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Recent Developments: Miller v. State: The United States Supreme Court Decision in Padilla v. Kentucky, Holding That Failure to Advise Non-Citizen Clients about Deportation as a Possible Consequence of a Guilty Plea Could Invalidate the Plea, Created New Law and Therefore Does Not Apply Retroactively to Invalidate Judgments Finalized Prior to the March 31, 2010 Decision

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RECENT DEVELOPMENT

MILLER V. STATE

By: Mary Lynn Denholm

THE UNITED STATES SUPREME COURT DECISION IN *PADILLA V. KENTUCKY*, HOLDING THAT FAILURE TO ADVISE NON-CITIZEN CLIENTS ABOUT DEPORTATION AS A POSSIBLE CONSEQUENCE OF A GUILTY PLEA COULD INVALIDATE THE PLEA, CREATED NEW LAW AND THEREFORE DOES NOT APPLY RETROACTIVELY TO INVALIDATE JUDGMENTS FINALIZED PRIOR TO THE MARCH 31, 2010 DECISION.

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