

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2019-KH-02000

VS.

ALASUNDRIA AVERY
A/K/A ALASUNDEIA AVERY

IN RE: Alasundria Avery - Applicant Defendant; Applying For Supervisory Writ,
Parish of Caddo, 1st Judicial District Court Number(s) 301,212, Court of Appeal,
Second Circuit, Number(s) 53,322-KH;

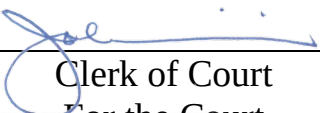
August 14, 2020

Writ application denied. See per curiam.

BJJ
JLW
SJC
JTG
WJC
JHB

Hughes, J., would grant.

Supreme Court of Louisiana
August 14, 2020



Clerk of Court
For the Court

08/14/20

SUPREME COURT OF LOUISIANA

No. 19-KH-2000

STATE OF LOUISIANA

v.

ALASUNDRIA AVERY AKA ALASUNDEIA AVERY

**ON SUPERVISORY WRITS TO THE FIRST
JUDICIAL DISTRICT COURT, PARISH OF CADDO**

PER CURIAM:

Denied. The application was not timely filed in the district court, and applicant fails to carry her burden to show that an exception applies. La.C.Cr.P. art. 930.8; *State ex rel. Glover v. State*, 93-2330 (La. 9/5/95), 660 So.2d 1189.

Applicant has now fully litigated her 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 she can show that one of the narrow exceptions authorizing the filing of a successive application applies, applicant has exhausted her right to state collateral review. The district court is ordered to record a minute entry consistent with this per curiam.