

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2019-KH-01716

VS.

KENNETH W. SHELTON

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IN RE: Kenneth W. Shelton - Applicant Defendant; Applying For Supervisory Writ,  
Parish of Winn, 8th Judicial District Court Number(s) 16-CR-43788, Court of  
Appeal, Second Circuit, Number(s) 53,287-KH;

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**July 24, 2020**

Writ application denied. See per curiam.

SJC

JLW

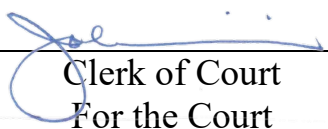
JDH

JTG

WJC

JHB

Supreme Court of Louisiana  
July 24, 2020

  
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Clerk of Court  
For the Court

07/24/20

**SUPREME COURT OF LOUISIANA**

**No. 19-KH-1716**

**STATE OF LOUISIANA**

**v.**

**KENNETH W. SHELTON**

**ON SUPERVISORY WRITS TO THE EIGHTH  
JUDICIAL DISTRICT COURT, PARISH OF WINN**

**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.