

SUPREME COURT OF LOUISIANA

No. 97-KP-2965

STATE OF LOUISIANA

v.

ALBERT REY

On Writ of Certiorari
to the Criminal District Court,
Parish of Orleans

PER CURIAM:*

Writ granted; sentence reinstated. The district court erred in granting relief on a claim which is: (1) time-barred, see La.C.Cr.P. art. 930.8; State ex rel. Glover v. State, 93-2330 (La. 9/5/95), 660 So.2d 1189; State ex rel. Stepter v. Whitley, 93-2346 (La. 10/13/95), 661 So.2d 480; (2) not cognizable on collateral review, see La.C.Cr.P. art. 930.3; State ex rel. Melinie v. State, 93-1380 (La. 1/12/96), 665 So.2d 1172; and (3) repetitive, having been rejected by the district court and this Court on three previous occasions. See State ex rel. Rey v. Blackburn, 508 So.2d 62 (La. 1986); State ex rel. Rey v. Maggio, 412 So.2d 1119 (La. 1982); State ex rel. Rey v. Blackburn, 400 So.2d 215 (La. 1981); cf. La.C.Cr.P. art. 930.4(D). In addition, relator has again failed to carry his burden of proof of demonstrating that any error, barred or not, occurred. La.C.Cr.P. art. 930.2.

* Knoll, J., not on panel. See La.S.Ct. Rule IV, Part II, § 3.