Judgment rendered November 18, 2026.
Application for rehearing may be filed
within the delay allowed by Art. 922,
La. C. Cr. P.

No. 57,196-KA

COURT OF APPEAL
SECOND CIRCUIT
STATE OF LOUISIANA

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STATE OF LOUISIANA Appellee

versus

MICHAEL ELIJAH RACHAL Appellant

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Appealed from the
First Judicial District Court for the
Parish of Caddo, Louisiana
Trial Court No. 393,777

Honorable John D. Mosely, Jr., Judge

* * * * *

LOUISIANA APPEALS AND
WRIT SERVICE
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* * * * *

Before STEPHENS, THOMPSON, and ELLENDER, JJ.

THOMPSON, J.

An argument escalated to murder when Michael Elijah Rachal shot his girlfriend in the carport of her home. Rachal fled the scene, leaving her for dead, got rid of the firearm, and avoided apprehension for almost five months until U.S. Marshals, working with the Shreveport Police Department, located and arrested him in Dallas. During his interview with police detectives, Rachal claimed the victim accidentally shot herself with a gun that was in his bag when they were struggling over it. Rachal was found guilty of second degree murder by a unanimous jury, and he now appeals his conviction and mandatory life sentence, arguing he lacked the specific intent to kill. Additionally, Rachal argues that a Shreveport Police officer was permitted to provide improper expert testimony, and he is entitled to a downward deviation from the statutory mandated life sentence. For the reasons set forth below, we affirm Rachal's conviction of second degree murder and his mandatory life sentence without benefit of probation, parole, or suspension of sentence.

FACTS AND PROCEDURAL HISTORY

On September 7, 2022, Michael Elijah Rachal ("Rachal") resided in Shreveport, Louisiana, with Markaree Rayson ("Markaree"), her mother, Chontrell Rayson, and her two younger sisters, Zakiyah and Jaylun. Earlier that evening, Rachal and Markaree went to a local store with Markaree's older sister, Andrea, and there was no sign of conflict. Later that night an argument erupted inside the home after Rachal received a call from a former girlfriend. Markaree accused Rachal of cheating and began moving his belongings into the carport. Zakiyah Rayson, who was awakened by the

yelling, observed Rachal holding a black handgun while arguing with Markaree in a bedroom and overheard Rachal declare, "I'll shoot you."

The dispute moved outside to the carport and shortly after Zakiyah heard multiple gunshots fired. When she went to the carport Zakiyah saw Rachal standing over Markaree, who was lying on the concrete with a gunshot wound to her neck. Rachal claimed Markaree had shot herself and told Zakiyah to call 911, and then immediately fled the scene on foot before emergency personnel arrived.

Neighbors observed a shirtless male fitting Rachal's description running thorough the nearby backyards immediately after the shooting. Rachal disposed of his blood-stained shirt nearby, fled Louisiana, and sold the .40 caliber handgun used in the shooting.

Law enforcement was unable to locate Rachal locally for almost five months, when in January 2023, the U.S. Marshals Fugitives Task Force located and arrested Rachal in Dallas, Texas, where he was residing in a shelter. Rachal consented to give a voluntary statement to Monique Coleman, a Shreveport Police Department detective. Rachal signed a Miranda Rights waiver form. The recorded interview was admitted into evidence and played for the jury. In his approximately hour-long interview, Rachal claimed that the gun discharged accidentally during a physical struggle over his bag and that Markaree was accidentally shot. A Caddo Parish grand jury indicted Rachal on April 19, 2023, for the second degree murder of Markaree, in violation of La. R.S. 14:30.1(A)(1). During trial Rachal admitted to fleeing the scene to avoid apprehension, and that he decided to leave town knowing police were looking for him in connection with the shooting. On November 5, 2025, following a three-day trial, a

unanimous twelve-person jury found Rachal guilty as charged. On November 19, 2025, the trial court denied Rachal's motion for judgment of acquittal and motion for new trial and sentenced him to the mandatory penalty of life imprisonment at hard labor without benefits. Following the denial of defense motions to reconsider his sentence, Rachal's appeal followed, asserting three assignments of error.

