

**STATE OF LOUISIANA**  
**COURT OF APPEAL, FIRST CIRCUIT**

STATE OF LOUISIANA

NO. 2013 KW 2222

VERSUS

OLIVER GREEN

**MAR 21 2014**

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In Re: Oliver Green, applying for supervisory writs, 19th  
Judicial District Court, Parish of East Baton Rouge,  
No. 01-96-0046.


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**BEFORE: WHIPPLE, C.J., WELCH AND CRAIN, JJ.**

**WRIT DENIED.** The United States Supreme Court decision in **Miller v. Alabama**, \_\_ U.S. \_\_, 132 S.Ct. 2455, 183 L.Ed.2d 407 (2012) does not apply retroactively in state postconviction proceedings. **State v. Tate**, 2012-2763 (La. 11/5/13), 130 So.3d 829. Accordingly, the trial court did not err in denying relator's motion to correct an illegal sentence wherein he claimed that his sentence was illegal in light of the United States Supreme Court decision in **Miller**.

JEW  
WJC  
VGW

COURT OF APPEAL, FIRST CIRCUIT

  
DEPUTY CLERK OF COURT  
FOR THE COURT