

SUPREME COURT OF LOUISIANA

No. 16-KH-1197

STATE EX REL. WILLIE TRIPLETT

v.

STATE OF LOUISIANA

**ON SUPERVISORY WRITS TO THE NINETEENTH
JUDICIAL DISTRICT COURT, PARISH OF EAST BATON ROUGE**

PER CURIAM:

Denied. Relator fails to show entitlement to DNA testing. La.C.Cr.P. art. 926.1. We attach hereto and make a part hereof the court of appeal's written reasons denying relief.

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 claim has 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.

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2016 KW 0229

VERSUS

WILLIE TRIPLETT

MAY 19 2016

In Re: Willie Triplett, applying for supervisory writs, 19th
Judicial District Court, Parish of East Baton Rouge,
No. 06-94-0980.


BEFORE: PETTIGREW, WELCH, AND CRAIN, JJ.

WRIT DENIED. Relator failed to allege a factual explanation of why there is an articulable doubt, based on competent evidence whether or not introduced at trial, as to his guilt, and there is no indication that DNA testing would resolve this doubt and establish relator's innocence. See La. Code Crim. P. art. 926.1(B)(1).

JTP
WJC

Welch, J., concurs.

COURT OF APPEAL, FIRST CIRCUIT



DEPUTY CLERK OF COURT
FOR THE COURT

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