

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2024-KP-00184

VS.

CHRISTOPHER SHANE MCKEMIE

IN RE: Christopher McKemie - Applicant Defendant; Applying For Supervisory Writ, Parish of Terrebonne, 32nd Judicial District Court Number(s) 430076, Court of Appeal, First Circuit, Number(s) 2023 KW 1109;

October 01, 2024

Writ application denied. See per curiam.

JLW
SJC
JTK
WJC
JBM

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

Supreme Court of Louisiana
October 01, 2024

Katio Marjanovic
Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 24-KP-0184

STATE OF LOUISIANA

v.

CHRISTOPHER SHANE McKEMIE

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

PER CURIAM:

Applicant fails to meet the requirements to assert a claim of factual innocence under La.C.Cr.P. art. 926.2. As to his remaining claims, he fails to meet his post-conviction burden of proof and/or the claims are untimely. La.C.Cr.P. art. 930.2; La.C.Cr.P. art. 930.8.

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.