

The Supreme Court of the State of Louisiana

STATE OF LOUISIANA

No. 2023-KH-00195

VS.

PAUL GRAY

IN RE: Paul Gray - Applicant Defendant; Applying For Supervisory Writ, Parish of
Plaquemines, 25th Judicial District Court Number(s) 85-5278, Court of Appeal,
Fourth Circuit, Number(s) 2022-K-0856;

May 02, 2023

Writ application denied. See State v. Reddick, 2021-01893 (La. 10/21/22), 351
So.3d 273.

JTG

JLW

JDH

SJC


WJC

JBM

PDG

Genovese, J., concurs in the denial on the showing made.
Griffin, J., concurs in the denial on the showing made.

Supreme Court of Louisiana
May 02, 2023



Chief Deputy Clerk of Court
For the Court

Exhibit A

NO. 2022-K-0856

COURT OF APPEAL, FOURTH CIRCUIT

STATE OF LOUISIANA

STATE OF LOUISIANA

VERSUS

PAUL GRAY

IN RE: PAUL GRAY

APPLYING FOR: SUPERVISORY WRIT

DIRECTED TO: HONORABLE MICHAEL D. CLEMENT
25TH JDC, PARISH OF PLAQUEMINES
DIVISION "B", 85-5278

WRIT DENIED

Relator seeks review of the district court's November 23, 2022 ruling. The writ is denied.

New Orleans, Louisiana this 6th day of January, 2023.

RLB

JUDGE ROLAND L. BELSOME

DLD

JUDGE DANIEL L. DYSART

RML

JUDGE ROSEMARY LEDET

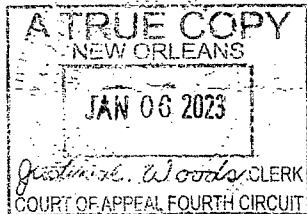


EXHIBIT - [B]

IN THE TWENTY FIFTH JUDICIAL DISTRICT COURT
PARISH OF PLAQUEMINES
STATE OF LOUISIANA

PAUL GRAY, Petitioner

DOCKET NO: 85-5278, DIV. "B"

VERSUS

FILED: December 6, 2022

STATE OF LOUISIANA
Respondent

Amy M. Morrow
CLERK OF COURT

ORDER

PREMISES OF PETITIONER CONSIDERED:

IT IS HEREBY ORDERED THAT Pro Se Petitioner, Paul Gray, shall lodge
and file his Application For Writs from this Courts adverse November 23, 2022
judgment, which he received November 29, 2022 no later than the 23rd day of
December, 2022.

SO ORDERED AND SIGNED this 6th day of December, 2022, in
chambers.



MICHAEL D. CLEMENT, JUDGE
25th JDC, Division B

PLEASE SERVE:

Paul Gray - DOC# 118014
Spruce - 2, La State Penitentiary
17544 Tunica Trace, Hwy 66
Angola, LA 70712

Charles J. Ballay, District Attorney
333 F. Edward Herbert Blvd.
Building 201
Belle Chasse, LA 70037

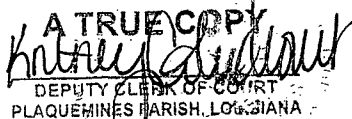
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DEPUTY CLERK OF COURT
PLAQUEMINES PARISH, LOUISIANA

EXHIBIT C-1

RECEIVED

NOV 28 2022

LEGAL PROGRAMS DEPARTMENT

FOR SERVICE

TWENTY-FIFTH JUDICIAL DISTRICT COURT

NOV 28 2022

PARISH OF PLAQUEMINES

STATE OF LOUISIANA

NO. 85-5278

DIV. "B"

STATE OF LOUISIANA

VERSUS

PAUL GRAY

FILED: NOV 23 2022


DEPUTY CLERK

ORDER

This matter came before the Court on defendant's Pro Se Petition for Habeas Corpus Relief for Constitutional Errors filed on December 6, 2021 and heard on November 16, 2022.

The defendant was convicted of three counts of aggravated rape and sentenced to three consecutive terms of life imprisonment without benefit of parole, probation, or suspension of sentence. His convictions and sentences were affirmed on appeal. State v. Gray, 533 So.2d 1242 (La. App. 4 Cir. 1988), writ denied 546 So.2d 1209 (La. 1989).


Defendant bases his Petition for Habeas Corpus Relief for Constitutional Errors on the ruling in Ramos v. Louisiana, 140 S. Ct. 1390, 1396-97, 206 L. Ed. 2d 583 (2020), requiring jury unanimity. Edwards v. Vannoy, 593 U.S. ___, 141 S.Ct. 1547, 209 L.Ed.2d 651 (2021), held that Ramos did not retroactively apply to federal collateral review but left open the question of whether Ramos retroactively applied to state post-conviction proceedings.

In State v. Reddick, 2021-01893 (La. 10/21/22), ___ So.3d ___, the Louisiana Supreme Court held that Ramos did not retroactively apply on collateral review under Louisiana law. Accordingly, defendant is not entitled to relief.

EXHIBIT C-2

IT IS ORDERED, ADJUDGED AND DECREED that defendant Paul
Gray's Petition for Habeas Corpus Relief for Constitutional Errors is hereby
DENIED.

JUDGMENT READ, RENDERED AND SIGNED this 23rd day of
November, 2022 in Pointe a la Hache, Louisiana.


MICHAEL D. CLEMENT, JUDGE

PLEASE SERVE:

Paul Gray
DOC# 118014
Spruce 2
Louisiana State Penitentiary
Angola, Louisiana 70712

District Attorney's Office
333 F. Edward Hebert Blvd.
Building 201
Belle Chasse, Louisiana 70037

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DEPUTY CLERK OF COURT
PLAQUEMINS PARISH, LOUISIANA