

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

STATE OF LOUISIANA

NO. 2014 KW 0300

VERSUS

ANTHONY WILLIAMS

**JUN 02 2014**

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In Re: Anthony Williams, applying for supervisory writs, 19th  
Judicial District Court, Parish of East Baton Rouge,  
No. 05-96-0012.

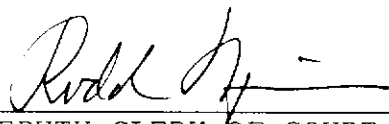
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**BEFORE: PARRO, GUIDRY AND DRAKE, JJ.**

**WRIT DENIED.** In **State v. Tate**, 2012-2763 (La. 11/5/13), 130 So.3d 829, the Louisiana Supreme Court addressed the res nova issue of whether the holding in **Miller v. Alabama**, \_\_\_ U.S. \_\_\_, 132 S.Ct. 2455, 183 L.Ed.2d 407 (2012) applied retroactively to juvenile offenders whose convictions for homicides were final when the **Miller** decision was rendered. After conducting an analysis under **Teague v. Lane**, 489 U.S. 288, 307, 109 S.Ct. 1060, 103 L.Ed.2d 334 (1989), the Louisiana Supreme Court held that **Miller** does not apply retroactively in cases on collateral review as it merely sets forth a new rule of criminal constitutional procedure which is neither substantive nor implicative of the fundamental fairness and accuracy of criminal proceedings. Furthermore, the Louisiana Supreme Court found that La. Code Crim. P. art. 878.1 and La. R.S. 15:574.4(E)(1) only apply prospectively.

JMG  
EGD  
RHP

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