

Judgment rendered January 30, 2026.

No. 56,830-KA

COURT OF APPEAL  
SECOND CIRCUIT  
STATE OF LOUISIANA

\* \* \* \* \*

STATE OF LOUISIANA Appellee

versus

BRANDON MCDUFFY Appellant

\* \* \* \* \*

Appealed from the  
First Judicial District Court for the  
Parish of Caddo, Louisiana  
Trial Court No. 381,654

Honorable Ramona L. Emanuel, Judge

\* \* \* \* \*

LOUISIANA APPEALS AND WRIT Counsel for Appellant  
SERVICE  
By: Remy V. Starns  
Douglas Daniel Brown

JAMES E. STEWART, SR. Counsel for Appellee  
District Attorney

ERIC MATTHEW WHITEHEAD  
FERNANDO BERNARD GRIDER, JR.  
Assistant District Attorneys

\* \* \* \* \*

Before STONE, HUNTER, and MARCOTTE, JJ.

**PER CURIAM.**

This appeal arises from the defendant's conviction and sentence for sexual battery in violation of La. R.S. 14:43.1. A review of the appellate record reveals that the trial court failed to rule on the defendant's motion for new trial and motion for post-verdict judgment of acquittal both filed on February 25, 2025, prior to sentencing the defendant in accordance with La. C. Cr. P. arts. 853 and 821, respectively.

Accordingly, the defendant's sentence is hereby vacated, the appeal is dismissed, and the matter is remanded to the trial court for further proceedings. The defendant may appeal any adverse ruling(s) or the sentence subsequently imposed. *State v. Whitaker*, 51,632 (La. App. 2 Cir. 5/25/17), 225 So. 3d 524; *State v. Jackson*, 614 So. 2d 783 (La. App. 2 Cir. 1993).