

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2020-KH-00664

VS.

BIYARE HENDERSON

IN RE: Biyare Henderson - Applicant Defendant; Applying For Supervisory Writ,
Parish of Caddo, 1st Judicial District Court Number(s) 243,087, Court of Appeal,
Second Circuit, Number(s) 53,633-KH;

January 12, 2021

Writ application denied. See per curiam.

JDH

JLW

JTG

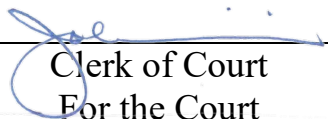
WJC

JBM

PDG

Crichton, J., recused.

Supreme Court of Louisiana
January 12, 2021


Clerk of Court
For the Court

01/12/21

SUPREME COURT OF LOUISIANA

No. 20-KH-0664

STATE OF LOUISIANA

v.

BIYARE HENDERSON

**ON SUPERVISORY WRITS TO THE FIRST
JUDICIAL DISTRICT COURT, PARISH OF CADDO**

PER CURIAM:

Denied. Applicant fails to show any lower court error in denying relief.

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.