

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2020-KP-00784

VS.

BRANDY AILENE HOLMES

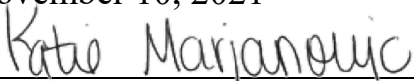
IN RE: Brandy Holmes - Applicant Defendant; Applying For Supervisory Writ,
Parish of Caddo, 1st Judicial District Court Number(s) 226,819, Court of Appeal,
Second Circuit, Number(s) 53,659-KW;

November 10, 2021

Writ application denied. See per curiam.

JLW
JDH
JTG
WJC
PDG

Crichton, J., recused.
McCallum, J., recused.

Supreme Court of Louisiana
November 10, 2021


Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 20-KP-0784

STATE OF LOUISIANA

v.

BRANDY AILENE HOLMES

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

PER CURIAM:

Denied. 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). As to her remaining claims, applicant fails to satisfy her post-conviction burden of proof. La.C.Cr.P. art. 930.2.

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.