

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2020-KH-00623

VS.

ALJERWON PAULA MORAN

IN RE: Aljerwon Paula Moran - Applicant Defendant; Applying For Supervisory Writ, Parish of Ouachita, 4th Judicial District Court Number(s) 11-F-0405, Court of Appeal, Third Circuit, Number(s) 53,488-KH;

October 14, 2020

Writ application denied. See per curiam.

JTG

SJC

WJC

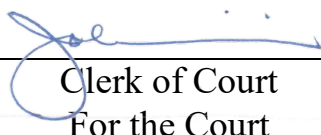
JHB

Johnson, C.J., would grant and docket and assigns reasons.

Weimer, J., would grant to address the retroactivity of *Ramos v. Louisiana*, 140 S.Ct. 1390, 206 L.Ed. 2d 583 (2020).

Hughes, J., would grant in part and assigns reasons.

Supreme Court of Louisiana
October 14, 2020



Clerk of Court
For the Court

10/14/20

SUPREME COURT OF LOUISIANA

No. 20-KH-0623

STATE OF LOUISIANA

v.

ALJERWON PAULA MORAN

**ON SUPERVISORY WRITS TO THE FOURTH
JUDICIAL DISTRICT COURT, PARISH OF OUACHITA**

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.