

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2021-KP-01309

VS.

LISA LANDRY JOHNSON

IN RE: Lisa Landry Johnson - Applicant Defendant; Applying For Supervisory Writ,
Parish of Calcasieu, 14th Judicial District Court Number(s) 4985-05, Court of
Appeal, Third Circuit, Number(s) KH 19-00730;

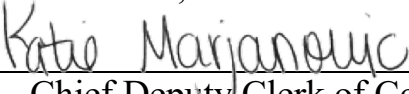
December 07, 2021

Writ application denied. See per curiam.

JB
JLW
SJC
JTG
WJC
PDG

Hughes, J., would grant.

Supreme Court of Louisiana
December 07, 2021



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 21-KP-1309

STATE OF LOUISIANA

v.

LISA LANDRY JOHNSON

**ON SUPERVISORY WRITS TO THE FOURTEENTH
JUDICIAL DISTRICT COURT, PARISH OF CALCASIEU**

PER CURIAM:

Denied. The application was not timely filed in the district court, and applicant fails to carry her burden to show that an exception applies. La.C.Cr.P. art. 930.8; *State ex rel. Glover v. State*, 93-2330 (La. 9/5/95), 660 So.2d 1189. *State v. Curley*, 16-1708 (La. 6/27/18), 250 So.3d 236, does not trigger an exception to the time bar because it does not set out a “theretofore unknown interpretation of constitutional law ... retroactively applicable to [applicant’s] case....” La.C.Cr.P. art. 930.8(A)(2). *Curley* merely applied the existing principles of *Strickland v. Washington*, 466 U.S. 668, 104 S.Ct. 2052, 80 L.Ed.2d 674 (1984) to the facts of *Curley’s* case and determined that counsel rendered ineffective assistance of counsel. *See e.g., State v. Jones*, 2004-0879, pp. 1–2 (La. 11/15/04), 888 So.2d 766, 767.

Applicant has now fully litigated her 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 she can show that one of the narrow exceptions authorizing the filing of a successive application applies, applicant has exhausted her right to state collateral review. The district court is ordered to record a minute entry consistent with this per curiam.