DISCUSSION

Assignment of Error No. 1: The evidence adduced at trial was constitutionally insufficient under *Jackson v. Virginia* and La. R.S. 15:438 to support a conviction for second degree murder, as the State failed to prove beyond a reasonable doubt that Rachal acted with specific intent to kill or inflict great bodily harm and failed to exclude the reasonable hypothesis of innocence that the deceased died as a result of an accidental discharge during a physical struggle; alternatively, the conviction must be modified to negligent homicide or manslaughter under La. C. Cr. P. art. 821(E).

In his first assignment of error, Rachal argues the evidence presented by the State was constitutionally insufficient to prove beyond a reasonable doubt that he acted with the specific intent to kill or inflict great bodily harm required for a conviction of second degree murder under *Jackson v. Virginia*, 443 U.S. 307, 99 S. Ct. 2781, 61 L. Ed. 2d 560 (1979); *State v. Tate*, 01-1658 (La. 5/20/03), 851 So. 2d 921, *cert. denied*, 541 U.S. 905, 124 S. Ct. 1604, 158 L. Ed. 2d 248 (2004). He argues that the State's case relies entirely on circumstantial inferences and non-eyewitness testimony, noting that neither of Markaree's sisters who testified personally witnessed the shooting in the carport, and that the State failed to exclude the reasonable hypothesis of innocence that the firearm discharged accidentally during a struggle over the bag. Alternatively, Rachal requests that this Court exercise our authority under La. C.Cr.P. art. 821(E) to modify the verdict to negligent

Homicide (La. R.S. 14:32) or manslaughter (La. R.S. 14:31) and to accordingly remand to the trial court for resentencing.

The standard of appellate review for a sufficiency of the evidence claim is whether, after viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt. *Jackson v. Virginia*, 443 U.S. 307, 99 S. Ct. 2781, 61 L. Ed. 2d 560 (1979); *State v. Tate*, 01-1658 (La. 5/20/03), 851 So. 2d 921, *cert. denied*, 541 U.S. 905, 124 S. Ct. 1604, 158 L. Ed. 2d 248 (2004). This standard, now legislatively embodied in La. C. Cr. P. art. 821, does not provide the appellate court with a vehicle to substitute its own appreciation of the evidence for that of the fact finder. *State v. Pigford*, 05-0477 (La. 2/22/06), 922 So. 2d 517; *State v. Dotie*, 43,819 (La. App. 2 Cir. 1/14/09), 1 So. 3d 833, *writ denied*, 09-0310 (La. 11/6/09), 21 So. 3d 297.

The trier of fact makes credibility determinations and may accept or reject the testimony of any witness. *Id*. The appellate court does not assess credibility or reweigh the evidence. *State v. Smith*, 94-3116 (La. 10/16/95), 661 So. 2d 442; *State v. Morehead*, 55,825 (La. App. 2 Cir. 10/23/24), 400 So. 3d 302, *writ denied*, 24-01434 (La. 2/19/25), 400 So. 3d 932. A reviewing court accords great deference to the trier of fact's decision to accept or reject the testimony of a witness in whole or in part. *State v. Jackson*, 53,497 (La. App. 2 Cir. 5/20/20), 296 So. 3d 1156.

