

Fifth Circuit Court of Appeal State of Louisiana

No. 26-KH-291

BOBBY CARL TERRICK

versus

STATE OF LOUISIANA

IN RE BOBBY CARL TERRICK

APPLYING FOR A SUPERVISORY WRIT TO THE TWENTY-FOURTH JUDICIAL DISTRICT COURT, PARISH OF JEFFERSON, STATE OF LOUISIANA, DIRECTED TO THE HONORABLE E. ADRIAN ADAMS, DIVISION "G", No. 01-4723

TRUE COPY

July 28, 2026



LINDA TRAN
DEPUTY CLERK

Panel composed of Judges Stephen J. Windhorst,
Timothy S. Marcel, and Michael P. Mentz, Pro Tempore

WRIT DENIED

Relator/defendant, Bobby Carl Terrick, seeks review of the trial court's denial of his application for post-conviction relief ("APCR").

Defendant's conviction and sentence for second-degree murder in 2002 was affirmed. State v. Terrick, 03-515 (La. App. 5 Cir. 9/30/03), 857 So.2d 1153, writ denied, 03-3272 (La. 3/26/04), 871 So.2d 346. On November 30, 2017, pursuant to Miller v. Alabama, 567 U.S. 460, 132 S.Ct. 2455, 183 L.Ed. 2d 407 (2012), defendant was resentenced to "life with the benefit of parole after serving twenty-five years." Defendant's sentence was affirmed. State v.

Terrick, 18-102 (La. App. 5 Cir. 8/29/18), 254 So.3d 1246, writ denied, 18-532 (La. 1/14/19), 260 So.3d 1217.

Defendant's APCR based on his claim of a non-unanimous jury verdict was denied by the trial court on March 9, 2026, as untimely and successive pursuant to La. C.Cr.P. arts. 930.8 A and 930.4. On May 4, 2026, defendant filed a notice of appeal with trial court, claiming that he did not receive a copy of the ruling until April 8, 2026. On May 5, 2026, the trial court, treating defendant's pleading as a notice of intent, found that it was "untimely and must be dismissed." The trial court found that the record showed defendant was served with the trial court's ruling on March 19, 2026, and defendant's notice, was postmarked April 30, 2026, and filed May 4, 2026.

Upon review of the official record, the service return shows that the March 9, 2026 ruling was received on March 19, 2026. Thus, defendant's writ application postmarked April 30, 2026, and filed May 4, 2025, is untimely as it was not filed within thirty days from the date the ruling was signed. La. U.R.C.A., Rule 4-3.

Nevertheless, we find defendant's APCR is untimely pursuant to La. C.Cr.P. art. 930.8. Defendant contends he recently obtained a copy of the jury polling slips revealing that the jury returned a non-unanimous verdict in his case, citing Ramos v. Louisiana, 590 U.S. 83, 140 S.Ct. 1390, 206 L.Ed. 2d 583 (2020). However, defendant did not explain why he only recently discovered that the jury returned a 10-2 verdict when his trial concluded over twenty years ago.

Even if his claim was timely, defendant's claim is without merit. In State v. Reddick, 21-01893 (La. 10/21/22), 351 So.3d 273, the Louisiana Supreme Court held that Ramos was not retroactive to individuals whose convictions had

become final. Here defendant's conviction and sentence were final prior to 2020, when Ramos was decided.

Accordingly, this writ application is denied.

Gretna, Louisiana, this 28th day of July, 2026.

SJW
TSM
MPM

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 **07/28/2026** 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:

A handwritten signature in blue ink that reads "Curtis B. Pursell".

CURTIS B. PURSELL
CLERK OF COURT

26-KH-291

E-NOTIFIED

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

MAILED

Bobby Carl Terrick #457795 (Relator)
Elayn Hunt Correctional Center
6925 Highway 74
St. Gabriel, LA 70776