

**The Supreme Court of the State of Louisiana**

**JOHN WESLEY PATTON**

No. 2025-KH-01003

**VS.**

**GARY WESTCOTT, SECRETARY LOUISIANA  
DEPARTMENT OF PUBLIC SAFETY AND  
CORRECTIONS, DSPC AND TRAVIS DAY,  
WARDEN BB SIXTY RAYBURN CORRECTION  
CENTER**

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IN RE: John Wesley Patton - Applicant Plaintiff; Applying For Supervisory Writ,  
Parish of Jefferson, 24th Judicial District Court Number(s) 18-7474, Court of  
Appeal, Fifth Circuit, Number(s) 25-KH-270;  
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**February 12, 2026**

Writ application denied. See per curiam.

JMG

JLW

JDH

JBM

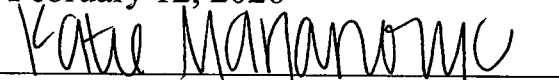
PDG

CRC

AHP

Supreme Court of Louisiana

February 12, 2026



Chief Deputy Clerk of Court  
For the Court

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SUPREME COURT, U.S.

February 12, 2026

**SUPREME COURT OF LOUISIANA**

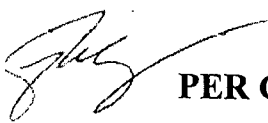
**No. 25-KH-1003**

**JOHN WESLEY PATTON**

**v.**

**GARY WESTCOTT, ET AL**

**ON SUPERVISORY WRITS TO THE TWENTY-FOURTH  
JUDICIAL DISTRICT COURT, PARISH OF JEFFERSON**

 **PER CURIAM:**

Denied. Applicant presents claims that are not enumerated grounds for relief under La.C.Cr.P. art. 930.3. Applicant also raises claims that are procedurally barred pursuant to La.C.Cr.P. art. 930.4. As to the remaining claims, applicant fails to satisfy his post conviction burden of proof. La.C.Cr.P. art. 930.2.

Applicant has now fully litigated his application for post conviction relief in state court. Similar to federal habeas relief, see 28 U.S.C. §2244, Louisiana post conviction procedure envisions the filing of a second or successive application only under the narrow circumstances provided in La.C.Cr.P. art. 930.4 and within the limitations period as set out in La.C.Cr.P. art. 930.8. Notably, the legislature in 2013 La. Acts 251 amended that article to make the procedural bars against successive filings mandatory. Applicant's claims have now been fully litigated in accord with La.C.Cr.P. art. 930.6, and this denial is final. Hereafter, unless he can show that one of the narrow exceptions authorizing the filing of a successive application applies, applicant has exhausted his right to state collateral review. The district court is ordered to record a minute entry consistent with this per curiam.

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SUPREME COURT, U.S.**

JOHN WESLEY PATTON

NO. 25-KH-270

VERSUS

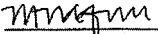
FIFTH CIRCUIT

GARY WESTCOTT, SECRETARY LOUISIANA  
DEPARTMENT OF PUBLIC SAFETY AND  
CORRECTIONS, DPSC AND TRAVIS DAY,  
WARDEN BB SIXTY RAYBURN  
CORRECTIONAL CENTER

COURT OF APPEAL

STATE OF LOUISIANA

FIFTH CIRCUIT COURT OF APPEAL  
A TRUE COPY OF DOCUMENTS AS  
SAME APPEARS IN OUR RECORDS

  
Morgan Naquin  
Deputy, Clerk of Court

July 07, 2025

Morgan Naquin  
Deputy Clerk

IN RE JOHN WESLEY PATTON

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APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT,  
PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE STEPHEN C.  
GREFER, DIVISION "J", NUMBER 18-7474

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Panel composed of Judges Jude G. Gravois,  
Stephen J. Windhorst, and Scott U. Schlegel

### **WRIT DENIED**

Relator, John Wesley Patton, seeks review of the trial court's denial of his application for post-conviction relief ("APCR"). For the following reasons, this writ application is denied.

In 2021, relator was convicted of attempted second degree rape (count one); false imprisonment while armed with a dangerous weapon (count two); second degree rape (count three); and sexual battery (count four). He was sentenced to fifteen years imprisonment at hard labor on count one; ten years imprisonment at hard labor on count two; thirty-five years imprisonment at hard labor without benefit of parole, probation, or suspension of sentence on count three; and ten years imprisonment at hard labor without benefit of parole, probation, or suspension of sentence on count four. The trial court also ordered the sentences on counts two,

three, and four to run concurrently with each other and to run consecutively to the sentence on count one. Relator's convictions and sentences were affirmed. State v. Patton, 22-112 (La. App. 5 Cir. 12/21/22), 355 So.3d 156, writ denied, 23-151 (La. 11/08/23), 373 So.3d 60, reh'g denied (La. 03/19/24), cert. denied, — U.S. —, 145 S.Ct. 301, — L.Ed.2d — (2024).

