

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2024-KP-01349

VS.

BERTIE RANDALL HICKS

IN RE: Bertie Randall Hicks - Applicant Defendant; Applying For Supervisory Writ,
Parish of Webster, 26th Judicial District Court Number(s) 72,752, Court of Appeal,
Second Circuit, Number(s) 56,034-KW;

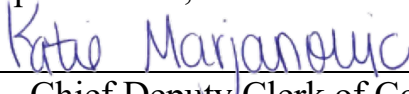
September 10, 2025

Writ application granted. See per curiam.

JDH
JBM
PDG
JMG
CRC

Weimer, C.J., dissents and would grant and docket.
Crain, J., dissents and would deny.

Supreme Court of Louisiana
September 10, 2025



Chief Deputy Clerk of Court
For the Court

SUPREME COURT OF LOUISIANA

No. 24-KP-1349

STATE OF LOUISIANA

v.

BERTIE RANDALL HICKS

**ON SUPERVISORY WRITS TO THE TWENTY-SIXTH
JUDICIAL DISTRICT COURT, PARISH OF WEBSTER**

PER CURIAM:

Writ granted. The district court's ruling dismissing the application for post-conviction relief is reversed. We remand to the district court for the State to have an opportunity to submit an answer on the merits and then for a decision from the court on applicant's constitutional challenges to the provision within La.C.Cr.P. art. 930.8(A)(1) that forecloses him from relying upon new evidence to overcome the limitations period to assert an innocence claim pursuant to La.C.Cr.P. art. 926.2; and for a decision on applicant's ineffective assistance of counsel claim, which we find rests upon facts not previously known to him or his prior attorneys; and for a decision on his innocence claim according to the standards identified in *State v. Conway*, 01-2808 (La. 4/12/02), 816 So.2d 290 and *State v. Pierre*, 13-0873 (La. 10/15/13), 125 So.3d 403.