

JOHN WESLEY PATTON

NO. 25-KH-270

VERSUS

FIFTH CIRCUIT

GARY WESTCOTT, SECRETARY LOUISIANA
DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONS, DPSC AND TRAVIS DAY,
WARDEN BB SIXTY RAYBURN
CORRECTIONAL CENTER

COURT OF APPEAL
STATE OF LOUISIANA

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


Morgan Naquin
Deputy, Clerk of Court

July 07, 2025

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Deputy Clerk

IN RE JOHN WESLEY PATTON

APPLYING FOR SUPERVISORY WRIT FROM THE TWENTY-FOURTH JUDICIAL DISTRICT COURT,
PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE STEPHEN C.
GREFER, DIVISION "J", NUMBER 18-7474

Panel composed of Judges Jude G. Gravois,
Stephen J. Windhorst, and Scott U. Schlegel

WRIT DENIED

Relator, John Wesley Patton, seeks review of the trial court's denial of his application for post-conviction relief ("APCR"). For the following reasons, this writ application is denied.

In 2021, relator was convicted of attempted second degree rape (count one); false imprisonment while armed with a dangerous weapon (count two); second degree rape (count three); and sexual battery (count four). He was sentenced to fifteen years imprisonment at hard labor on count one; ten years imprisonment at hard labor on count two; thirty-five years imprisonment at hard labor without benefit of parole, probation, or suspension of sentence on count three; and ten years imprisonment at hard labor without benefit of parole, probation, or suspension of sentence on count four. The trial court also ordered the sentences on counts two,

three, and four to run concurrently with each other and to run consecutively to the sentence on count one. Relator's convictions and sentences were affirmed. State v. Patton, 22-112 (La. App. 5 Cir. 12/21/22), 355 So.3d 156, writ denied, 23-151 (La. 11/08/23), 373 So.3d 60, reh'g denied (La. 03/19/24), cert. denied, — U.S. —, 145 S.Ct. 301, — L.Ed.2d — (2024).

On October 10, 2024, relator filed his APCR asserting the following claims: (1) ineffective assistance of counsel; (2) denial of right to present a defense; (3) denial of a public trial; (4) admission of falsified evidence; (5) Brady¹ violation; (6) insufficient evidence; (7) improper admission of other crimes evidence; (8) cruel and inhumane conditions of confinement; (9) inability to present evidence during pretrial hearings; (10) erroneous denial of motion to suppress; (11) request for retesting of all evidence seized from relator's home; (12) perjured testimony; (13) improper admission of propensity evidence; (14) law enforcement provided false reports regarding relator's arrest to media outlets; (15) unconstitutional classification of second degree rape as a general intent crime; (16) improper denial of transcripts; (17) double jeopardy violation; (18) unconstitutionality of one-witness rule; (19) COVID-19 restrictions hindered relator's trial preparation; (20) prosecutorial misconduct; (21) erroneous jury instructions; and (22) erroneous denial of recusal motion.² The trial court ordered the State to file a response to relator's writ application. On March 21, 2025, the State filed its response arguing that relator's claims were "without merit and/or are procedurally barred."

On April 7, 2025, after discussing each of relator's individual claims, the trial court denied relator's APCR stating: "In conclusion, after a careful review, the court concludes that the petitioner fails to meet his heavy burden under La. C.Cr. P. art. 930.2. All claims are vague and conclusory and many are procedurally defaulted.

¹ Brady v. Maryland, 373 U.S. 83, 83 S.Ct. 1194, 10 L.Ed.2d 215 (1963).

² Relator's APCR listed a total of thirty claims. Because many are repetitive, similar claims are grouped together for the purpose of this disposition.

There is nothing submitted to the court entitling the petitioner to further review.”

This writ application followed.

Upon a thorough review of relator’s writ application and attachments thereto, on the showing made, we do not find that the trial court erred in denying relator’s APCR. All of relators claims are vague and conclusory, procedurally barred, and/or without merit. We further find that the trial court’s summary denial of relator’s APCR was proper. Accordingly, this writ application is denied.

Gretna, Louisiana, this 7th day of July, 2025.

SJW
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
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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 **07/07/2025** 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 that reads "Curtis B. Pursell".

CURTIS B. PURSELL
CLERK OF COURT

25-KH-270

E-NOTIFIED

24th Judicial District Court (Clerk)
Honorable Stephen C. Grefer (DISTRICT JUDGE)
Thomas J. Butler (Respondent)

MAILED

John Wesley Patton #327902 (Relator)
Rayburn Correctional Center
27268 Highway 21
Angie, LA 70426