

FEB 23 2015

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JUAN M. CASTILLO,

Petitioner,

v.

ROBERT LEGRAND, Warden,

Respondent.

No. 13-72199

ORDER*

Application to File Second or Successive
Petition Under 28 U.S.C. §2254

Argued May 14, 2014
Submitted February 18, 2015
San Francisco California

Before: SILVERMAN and GOULD, Circuit Judges and LEMELLE,** District
Judge.

Submission of this case was previously withdrawn. It is now RE-
SUBMITTED FOR DECISION as of February 18, 2015.

* This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

** The Honorable Ivan L.R. Lemelle, District Judge for the U.S. District
Court for the Eastern District of Louisiana, sitting by designation.

Petitioner Castillo's application for leave to file a second or successive 28 U.S.C. § 2254 habeas petition in district court to allege that *Miller v. Alabama*, 132 S. Ct. 2455 (2012), is retroactive and applies to his sentence is GRANTED.