

Fifth Circuit Court of Appeal State of Louisiana

No. 25-KH-547

STATE OF LOUISIANA
VERSUS
CLARENCE O. GIBSON

IN RE CLARENCE O. GIBSON

APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE R. CHRISTOPHER COX, III, DIVISION "B", NUMBER 07-6779

December 01, 2025

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

Linda Tran
First Deputy, Clerk of Court

Panel composed of Judges Jude G. Gravois,
Marc E. Johnson, and Scott U. Schlegel

WRIT DENIED

Relator, Clarence O. Gibson, seeks review of the trial court's October 21, 2025 denial of his application for post-conviction relief ("APCR"). In his APCR, Relator sought an out-of-time appeal to challenge his 2009 conviction and sentence for sexual battery. In its denial, the trial court found that Relator's APCR is time-barred pursuant to La. C.Cr.P. art. 930.8, and he is not entitled to another appeal or to any other judicial relief.

After review, we find that the trial court did not err in its denial of Relator's APCR. Relator received appellate review of his conviction and sentence in *State v. Gibson*, 09-486 (La. App. 5 Cir. 3/9/10), 38 So.3d 373, *writ denied*, 10-802 (La. 11/5/10), 50 So.3d 814. His conviction and sentence for sexual battery are now final. Once an appellate court renders judgment and that judgment becomes final, the criminal defendant no longer has a right to an appeal. *Gibson v. Twenty Fourth Jud.*

Dist. Ct. of Jefferson Par., 25-118 (La. App. 5 Cir. 4/3/25), 2025 WL 1001180, writ denied, 25-474 (La. 9/24/25), 417 So.3d 51, citing *State v. Howard*, 53,104 (La. App. 2 Cir. 1/15/20), 289 So.3d 1176, 1179. Relator is not entitled to a second appeal.

Accordingly, the writ application is denied.

Gretna, Louisiana, this 1st day of December, 2025.

MEJ
JGG
SUS

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. TRAN
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 **12/01/2025** 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 blue ink, reading "Curtis B. Pursell", is written over a horizontal line.

CURTIS B. PURSELL
CLERK OF COURT

25-KH-547

E-NOTIFIED

24th Judicial District Court (Clerk)
R. Christopher Cox, III (DISTRICT JUDGE)
Thomas J. Butler (Respondent)

MAILED

Clarence O. Gibson #366576 (Relator)
Dixon Correctional Institute
Post Office Box 788
Jackson, LA 70748