Second degree murder is the killing of a human being when the offender has a specific intent to kill or to inflict great bodily harm. La. R.S. 14:30.1(A)(1). Specific criminal intent is that state of mind which exists when the circumstances indicate that the offender actively desired the

prescribed criminal consequences to follow his act or failure to act. La. R.S. 14:10(1). Specific intent may be inferred from the circumstances surrounding the offense and the conduct of the defendant. *State v. Walker*, 53,975 (La. App. 2 Cir. 6/30/21), 321 So. 3d 1154, *writ denied*, 21-01334 (La. 11/23/21), 328 So. 3d 83. Specific intent to kill can be inferred by the intentional use of a deadly weapon. *State v. Fields*, 42,761 (La. App. 2 Cir. 1/9/08), 973 So. 2d 973, *writ denied*, 08-0469 (La. 9/26/08), 992 So. 2d 983. The determination of whether the requisite intent is present in a criminal case is for the trier of fact, and a review of this determination is guided by the standards of *Jackson v. Virginia*. *Id.*

A factfinder may return any legislatively provided responsive verdict whether or not the evidence supports that verdict, as long as the evidence was sufficient to support a conviction of the charged offense. *State v. Wisely*, 34,482, (La. App. 2 Cir. 2/28/01), 780 So. 2d 1230.

Flight and attempt to avoid apprehension indicate consciousness of guilt and therefore are circumstances from which a juror can infer guilt. *State v. Fuller*, 418 So. 2d 591 (La. 1982); *State v. Davies*, 350 So. 2d 586 (La. 1977); *State v. Kelly*, 55,087 (La. App. 2 Cir. 6/28/23), 367 So. 3d 964.

The jury rejected Rachal's hypothesis of innocence. Rachal contends his recorded statement – asserting that the gun accidentally discharged once during a struggle over a bag – presents a plausible hypothesis of innocence that was not disproven by the State. We disagree. The testimony and evidence introduced at trial established that Rachal was at the home and was the only individual in possession of a firearm. Further, Markaree's sister, Zakiyah, overheard the couple's argument, during which Rachal made a direct threat, declaring he would shoot her. Zakiyah also observed Rachal

standing over the mortally wounded Markaree. Rachal fled the scene and state to avoid apprehension, disposed of his clothing, purposefully avoided arrest for months, and sold his gun on the streets after the shooting. We find that the evidence in this case was sufficient to prove beyond a reasonable doubt that Rachal committed the second degree murder of Markaree.

The State correctly notes that specific intent to kill may be inferred from a defendant's act of pointing a gun and firing it at a person. Further, multiple gunshots at a victim indicate a defendant's culpable state of mind and satisfies the specific intent to kill requirement for second degree murder. The physical evidence shows that five shots were fired in the carport the night Markaree was killed, negating Rachal's assertions of a single involuntary or accidental discharge. While Markaree was struck by only one bullet, the evidence revealed that her shirt was perforated by a second bullet. Further, Rachal's actions of leaving the scene, avoiding apprehension, and concealing the evidence indicate consciousness of guilt, from which the jury may infer guilt. The jury's guilty verdict was rationally based upon the evidence presented, assessing the credibility of multiple witnesses, and weighing Rachal's recorded statement. The jury reasonably rejected Rachal's assertion that Markaree's death was the result of an accidental shooting.

Alternatively, Rachal argues that under La. C.Cr.P. art. 821(E), the evidence supports, at most, a conviction for manslaughter (La. R.S. 14:31) or negligent homicide (La. R.S. 14:32). Under La. C.Cr.P. art. 821(E), if an appellate court finds that the evidence does not support the verdict rendered but supports a conviction of a lesser and included responsive offense, the court may modify the verdict and render a judgment of conviction on the

lesser offense. Manslaughter requires proof that the offense was committed in "sudden passion or heat of blood" immediately caused by provocation sufficient to deprive an average person of self-control (La. R.S. 14:31(A)(1)). "Sudden passion" and "heat of blood" are not elements of the crime but are mitigating factors that reduce the grade of homicide when established by a preponderance of the evidence.

Here, the record contains no evidence of provocation sufficient to deprive a reasonable person of self-control. An argument over an unfaithful phone call and the moving of personal belongings into a carport does not constitute legally sufficient provocation to justify firing five gunshots at an unarmed domestic partner. Nor does the evidence support negligent homicide (La. R.S. 14:32), which requires a gross deviation below the standard of care expected of a reasonably careful person. Rachal's direct threat ("I'll shoot you") followed by the discharge of five bullets establishes intentional murder, not criminal negligence. Accordingly, modification under La. C.Cr.P. art. 821(E) is unwarranted, and this Assignment of Error is without merit.

