The Supreme Court of the State of Louisiana

STATE OF LOUISIANA EX REL. TOMMIE C. MOLLETTE No. 2021-KH-00454

VS.

DARREL VANNOY, WARDEN

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IN RE: Tommie C. Mollette - Applicant Defendant; Applying For Supervisory Writ, Parish of Jefferson, 24th Judicial District Court Number(s) 13-5472, Court of Appeal, Fifth Circuit, Number(s) 20-KH-466;

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June 01, 2021

Writ application denied. See per curiam.

JLW

JDH

SJC

JTG

WJC

JBM

PDG

Hughes, J., would grant in part.

Supreme Court of Louisiana
June 01, 2021

Katie Marjanovic

Chief Deputy Clerk of Court
For the Court

06/01/21

SUPREME COURT OF LOUISIANA

No. 21-KH-0454

STATE ex rel. TOMMIE C. MOLLETTE

v.

DARREL VANNOY, WARDEN

ON SUPERVISORY WRITS TO THE TWENTY-FOURTH JUDICIAL DISTRICT COURT, PARISH OF JEFFERSON

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.