

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2016 KW 1310

VERSUS

JAMIE COOPER

DEC 28 2016


In Re: Jamie Cooper, applying for supervisory writs, 21st Judicial District Court, Parish of Livingston, Nos. 27667 & 27826.

BEFORE: PETTIGREW, McDONALD, AND CALLOWAY,¹ JJ.

WRIT DENIED. Relator's application for postconviction relief was timely filed. See La. Code Crim. P. arts. 914(B) & 930.8(A). However, relator failed to meet his burden of proving that relief should be granted where he failed to show that the no contest pleas were constitutionally infirm. La. Code Crim. P. art. 930.2. See **Boykin v. Alabama**, 395 U.S. 238, 89 S.Ct. 1709, 23 L.Ed.2d 274 (1969); **State v. Smith**, 406 So.2d 1314, 1315 (La. 1981). Furthermore, the allegations presented by relator in support of his request for a new trial are either untimely, see La. Code Crim. P. arts. 851(B)(3) & 853(B), or insufficient to establish a ground for a new trial. See La. Code Crim. P. arts. 851(B)(4) & 855.

CAC
JTP
JMM

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DEPUTY CLERK OF COURT
FOR THE COURT

¹ Calloway, J., serving as judge pro tempore of the Court of Appeal, First Circuit, by special appointment of the Louisiana Supreme Court.