<u>Assignment of Error No. 2</u>: The trial court committed reversible error and abused its discretion by repeatedly permitting Officer Christopher Collins to offer specialized, expert opinion testimony regarding bullet wound entry/exit dynamics, firearm ejection mechanics, ballistics components, and stippling/suicide indicators without being qualified as an expert witness under La. C. E. art. 702, substantially prejudicing Appellant's defense.

Rachal argues that the trial court committed reversible error and abused its discretion by repeatedly permitting Officer Christopher Collins to render specialized, technical opinion testimony regarding wound trajectories, semi-automatic firearm ejection mechanics, ballistics components, and

stippling or suicide indicators without requiring the State to qualify Officer Collins as an expert. Rachal argues that over repeated defense objections, the trial court allowed the lay witness to testify regarding forensic concepts, which supplied the Stated with unvetted "expert" opinion on the issue of specific intent in this case. Specifically, Rachael notes that Officer Collins was permitted to testify regarding: 1) identifying the entrance versus exit wound, 2) how semi-automatic weapons eject spent casings compared to revolvers, 3) internal bullet components and bullet projectiles, and 4) "stippling," powder burns, and suicide indicators on a victim from a gunshot wound. Rachal argues that this inadmissible lay testimony substantially prejudiced his defense; therefore, his conviction and sentence should be set aside.

Generally, a lay witness may draw reasonable inferences from his or her personal observations. La. C.E. art. 701 limits lay witness opinion testimony to those opinions or inferences which are (1) rationally based on the perception of the witness, and (2) helpful to a clear understanding of his testimony or the determination of a fact in issue. Conversely, La. C.E. art. 702 governs expert testimony, requiring specialized knowledge, skill, experience, training, or education.

However, when a law enforcement officer testifies to technical forensic matters—such as differentiating entry from exit wound trajectories, detailing the internal mechanical physics of semi-automatic shell ejection, or analyzing micro-stippling and gunpowder burns to rule out self-inflicted wounds—that testimony exceeds common lay perception and falls squarely within the domain of La. C.E. art. 702 (Expert Testimony**)**. The witness's

status as a police officer does not transform these specialized forensic physics into simple lay observation under Article 701.

Here, Officer Collins was never tendered, vetted, or qualified by the trial court as an expert in forensic pathology, ballistics, or crime scene reconstruction. Consequently, the trial court erred and abused its discretion in overruling defense objections and permitting Officer Collins to offer specialized forensic opinion testimony under La. C.E. art. 701.

We note that the inquiry does not end with a finding of evidentiary error. Under La. C.Cr.P. art. 921, a judgment or ruling shall not be reversed on appeal because of any error or defect unless the error affected substantial rights of the accused. The proper test for harmless error is whether there is a reasonable possibility that the improperly admitted evidence might have contributed to the conviction, and whether the appellate court can conclude beyond a reasonable doubt that the verdict rendered was unattributable to the error. *State v. Code*, 627 So. 2d 1373 (La. 1993).

After a thorough review of the entire trial record, we conclude that the admission of Officer Collins's lay opinions was clearly harmless error considering:

1. Independent Medical & Pathology Evidence**:** The cause and manner of death, wound trajectory (entry above the left clavicle, exit through the upper right back), range of fire (intermediate), and absence of self-inflicted indicators were independently and comprehensively established through the expert testimony of qualified forensic pathologist Dr. James Traylor.

2. Independent Ballistics Evidence**:** The State introduced certified lab results from Crime Lab expert Phillip Stout, independently proving that all five spent casings recovered at the scene were fired from the same .40 caliber firearm.

