

SUPREME COURT OF LOUISIANA

No. 17-KP-1056

STATE OF LOUISIANA

v.

MICKEY J. COMEAUX

**ON SUPERVISORY WRITS TO THE 23rd
JUDICIAL DISTRICT COURT, PARISH OF ASCENSION**

PER CURIAM:

Denied. Relator's unconditional guilty plea knowingly and voluntarily waived all non-jurisdictional defects in the proceedings leading up to the guilty plea and precludes review of such defects either by appeal or post-conviction relief. *See State v. McKinney*, 406 So.2d 160, 161 (La. 1981); *State v. Crosby*, 338 So.2d 584, 586 (La. 1976). As to his remaining claim, relator fails to show a double jeopardy violation.

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 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.