

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

COMMONWEALTH OF PENNSYLVANIA,	:	No. 617 MAL 2012
	:	
Petitioner	:	
	:	
v.	:	Petition for Allowance of Appeal from the
	:	Unpublished Memorandum and Order
	:	of the Superior Court at No. 974 MDA
	:	2011 filed July 27, 2012, vacating the
	:	Order of the Lancaster County Court of
RICARDO CRUZ,	:	Common Pleas at No.
	:	CP-36-CR-0001173-1992 filed May 19,
Respondent	:	2011

ORDER

PER CURIAM

DECIDED: JANUARY 16, 2014

AND NOW, this 16th day of January 2014, the Petition for Allowance of Appeal is **GRANTED**. The order of the Superior Court is **REVERSED** pursuant to Commonwealth v. Cunningham, ___A.3d.____ 2013 WL 5814388 (Pa. October 30, 2013), (holding that the U.S. Supreme Court's ban on sentencing schemes that impose a mandatory life sentence without the possibility of parole for juveniles in Miller v. Alabama, 132 S.Ct. 2455 (2012) does not apply retroactively).

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