

IN THE SUPREME COURT FOR THE UNITED STATES OF AMERICA  
WASHINGTON, D.C.

RONALLEN HARDY,  
Petitioner,  
v.

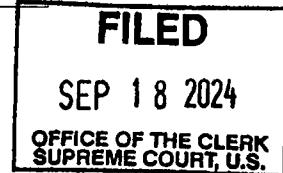
STATE OF TENNESSEE,  
Respondent.

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Case No. \_\_\_\_\_

ORIGINAL



PETITION FOR WRIT OF CERTIORARI

FOR THE PETITIONER:

RonAllen Hardy, #430328  
Riverbend Maximum Security Facility  
7475 Cockrill Bend Blvd.  
Nashville, Tennessee 37209-1048

I. QUESTIONS PRESENTED:

1. Whether sentencing RonAllen Hardy to life without parole, despite his being 18 years and 5 months old at the time of the offense and developmentally akin to a juvenile, violates the Eighth Amendment's prohibition against cruel and unusual punishment.
2. Whether the principles from *Miller v. Alabama*, *Montgomery v. Louisiana*, *Graham v. Florida*, *Roper v. Simmons* and *State v. Booker* should apply to young adults like Hardy, whose brain development remains incomplete at the time of the crime.
3. Whether the Tennessee Court of Appeals erred in distinguishing Hardy's case from *State v. Booker*, and in failing to extend juvenile sentencing protections to young adults whose cognitive and emotional development is similar to that of juveniles.

## II. LIST OF THE PARTIES

The appellant, RonAllen Hardy is a state prisoner presently serving a 51-year life sentence in the state of Tennessee. The appellant's Tennessee Department of Correction identification number is 430328 and he currently resides at the Riverbend Maximum Security Institution, 7475 Cockrill Bend Industrial Boulevard, Nashville, Tennessee 37209-1048

The appellee is the State of Tennessee and is represented by the Mr. Jonathan H. Wardle of the State's Attorney General's Office, Post Office Box 20207, Nashville, Tennessee 37202

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## V. LIST OF PROCEEDINGS

The following cases relate directly to the issue before the court:

1. **RonAllen Hardy v. State of Tennessee**, Rutherford County Circuit Court Case No. 82769 filed December 19, 2023 (*Denial of Motion to Reopen Petition for Post-Conviction Relief*); (*unpublished opinion*);
2. **RonAllen Hardy v. State of Tennessee**, Tenn. Ct. of Crim. App. Case No. M2024-00109-CCA-R28-PC filed February 21, 2024 (*Order affirming the judgment of the trial court*); (*unpublished opinion*);
3. **RonAllen Hardy v. State of Tennessee**, Tenn. Sup. Ct. Case No. M2024-00109-SC-R11-PC filed June 20, 2024 (*Order denying Application for Permission to Appeal per curiam*); (*unpublished opinion*);

## VI. JURISDICTION

The judgment being reviewed is from the Tennessee Court of Criminal Appeals decision reached in Hardy v. State, Tenn. Ct. of Crim. App. Case No. M2024-00109-CCA-R28-PC (*unpublished opinion*) filed February 21, 2024 (*application for permission to appeal denied June 20, 2024*).

This Court's jurisdiction is invoked under Rule 11 of the United States Supreme Court Rules and 28 U.S.C. § 1257(a), as the Tennessee Court of Appeals' opinion is unreported.

## VII. CONSTITUTIONAL PROVISIONS INVOLVED

U.S. Constitution Amendment VIII: Prohibition against cruel and unusual punishment

### VIII. STATEMENT OF THE CASE

RonAllen Hardy, at 18 years and 5 months old, was sentenced to life without parole, plus an additional 22 years, for his role in the death of Mr. Randy Betts. Despite being a legal adult, Hardy's cognitive and emotional development were more akin to that of a juvenile, as evidence by scientific research on adolescent brain development. The Tennessee Court of Appeals rejected Hardy's motion to reopen his post-conviction proceedings *Hardy v. State of Tennessee, Tenn. Ct. of Crim. App. Case No. M2024-00109-CCA-R28-PC* (filed February 21, 2024), (*unpublished opinion*) application for permission to appeal denied June 20, 2024), distinguishing *State v. Booker, No. E2018-01439-SC-R11-CD* (filed November 18, 2022); *656 S.W.3d 49 (Tenn. 2022)*, which declared automatic life sentences for juveniles unconstitutional. Hardy argues that *Booker* along with the principles established in *Miller v. Alabama, Case Nos. 10-9646, 10-9647* (decided June 25, 2012); *567 U.S. 460 (2012)*; *132 S.Ct. 2455; 183 L.Ed.2d 407* and *Montgomery v. Louisiana, Case No. 14-280* (decided January 25, 2016, as revised January 27, 2016); *577 U.S. 190 (2016)*; *136 S.Ct. 718; 193 L.Ed.2d 599* should apply to young adults like him due to ongoing brain development.

