

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2019-KH-01736

VS.

JUSTIN SEAWRIGHT

IN RE: Justin Seawright - Applicant Defendant; Applying For Supervisory Writ,
Parish of Lafayette, 15th Judicial District Court Number(s) CR-141932, Court of
Appeal, Third Circuit, Number(s) KH 18-00647;

August 14, 2020

Writ application denied.

JLW

JDH

SJC

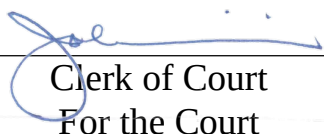
JTG

WJC

JHB

Johnson, C.J., dissents and assigns reasons.

Supreme Court of Louisiana
August 14, 2020


Clerk of Court
For the Court

08/14/20

SUPREME COURT OF LOUISIANA

No. 19-KH-1736

STATE OF LOUISIANA

v.

JUSTIN SEAWRIGHT

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

PER CURIAM:

Denied. Applicant fails to show that he received ineffective assistance of counsel 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.