

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2021-KP-00501

VS.

KHIRI DANIELS

IN RE: Khiri Daniels - Applicant Defendant; Applying For Supervisory Writ, Parish of Washington, 22nd Judicial District Court Number(s) 16-CR-132313, Court of Appeal, First Circuit, Number(s) 2021 KW 0073;

October 12, 2021

Writ application denied. See per curiam.

SJC
JLW
JDH
JTG
WJC
JBM
PDG

Supreme Court of Louisiana
October 12, 2021



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 21-KP-0501

STATE OF LOUISIANA

v.

KHIRI DANIELS

**ON SUPERVISORY WRITS TO THE TWENTY-SECOND
JUDICIAL DISTRICT COURT, PARISH OF WASHINGTON**

PER CURIAM:

Denied. Applicant fails to show that he was denied the effective 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.