

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

October 21, 2026

Thomas B. Plunkett, III
Clerk

No. 25-30674

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

CHARLES LOGWOOD,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 3:24-CR-17-1

Before JONES, SOUTHWICK, and DUNCAN, *Circuit Judges*.

PER CURIAM:*

Charles Logwood was convicted after trial of counts related to possession with intent to distribute methamphetamine and marijuana and possession of a firearm during a drug trafficking offense. 21 U.S.C. § 841(a)(1); 18 U.S.C. § 924(c). On appeal, he challenges the district court's refusal to reopen the suppression hearing, which allowed the incriminating

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

No. 25-30674

items into evidence. Finding no abuse of discretion by the district court, we AFFIRM.

BACKGROUND

A Ouachita Parish sheriff's deputy, Andrew Nugent, conducted a traffic stop of Charles Logwood, a drug dealer the DEA had been monitoring, as Logwood was travelling to a drug deal in Monroe, Louisiana with a confidential informant ("CI"). The officer's pursuit of Logwood and the stop were filmed by a "HELO drone" operated by DEA. Deputy Nugent testified that Logwood failed to use his turn signal before he turned into the parking lot of a Lowe's store where the deal was supposed to occur. When Deputy Nugent asked Logwood if he had failed to signal the turn, Logwood did not deny it. In any event, Logwood admitted his vehicle contained some marijuana and consented to the search of his vehicle, which yielded 3.97 kilos of methamphetamine, 1.11 kilos of marijuana, and a loaded handgun.

Logwood's initial appearance after indictment was in February 2024. In May, he moved to suppress the evidence as well as incriminating statements he made after invoking his right to counsel. The suppression hearing occurred before the magistrate judge in August. Deputy Nugent testified about his ability to see Logwood's traffic violation, and the HELO video did not contradict Nugent's testimony. Logwood attempted to show that the traffic stop was unsupported by reasonable suspicion because Deputy Nugent, following at a distance behind Logwood and with various cars in between them, could not possibly have seen Logwood's failure to signal. Logwood cross-examined the officer and had the opportunity to challenge the video. Each point attacking the officer's reasonable suspicion was

No. 25-30674

thoroughly explored. At the end of October, the magistrate judge issued an opinion denying the suppression motion, which the district judge adopted.¹

The court set the trial date for July 14, 2025. Two months before trial, Logwood moved to reopen the suppression hearing. His counsel had obtained a forensic analysis of the HELO video of his pursuit and traffic stop. According to the expert, the video showed that Logwood in fact did use his turn signal before entering the parking lot. But the entirety of the report's analysis is cursory:

The HELO video of this case was the subject for review for which I was retained and after examination I believe the video includes a segment that indicates the vehicle of Logwood properly signaled a right-hand turn prior to entering the parking lot where he was stopped. Furthermore I believe the measurements and data show that the officer was too far behind to properly recognize the turn signal.

The remainder of the report describes the expert's qualifications.

The district court construed Logwood's filing as a motion for reconsideration and denied relief. At trial, Logwood was found guilty and sentenced to a total of 204 months in prison. His appeal of the district court's denial of the motion to reopen is timely.

DISCUSSION

This Court reviews a district court's denial of a motion to reopen a suppression hearing for abuse of discretion. *United States v. Doggins*, 633 F.3d 379, 382 (5th Cir. 2011); *United States v. Hassan*, 83 F.3d 693, 696 (5th Cir. 1996).

¹ The magistrate judge also recommended suppression of Logwood's uncounseled statements to law enforcement, a recommendation approved by the district court. That decision was not appealed.

No. 25-30674

Logwood principally contends that the district court abused its discretion because the motion to reopen presented new evidence that raised a critical fact issue going to the credibility of the officer's explanation for the traffic stop. This court has no articulated test governing when a district court abuses its discretion in refusing to reopen a suppression hearing, but the general outlines of discretion appear in the case law. *See, e.g., Doggins*, 633 F.3d at 382 (district court could discount the evidentiary value of alleged new evidence); *Hassan*, 83 F.3d at 696–97 (considering the untimeliness of the government's request following initial hearing).

