

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2013 KW 1231

VERSUS

DANIEL WATTS

OCT 28 2013

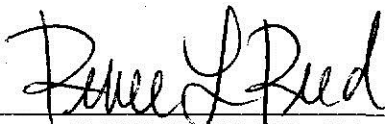
In Re: Daniel Watts, applying for supervisory writs, 21st
Judicial District Court, Parish of Tangipahoa, No.
94017.

BEFORE: PARRO, GUIDRY AND DRAKE, JJ.

WRIT DENIED. Federal courts have concluded **Missouri v. Frye**, ___ U.S. ___, 132 S.Ct. 1399, 182 L.Ed.2d 379 (2012) and **Lafler v. Cooper**, ___ U.S. ___, 132 S.Ct. 1376, 182 L.Ed.2d 398 (2012) did "not announce a new rule of constitutional law [because those cases] merely applied the Sixth Amendment right to effective assistance of counsel according to the test first articulated in **Strickland v. Washington**, 466 U.S. 668, 104 S.Ct. 2052, 80 L.Ed.2d 674 (1984), and established in the plea-bargaining context in **Hill v. Lockhart**, 474 U.S. 52, 106 S.Ct. 366, 88 L.Ed.2d 203 (1985)." **Hare v. United States**, 688 F.3d 878, 879 (7th Cir. 2012). See also **In re Perez**, 682 F.3d 930 (11th Cir. 2012) (per curiam); **In re King**, 697 F.3d 1189 (5th Cir. 2012) (per curiam). Accordingly, relator's application for postconviction relief was filed untimely under La. Code Crim. P. art. 930.8(A).

EGD
RHP
JMG

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