

**Fifth Circuit Court of Appeal
State of Louisiana**

No. 26-KH-97

STATE OF LOUISIANA

versus

FREDERICK ROSS

IN RE FREDERICK ROSS

APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE E. ADRIAN ADAMS, DIVISION "G", No. 11-5224

TRUE COPY

March 25, 2026



LINDA TRAN
DEPUTY CLERK

Panel composed of Judges Susan M. Chehardy,
Fredericka Homberg Wicker, and Timothy S. Marcel

WRIT DENIED

Relator, Frederick Ross, seeks review of the district court's December 19, 2025 denial of his application for post-conviction relief. For the following reasons, on the showing made, this writ application is denied.

On December 9, 2013, Mr. Ross pled guilty to one count of manslaughter in violation of La. R.S. 14:31 (count one), one count of attempted second degree murder in violation of La. R.S. 14:(27)30.1 (count 2), and one count of illegal possession of a firearm by a convicted felon in violation of La. R.S. 14:95.1 (count 3). In conformity with a plea agreement, Mr. Ross was sentenced to forty years imprisonment at hard labor on counts one and two, and twenty years imprisonment

on count three, all sentences to run concurrently. Because Mr. Ross did not challenge his convictions or sentences on appeal, pursuant to La. C.Cr.P. art. 914, they became final thirty days later on January 8, 2014.

On October 27, 2014, Mr. Ross filed a request for post-conviction DNA testing, which the district court denied on November 16, 2015, as failing to satisfy the requirements of La. C.Cr.P. art. 926.1. Mr. Ross filed a second application for post-conviction relief on June 15, 2015 (alleging insufficient evidence for conviction, ineffective assistance of counsel, and a *Boykin* form error), which was denied by the district court on June 26, 2014. Mr. Ross sought supervisory review of the district court's ruling, which was subsequently denied by this Court. *State ex rel. Ross v. State*, 15-562 (La. App. 5 Cir. 10/7/15) (unpublished writ disposition), *writ not considered*, 16-154 (La. 3/14/16), 186 So.3d 655. Mr. Ross has filed other pleadings concerning his sentence, all of which have been denied.

On April 9, 2025, Mr. Ross filed a subsequent application for post-conviction relief, this time seeking production of the district attorney's file, claiming that the file contained exculpatory and impeaching evidence that should have been disclosed to his trial counsel as it would have been beneficial to the defense. The district court denied Mr. Ross' application on July 17, 2025. Mr. Ross sought supervisory review of the district court's ruling, which was subsequently denied by this Court on December 2, 2025, as untimely and procedurally barred from review. *See Ross v. State*, 25-554 (La. App. 5 Cir. 12/2/25) (unpublished writ disposition).

Despite this Court's December 2, 2025 ruling, the record shows that one week later, on December 10, 2025, Mr. Ross filed yet another application for post-conviction relief, again arguing that the State violated his due process rights by failing to disclose exculpatory evidence. On December 19, 2025, the district court denied Mr. Ross' application for post-conviction relief, specifically finding that his

application was untimely pursuant to La. C.Cr.P. art. 930.8, as Mr. Ross failed “to provide or meet any of the exceptions for filing an untimely application” in accordance with La. C.Cr.P. art. 930.8(A), and, thus, his application was procedurally barred from review. Further, the district court stated that “[u]nder La. C.Cr.P. art. 928, an application may be dismissed without an answer if the application fails to allege a claim which, if established, would entitle defendant to relief. In this case, [Mr. Ross] has not alleged a valid claim reviewable in accordance with La. C.Cr.P. art[s]. 930.4, 930.8, or 926.2. [Mr. Ross’s] conviction has long been final. He is not entitled to relief sought.” We agree.

In accordance with La. C.Cr.P. art. 930.8, Mr. Ross had two years from the finality of his convictions and sentences on January 8, 2014, or until January 8, 2016, to seek post-conviction relief. Since that deadline has passed by over ten years, any further applications for post-conviction relief are untimely. Additionally, not only are his continued filings of applications for post-conviction relief untimely, they are procedurally barred as successive under La. C.Cr.P. art. 930.4. Accordingly, on the showing made, this writ application is denied.

Gretna, Louisiana, this 25th day of March, 2026.

SMC
FHW
TSM

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



FIFTH CIRCUIT
101 DERBIGNY STREET (70053)
POST OFFICE BOX 489
GRETNA, LOUISIANA 70054
www.fifthcircuit.org

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

(504) 376-1400
(504) 376-1498 FAX

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 **03/25/2026** 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-97

E-NOTIFIED

24th Judicial District Court (Clerk)
Honorable E. Adrian Adams (DISTRICT JUDGE)
Thomas J. Butler (Respondent)

MAILED

Frederick Ross #498034 (Relator)
Rayburn Correctional Center
27268 Highway 21
Angie, LA 70426