

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2022-KH-00474

VS.

FELTON JAMES LEDET

IN RE: Felton James Ledet - Applicant Defendant; Applying for Reconsideration, Parish of Lafayette, 15th Judicial District Court Number(s) CR-48119 B, Court of Appeal, Third Circuit, Number(s) KW 21-00465;

January 18, 2023

Application for reconsideration denied.

JLW

JDH

SJC

JTG

WJC

JBM

Griffin, J., would grant reconsideration.

Supreme Court of Louisiana

January 18, 2023

Kate Mananouc

Chief Deputy Clerk of Court

For the Court

•A1.

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

VS.

No. 2022-KH-00474

FELTON JAMES LEDET

IN RE: Felton James Ledet - Applicant Defendant; Applying For Supervisory Writ,
Parish of Lafayette, 15th Judicial District Court Number(s) CR-48119 B, Court of
Appeal, Third Circuit, Number(s) KW 21-00465;

September 07, 2022

Writ application not considered. Not timely filed. See Louisiana Supreme Court
Rule X, § 5(a).

JLW

JDH

SJC

JTG

WJC

JBM

Griffin, J., would grant.

Supreme Court of Louisiana
September 07, 2022

Vito J. Mariano

Chief Deputy Clerk of Court
For the Court

A2

STATE OF LOUISIANA
COURT OF APPEAL, THIRD CIRCUIT

NO: KW 21-00465

Judgment rendered and mailed to all parties or counsel of record on January 19, 2022.

STATE OF LOUISIANA
VERSUS
FELTON JAMES LEDET

FILED: 07/23/21

On application of Felton James Ledet for Writ of Review in No. CR-48119 B on the docket of the Fifteenth Judicial District Court, Parish of Lafayette, Hon. Valerie C. Gotch Garrett.

Justin C. Harrell
Counsel for:
Felton James Ledet

Donald Dale Landry
Counsel for:
State of Louisiana

Lake Charles, Louisiana, on January 19, 2022.

WRIT DENIED: Relator filed a writ application with this court seeking supervisory review of the trial court's May 3, 2021, denial of his application for post-conviction relief. In Relator's application for post-conviction relief, he alleged *Ramos v. Louisiana*, 590 U.S. ___, 140 S.Ct. 1390 (2020), applies retroactively to his non-unanimous jury conviction.

The United States Supreme Court recently held that *Ramos* and any other procedural rules will not apply retroactively on collateral review. *Edwards v. Vannoy*, U.S. ___, 141 S.Ct. 1547 (2021). In *State v. Nelson*, 21-461 (La.App. 3 Cir. 11/10/21), ___ So.3d ___, this court adopted the Supreme Court's *Teague* analysis set forth in *Edwards* and held that *Ramos* does not apply retroactively on state collateral review. Therefore, the trial court did not err in denying Relator's application for post-conviction relief as it was untimely filed. Relator's judgment of conviction and sentence became final in 1985. *State v. Ledet*, 458 So.2d 1024 (La.App. 3 Cir. 1984), *writ denied*, 462 So.2d 1263 (La.1985); La.Code Crim.P. arts. 914, 922. Relator had until October 1, 1991, to file such an application. The current application was filed in the trial court in 2021, which is beyond the post-conviction relief time limitation.

Moreover, Relator has not proven a valid exception to the time limitation set forth in La.Code Crim.P. art. 930.8.

Accordingly, Relator's writ application is denied.

JEC

JEC

DKS

DKS

JLV

JLV*

*Honorable J. Larry Vidrine participated in this decision by appointment of the Louisiana Supreme Court as Judge Pro Tempore.



CITATION

STATE OF LOUISIANA

VS.

FELTON LEDET

Defendant Date of Birth

15th JUDICIAL DISTRICT COURT
PARISH OF LAFAYETTE

Case Number: 1983-CR-48119

TO: JUSTIN CAINE HARRELL
1100 POYDRAS ST. STE. 2900
NEW ORLEANS, LA 70163

YOU ARE HEREBY SERVED with a copy of

COURT'S RULING ON APPLICATION FOR POST CONVICTION RELIEF

filed in the above captioned matter on JUNE 1, 2021 and you are ordered to comply with same, all in accordance with the law.

WITNESS THE HONORABLE Judges of said court this 1st day of June, 2021

Jolene Alvarez
DEPUTY CLERK OF COURT

SHERIFF'S RETURN

STATE OF LOUISIANA

VS.

FELTON LEDET

Defendant Date of Birth

15th JUDICIAL DISTRICT COURT
PARISH OF LAFAYETTE
CITATION

Case Number: 1983-CR-48119

TO: JUSTIN CAINE HARRELL
1100 POYDRAS ST. STE. 2900
NEW ORLEANS, LA 70163

Served with: COURT'S RULING ON APPLICATION FOR
POST CONVICTION RELIEF

Date Served: _____ Time: _____

Comments: _____

Served: _____

Personal () _____

Domiciliary on () _____

Departmental on () _____

Unable to Locate () Moved () _____

Other Reason for UTL () _____

A5. BOP
JUN 14 2021



**Additional material
from this filing is
available in the
Clerk's Office.**