

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2019-KH-01291

VS.

ROY D. HOPKINS, SR.

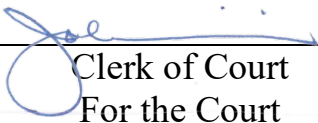
IN RE: Roy Hopkins Hopkins, Sr. - Applicant Defendant; Applying For Supervisory Writ, Parish of East Carroll, 6th Judicial District Court Number(s) 60396, Court of Appeal, Second Circuit, Number(s) 52996KH;

July 17, 2020

Writ application denied. See per curiam.

JHB
JLW
JDH
SJC
JTG
WJC

Supreme Court of Louisiana
July 17, 2020



Clerk of Court
For the Court

07/17/20

SUPREME COURT OF LOUISIANA

No. 19-KH-1291

STATE OF LOUISIANA

v.

ROY D. HOPKINS, SR.

**ON SUPERVISORY WRITS TO THE SIXTH
JUDICIAL DISTRICT COURT, PARISH OF EAST CARROLL**

PER CURIAM:

Denied. Applicant fails to show that the state withheld material exculpatory evidence in violation of *Brady v. Maryland*, 373 U.S. 83, 83 S.Ct. 1194, 10 L.Ed.2d 215 (1963). In addition, portions of the application are repetitive. La.C.Cr.P. art. 930.4. As to his remaining claim, applicant fails to satisfy his post-conviction burden of proof. La.C.Cr.P. art. 930.2.

Applicant has now fully litigated his application for post-conviction relief in state court. Similar to federal habeas relief, *see* 28 U.S.C. § 2244, Louisiana post-conviction procedure envisions the filing of a second or successive application only under the narrow circumstances provided in La.C.Cr.P. art. 930.4 and within the limitations period as set out in La.C.Cr.P. art. 930.8. Notably, the legislature in 2013 La. Acts 251 amended that article to make the procedural bars against successive filings mandatory. Applicant's claims have now been fully litigated in accord with La.C.Cr.P. art. 930.6, and this denial is final. Hereafter, unless he can show that one of the narrow exceptions authorizing the filing of a successive application applies, applicant has exhausted his right to state collateral review. The district court is ordered to record a minute entry consistent with this per curiam.