence to be material. The Court's conclusion in the second rehearing was mainly based on its determination that Robinson's ballistics expert's opinions were speculative and lacked sufficient explanation. Nevertheless, the expert's opinions were validly based theories regarding how the crime was perpetrated. Though the expert was unaware of previous events that transpired in household which may have affected his ultimate opinions, the opinions still provided an alternative explanation on how the crimes were committed opposing the State's position. These opinions could have been used to attack the State's theories and weaken the credibility of the State's case. Thus, the ballistics evidence used to form these opinions were material.

#### *D. Witness Statements*

The final category of allegedly undisclosed evidence concerned witness statements. This included: (1) a witness statement transcript which contained a note suggesting another vehicle left the scene, and (2) a redacted note on a witness statement transcript which alleged another witness saw Robinson being dropped off at the household on the morning of the murders.<sup>125</sup>

In the first rehearing, the Court agreed with Robinson finding that the withheld evidence was exculpatory and should

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122. *Id.*

123. *Id.* at 363.

124. *Id.*

125. State ex rel. Robinson v. Vannoy, 378 So. 3d 11, 36 (La. 2024).

have been disclosed.<sup>126</sup> Regarding the withheld transcript, the Court found it to be material since it “could have been used to support defendant’s argument that another person committed the murders and to impeach law enforcement officers for failing to adequately investigate alternative suspects.”<sup>127</sup> Regarding the redacted note, the Court determined it to be material since the referenced witness provided a post-conviction statement which placed Robinson at the crime scene around noon or later, directly contradicting the State’s timeline.<sup>128</sup> In making this conclusion, the Court relied on *Juniper v. Zook* which purports the principle that “[c]ourts have found withheld evidence material when the evidence undermined the government’s theory as to when a petitioner committed a crime.”<sup>129</sup>

In the second rehearing, the Court started by establishing that the redacted note was more incriminating than exculpatory since it placed Robinson at the crime scene on the morning on of the murders.<sup>130</sup> The Court also rejected the post-conviction statement alleging Robinson got dropped off around noon or later as speculative since the statement contradicted the original timeframe.<sup>131</sup> Furthermore, the Court found the post-conviction statement to not be exculpatory since it was still possible for Robinson to commit the murders when the stated timeframe.<sup>132</sup> Since there was no reasonable contention surrounding the redated note, the Court found it not to be material.<sup>133</sup> Regarding the withheld transcript, the Court found it held “no probative value concerning murders” and that it would not have undermined the outcome of the trial.<sup>134</sup>

It is clear that these opinions diverge when evaluating exculpatory value and materiality; however, the Court in the first rehearing correctly identified the withheld evidence to constitute a *Brady* violation. Concerning the transcript purporting the

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126. *Id.* at 36-37.

127. *Id.* at 43.

128. *Id.* at 43-44.

129. *Id.* (quoting *Juniper v. Zook*, 876 F. 3d 551, 570 (4th Cir. 2017)).

130. *State ex rel. Robinson v. Vannoy*, 397 So. 3d 333, 363–64 (La. 2024).

131. *Id.* at 364.

132. *Id.*

133. *Id.*

134. *Id.* at 364-65.

existence of another vehicle, this information was exculpatory since it implicated the existence of an alternative suspect fleeing from the scene which Robinson could have used to further his actual innocence claim. Not only was this evidence exculpatory, but it also could have been used to impeach state investigators for not fully investigating alternative suspects. Additionally, this information was also material as there is at least a reasonable probability that the existence of another vehicle leaving the scene around the time of the crime would have undermined the original outcome of the trial. Regarding the redacted the note, this information held exculpatory value since it provided information about a potentially favorable witness for Robinson. The witness's information could have been used to attack the State's theory as to when the crime occurred thus making the information favorable to his position. Furthermore, this information was material as it directly contradicted the State's timeline of the murder. Though Robinson could have still committed the murders in the short time span of ten minutes, the witness's statement directly contradicted the State's timeline which theorized that Robinson committed the murders between 11:45 a.m. to 11:50 a.m.

*E. Cumulative Effect*

As established in *Kyles v. Whitley*, to determine whether a *Brady* violation occurred, one must consider the withheld evidence "collectively, not item by item."<sup>135</sup> In the first rehearing, the Court concluded that even considered separately "each item undermines the strength of the State's case [... and] considered cumulatively they convince [the Court] that [it] can have no confidence that the jury's verdict would not have been affected had the suppressed evidence come to light."<sup>136</sup> In the second rehearing, the Court concluded that the "defendant has not shown the cumulative effect of [the evidence's] nondisclosure 'could reasonably be taken to put the whole case in such a different light as to undermine confidence in the verdict.'"<sup>137</sup>

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135. *Kyles v. Whitley*, 514 U.S. 419, 434 (1995).

136. *State ex rel. Robinson v. Vannoy*, 378 So. 3d 11, 44 (La. 2024).

137. *State ex rel. Robinson v. Vannoy*, 397 So. 3d 333, 365 (La. 2024) (quoting *Kyles v. Whitley*, 514 U.S. 419, 435 (1995)).

The Court in the first rehearing correctly determined that the cumulative effect of all the categories of undisclosed evidence would have influenced the jury's determination. As determined in all of the previous sections, each category of undisclosed evidence alone constituted a violation under the *Brady* doctrine. Together, all of these categories undermined the confidence of the trial's outcome as the jury was unable to consider multiple pieces of evidence which undercut the State's case. Robinson should have been granted a new trial allowing him to present all of the undisclosed evidence to a jury for a more accurate ruling and fair proceeding.

## VI. CONCLUSION

To reiterate, the Court should have found that Robinson's due process rights were violated due to the numerous *Brady* violations in his trial. The undisclosed deal, serology evidence, ballistics evidence, and witness statements individually constituted *Brady* violations and taken together further undermine the confidence in the outcome of Robinson's trial. Though Robinson's due process rights were violated, this was not the Louisiana Supreme Court's conclusion in the second rehearing.

The Louisiana Supreme Court in the second rehearing concluded that "[t]he trial court did not abuse its discretion in denying defendant's *Brady* claims[.]"<sup>138</sup> After reviewing the *Brady* claims, the Court ultimately affirmed the district court's determination and denied Robinson's post-conviction relief.<sup>139</sup> This determination resulted in the reinstatement of Robinson's conviction and death sentence.<sup>140</sup> Though the Court affirmed Robinson's conviction and sentence, this has not halted Robinson from continuing his legal battle. In fact, Robinson recently applied for another rehearing, but this request was subsequently denied by the Louisiana Supreme Court on September 4<sup>th</sup>, 2025.<sup>141</sup>

As a final note, this article in no way attempts to condone the actions committed, but rather advocates for the maintenance

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138. *Id.*

139. *Id.* at 383.

140. *Id.*

141. State ex rel. Robinson v. Vannoy, 415 So. 3d 934 (La. 2025).

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of due process especially in cases involving capital punishment. There is no doubt that the crimes committed in this case were some of the most severe crimes man can commit. No family should ever have to suffer through such a travesty without the perpetrator going unpunished, even if that punishment results in a capital sentence. Though these crimes were of utmost egregiousness, there is still a system in place which ensures that all people, even the perpetrator, have a right to due process. By denying Robinson's *Brady* claims, the Louisiana court system has conclusively sentenced an individual to death by violating his due process rights.