

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**WARREN PALMER, III
VERSUS
N. BURL CAIN, WARDEN**

**CIVIL ACTION
NO. 03-2983
SECTION "A"(5)**

ORDER

The Court, having considered the petition, the record, the applicable law, and the Report and Recommendation of the United States Magistrate Judge, hereby approves the Report and Recommendation of the United States Magistrate Judge and adopts it as its opinion in this matter. Accordingly,

IT IS ORDERED that the petition of Warren Palmer, III for issuance of a writ of habeas corpus under 28 U.S.C. § 2254 is hereby **GRANTED**, his sentence of life imprisonment without benefit of probation, parole or suspension of sentence is **VACATED**, and the state trial court is ordered to resentence him in conformity with *Miller v. Alabama*, 132 S.Ct. 2455 (2013), within one-hundred twenty (120) days from entry of judgment or release him from confinement.

New Orleans, Louisiana, this 4th day of May, 2016.



United States District Judge