

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2023-KH-00116

VS.

DAVID ANTHONY PISANI

IN RE: David Anthony Pisani - Applicant Defendant; Applying For Supervisory Writ, Parish of Terrebonne, 32nd Judicial District Court Number(s) 769347, Court of Appeal, First Circuit, Number(s) 2022 KW 1125;

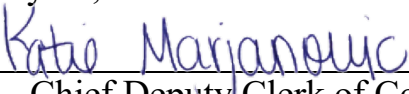
May 02, 2023

Writ application denied. See per curiam.

JLW
JDH
SJC
JTG
WJC
JBM
PDG

Griffin, J., concurs in the denial on the showing made.

Supreme Court of Louisiana
May 02, 2023



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 23-KH-0116

STATE OF LOUISIANA

v.

DAVID ANTHONY PISANI

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

PER CURIAM:

Denied. By pleading guilty unconditionally, applicant waived all non-jurisdictional defects in the proceedings leading to his conviction. *State v. Crosby*, 338 So.2d 584, 586 (La. 1976). Applicant also fails to show that he was denied the effective assistance of counsel during plea negotiations 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.