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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION TWO

In re ASHLEY GALLEGOS,
on Habeas Corpus.

E063002

(Super.Ct.Nos. RIC1501725 &
CR58553)

OPINION

ORIGINAL PROCEEDINGS; petition for writ of habeas corpus. Elaine M. Kiefer, Judge. Petition granted in accordance with the Attorney General's concession and agreement.

Steven L. Harmon, Public Defender, Joshua Knight, Deputy Public Defender, for Petitioner.

Kamala D. Harris, Attorney General, Julie L. Garland, Assistant Attorney General, Eric A. Swenson and Jennifer B. Truong, Deputy Attorneys General, for Respondent.

This court has reviewed the petition and supporting documents, and has requested and received an informal response from the Attorney General. In accordance with the

request of the petition and the acquiescence by the People, the petition for writ of habeas corpus is granted.

DISPOSITION

The matter is remanded to the Superior Court of Riverside County for resentencing pursuant to *People v. Gutierrez* (2014) 58 Cal.4th 1354 and *Miller v. Alabama* (2012) 567 U.S. ___ [132 S.Ct. 2455]. The superior court shall set a schedule for briefing and argument.

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RAMIREZ
P. J.

We concur:

HOLLENHORST
J.

MILLER
J.