

**SUPREME COURT OF LOUISIANA**

**No. 17-KH-0060**

**STATE EX REL. J. B. MOORE, III**

**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 he was denied the effective assistance of counsel during plea negotiations under the standard of *Strickland v. Washington*, 466 U.S. 668, 104 S.Ct. 2052, 80 L.Ed.2d 674 (1984). In addition, relator's sentencing claim is not cognizable on collateral review. La.C.Cr.P. art. 930.3; *State ex rel. Melinie v. State*, 93-1380 (La.1/12/96), 665 So.2d 1172. Finally, relator fails to show that he pled guilty involuntarily and/or is entitled to an out-of-time appeal under *State v. Counterman*, 475 So.2d 336 (La.1985). La.C.Cr.P. art. 930.2.

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