

SUPREME COURT  
FILED

Court of Appeal, Fourth Appellate District, Division One - No. D076370

NOV 13 2019

Jorge Navarrete Clerk

S258260

Deputy

**IN THE SUPREME COURT OF CALIFORNIA**

**En Banc**

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In re JOSE NOGALES on Habeas Corpus.

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The petition for review is denied. Petitioner's claim under *Miller v. Alabama* (2012) 567 U.S. 460 is denied as moot under *People v. Franklin* (2016) 63 Cal.4th 261. (See *Harrington v. Richter* (2011) 562 U.S. 86, citing *Ylst v. Nunnemaker* (1991) 501 U.S. 797, 803.)

**CANTIL-SAKAUYE**

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*Chief Justice*