

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2019-KH-01706

VS.

MARCUS RHODES SAM

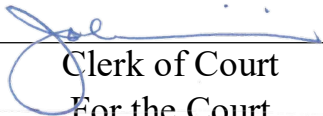
IN RE: Marcus Rhodes Sam - Applicant Defendant; Applying For Supervisory Writ,
Parish of Lafayette, 15th Judicial District Court Number(s) 142648, Court of Appeal,
Third Circuit, Number(s) KH1800658;

July 31, 2020

Writ application denied. See per curiam.

BJJ
JLW
JDH
SJC
JTG
WJC
JHB

Supreme Court of Louisiana
July 31, 2020



Clerk of Court
For the Court

07/31/20

SUPREME COURT OF LOUISIANA

No. 19-KH-1706

STATE OF LOUISIANA

v.

MARCUS RHODES SAM

**ON SUPERVISORY WRITS TO THE FIFTEENTH
JUDICIAL DISTRICT COURT, PARISH OF LAFAYETTE**

PER CURIAM:

Denied. Applicant fails to show that he was denied the effective assistance of counsel during plea negotiations under the standard of *Strickland v. Washington*, 466 U.S. 668, 104 S.Ct. 2052, 80 L.Ed.2d 674 (1984).

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.