IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT

COMMONWEALTH OF PENNSYLVANIA,	:	No. 966 MAL 2015
	:	
Respondent	:	
	:	Petition for Allowance of Appeal from
	:	the **Unpublished Memorandum and**
v.	:	**Order** of the Superior Court at No. 3404
	:	EDA 2014 exited September 29, 2015,
	:	**affirming** the Order of the Bucks
RICHARD P. MAZEFFA,	:	County Court of Common Pleas at No.
	:	CP-09-CR-0001213-1986 exited
Petitioner	:	November 10, 2014.

ORDER

PER CURIAM DECIDED: February 25, 2016

AND NOW, this 25th day of February, 2016, the Petition for Allowance of Appeal is **GRANTED** on the issue of whether Petitioner's sentence violates the prohibition against mandatory life sentences for juvenile offenders announced by the Supreme Court of the United States in Miller v. Alabama, 567 U.S. ___, 132 S. Ct. 2455 (2012). As a result of the recent holding by that Court that Miller must be applied retroactively by the States, see Montgomery v. Louisiana, 2016 WL 280758 (U.S. Jan. 25, 2016), the Superior Court's order is **VACATED**, and the case is **REMANDED** for further proceedings consistent with Montgomery.

To the extent necessary, leave is to be granted to amend the post-conviction petition to assert the jurisdictional provision of the Post Conviction Relief Act extending to the recognition of constitutional rights by the Supreme Court of the United States which it deems to be retroactive. See 42 Pa.C.S. § 9545(b)(1)(iii).

The Petition for remand is **denied**.

Justice Eakin did not participate in the consideration or decision of this matter.