

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2020-KH-00197

VS.

ANDERSON CLARK

IN RE: Anderson Clark - Applicant Defendant; Applying For Supervisory Writ,
Parish of Orleans Criminal, Criminal District Court Number(s) 358-792, Court of
Appeal, Fourth Circuit, Number(s) 2019-K-1042;

September 29, 2020

Writ application denied. See per curiam.

JHB

BJJ

JLW

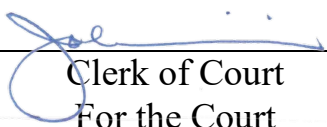
JDH

SJC

JTG

WJC

Supreme Court of Louisiana
September 29, 2020



Clerk of Court
For the Court

09/29/20

SUPREME COURT OF LOUISIANA

No. 20-KH-0197

STATE OF LOUISIANA

v.

ANDERSON CLARK

**ON SUPERVISORY WRITS TO THE CRIMINAL
DISTRICT COURT, PARISH OF ORLEANS**

PER CURIAM:*

Denied. The application was not timely filed in the district court, and applicant fails to carry his 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. The application is also repetitive. La.C.Cr.P. art. 930.4.

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.

*Retired Judge James Boddie, Jr., appointed Justice *pro tempore*, sitting for the vacancy in Louisiana Supreme Court District 4.