

SUPREME COURT OF LOUISIANA

No. 15-KH-1424

STATE EX REL. CORNEILOUS WHEELER

v.

STATE OF LOUISIANA

**ON SUPERVISORY WRITS TO THE SIXTEENTH
JUDICIAL DISTRICT COURT, PARISH OF ST. MARY**

PER CURIAM:

Denied. The application was not timely filed in the district court, and relator fails to carry his burden to show that an exception applies. La.C.Cr.P. art. 930.8; *State ex rel. Glover v. State*, 93-2330 (La. 9/5/95), 660 So.2d 1189. In addition, relator's application is repetitive. La.C.Cr.P. art. 930.4(D). We attach hereto and make a part hereof the District Court's written reasons denying relator's application.

Relator has now fully litigated two applications 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. Relator'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, relator has exhausted his right to state collateral review. The District Court is ordered to record a minute entry consistent with this per curiam.

Exhibit 1

STATE OF LOUISIANA
VERSUS NO. 2008-177417
CORNEILOUS A. WHEELER

16TH JUDICIAL DISTRICT COURT
PARISH OF ST. MARY
STATE OF LOUISIANA

ORDER

Considering the Application for Writ of Error Coram Nobis filed by defendant, Corneilous A. Wheeler, on January 28, 2015 to review the guilty plea via post-conviction relief:

IT IS ORDERED that the Application for Writ of Error Coram Nobis be denied as being previously reviewed by the Court under post-conviction relief.

THUS DONE AND SIGNED in Franklin, Parish of St. Mary, State of Louisiana this

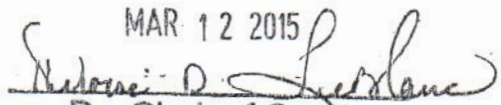
^{6th}
e day of March, 2015.



GREGORY P. AUCOIN
DISTRICT JUDGE

RECEIVED AND FILED

MAR 12 2015



Dy. Clerk of Court