

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2022-KH-01361

VS.

DENNIS CHARLES MISCHLER

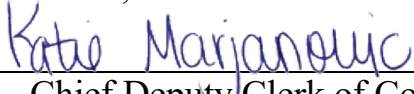
IN RE: Dennis Charles Mischler - Applicant Defendant; Applying For Supervisory Writ, Parish of St. Tammany, 22nd Judicial District Court Number(s) 553,758, Court of Appeal, First Circuit, Number(s) 2022 KW 0521;

March 07, 2023

Writ application denied. See per curiam.

JB
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-1361

STATE OF LOUISIANA

v.

DENNIS CHARLES MISCHLER

**ON SUPERVISORY WRITS TO THE TWENTY-SECOND
JUDICIAL DISTRICT COURT, PARISH OF ST. TAMMANY**

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).

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.