

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2019-KH-01699

VS.

SAREEL POINDEXTER

IN RE: Sareel Poindexter - Applicant Defendant; Applying For Supervisory Writ,
Parish of Lafourche, 17th Judicial District Court Number(s) 531,327, Court of
Appeal, First Circuit, Number(s) 2019 KW 0746;

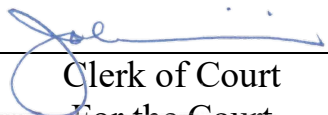
July 24, 2020

Writ application denied. See per curiam.

WJC
JDH
SJC
JTG
JHB

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-1699

STATE OF LOUISIANA

v.

SAREEL POINDEXTER

**ON SUPERVISORY WRITS TO THE SEVENTEENTH
JUDICIAL DISTRICT COURT, PARISH OF LAFOURCHE**

PER CURIAM:

Denied. Applicant fails to meet his burden of proof post-conviction. La.C.Cr.P. art. 930.2. Applicant's excessive sentence and denial of counsel claims were fully litigated on appeal. La.C.Cr.P. art. 930.4(A).

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.