

**STATE OF LOUISIANA
COURT OF APPEAL, SECOND CIRCUIT
430 Fannin Street
Shreveport, LA 71101
(318) 227-3700**

No. 56,054-KH

STATE OF LOUISIANA

VERSUS

MARVIN D. WILLIAMS, SR.

FILED: 07/30/24

RECEIVED: PM 07/15/24

On application of Marvin D. Williams, Sr. for POST CONVICTION RELIEF in Nos. 97777, 100474, 100933 on the docket of the Thirty Seventh Judicial District, Parish of CALDWELL, Judge Ashley P. Thomas.

Pro se

Counsel for:
Marvin D. Williams, Sr.

Brian E. Frazier

Counsel for:
State of Louisiana

Before PITMAN, COX, and ROBINSON, JJ.

WRIT GRANTED; REMANDED WITH INSTRUCTIONS.

The applicant, Marvin Williams, seeks supervisory review of the trial court's March 20, 2024, dismissal of his application for post-conviction relief on procedural grounds. Inexcusable failure of the petitioner to comply with La. C. Cr. P. art. 926(E) may be a basis for dismissal of his application. Nevertheless, we find that the form utilized by Williams to present his post-conviction relief claims differing slightly from the latest form approved by the Louisiana Supreme Court did not constitute an inexcusable failure of the petitioner to comply with the provisions of La. C. Cr. P. art. 926; nor was it sufficient for the dismissal of his timely application for post-conviction relief. Thus, the writ is granted, and the trial court's ruling is reversed. The matter is remanded to the trial court for consideration of the claims raised in the application for post-conviction relief pursuant to the procedures set forth in La. C. Cr. P. art. 924 *et seq.*

Shreveport, Louisiana, this 3 _____ day of _____ October _____, 2024.

JSC

JGO

JKR

FILED: _____ October 3, 2024 _____

Hacy Jones

DEPUTY CLERK