

SUPREME COURT OF LOUISIANA

No. 15-KH-0224

STATE EX REL. RONTRELL WISE

v.

STATE OF LOUISIANA

**ON SUPERVISORY WRITS TO THE TWENTY-THIRD
JUDICIAL DISTRICT COURT, PARISH OF ASSUMPTION**

PER CURIAM:

Writ granted. In light of the Supreme Court's holding in *Montgomery v. Louisiana*, 577 U.S. ___, 136 S.Ct. 718, 193 L.Ed.2d 599 (2016) that *Miller v. Alabama*, 567 U.S. ___, 132 S.Ct. 2455, 183 L.Ed.2d 407 (2012) announced a substantive rule of constitutional law that applies retroactively, we vacate relator's sentence and remand this case to the 23rd Judicial District Court for further proceedings consistent with the views expressed in *State v. Montgomery*, 13-1163 (La. 6/28/16), 194 So.3d 606, and for resentencing pursuant to La.C.Cr.P. Art. 878.1. We further note that, after defendant is resentenced, that judgment is included by statute among those which defendant may appeal. *See* La.C.Cr.P. art. 912(C)(1).