

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2020-KH-01107

VS.

DEIDRE ANTOINETTE PIERRE

IN RE: Deidre Pierre - Applicant Defendant; Applying For Supervisory Writ, Parish of Lafayette, 15th Judicial District Court Number(s) 79255, Court of Appeal, Third Circuit, Number(s) KH 19-00219;

December 08, 2020

Writ application denied. See per curiam.

SJC

BJJ

JLW

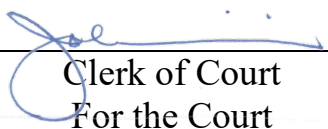
JDH

JTG

WJC

JBM

Supreme Court of Louisiana
December 08, 2020



Clerk of Court
For the Court

12/08/20

SUPREME COURT OF LOUISIANA

No. 20-KH-1107

STATE OF LOUISIANA

v.

DEIDRE ANTOINETTE PIERRE

**ON SUPERVISORY WRITS TO THE FIFTEENTH
JUDICIAL DISTRICT COURT, PARISH OF LAFAYETTE**

PER CURIAM:

Denied. Applicant does not identify an illegal term in her sentence, and therefore, her filing is properly construed as an application for post-conviction relief. *See State v. Parker*, 98-0256 (La. 5/8/98), 711 So.2d 694. Applicant fails to show that she 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 has now fully litigated her 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 she can show that one of the narrow exceptions authorizing the filing of a successive application applies, applicant has exhausted her right to state collateral review. The district court is ordered to record a minute entry consistent with this per curiam.