3. Overwhelming Independent Proof of Intent**:** Specific intent to kill was overwhelmingly established by independent direct evidence, including Zakiyah Rayson's testimony regarding Rachal's threat ("I'll shoot you"), the five spent casings, the bullet hole in the carport wall, and Rachal's immediate flight, disposal of evidence, and out-of-state evasion.

Because Officer Collins's remarks were entirely cumulative of qualified expert testimony and overwhelmed by independent proof of guilt, there is no reasonable possibility that his testimony contributed to the verdict. The error was harmless, and this Assignment of Error is without merit.

Assignment of Error No. 3: The trial court committed constitutional error and abused its sentencing discretion by imposing the mandatory life sentence at hard labor without benefit of parole, probation, or suspension of sentence, and by denying Rachal's motion to reconsider sentence, where Rachal established unusual, exceptional circumstances, demonstrating that a mandatory life sentence is grossly disproportionate to his culpability and constitutes a needless imposition of pain and suffering.

In his final assignment of error, Rachal contends the trial court erred in denying his motion to reconsider sentence and imposed a constitutionally excessive sentence. Rachal argues that he established exceptional circumstances – a single, accidental discharge during a chaotic physical struggle over a bag, rather than a calculated execution. Further, Rachal asserts that his youth (20 years old), lack of prior violent felonies, stable

employment history, and a non-violent past, should have resulted in a downward departure from the mandatory life sentence.

Where there is a mandatory sentence, there is no need for the trial court to justify, under La. C. Cr. P. art. 894.1, a sentence it is legally required to impose. *State v. Burd*, 40,480 (La. App. 2 Cir. 1/27/06), 921 So. 2d 219, *writ denied*, 06-1083 (La. 11/9/06), 941 So. 2d 35. The mandatory sentence for second degree murder is punishment by life imprisonment at hard labor without the benefit of parole, probation, or suspension of sentence. La. R.S. 14:30.1(B). Louisiana appellate courts have repeatedly rejected the argument that the mandatory life sentence for second degree murder is a violation of the prohibition against excessive punishment in the Louisiana Constitution. *State v. Smith*, 49,839 (La. App. 2 Cir. 5/20/15), 166 So. 3d 416, *writ denied*, 15-1244 (La. 6/3/16), 192 So. 3d 753; *State v. Parker*, 416 So. 2d 545 (La. 1982). To rebut the presumption that the mandatory minimum sentence is constitutional and receive a downward departure in sentencing, a defendant must clearly and convincingly show that he is exceptional, which means that because of unusual circumstances he is a victim of the legislature's failure to assign sentences that are meaningfully tailored to the culpability of the offender, the gravity of the offense, and the circumstances of the case. *State v. Johnson*, 97-1906 (La. 3/4/98), 709 So. 2d 672.

The Legislature's determination of an appropriate minimum sentence should be afforded great deference by the judiciary. The rare circumstances in which a mandatory minimum sentence is unconstitutionally excessive are even less likely in the case of a life sentence chosen by the legislature for a single crime, such as second degree murder. *State v. York*, 48,230 (La. App.

2 Cir. 8/7/13), 121 So. 3d 1226, *writ denied*, 13-2154 (La. 3/21/14), 135 So. 3d 617.

Rachal failed to rebut the presumption that the mandatory minimum sentence is constitutional and has not shown that a downward departure in sentencing was appropriate. The jury clearly rejected Rachal's assertion that the shooting was accidental. Aside from noting his youthful age and lack of prior violent crimes, Rachal has not shown that he is exceptional or that his is a rare case deserving of a downward deviation from the statutory requirement for a life sentence. Taking the life of an unarmed domestic partner by firing multiple gunshots in a residential carport warrants the mandatory punishment mandated by the Legislature. Accordingly, this assignment of error is without merit.

CONCLUSION

For the foregoing reasons, Michael Elijah Rachal's conviction of second degree murder and mandatory life sentence without benefit of probation, parole, or suspension of sentence are affirmed.

AFFIRMED.