

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2018 KW 0657

VERSUS

PERRY POOLER

AUG 20 2018

In Re: Perry Pooler, applying for supervisory writs, 21st
Judicial District Court, Parish of Tangipahoa, No.
94015.

BEFORE: WHIPPLE, C.J, McCLENDON AND HIGGINBOTHAM, JJ.

WRIT DENIED. Relator's application for postconviction relief is untimely on its face, as his convictions and sentences became final in 2003. Furthermore, his claim of an exception to the time delay is not supported by the documents attached to the writ. See La. Code Crim. P. arts. 922(D), 930.4(E) & 930.8(A). If an application for postconviction relief is untimely, 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 summarily denying the successive and untimely application for postconviction relief.

PMc
TMH
VGW

COURT OF APPEAL, FIRST CIRCUIT



DEPUTY CLERK OF COURT
FOR THE COURT