

STATE OF LOUISIANA

NO. 24-KH-457

VERSUS

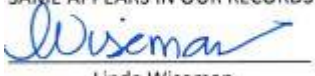
FIFTH CIRCUIT

ABRON J. MICKEL

COURT OF APPEAL

STATE OF LOUISIANA

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

  
Linda Wiseman  
First Deputy, Clerk of Court

October 11, 2024

Linda Wiseman  
First Deputy Clerk

IN RE ABRON J. MICKEL

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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 D.  
ENRIGHT, JR., DIVISION "N", NUMBER 03-5247

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Panel composed of Judges Jude G. Gravois,  
Stephen J. Windhorst, and John J. Molaison, Jr.

### WRIT DENIED

The relator, Abron Mickel, filed the instant writ application that challenges the trial court's denial of his most recent application for post-conviction relief ("APCR") on the grounds that it is untimely and successive.

After being convicted of armed robbery, the relator was given a life sentence as a multiple offender. His conviction and sentence were affirmed on appeal. *State v. Mickel*, 07-47 (La. App. 5 Cir. 5/29/07), 961 So.2d 516, writ denied, 07-1422 (La. 1/7/08), 973 So.2d 732. Since that time, the relator has filed a total of seven writs at this Court following the district court's denials of his various APCRs. According to the writ application, the relator's most recent APCR was filed at the district court on July 8, 2024. In an Order dated July 12, 2024, the district court denied the APCR as being untimely under La. C.Cr.P. art. 930.8, and successive under La. C.Cr.P. art. 930.4(D). This timely writ application follows.

La. C.Cr.P. art. 930.8 provides that an APCR must be filed within two years of the judgment of conviction and sentence becoming final. In this case, the relator's conviction and sentence became final in 2008. Accordingly, his APCR is untimely on its face. In addition, the exceptions set out in La. C.Cr.P. art. 930.8(A)(1), (2), (3), and/or (4) are inapplicable to relator's case because his claim does not rest on newly discovered evidence or an unknown interpretation of constitutional law; his application was filed after October 1, 2001; and he was not sentenced to death. Accordingly, we find no error in the trial court's conclusion that the relator's most recent APCR was untimely.

We also find no error in the trial court's ruling that the relator's APCR was repetitive and successive. The relator has unsuccessfully argued in his prior applications that he was sentenced illegally, and those judgments were upheld by both this Court and the Louisiana Supreme Court. *See, for example, State v. Mickel*, 23-KH-268, *unpub.*, (La. App. 5 Cir. 6/14/23), *writ denied*, 23-987 (La. 11/15/23), 373 So.3d 78.

On the showing made, we find no basis upon which to disturb the district's court's denial of the relator's APCR. Accordingly, the writ application is denied.

Gretna, Louisiana, this 11th day of October, 2024.

**JJM**  
**JGG**  
**SJW**

SUSAN M. CHEHARDY  
CHIEF JUDGE

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

JUDGES



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CURTIS B. PURSELL  
CLERK OF COURT

SUSAN S. BUCHHOLZ  
CHIEF DEPUTY CLERK

LINDA M. WISEMAN  
FIRST DEPUTY CLERK

MELISSA C. LEDET  
DIRECTOR OF CENTRAL STAFF

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**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 **10/11/2024** 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:

**CURTIS B. PURSELL**  
CLERK OF COURT

**24-KH-457**

**E-NOTIFIED**

24th Judicial District Court (Clerk)  
Honorable Stephen D. Enright, Jr. (DISTRICT JUDGE)  
Thomas J. Butler (Respondent)

**MAILED**

Abron J. Mickel #331495 (Relator)  
David Wade Correctional Center  
670 Bell Hill Road  
Homer, LA 71040