

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2021 KW 0826

VERSUS

WILBERT KELLY, JR.

OCTOBER 8, 2021

In Re: Wilbert Kelly, Jr., applying for supervisory writs,
20th Judicial District Court, Parish of East
Feliciana, No. 03-CR-000898.

BEFORE: WELCH, THERIOT, AND HOLDRIDGE, JJ.

WRIT DENIED.

JEW
MRT

Holdridge J., dissents and would stay the matter. The decision whether to apply **Ramos v. Louisiana**, __ U.S. __, 140 S.Ct. 1390, 206 L.Ed.2d 583 (2020) retroactively and grant postconviction relief on state collateral review to defendants convicted by non-unanimous juries in all or certain circumstances remains with the Louisiana Supreme Court. A state court may give broader effect to new rules of criminal procedure than is required by the relevant opinion. See **Danforth v. Minnesota**, 552 U.S. 264, 128 S.Ct. 1029, 169 L.Ed.2d 859 (2008).

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DEPUTY CLERK OF COURT
FOR THE COURT