

STATE OF LOUISIANA
COURT OF APPEAL, FIRST CIRCUIT

STATE OF LOUISIANA

NO. 2014 KW 0321

VERSUS

BART STEWART

APR 07 2014

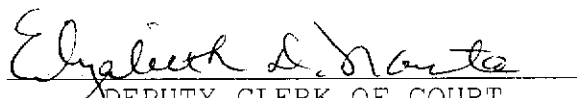
In Re: Bart Stewart, applying for supervisory writs, 19th
Judicial District Court, Parish of East Baton Rouge,
No. 08-91-1338.

BEFORE: PARRO, GUIDRY, AND DRAKE, 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, 844. Accordingly, the district 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**.

JMG
EGD
RHP

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DEPUTY CLERK OF COURT
FOR THE COURT