

STATE OF LOUISIANA

COURT OF APPEAL

FIRST CIRCUIT

2026 CA 0091

TRISTEN LAMONS

VERSUS

LOUISIANA DEPARTMENT OF PUBLIC SAFETY
AND CORRECTIONS

Judgment Rendered: OCT 22 2026

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On Appeal from the
19th Judicial District Court
In and for the Parish of East Baton Rouge
State of Louisiana
Case No. 763421 • Div. D

Honorable Tarvald Smith, Judge Presiding

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Tristen Lamons
Jackson, Louisiana

In Proper Person

Jonathan R. Vining
Baton Rouge, Louisiana

Counsel for Defendant-Appellee,
Louisiana Department of Public
Safety and Corrections

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BEFORE: McCLENDON, C.J., HESTER, AND MILLER, JJ.

PM McClelland, C.J. concurred

HESTER, J.

In this appeal, an inmate in the custody of the Louisiana Department of Public Safety and Corrections (“DPSC”) appeals the district court’s judgment affirming the decision of DPSC in a disciplinary matter and dismissing the inmate’s appeal. For the following reasons, we reverse and remand the matter to the Disciplinary Board.

FACTS AND PROCEDURAL HISTORY

On April 29, 2024, Tristen Lamons, an inmate in the custody of DPSC, was issued a disciplinary report for violating Disciplinary Rule #5, Aggravated Disobedience, for standing during “count time” and continuing to stand, ignoring a direct verbal order by an officer to “catch his rack.” Prior to his hearing before the DPSC Disciplinary Board, Mr. Lamons made several motions, including a motion to review the camera footage, which was denied as “unduly [b]urdensome to the [i]nstitution[,]” and a motion to face accuser, which was denied as “[u]nduly [h]azardous to [s]taff [s]afety.” After a hearing, his sentence of three weeks loss of canteen privileges and forfeiture of thirty days good time was imposed. Mr. Lamons appealed the decision to the warden and the Secretary of DPSC, and his appeal was denied at both steps.

Mr. Lamons then filed a petition for judicial review with the district court complaining that all of his motions were denied, including his motion “to review [the] camera to prove [his] innocence,” and that the sanctions against him were made in retaliation for him filing a PREA complaint against an officer. DPSC answered stating that “the decisions of the disciplinary board and the warden were proper and that [Mr. Lamons] has presented no evidence to support a different conclusion.” In a screening report issued pursuant to La. R.S. 15:1178(B), 15:1184(B) and 15:1188(A), the commissioner recommended that the disciplinary board’s findings be affirmed and that Mr. Lamons’ appeal be dismissed with prejudice, concluding that “the statement of the charging officer supports a finding that [Mr. Lamons] was

guilty of the offense charged and therefore, the Board had the authority to find he violated the Aggravated Disobedience as charged and that said decision, based on the record, does not appear to be arbitrary nor capricious or in violation of [Mr. Lamons'] rights.” In accordance with the commissioner’s recommendations, the district court rendered a judgment on December 4, 2025, affirming the decision of DPSC and dismissing Mr. Lamons’ appeal with prejudice at his cost. From this judgment, Mr. Lamons appeals. On appeal, Mr. Lamons contends that DPSC denied his due process right to present evidence to prove his innocence when it denied his motions. Mr. Lamons further contends that his “write ups” were in retaliation for his PREA complaints.¹

DISCUSSION

DPSC has promulgated rules for the handling of prisoner disciplinary matters entitled, “Disciplinary Rules and Procedures for Adult Inmates.” LAC 22:I.341, *et seq.* Under these rules, a prisoner has certain rights when appearing before the Disciplinary Board, including the right to present evidence and witnesses on his behalf and to request cross-examination of his accuser, provided such request is relevant, not repetitious, not unduly burdensome to the institution, and not unduly hazardous to staff or offender safety. LAC 22:I.341(J)(5); **Oliver v. Louisiana Department of Public Safety and Corrections**, 2016-0695 (La. App. 1st Cir. 2/17/17), 2017 WL 658738 *2 (unpublished). These procedural rights must be followed unless waived by the accused. LAC 22:I.341(G)(4)(b); **McIntosh v. Louisiana Department of Public Safety and Corrections**, 2022-1117 (La. App. 1st Cir. 4/14/23), 364 So.3d 1158, 1161.

In the present case, the Disciplinary Board ruled on Mr. Lamons’ motions, finding his motion to review the camera footage was unduly burdensome and his

¹ We pretermitted discussion of this issue having found merit to Mr. Lamons’ argument regarding the denial of his motions.

motion to face his accuser was unduly hazardous to the staff. On review, the warden determined that the reporting officer's description of Mr. Lamons' actions was clear and precise and that Mr. Lamons failed to present any evidence at his hearing to refute the charges against him. The DPSC secretary determined that Mr. Lamons presented no evidence to refute the charge. On appeal, Mr. Lamons argues that the denial of his motion to review the camera footage denies his right to present evidence to prove his innocence. As noted above, a prisoner has certain rights when appearing before the Disciplinary Board, including the right to present evidence. See LAC 22:I.341(J)(5); **Hill v. Louisiana Department of Public Safety and Corrections**, 2018-0809 (La. App. 1st Cir. 12/21/18), 2018 WL 6716927, *4 (unpublished) and **Melancon v. Louisiana Department of Public Safety and Corrections**, 2026-0896 (La. App. 1st Cir. 4/24/26), 2026 WL 1113431 at *4 (reversing and remanding to the Disciplinary Board for a hearing to allow the prisoner to review the camera footage from the incidents in question.) The Disciplinary Board did not explain why Mr. Lamons' requests were unduly burdensome or a hazard to the safety of the staff.

² Without any explanation as to why Mr. Lamons motions were unduly burdensome or unduly hazardous, we cannot properly determine whether Mr. Lamons received the procedural guarantees to which he is entitled under DPSC's rules. Therefore, we reverse the judgment of the district court and remand the matter to the Disciplinary Board to either explain why Mr. Lamons' motions were unduly burdensome and unduly hazardous to staff, or to allow Mr. Lamons to review the camera footage and face his accuser.

² We note that the disciplinary motion's form includes a section to check for a "Motion to Face Accuser" and offers a list of reasons, including "Possess Substantial Risk or Danger" and "Undue Burden on Institution." The form also includes a section for the Disciplinary Board to provide its explanation for the ruling.

CONCLUSION

For the foregoing reasons, we reverse the judgment dismissing Mr. Lamons' petition for judicial review and remand the matter to the Disciplinary Board to either explain why Mr. Lamons' motions were unduly burdensome and unduly hazardous to staff or to allow Mr. Lamons to review the camera footage and present this evidence and face his accuser. All costs of this appeal in the amount of \$547.00 are assessed against the Louisiana Department of Public Safety and Corrections.

REVERSED AND REMANDED.