

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No.2021-KH-00154

VS.

ALFRED SCALES

IN RE: Alfred Scales - Applicant Defendant; Applying For Supervisory Writ, Parish of East Baton Rouge, 19th Judicial District Court Number(s) 08-12-0338, 1st Circuit Court of Appeal, Number(s) 2020 KW 0853;

March 23, 2021

Writ application denied. See per curiam.

JDH

SJC

JTG

WJC

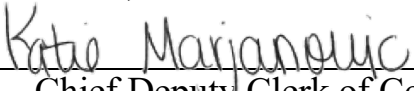
JBM

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

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

Supreme Court of Louisiana

March 23, 2021



Chief Deputy Clerk of Court
For the Court

03/23/21

SUPREME COURT OF LOUISIANA

No. 21-KH-0154

STATE OF LOUISIANA

v.

ALFRED SCALES

**ON SUPERVISORY WRITS TO THE NINETEENTH
JUDICIAL DISTRICT COURT, PARISH OF EAST BATON ROUGE**

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).

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.