

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

ANDREW RICHARDSON,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

)
)
)
)
)
)
)
)
)
)

Case No. 2D13-1290

Opinion filed June 11, 2014.

Appeal pursuant to Fla. R. App. P.
9.141(b)(2) from the Circuit Court for
Hillsborough County; Gregory P. Holder,
Judge.

Andrew Richardson, pro se.

Pamela Jo Bondi, Attorney General,
Tallahassee, and Cerese Crawford Taylor,
Assistant Attorney General, Tampa,
for Appellee.

NORTHCUTT, Judge.

Andrew Richardson appeals the postconviction court's order denying his motion for postconviction relief filed under Florida Rule of Criminal Procedure 3.850. Because Richardson alleged he received a mandatory sentence of life without the possibility of parole for a first-degree murder he committed at the age of seventeen, we reverse the postconviction court's order summarily denying the claim as untimely and

remand the case for further proceedings consistent with Toye v. State, 133 So. 3d 540 (Fla. 2d DCA 2014), and Miller v. Alabama, 132 S. Ct. 2455 (2012).

Reversed and remanded.

SILBERMAN and CRENSHAW, JJ., Concur.