

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2022-KP-01069

VS.

JAYLIN H. SHAKIR

IN RE: Jaylin H. Shakir - Applicant Defendant; Applying For Supervisory Writ,
Parish of Jackson, 2nd Judicial District Court Number(s) 49,841, Court of Appeal,
Second Circuit, Number(s) 54,774-KW;

October 18, 2022

Writ application denied. See per curiam.

JB
JLW
SJC
JTG
WJC

Hughes, J., would grant.
Griffin, J., would grant.

Supreme Court of Louisiana
October 18, 2022

Katja Marjanovic
Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

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VS.

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On Supervisory Writ to the 2nd Judicial District Court, Parish of Jackson

PER CURIAM

Denied. Applicant fails to show that he is entitled to an out-of-time appeal pursuant to *State v. Counterman*, 475 So.2d 336, 339 (La. 1985). By pleading guilty unconditionally, he waived all non-jurisdictional defects in the proceedings leading to his conviction, *State v. Crosby*, 338 So.2d 584, 586 (La. 1976), and applicant cannot appeal or seek review of a sentence imposed in conformity with a plea agreement. La.C.Cr.P. art. 881.2(A)(2).

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.