

**14-6381 TOCA V. LOUISIANA**

DECISION BELOW: 141 So.3d 265

LOWER COURT CASE NUMBER: 2013-KK-1880

QUESTION PRESENTED:

George Toca was barely 17 years old when he was arrested in 1984 for the accidental shooting of his best friend. He has credible evidence that he is actually innocent of this crime. The victim's family believes he is innocent and wants him released. Must George Toca die in prison because the Louisiana Supreme Court has found *Miller* non-retroactive in Louisiana?

LIMITED TO THE FOLLOWING QUESTIONS: 1) DOES THE RULE ANNOUNCED IN *MILLER* v. *ALABAMA*, 567 U.S. \_\_\_\_\_ (2012), APPLY RETROACTIVELY TO THIS CASE? 2) IS A FEDERAL QUESTION RAISED BY A CLAIM THAT A STATE COLLATERAL REVIEW COURT ERRONEOUSLY FAILED TO FIND A *TEAGUE* EXCEPTION?

CERT. GRANTED 12/12/2014