

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2024-KP-01298

VS.

ERNEST ALLEN AND GEORGE
COOKS (LAWRENCE KELLY)

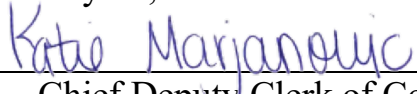
IN RE: Ernest Allen - Applicant Defendant; Applying For Supervisory Writ, Parish
of Orleans Criminal, Criminal District Court Number(s) 356-484, Court of Appeal,
Fourth Circuit, Number(s) 2024-K-0558;

January 28, 2025

Writ application denied. See per curiam.

JDH
JLW
JTK
WJC
JBM
PDG
JMG

Supreme Court of Louisiana
January 28, 2025



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 24-KP-1298

STATE OF LOUISIANA

v.

ERNEST ALLEN and GEORGE COOKS (LAWRENCE KELLY)

**ON SUPERVISORY WRITS TO THE CRIMINAL
DISTRICT COURT, PARISH OF ORLEANS**

PER CURIAM:

Denied. Applicant fails to show that the state withheld material exculpatory evidence in violation of *Brady v. Maryland*, 373 U.S. 83, 83 S.Ct. 1194, 10 L.Ed.2d 215 (1963). The application is also repetitive. 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.