

SUPREME COURT OF LOUISIANA

No. 16-KH-0522

STATE EX REL. ROGERS V. ATKINS

v.

STATE OF LOUISIANA

**ON SUPERVISORY WRITS TO THE FOURTH
JUDICIAL DISTRICT COURT, PARISH OF MOREHOUSE**

PER CURIAM:

Denied. Relator does not identify an illegal term in his sentence, and therefore, his filing is properly construed as an application for post-conviction relief. *See State v. Parker*, 98-0256 (La. 5/8/98), 711 So.2d 694. As such, it is subject to the time limitation set forth in La.C.Cr.P. art. 930.8. Relator's application was not timely filed in the district court, and he 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.

Moreover, relator has previously exhausted his right to state collateral review. *See State ex rel. Atkins v. State*, 15-2294 (La. 8/4/17), ___ So.3d ___.