

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

No. 56,207-KH

STATE OF LOUISIANA

VERSUS

FRANK JAURON STRINGFELLOW

FILED: 10/29/24

RECEIVED: PM 09/25/24

On application of Frank Jauron Stringfellow for POST CONVICTION RELIEF in No. 72771 on the docket of the Third Judicial District, Parish of LINCOLN, Judge Bruce Edward Hampton.

Pro se

Counsel for:
Frank Jauron Stringfellow

John Fitzgerald Belton

Counsel for:
State of Louisiana

Before STEPHENS, THOMPSON, and MARCOTTE, JJ.

WRIT DENIED IN PART; GRANTED IN PART; REMANDED WITH INSTRUCTIONS.

The applicant, Frank Jauron Stringfellow, seeks review of the trial court's July 9, 2024, denial of his application for post-conviction relief. In his application, Stringfellow raised a repetitive claim addressed in his appeal regarding the invalidation of his remaining convictions based upon the non-unanimous jury verdict returned for his attempted second-degree murder conviction. Additionally, Stringfellow argued that his counsel was ineffective for failing to put the State on notice of the defense's intent to raise an intoxication defense. The trial court denied both claims as moot on grounds that they had been fully litigated.

We find Stringfellow's ineffective assistance of counsel claim to be a new claim not previously addressed in his appeal. Thus, the trial court erred in denying this portion of Stringfellow's claims as moot. The writ is granted in part to reverse that portion of the trial court's ruling. We remand this matter with instructions to

the trial court to consider Stringfellow's ineffective assistance of counsel claim. In all other respects, the writ is denied.

Shreveport, Louisiana, this 15 day of January, 2025.

MS JRT Com

FILED: January 15, 2025

Stacy Dwyer

DEPUTY CLERK