

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2019 KW 1457

VERSUS

DESHAWN MICHAEL JAMES
SHEPPARD

DEC 23 2019

In Re: DeShawn Michael James Sheppard, applying for
supervisory writs, 32nd Judicial District Court,
Parish of Terrebonne, No. 750,513.

BEFORE: HIGGINBOTHAM, PENZATO, AND LANIER, JJ.

WRIT DENIED. The claim that the State offered relator three years in exchange for his guilty plea is not supported by the documents attached to the writ application. Furthermore, relator's claim is contrary to the facts and procedural history noted in this court's opinion on relator's appeal. See State v. Sheppard, 2018-1412 (La. App. 1st Cir. 6/27/19), 2019 WL 2635678 (unpublished). Therefore, relator failed to meet his burden of proving that he is entitled to postconviction relief under **Lafler v. Cooper**, 566 U.S. 156, 132 S.Ct. 1376, 182 L.Ed.2d 398 (2012), and **Missouri v. Frye**, 566 U.S. 133, 132 S.Ct. 1399, 182 L.Ed.2d 379 (2012). See La. Code Crim. P. art. 930.2. Accordingly, the district court did not err by denying the application for postconviction relief without holding an evidentiary hearing.

**TMH
AHP
WIL**

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DEPUTY CLERK OF COURT
FOR THE COURT