

The Supreme Court of the State of Louisiana

CODY BROWN

No.2020-KH-00669

VS.

**DARREL VANNOY, WARDEN LOUISIANA
STATE PENITENTIARY**

IN RE: Cody Brown - Applicant Plaintiff; Applying For Supervisory Writ, Parish of
Jefferson, 24th Judicial District Court Number(s) 15-617, Court of Appeal, Fifth
Circuit, Number(s) 20-KH-123;

January 20, 2021

Writ application denied. See per curiam.

JBM

JLW

SJC

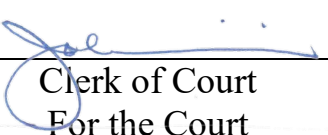
JTG

WJC

PDG

Hughes, J., would grant.

Supreme Court of Louisiana
January 20, 2021



Clerk of Court
For the Court

01/20/21

SUPREME COURT OF LOUISIANA

No. 20-KH-0669

CODY BROWN

v.

DARREL VANNOY, WARDEN

**ON SUPERVISORY WRITS TO THE TWENTY-FOURTH
JUDICIAL DISTRICT COURT, PARISH OF JEFFERSON**

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). Applicant's remaining claim is repetitive. La.C.Cr.P. art. 930.4.

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.