

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2022-KH-01532

VS.

RHUBIN SCOTT, JR.

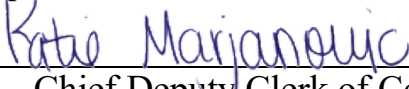
IN RE: Rhubin Scott, Jr. - Applicant Defendant; Applying For Supervisory Writ,
Parish of Terrebonne, 32nd Judicial District Court Number(s) 737,591, Court of
Appeal, First Circuit, Number(s) 2022 KW 0608;

April 04, 2023

Writ application denied. See per curiam.

PDG
JLW
JDH
SJC
JTG
WJC
JBM

Supreme Court of Louisiana
April 04, 2023



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 22-KH-1532

STATE OF LOUISIANA

v.

RHUBIN SCOTT, JR.

**ON SUPERVISORY WRITS TO THE THIRTY-SECOND
JUDICIAL DISTRICT COURT, PARISH OF TERREBONNE**

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.