On October 10, 2024, relator filed his APCR asserting the following claims: (1) ineffective assistance of counsel; (2) denial of right to present a defense; (3) denial of a public trial; (4) admission of falsified evidence; (5) Brady<sup>1</sup> violation; (6) insufficient evidence; (7) improper admission of other crimes evidence; (8) cruel and inhumane conditions of confinement; (9) inability to present evidence during pretrial hearings; (10) erroneous denial of motion to suppress; (11) request for retesting of all evidence seized from relator's home; (12) perjured testimony; (13) improper admission of propensity evidence; (14) law enforcement provided false reports regarding relator's arrest to media outlets; (15) unconstitutional classification of second degree rape as a general intent crime; (16) improper denial of transcripts; (17) double jeopardy violation; (18) unconstitutionality of one-witness rule; (19) COVID-19 restrictions hindered relator's trial preparation; (20) prosecutorial misconduct; (21) erroneous jury instructions; and (22) erroneous denial of recusal motion.<sup>2</sup> The trial court ordered the State to file a response to relator's writ application. On March 21, 2025, the State filed its response arguing that relator's claims were "without merit and/or are procedurally barred."

On April 7, 2025, after discussing each of relator's individual claims, the trial court denied relator's APCR stating: "In conclusion, after a careful review, the court concludes that the petitioner fails to meet his heavy burden under La. C.Cr. P. art. 930.2. All claims are vague and conclusory and many are procedurally defaulted.

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<sup>1</sup> Brady v. Maryland, 373 U.S. 83, 83 S.Ct. 1194, 10 L.Ed.2d 215 (1963).

<sup>2</sup> Relator's APCR listed a total of thirty claims. Because many are repetitive, similar claims are grouped together for the purpose of this disposition.

There is nothing submitted to the court entitling the petitioner to further review.”

This writ application followed.

Upon a thorough review of relator’s writ application and attachments thereto, on the showing made, we do not find that the trial court erred in denying relator’s APCR. All of relators claims are vague and conclusory, procedurally barred, and/or without merit. We further find that the trial court’s summary denial of relator’s APCR was proper. Accordingly, this writ application is denied.

Gretna, Louisiana, this 7th day of July, 2025.

SJW  
JGG  
SUS

SUSAN M. CHEHARDY  
CHIEF JUDGE

FREDERICKA H. WICKER  
JUDE G. GRAVOIS JGG  
MARC E. JOHNSON  
STEPHEN J. WINDHORST SJW  
JOHN J. MOLAISSON, JR.  
SCOTT U. SCHLEGEL SUS  
TIMOTHY S. MARCEL

JUDGES



FIFTH CIRCUIT  
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CURTIS B. PURSELL  
CLERK OF COURT  
SUSAN S. BUCHHOLZ  
CHIEF DEPUTY CLERK

LINDA M. TRAN  
FIRST DEPUTY CLERK

MELISSA C. LEDET  
DIRECTOR OF CENTRAL STAFF

(504) 376-1400  
(504) 376-1498 FAX

**NOTICE OF DISPOSITION CERTIFICATE OF DELIVERY**

I CERTIFY THAT A COPY OF THE DISPOSITION IN THE FOREGOING MATTER HAS BEEN TRANSMITTED IN ACCORDANCE WITH UNIFORM RULES - COURT OF APPEAL, RULE 4-6 THIS DAY 07/07/2025 TO THE TRIAL JUDGE, THE TRIAL COURT CLERK OF COURT, AND AT LEAST ONE OF THE COUNSEL OF RECORD FOR EACH PARTY, AND TO EACH PARTY NOT REPRESENTED BY COUNSEL, AS LISTED BELOW:

A handwritten signature in cursive script that reads "Curtis B. Pursell".

CURTIS B. PURSELL  
CLERK OF COURT

**25-KH-270**

**E-NOTIFIED**

24th Judicial District Court (Clerk)  
Honorable Stephen C. Grefer (DISTRICT JUDGE)  
Thomas J. Butler (Respondent)

**MAILED**

John Wesley Patton #327902 (Relator)  
Rayburn Correctional Center  
27268 Highway 21  
Angie, LA 70426

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