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**SUPREME COURT OF LOUISIANA**

**No. 15-KH-0138**

**STATE EX REL. MICHAEL DAVIS**

**v.**

**STATE OF LOUISIANA**

**On Supervisory and/or Remedial Writs from the  
Orleans Criminal District Court, Parish of Orleans**

**PER CURIAM:**

Denied. Relator has failed to show he received ineffective assistance of counsel under the standard of Strickland v. Washington, 466 U.S. 668, 104 S.Ct. 2052, 80 L.Ed.2d 674 (1984). As to relator's incomplete record claim, relator has failed to show that he suffered any prejudice. See State v. Pinion, 06-2346 (La. 10/26/07), 968 So.2d 131. Relator is also not entitled to an evidentiary hearing. See La.C.Cr.P. art. 929(A); State ex rel. Tassin v. Whitley, 602 So.2d 721 (La. 1992).

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 relator 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.