

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2014 KW 0707

VERSUS

LIONEL WILLIAMS, JR.

JUL 28 2014


In Re: Lionel Williams, Jr., applying for supervisory writs,
23rd Judicial District Court, Parish of Assumption,
No. 00-CR-000104.

BEFORE: CRAIN, THERIOT AND DRAKE, JJ.

WRIT DENIED. Federal courts have concluded **Lafler v. Cooper**, __ U.S. __, 132 S.Ct. 1376, 182 L.Ed.2d 398 (2012) and **Missouri v. Frye**, __ U.S. __, 132 S.Ct. 1399, 182 L.Ed.2d 379 (2012) do "not announce a new rule of constitutional law [because they] 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 was not entitled to a hearing on his untimely application for postconviction relief and the trial court did not err in denying relator's application for postconviction relief.

WJC
MRT
EGD

COURT OF APPEAL, FIRST CIRCUIT


DEPUTY CLERK OF COURT
FOR THE COURT