Logwood's preferred case is *United States v. Mercadel*, 75 F. App'x 983 (5th Cir. 2003) (citing *United States v. Wilson*, 249 F.3d 366, 372 (5th Cir. 2001)). But his reliance on *Mercadel* is misplaced. *Wilson*, to be sure, held that the district court erred in denying a defendant's motion to rehear a motion to dismiss "[b]ecause the evidence raises a factual issue." *Wilson*, 249 F.3d at 372. Still, this court emphasized the district court's ordinary wide discretion, "particularly where that evidence was available and could have been presented at the initial hearing." *Id.* The district court's particular error in *Wilson* was that it considered new evidence but held no hearing despite that the evidence created a material factual dispute. Even *Mercadel* confirmed this reading of *Wilson*, 2003 WL 21766541 at *6, as it reaffirmed the district court's wide discretion and found no abuse where the district court weighed the proffered new evidence and refused to reopen a suppression hearing.

These cases do not undermine *Doggins*, in which the district court's decision not to reopen a suppression hearing was affirmed. *Doggins*, 633 F.3d at 382. The district court there noted that the defendant, who was present at the first suppression hearing, could not reopen his suppression hearing to testify months after the original hearing. The defendant offered new evidence that his attorney prevented him from testifying at the original

No. 25-30674

hearing. But the evidence had little probative value and could have been presented at the original hearing. This court found no abuse of discretion. *Id.*

As in *Doggins* and *Mercadel*, the district court here made both an admissibility judgment about the HELO video and a prudential judgment about the timing of the motion to reopen. The district court did not abuse its discretion by “discounting the evidentiary value” of Logwood’s expert report and concluding it did not create a genuine factual dispute that justified rehearing.² *Doggins*, 633 F.3d at 382. It had reason to do so. Importantly, the expert report contains no analysis at all, only conclusions, so its value is dubious. The timing of the report also suggests lack of diligence. The HELO video was always available to Logwood, and it was played in court at the initial hearing where Logwood had the opportunity to argue that it showed his turn signal. His excuse for not presenting the expert report earlier is that defense counsel did not know this type of analysis was possible until after the suppression hearing. The district court did not abuse its discretion by rejecting such a poor excuse.³

Logwood next contends that the district court erroneously treated the expert report as “not evidence,” but in so doing he misreads the district

² Although the district court did not explicitly make a credibility judgment on the expert report, its short opinion noted that “the video was shown during the hearing, and all parties had the opportunity to cross-examine [the arresting officer].” *United States v. Logwood*, 2025 WL 1508050 at *2 (W.D. La. May 27, 2025). This comparison suggests that the expert report did not create a genuine factual dispute when weighed against the other evidence.

³ Because we sustain the district court’s discretion in refusing to reopen the suppression hearing, we need not address the government’s alternative basis to admit the incriminating evidence, undecided in the district court, that law enforcement had developed reasonable suspicion to stop Logwood as a suspected drug trafficker.

No. 25-30674

court's classification of the expert report. The district court stated in denying the motion to reopen that

Logwood has not presented any new evidence that could not have been introduced at the original hearing. The HELO video was already disclosed to Logwood during discovery and before the suppression hearing. The mere fact that defense counsel has discovered an alternative method to present the evidence does not reclassify the video's status as new evidence.

Logwood takes this to mean that the district court considered the expert report as "not evidence." Expert reports, he contends, are evidence, and not merely another way to present other evidence. As we read the statement, the district court writes that (1) the expert report is not *new* evidence because Logwood always had the video and could always have had it analyzed;⁴ and (2) the expert analysis does not transform the video itself into new evidence; it simply puts forth another way of viewing the video.⁵ The district court did not consider the expert report as non-evidence, it concluded it was not new evidence, so it did not err as Logwood suggests.

Logwood's second argument is that the district court did not give him an opportunity to provide an adequate excuse for the delay in presenting his expert report. This argument fails. In briefing the motion to reopen, Logwood asserted that his defense counsel had only recently learned that the drone footage could be analyzed. The court quoted that explanation in its opinion but was unreceptive because the HELO video had been disclosed

⁴ This echoes language from *Mercadel*, 2003 WL 21766541 at *6 ("most of the 'new evidence' that the government seeks to introduce . . . is not new evidence at all.").

⁵ The opening of the district court's opinion explains that Logwood was putting forth the forensic analysis of the HELO video as the new evidence, and that the justification for its being new was that "defense counsel recently learned that it might be technologically feasible to analyze the drone footage." *Logwood*, 2025 WL 1508050 at *1.

No. 25-30674

earlier, before the suppression hearing. Logwood neither gives any reason why he could not have written more to the court, nor avers what more there would have been to excuse the months-long delay in attempting to offer the expert forensic analysis.

For these reasons, the judgment of conviction is AFFIRMED.