

**10-9646 MILLER V. ALABAMA**

DECISION BELOW: 63 So. 3d 676

LOWER COURT CASE NUMBER: CR-06-0741

**QUESTION PRESENTED:**

Evan Miller was sentenced to a mandatory sentence of life imprisonment without parole for a homicide offense committed when he was only fourteen years old. Evan is one of only seventy-three fourteen-year-olds nationwide who are serving such sentences. The questions presented are:

1. Does imposition of a life-without-parole sentence on a fourteen-year-old child convicted of homicide violate the Eighth and Fourteenth Amendments' prohibition against cruel and unusual punishments, when the extreme rarity of such sentences in practice reflects a national consensus regarding the reduced criminal culpability of young children?
2. Does imposition of mandatory sentence of life imprisonment without parole on a fourteen-year-old child convicted of homicide - a sentence imposed pursuant to a statutory scheme that categorically precludes consideration of the offender's young age or any other mitigating circumstances - violate the Eighth and Fourteenth Amendments' prohibition on cruel and unusual punishments?

THIS CASE TO BE ARGUED IN TANDEM WITH NO. 10-9647.

CERT. GRANTED 11/7/2011