

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2020-KH-00211

VS.

GARY JEFFERSON

IN RE: Gary Jefferson - Applicant Defendant; Applying For Supervisory Writ,
Parish of Orleans Criminal, Criminal District Court Number(s) 526-856, 528-035,
Court of Appeal, Fourth Circuit, Number(s) 2019-K-0999;

September 29, 2020

Writ application denied. See per curiam.

SJC

BJJ

JLW

JTG

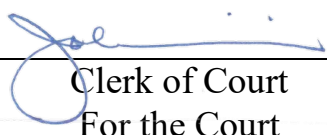
WJC

JHB

Hughes, J., would grant for an evidentiary hearing.

Crain, J., concurs and assigns reasons.

Supreme Court of Louisiana
September 29, 2020


Clerk of Court
For the Court

09/29/20

SUPREME COURT OF LOUISIANA

No. 20-KH-0211

STATE OF LOUISIANA

v.

GARY JEFFERSON

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

PER CURIAM:

Denied. Applicant shows no lower court error.

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.