

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2019-KH-01620

VS.

EARL JOSEPH DUPRE, SR.

IN RE: Earl Joseph Dupre, Sr. - Applicant Defendant; Applying For Writ Of
Certiorari, Parish of Terrebonne, 32nd Judicial District Court Number(s) 355904,
Court of Appeal, First Circuit, Number(s) 2019KW0651;

July 24, 2020

Writ application denied. See per curiam.

JHB

JDH

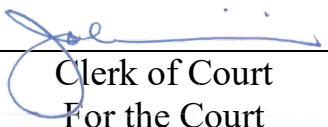
SJC

JTG

WJC

Weimer, J., recused.

Supreme Court of Louisiana
July 24, 2020



Clerk of Court
For the Court

07/24/20

SUPREME COURT OF LOUISIANA

No. 19-KH-1620

STATE OF LOUISIANA

v.

EARL JOSEPH DUPRE, SR.

**ON SUPERVISORY WRITS TO THE THIRTY-SECOND
JUDICIAL DISTRICT COURT, PARISH OF TERREBONNE**

PER CURIAM:

Denied. Applicant shows no entitlement to DNA testing. La.C.Cr.P. art. 926.1.

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.