

SUPREME COURT OF LOUISIANA

No. 17-KP-0801

STATE OF LOUISIANA

v.

BRIAN DIETRICH

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

PER CURIAM:

Writ denied. Relator shows no error or abuse of discretion in the district court’s dismissal of his claims on procedural grounds. *See* La.C.Cr.P. arts. 930.4 & 930.8; *see also State ex rel. Glover v. State*, 93-2330 (La. 9/5/95), 660 So.2d 1189.

Relator has now fully litigated at least three 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 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.