

No.: 19-6701

**In The
Supreme Court of the United States**

CARL LABAT
Petitioner

v.

DARREL VANNOY, WARDEN
Respondent

**ON PETITION FOR A WRIT OF CERTIORARI TO THE
LOUISIANA COURT OF APPEAL, FIRST CIRCUIT**

**PRO-SE REPLY TO THE STATE OF LOUISIANA'S
BRIEF IN OPPOSITION**

Carl Labat #592090
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Angola, Louisiana 70712-9818

April 24, 2019

PREPARED BY

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INTERESTED PARTIES

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Angola, LA 70712

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REPLY BRIEF

Pursuant to rule 15.6, Petitioner Carl Labat files this Pro-Se *Reply Brief* to the *State's Brief in Opposition*.

Pro Se Petitioner, Carl Labat respectfully prays that a Writ of Certiorari issue to review the judgment and opinion of the U.S. Fifth Circuit Court of Appeal (Docket No.: 19-30179), entered in the above entitled proceeding on October 2, 2019; that the issues presented to the Federal Courts were: (1) Reasonable jurists would conclude that the State obtained Mr. Labat's conviction with insufficient evidence; (2) Jurists of reason would determine that Mr. Labat was denied a constitutionally fair and impartial decision by the State Court's denial of relief concerning the abuse of discretion in the improper Voir Dire; (3) Reasonable jurists would determine that Mr. Labat was denied a fair and impartial trial with the State Courts denial concerning hearsay testimony; and, (4) Reasonable jurists would conclude that Mr. Labat was denied effective assistance of counsel during trial and Appeal.

NOTICE OF PRO-SE FILING

Mr. Labat requests that this Honorable Court view this Traverse in accordance with the rulings of *Haines v. Kerner*, 404 U.S. 519, 92 S.Ct. 594, 30 L.Ed.2d 652 (1972). Mr. Labat is a layman of the law and untrained in the ways of filings and proceedings of formal pleadings in this Court. Mr. Labat would

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also ask this Court to give consideration that due to the corona virus he has no access to the law facilities or materials. Mr. Labat requests that his *Pro-Se* efforts herein be liberally construed as he has made a good faith effort to follow form. See, *United States v. Glinsey*, 209 F.3d 386, 392 (5th Cir. 2000). Therefore, he would ask that he not be held to the same stringent standards as those of a trained attorney.

JURISDICTION

The judgment of the U.S. Fifth Circuit Court of Appeal, was entered on October 2, 2019. This Court's Certiorari jurisdiction is invoked pursuant to 28 U.S.C. § 1254(1).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The Fifth, Sixth and Fourteenth Amendments to the United States Constitution.

INTRODUCTION

Mr. Labat has properly informed this Court that this case should be granted in accordance with the holdings in *Holland v. Florida*, 130 S. Ct 2549 (2010); and *Maples v. Thomas*, 132 S.Ct 912 (2011).

STATE COURT PROCEEDINGS

The Solicitor General has correctly stated portions of the State Court proceedings, bu has omitted the fact that according to the contract between Mr. Labat and Ms. Ruffin, it was Ms. Ruffin's responsibility to file writs to the Louisiana Supreme Court.

Instead Ms. Ruffin "abandoned" Mr. Labat without even notifying him of the denial in the Court of Appeal. Mr. Labat wrote several correspondence to Ms. Ruffin, inquiring of the status fo his case, all with no response.

THERE ARE COMPELLING REASONS TO REVIEW THIS CASE

Through o fault of his own, Mr. Labat was denied the right to have his claims reviewed in the Federal Courts due to his attorney's "abandonment" during appeal, and should have been entitled to collateral estoppel.

Of course, there were no rulings from the Federal Courts concerning the Ineffective Assistance of Counsel claims because of the fact that his pleadings were concluded untimely from the onset.

Mr. Labat has not argued erroneous factual findings, or misapplication of established law, he