03/09/2021 "See News Release 009 for any Concurrences and/or Dissents."

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2021-KH-00063

VS.

LEWIS EZEKIEL GALLOWAY

– – – – – –

IN RE: Louis Ezekiel Galloway - Applicant Defendant; Applying For Supervisory Writ, Parish of St. Tammany, 22nd Judicial District Court Number(s) 527,474, 1st Circuit Court of Appeal, Number(s) 2020 KW 0661;

– – – – – –

March 09, 2021

Writ application denied. See per curiam.

JLW

JDH

SJC

JTG

WJC

JBM

PDG

Supreme Court of Louisiana
March 09, 2021

Katie Marjanovic

Chief Deputy Clerk of Court
For the Court

03/09/21

SUPREME COURT OF LOUISIANA

No. 21-KH-0063

STATE OF LOUISIANA

v.

LEWIS EZEKIEL GALLOWAY

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

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.