

**SUPREME COURT OF LOUISIANA**

**No. 15-KH-2200**

**STATE EX REL. SHAWN BURTIS**

**v.**

**STATE OF LOUISIANA**

**ON SUPERVISORY WRITS TO THE EIGHTEENTH  
JUDICIAL DISTRICT COURT, PARISH OF IBERVILLE**

**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. We attach hereto and make a part hereof the district court's written reasons denying relator's application.

Relator 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 La.C.Cr.P. art. 930.4 to make the procedural bars against successive filings mandatory. Relator's claims have now been fully litigated in state collateral proceedings 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

STATE OF LOUISIANA

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VERSUS

**W.F.P.S.O.**

18<sup>TH</sup> JUDICIAL DISTRICT COURT

PARISH OF IBERVILLE

SHAWN BURTIS

STATE OF LOUISIANA

RULING


Pursuant to assignment, a hearing was held on April 30, 2015. Present were Shawn Burtis, in proper person, and Elizabeth A. Engolio, Assistant District Attorney, on behalf of the State of Louisiana. Argument was heard regarding defendant's Second Post-Conviction Relief Application filed on or about July 8, 2014; the State urged a procedural objection of untimeliness thereto.

The court, having considered the pleadings, argument, and the record renders the following ruling: The Application for Post-Conviction Relief is out of time and it is therefore denied.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the defendant's second Application for Post-Conviction Relief is denied for being filed out of time.

READ, RENDERED AND SIGNED this 22 day of July, 2015 at

Plaquemine, Louisiana.

  
Judge, Division "D"  
18<sup>th</sup> Judicial District Court

Please send notice of Judgment to:

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Assistant District Attorney  
P.O. Box 880  
Plaquemine, LA 70765

Shawn Burtis #532364  
Camp CPCC/Bear 2  
Louisiana State Penitentiary  
Angola, LA 70712

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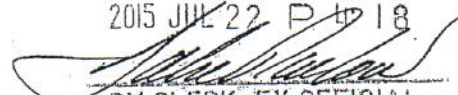
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**EXHIBIT "J"**

right to state collateral review. The district court is ordered to record a minute entry consistent with this per curiam.