

The Supreme Court of the State of Louisiana

**STATE OF LOUISIANA, EX REL. DAMION
SAVAGE**

No.2020-KP-00599

VS.

STATE OF LOUISIANA

IN RE: State of Louisiana, Ex Rel. Damion Savage - Applicant Plaintiff; Applying
For Supervisory Writ, Parish of Jefferson, 24th Judicial District Court Number(s)
11-1878, Court of Appeal, Fifth Circuit, Number(s) 20-KH-103;

January 26, 2021

Writ application denied. See per curiam.

WJC

JDH

SJC

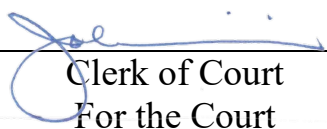
JTG

JBM

Weimer, C.J., would grant and assigns reasons.

Griffin, J., would grant for the reasons assigned by Chief Justice Weimer.

Supreme Court of Louisiana
January 26, 2021



Clerk of Court
For the Court

01/26/2021

SUPREME COURT OF LOUISIANA

No. 20-KP-0599

STATE OF LOUISIANA, EX REL. DAMIEN SAVAGE

v.

STATE OF LOUISIANA

**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). 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.