

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2021-KP-00826

VS.

KOLBY M. BLACK

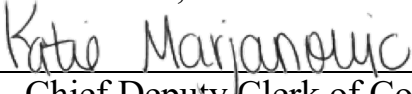
IN RE: Kolby M. Black - Applicant Defendant; Applying For Supervisory Writ,
Parish of Ouachita, 4th Judicial District Court Number(s) 15-F-1005, Court of
Appeal, Second Circuit, Number(s) 54,065 KW;

November 17, 2021

Writ application denied. See per curiam.

JB
ML
JLW
JDH
SJC
JTG
WJC
PDG

Supreme Court of Louisiana
November 17, 2021



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 21-KP-0826

STATE OF LOUISIANA

v.

KOLBY M. BLACK

**ON SUPERVISORY WRITS TO THE FOURTH
JUDICIAL DISTRICT COURT, PARISH OF OUACHITA**

PER CURIAM:

Denied. Applicant fails to show that he was denied the effective assistance of counsel during plea negotiations 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.