

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2023-KH-01544

VS.

WALTER ROSARIO-COLON

IN RE: Walter Rosario-Colon - Applicant Defendant; Applying For Supervisory Writ, Parish of Terrebonne, 32nd Judicial District Court Number(s) 735365, Court of Appeal, First Circuit, Number(s) 2023 KW 0741;

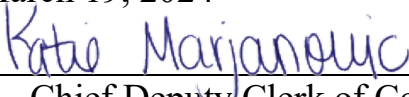
March 19, 2024

Writ application denied. See per curiam.

WJC
JLW
SJC
JTG
JBM

Griffin, J., would grant and docket.

Supreme Court of Louisiana
March 19, 2024



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 23-KH-1544

STATE OF LOUISIANA

v.

WALTER ROSARIO-COLON

**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). As to his remaining claims, he fails to meet his post-conviction burden of proof and/or the claims are repetitive. La.C.Cr.P. art. 930.2; La.C.Cr.P. art. 930.4.

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.