

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2018 KW 0585

VERSUS

RONNIE ALLEN

JUL 17 2018


In Re: Ronnie Allen, applying for supervisory writs, 21st
Judicial District Court, Parish of Tangipahoa, No.
701,318.

BEFORE: McDONALD, McCLENDON AND HOLDRIDGE, JJ.

WRIT DENIED. Relator's application for postconviction relief, filed in March 2018, is untimely on its face, and the holding in **Coleman v. Goodwin**, 833 F.3d 537, 543 (5th Cir. 2016), which is similar to the holding in **Martinez v. Ryan**, 566 U.S. 1, 132 S.Ct. 1309, 182 L.Ed.2d 272 (2012), is inapplicable to this case. See **State v. Deloch**, 2013-1975 (La. 5/16/14), 140 So.3d 1167. If an application for postconviction relief is untimely under Article 930.8, it should not be considered on the merits. See **State v. LeBlanc**, 2006-0169 (La. 9/15/06), 937 So.2d 844 (per curiam). Therefore, the district court did not abuse its discretion by denying the successive, repetitive, and untimely application for postconviction relief without holding an evidentiary hearing. See La. Code Crim. P. arts. 930.4(D) & 930.8(A).

GH
JMM
PMc

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DEPT. CLERK OF COURT
FOR THE COURT