

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2022-KH-01189

VS.

MILES J. GUIDRY

IN RE: Miles J. Guidry - Applicant Defendant; Applying For Supervisory Writ,
Parish of Lafayette, 15th Judicial District Court Number(s) 2016-CR-156140, Court
of Appeal, Third Circuit, Number(s) KH 22-00126;

March 07, 2023

Writ application denied. See per curiam.

JBM
JLW
JDH
SJC
JTG
WJC
PDG

Supreme Court of Louisiana
March 07, 2023



Chief Deputy Clerk of Court
For the Court

03/07/2023

SUPREME COURT OF LOUISIANA

No. 22-KH-1189

STATE OF LOUISIANA

v.

MILES J. GUIDRY

**ON SUPERVISORY WRITS TO THE FIFTEENTH
JUDICIAL DISTRICT COURT, PARISH OF LAFAYETTE**

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). Additionally, applicant's sentencing claim is not cognizable on collateral review. La.C.Cr.P. art. 930.3; *State ex rel. Melinie v. State*, 93-1380 (La. 1/12/96), 665 So.2d 1172.

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.