

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2020-KH-00588

VS.

CARLOS ALBERTO RODRIGUEZ

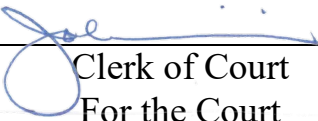
IN RE: Carlos Alberto Rodriguez - Applicant Defendant; Applying For Supervisory Writ, Parish of St. Tammany, 22nd Judicial District Court Number(s) 465867-1, 1st Circuit Court of Appeal, Number(s) 2019 KW 1619;

September 29, 2020

Writ application denied. See per curiam.

JLW
BJJ
JDH
SJC
JTG
WJC
JHB

Supreme Court of Louisiana
September 29, 2020



Clerk of Court
For the Court

09/29/20

SUPREME COURT OF LOUISIANA

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STATE OF LOUISIANA

v.

CARLOS ALBERTO RODRIGUEZ

**ON SUPERVISORY WRITS TO THE TWENTY-SECOND
JUDICIAL DISTRICT COURT, PARISH OF ST. TAMMANY**

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). As to his remaining claims, applicant fails to satisfy his post-conviction burden of proof. La.C.Cr.P. art. 930.2.

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.