

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2024-KH-00101

VS.

COVONTA MAGEE

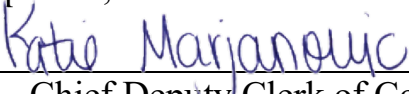
IN RE: Covonta Magee - Applicant Defendant; Applying For Supervisory Writ,
Parish of East Baton Rouge, 19th Judicial District Court Number(s) 07-13-0369,
Court of Appeal, First Circuit, Number(s) 2023 KW 1040;

April 09, 2024

Stay denied. Writ application denied. See per curiam.

JTG
JLW
JDH
SJC
WJC
JBM
PDG

Supreme Court of Louisiana
April 09, 2024



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 24-KH-0101

STATE OF LOUISIANA

v.

COVONTA MAGEE

**ON SUPERVISORY WRITS TO THE NINETEENTH
JUDICIAL DISTRICT COURT, PARISH OF EAST BATON ROUGE**

PER CURIAM:

Stay denied; writ 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.