

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2023-KH-00481

VS.

CURTIS CHELEY

IN RE: Curtis Cheley - Applicant Defendant; Applying For Supervisory Writ, Parish of Vernon, 30th Judicial District Court Number(s) 89944, Court of Appeal, Third Circuit, Number(s) KH 22-00457;

September 06, 2023

Writ application denied. See per curiam.

SJC

JLW

JDH

JTG

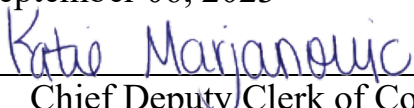
WJC

JBM

PDG

Supreme Court of Louisiana

September 06, 2023



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 23-KH-0481

STATE OF LOUISIANA

v.

CURTIS CHELEY

**ON SUPERVISORY WRITS TO THE THIRTIETH
JUDICIAL DISTRICT COURT, PARISH OF VERNON**

PER CURIAM:

Denied. Applicant fails to show that he was denied the effective 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.