

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2020-KH-00632

VS.

MARLONE R. BRUMFIELD

IN RE: Marlon R. Brumfield - Applicant Defendant; Applying For
Supervisory Writ, Parish of St. Tammany, 22nd Judicial District Court
Number(s) 567470, First Circuit Court of Appeal, Number(s) 2019 KW 1414;

November 04, 2020

Writ application denied. See per curiam.

JTG

JLW

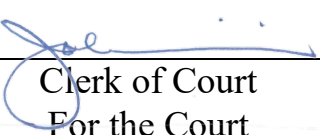
SJC

WJC

JHB

Hughes, J., would grant as to sentence imposed.

Supreme Court of Louisiana
November 04, 2020



Clerk of Court
For the Court

11/04/20

SUPREME COURT OF LOUISIANA

No. 20-KH-0632

STATE OF LOUISIANA

v.

MARLONE R. BRUMFIELD

**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.