Hardy's sentence fails to take into account modern understandings of adolescent brain development as highlighted by research from Dr. Lawrence Steinberg, and should be reevaluated under these legal precedents.

## IX. REASONS FOR GRANTING THE PETITION

### i. The Eighth Amendment's Application to Adolescent Brain Development Requires Reconsideration of Hardy's Sentence

The Eighth Amendment prohibits cruel and unusual punishment. This Court in *Miller v. Alabama*, Case Nos. 10-9646, 10-9647 (decided June 25, 2012); 567 U.S. 460 (2012); 132 S.Ct. 2455; 183 L.Ed.2d 407 held that mandatory life without parole sentences for juveniles are unconstitutional, recognizing that children's diminished culpability and greater capacity for reform necessitates individualized sentencing. Although Hardy was over 18, Dr. Lawrence Steinberg's research shows that critical areas of the brain responsible for decision-making and impulse control continue to mature into the early twenties. The rationale in *Miller* applies to Hardy's situation, as he was developmentally similar to juveniles and should have been granted individualized sentencing that accounts for his youth and its attendant circumstances.

Further, *Graham v. Florida* Case No. 08-7412 (decided May 17, 2010, modified July 6, 2010); 560 U.S. 48 (2010); 130 S.Ct. 2011; 176 L.Ed.2d 825 and *Roper v. Simmons* No. 03-633 (decided March 1, 2005); 543 U.S. 551 (2005); 125 S.Ct. 1183; 161 L.Ed.2d 1, held that juveniles cannot be sentenced to the harshest penalties without considering their lack of maturity and capacity for rehabilitation. Hardy's life sentence without the possibility of parole violates these principles as it fails to acknowledge his developmental immaturity.

### ii. Conflicting Decisions Create Uncertainty About the Scope of Juvenile Sentencing Protections

There is a significant inconsistency in how courts address the sentencing of young adults who, while over 18, exhibit the same developmental characteristics as juveniles. However, the Tennessee courts refused to extend this reasoning to Hardy's case, despite scientific evidence suggesting that 18-year-olds, like juveniles, lack full maturity.

This conflicts with decisions in other jurisdictions. For example, in *People of Illinois v. Antonio House*, No. 125124 (filed October 22, 2021); 2021 IL 125124; 185 N.E.3d 1234; 452 Ill.Dec. 498, the Illinois Supreme Court vacated a life sentence for a 19-year-old, emphasizing the need for sentencing to account for youthful offenders' capacity for change. Similarly, a Kentucky court in *Commonwealth v. Bredhold*, Nos. 2017-SC-000436-TG, 2017-SC-000536-TG and 2017-S.Ct-000537-TG; (filed March 26, 2020); 599 S.W.3d 409 (2020) extended juvenile protections to young adults under 21, citing brain development research. This inconsistency creates a split among state courts warrants this Court's intervention.

### iii. Public Interest in Ensuring Fair Sentencing for Young Adults

The public has a vested interest in ensuring that the justice system applies sentencing standards fairly, particularly for young adults like Hardy, who are still undergoing significant cognitive development. This Court's decisions in *Miller*, *Montgomery*, *Graham* and *Roper* reflect an evolving understanding of how youth impacts culpability and sentencing. Extending these protections to young adults

like Hardy aligns with contemporary scientific findings and ensures that sentencing reflects both the gravity of the offense and the potential for rehabilitation.

**iv. Failure to Account for Development Science Violates the Eighth Amendment's Prohibition on Cruel and Unusual Punishment.**

The Eighth Amendment requires that sentences be proportionate to both the offender and the offense. In *Moore v. Texas*, No. 15-797 (decided March 28, 2017); 137 S.Ct. 1039 (2017); 581 U.S. 1; 197 L.Ed.2d 416, this Court held that sentencing must account for modern medical and scientific understandings. Hardy's sentence violates the Eighth Amendment because it disregards the modern understanding of adolescent brain development, which shows that young adults like Hardy are less culpably than fully mature adults and have a greater capacity for rehabilitation.

## X. CONCLUSION

RonAllen Hardy's petition for writ of certiorari presents critical constitutional questions regarding the application of juvenile sentencing principles to young adults. In light of evolving standards of decency, recent scientific discoveries, and the inconsistency in lower court decisions, this Court should grant certiorari and clarify that sentencing principles established in *Miller*, *Montgomery*, *Graham*, *Roper* and *Booker* must apply to young adults whose brain development remains incomplete.

Respectfully submitted;



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