

APPENDIX Acn one

Serial: 221902

IN THE SUPREME COURT OF MISSISSIPPI

No. 2018-M-00917

ANDY EDWARD MINOR

FILED

Petitioner

v.

NOV 01 2018

STATE OF MISSISSIPPI

OFFICE OF THE CLERK
SUPREME COURT
COURT OF APPEALS

Respondent

ORDER

This matter is before the panel of Waller, C.J., Coleman and Chamberlin, JJ., on the Application for Leave to File Motion for Post-Conviction Collateral Relief and two separate, subsequently filed motions to amend the application for leave, all filed *pro se* by Andy Edward Minor. Minor's convictions for shooting into a dwelling, aggravated assault, and possession of a firearm by a convicted felon, along with corresponding sentences as a habitual offender, were affirmed on direct appeal. *Minor v. State*, 89 So. 3d 710 (Miss. Ct. App. 2012). The mandate issued on June 28, 2012. The instant filing is Minor's sixth motion for post-conviction relief. The panel finds the filing is barred by time and as a successive writ, and it does not meet any of the exceptions to the bars. Miss. Code Ann. §§ 99-39-5(2) and 99-39-27(9). Notwithstanding these bars, Minor's claims are also without merit. Accordingly, the panel finds the application should be dismissed.


Minor is hereby warned that future filings deemed frivolous may result not only in additional monetary sanctions, but also restrictions on filing application for post-conviction collateral relief (or pleadings in that nature) *in forma pauperis*. See En Banc Order, *Fairley*

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v. State, 2014-M-01185 (Miss. May 3, 2018) (citing Order, *Brown v. State*, 2014-M-00478 (Miss. Sept. 20, 2017)).

IT IS THEREFORE ORDERED Application for Leave to File Motion for Post-Conviction Collateral Relief, with amendments, is dismissed as barred.

SO ORDERED, this the 31th day of October, 2018.


WILLIAM L. WALLER, JR.,
CHIEF JUSTICE