

Fifth Circuit Court of Appeal State of Louisiana

No. 26-KH-366

STATE OF LOUISIANA

versus

GERMAN HERNANDEZ-ZUNIGA

IN RE GERMAN HERNANDEZ-ZUNIGA

APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE NANCY A. MILLER, DIVISION "I", No. 10-1911

TRUE COPY

August 27, 2026



LINDA TRAN
DEPUTY CLERK

Panel composed of Judges Susan M. Chehardy,
Jude G. Gravois, and Marc E. Johnson

WRIT DENIED

Relator, German Hernandez-Zuniga, seeks review of the 24th Judicial District Court's July 16, 2026 judgment denying his Motion to Correct an Illegal Sentence. In 2010, Relator was convicted of armed robbery in violation of La. R.S. 14:64 and sentenced to thirty-five years imprisonment at hard labor without benefit of parole, probation, or suspension of sentence; his conviction and sentence became final in 2012. *State v. Hernandez-Zuniga*, 11-378 (La. App. 5 Cir. 12/13/11), 81 So.3d 129, *writ denied*, 12-28 (La. 4/20/12), 85 So.3d 1268.

In both his motion and writ application, Relator argues the U.S. Supreme Court's decision in *Ramos v. Louisiana*, 590 U.S. 83, 140 S.Ct. 1390, 206 L.Ed.2d 583 (2020), which held that a defendant who is tried for a serious crime has a right to a unanimous jury verdict, should have been applied retroactively to his case, and the Louisiana Supreme Court's ruling in *State v. Reddick*, 21-1893 (La. 10/21/22), 351 So.3d 273, 283, which held that *Ramos* would not be applied retroactively on state collateral review, violated the Thirteenth Amendment. The district court found 1) Relator failed to point to an illegal term in his sentence; 2)

Relator's pleading was a second application for post conviction relief (APCR), despite its caption; 3) Relator "has received judicial review of his conviction and sentence"; and 4) Relator's request for relief was "procedurally barred as untimely and successive, under La. C.Cr.P. art[s]. 930.8 and 930.4."

On the showing made, we find no error in the district court's analysis or its subsequent order. *See State v. Guccione*, 26-157, p. 2 (La. App. 5 Cir. 5/5/26).

Accordingly, the writ is denied.

Gretna, Louisiana, this 27th day of August, 2026.

MEJ
SMC
JGG

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
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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 **08/27/2026** 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

26-KH-366

E-NOTIFIED

24th Judicial District Court (Clerk)
Honorable Nancy A. Miller (DISTRICT JUDGE)
No Attorney(s) were ENOTIFIED

MAILED

German Hernandez-Zuniga #572514
(Relator)
Raymond Laborde Correctional Center
1630 Prison Road
Cottonport, LA 71327