

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2021-KH-00080

VS.

EARNEST G. HAMILTON

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IN RE: Earnest G. Hamilton - Applicant Defendant; Applying For Supervisory Writ,  
Parish of Natchitoches, 10th Judicial District Court Number(s) C20957 B, Court of  
Appeal, Third Circuit, Number(s) KH 19-00683;

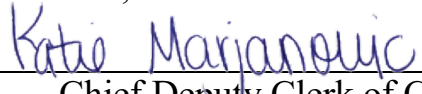
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June 07, 2023

Writ application denied. See per curiam.

WJC  
JLW  
JDH  
SJC  
JTG  
JBM  
PDG

Supreme Court of Louisiana  
June 07, 2023

  
\_\_\_\_\_  
Chief Deputy Clerk of Court  
For the Court

**SUPREME COURT OF LOUISIANA**

**No. 21-KH-0080**

**STATE OF LOUISIANA**

**v.**

**EARNEST G. HAMILTON**

**ON SUPERVISORY WRITS TO THE TENTH  
JUDICIAL DISTRICT COURT, PARISH OF NATCHITOCHES**



**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.