

**SUPREME COURT OF LOUISIANA**

**No. 16-KH-1878**

**STATE EX REL. GARY SHURLEY**

**v.**

**STATE OF LOUISIANA**

**ON SUPERVISORY WRITS TO THE TWENTY-FIRST  
JUDICIAL DISTRICT COURT, PARISH OF TANGIPAHOA**

**PER CURIAM:**

Denied. To the extent relator seeks post-conviction relief, he fails to show the district court erred in denying relief and refusing his request for the grand jury transcripts. La.C.Cr.P. art. 434; *see State v. Trosclair*, 443 So.2d 1098, 1103 (La. 1983) (“The United States Supreme Court has stated that the indispensable secrecy of grand jury proceedings must not be broken except where there is a compelling necessity. While there may be instances in which a party’s need for grand jury materials outweighs the need for continued secrecy, that need must be demonstrated ‘with particularity’”).

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 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.