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## DIGEST

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HB 336 Original

2026 Regular Session

Mike Johnson

**Abstract:** Provides relative to unexhausted claims in applications for post-conviction relief.

Proposed law requires a petitioner to submit an unexhausted claim to the state district court within 30 days of the granting of a stay from a federal court if all of the following have occurred:

- (1) The petitioner failed to raise a claim for post-conviction relief in state district court.
- (2) The petitioner raised a claim for post-conviction relief in a petition for a federal habeas corpus proceeding.
- (3) A federal court stayed the habeas corpus proceeding to allow the petitioner to exhaust the claim in state district court.

Proposed law provides for the contents to be included within an application that raises an unexhausted claim.

Proposed law provides for dismissal of the application upon the failure of the petitioner to satisfy any requirement in proposed law.

Proposed law provides that present law (C.Cr.P. Art. 927.1), relative to abandonment of applications, applies to any application that is filed pursuant to proposed law.

Proposed law requires the state district court to expedite its consideration and resolution of an unexhausted claim.

Proposed law requires the La. Supreme Court to give priority consideration to and expedite its review of an unexhausted claim if any party invokes the supervisory jurisdiction of the supreme court.

(Adds C.Cr.P. Art. 927.2)