

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

**ERIC BROWN**

**CIVIL ACTION**

**VERSUS**

**NO. 16-15717**

**WARDEN JERRY GOODWIN**

**SECTION "F"(4)**

**ORDER AND REASONS**

In connection with the petition for issuance of a writ of habeas corpus pursuant to 28 U.S.C. § 2254 filed by Eric Brown, the State on behalf of respondent has argued the defenses of lack of exhaustion, prematurity, and mootness. The record provided reflects that a status conference was scheduled before the state trial court on February 15, 2017, to discuss the resentencing options for Brown pursuant to *Miller v. Alabama*, 132 S. Ct. 2455 (2012) and *Montgomery v. Louisiana*, 136 S. Ct. 718 (2016).<sup>1</sup> Broadly construed, Brown's letter to the Court dated February 25, 2017 at least implies that he was not sentenced on that date, and the matter remains pending before the state trial court.<sup>2</sup> The State has not supplemented its response or otherwise updated the state court records to reflect the current status of Brown's case. Accordingly,

**IT IS ORDERED** that **on or before August 16, 2017**, the State through the Jefferson Parish District Attorney **SHALL** file a supplemental response to include an updated status, relevant information, and resolution, if any, of Brown's resentencing under *Miller* and *Montgomery*.

**IT IS FURTHER ORDERED** that the State through the Jefferson Parish District Attorney **SHALL** produce supplemental state trial, appellate and/or Louisiana Supreme Court records to

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<sup>1</sup>St. Rec. Vol. 1 of 7, Minute Entry, 12/8/16.

<sup>2</sup>Rec. Doc. No. 16.

include all pleadings, briefs, memoranda, transcripts, and other documents not previously produced with its response filed on December 16, 2016. The supplemental state court records should be addressed to the Office of the Clerk, Pro Se Unit, United States District Court, 500 Poydras Street, Room C-151, New Orleans, Louisiana, 70130.

New Orleans, Louisiana, this 27th day of July, 2017.

A handwritten signature in black ink, appearing to read "Karen Wells Roby", written over a horizontal line.

**KAREN WELLS ROBY**  
**CHIEF UNITED STATES MAGISTRATE JUDGE**