

SUPREME COURT OF LOUISIANA

State ex rel. Stephens v. State

186 So. 3d 94 (La. 2016) · No. 267565-SECTION 5 · Decided March 4, 2016

SUMMARY

The Louisiana Supreme Court denied relator Matthew Stephens’s sentencing-related application for post-conviction relief, holding that his sentencing claim was not cognizable on collateral review. The court stated that Stephens had fully litigated his state collateral remedies and could pursue a successive application only if a narrow statutory exception applied.

CASE DETAILS

COURT	Supreme Court of Louisiana
JURISDICTION	Louisiana
DECIDED	March 4, 2016
DOCKET	267565-SECTION 5
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Relator sought supervisory review of the denial of a motion to correct an illegal sentence following the completion of state post-conviction proceedings.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Matthew Stephens v. State

TOPICS

- state post-conviction relief
- successive petitions
- sentence modification
- sentencing
- appellate procedure

PRACTICE AREAS

- Louisiana post-conviction relief
- criminal procedure
- appellate procedure
- sentencing

QUESTIONS PRESENTED

- Whether Stephens's sentencing claim was cognizable on collateral review through a motion to correct an illegal sentence.
- Whether Stephens could pursue another state post-conviction application after fully litigating his existing application.

3. Whether the denial of Stephens's post-conviction motion was final absent one of the narrow statutory exceptions for a successive application.

HOLDINGS

1. A sentencing claim is not cognizable on collateral review under Louisiana Code of Criminal Procedure article 930.3.
2. A second or successive state post-conviction application is permitted only under the narrow circumstances authorized by Louisiana Code of Criminal Procedure article 930.4 and within the limitations period in article 930.8.
3. After the claims were fully litigated under Louisiana Code of Criminal Procedure article 930.6, the denial was final, and Stephens exhausted his right to state collateral review unless he could establish a statutory exception for a successive application.

KEY QUOTATIONS

“Hereafter, unless he can show that one of the narrow exceptions authorizing the filing of a successive application applies, relator has exhausted his right to state collateral review.” (95)

FACTUAL BACKGROUND

Stephens pleaded guilty to being a fifth-felony habitual offender and was sentenced to fifty years at hard labor on March 5, 2012. Although the Second Circuit vacated one sentence, it affirmed the convictions and concurrent fifty-year sentences on the other counts. Stephens later argued that his sentence was illegal because he was not charged or convicted on a count naming another person.

PROCEDURAL HISTORY

Stephens pleaded guilty in 2012 to being a fifth-felony habitual offender and received a fifty-year sentence at hard labor. The Louisiana Second Circuit affirmed most of his convictions and sentences, although it vacated the sentence for possession of a Schedule IV controlled dangerous substance; writ relief was denied by the Louisiana Supreme Court. Stephens then filed a motion to correct an illegal sentence in the First Judicial District Court, which denied the motion on July 8, 2015. The Louisiana Supreme Court denied further relief and ordered the district court to record a conforming minute entry.

DISPOSITION

writ_denied

REMAND INSTRUCTIONS

The district court was ordered to record a minute entry consistent with the Louisiana Supreme Court's per curiam denial.

CASES CITED

- State ex rel. Melinie v. State, 93-1380 (La. 1/12/96), 665 So. 2d 1172
- State v. Cotton, 09-2397 (La. 10/15/10), 45 So. 3d 1030
- State v. Stephens, 47,978 (La. App. 2 Cir. 5/29/13), 114 So. 3d 1265

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