

SUPREME COURT OF CONNECTICUT

State v. Boyd, 323 Conn. 816

151 A.3d 355 (2016) · No. SC 19673 · Decided December 27, 2016

SUMMARY

The Connecticut Supreme Court affirmed the dismissal for lack of jurisdiction of Ray Boyd’s motion to correct an illegal sentence. Boyd, who committed murder at age seventeen and received a fifty-year sentence without parole, argued that recent juvenile-sentencing decisions required resentencing; the court held that statutory changes making him eligible for parole removed the basis for a colorable Miller-related claim.

CASE DETAILS

COURT	Supreme Court of Connecticut
WRITING FOR THE COURT	Palmer, J.; Rogers, C.J.; Zarella, J.; Eveleigh, J.; McDonald, J.; Espinosa, J.; Robinson, J.
JURISDICTION	Connecticut
DECIDED	December 27, 2016
DOCKET	SC 19673
DISPOSITION	affirmed
PROCEDURAL POSTURE	The defendant appealed from the trial court's dismissal for lack of jurisdiction of his motion to correct an illegal sentence.
STANDARD OF REVIEW	The jurisdictional issue was reviewed by the Supreme Court; the opinion does not expressly state a standard-of-review formulation.
PRECEDENTIAL VALUE	Published Connecticut Supreme Court opinion; precedential.
PARTIES	Ray Boyd v. State of Connecticut

TOPICS

- sentencing
- cruel and unusual punishment
- criminal procedure
- post-conviction relief
- appellate procedure

PRACTICE AREAS

- criminal procedure
- sentencing
- constitutional law
- post-conviction relief
- appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court had jurisdiction over the defendant's motion to correct an illegal sentence after statutory changes made him eligible for parole.
2. Whether the defendant could still assert a colorable Miller-based claim that his sentence was illegal or imposed in an illegal manner and therefore required resentencing.

HOLDINGS

1. A trial court has jurisdiction under Practice Book § 43-22 only when the defendant alleges a colorable claim that the sentence is illegal or was imposed in an illegal manner.
2. After the enactment of Public Act 15-84, a juvenile offender who is eligible for parole cannot claim that a sentence of fifty years' imprisonment is life imprisonment, or its equivalent, without parole for purposes of Miller-based resentencing.

KEY QUOTATIONS

“The eighth amendment, as interpreted by Miller, does not prohibit a court from imposing a sentence of life imprisonment with the opportunity for parole for a juvenile homicide offender, nor does it require the court to consider the mitigating factors of youth before imposing such a sentence.” (323 Conn. at 810-11)

“We therefore conclude that the defendant has not raised a colorable claim of invalidity that, if decided in his favor, would require resentencing.” (323 Conn. at 812-13)

FACTUAL BACKGROUND

The defendant committed murder when he was seventeen years old and was convicted and sentenced in 1992 to fifty years' imprisonment without parole. He filed a motion to correct his sentence, claiming that the sentence was equivalent to life without parole and had been imposed without consideration of youth-related mitigating factors. During the pendency of his claim, Connecticut enacted legislation making certain juvenile offenders serving lengthy sentences eligible for parole.

PROCEDURAL HISTORY

The defendant was convicted of murder and sentenced in 1992 to fifty years' imprisonment without parole. The Appellate Court affirmed the conviction, and the Connecticut Supreme Court denied certification. In 2013, the defendant moved to correct his sentence, arguing that the sentence violated *Miller v. Alabama* and related constitutional principles. The trial court dismissed the motion for lack of jurisdiction, and the defendant appealed.

DISPOSITION

affirmed

CASES CITED

- *State v. Delgado*, 323 Conn. 801 (2016)
- *State v. Boyd*, 36 Conn. App. 516, 525, 651 A.2d 1313 (1995)

- Miller v. Alabama, Miller v. Alabama, 567 U.S. 460, 132 S. Ct. 2455, 183 L. Ed. 2d 407 (2012)
- State v. Riley, 315 Conn. 637, 658-59, 110 A.3d 1205 (2015)
- Casiano v. Commissioner of Correction, 317 Conn. 52, 62, 115 A.3d 1031 (2015)
- Barros v. Barros, 309 Conn. 499, 507 n.9, 72 A.3d 367 (2013)

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