

IN THE SUPREME COURT OF IOWA

No. 14-0798

Filed September 16, 2016

STATE OF IOWA,

Appellee,

vs.

ROMEO CASINO HARDIN,

Appellant.

Appeal from the Iowa District Court for Scott County Joel W. Barrows, Judge.

A defendant appeals the district court's imposition of a life sentence without parole for murder in the first degree, a crime he committed as a juvenile. **DISTRICT COURT SENTENCE VACATED AND CASE REMANDED WITH INSTRUCTIONS.**

Mark C. Smith, State Appellate Defender, and Theresa R. Wilson, Assistant State Appellate Defender, for appellant.

Thomas J. Miller, Attorney General, Tyler J. Buller, Assistant Attorney General, and Michael Walton, County Attorney, for appellee.

PER CURIAM.

Romeo Casino Hardin appeals the district court's imposition of a life sentence without parole following his conviction for murder in the first degree, a class A felony in violation of Iowa Code sections 707.1 and 707.2 (1995). The district court imposed the life sentence on Hardin, who was a juvenile when he committed the crime, following a resentencing hearing. On appeal, Hardin claims his sentence of life in prison without parole constitutes cruel and unusual punishment in violation of article I, section 17 of the Iowa Constitution.

In *State v. Sweet*, 879 N.W.2d 841, 839 (Iowa 2016), we held that under the cruel and unusual punishment clause contained in article I, section 17 of the Iowa Constitution, juvenile offenders may not be sentenced to life in prison without the possibility of parole. Accordingly, we reverse the sentence imposed by the district court and remand the case to the district court for resentencing consistent with *Sweet*.

**DISTRICT COURT SENTENCE VACATED AND CASE
REMANDED WITH INSTRUCTIONS.**

This opinion shall not be published.