

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2020-KP-01496

VS.

ANTHONY BARTON FORTUNE

IN RE: Anthony Fortune - Applicant Defendant; Applying For Supervisory Writ,
Parish of St. Tammany, 22nd Judicial District Court Number(s) 581199, 1st Circuit
Court of Appeal, Number(s) 2020 KW 0829;

March 09, 2021

Writ application denied. See per curiam.

WJC

JLW

JDH

SJC

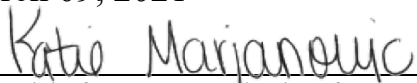
JTG

JBM

PDG

Supreme Court of Louisiana

March 09, 2021



Chief Deputy Clerk of Court
For the Court

03/09/21

SUPREME COURT OF LOUISIANA

No. 20-KP-1496

STATE OF LOUISIANA

v.

ANTHONY BARTON FORTUNE

**ON SUPERVISORY WRITS TO THE TWENTY-SECOND
JUDICIAL DISTRICT COURT, PARISH OF ST. TAMMANY**

PER CURIAM:

Denied. Applicant fails to show that he was denied the effective assistance of counsel during plea negotiations 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 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.