

Williams convicted of first degree murder in the State of California and appeals the juror issue surrounding the dismissal of juror number 6 claiming the dismissal violated her “right to a fair trial and a unanimous jury under the Sixth Amendment to the United States Constitution and the California Constitution.”

The California Supreme Court rules Williams’ claims meritless under the state juror dismissal standard in *People v. Cleveland* (California courts). However, the California Supreme Court does not address Williams’ Sixth Amendment claims. In this instance, the Federal standard for juror removal is more restrictive than California’s standard.

**Definition of Federal Habeas Corpus Relief:** 28 U.S.C. § 2254 allows for someone being detained in state detention to appeal to a Federal court if they believe their detention is in violation of their rights guaranteed to them in the United States Constitution.

**The Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA):** 1) Someone convicted of a crime in state court may only file a Federal Habeas appeal if all of their state appeals/remedies have been exhausted. 2) Requires substantial deference to state decisions “on the merits” of a Federal habeas claim.

**PRECEDENTS:**

*Early v. Packer (2002)*: State decisions in Habeas relief proceedings do “not require citation of our cases – indeed, it does not require awareness of our cases, so long as neither the reasoning nor the result of the state court decision contradicts them.”

*Harrington v. Richter (2011)*: The Federal Habeas Court faced with an unexplained state court decision “must presume that the state court adjudicated the claim on the merits in the absence of any indication or state-law procedural principle to the contrary.”

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**IMPORTANT FACT:** The California Supreme Court’s rejection of Williams’ appeal on the juror dismissal addressed only the state procedures and did not address in any way her Sixth Amendment appeal.

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Based on the fact the California Supreme Court ignored the appeal claiming a Sixth Amendment violation of Williams’ rights and the Federal standard for juror dismissal is more restrictive than the State of California’s, the United States Court of Appeals for the Ninth Circuit **REVERSED THE DECISION** of the California Supreme Court. The United States Supreme Court granted certiorari to review the decisions of the California Supreme Court and the Ninth Circuit.

**MAIN QUESTION OF THE CASE:** Did the California Supreme Court decide the Sixth Amendment claim in Williams’ appeal and, therefore, deserve the deference of their decision in Federal court under AEDPA? If yes, then Williams’ Habeas appeal is denied. If no, then Williams will receive Habeas appellate relief in Federal court under 28 U.S.C. § 2254.

**My Questions:**

- 1) Who has the burden of argument in these habeas state “on the merits” cases?
  - 2) Does Congress have the power to remove federal judicial review in habeas appeals by forcing the courts to defer to state courts?
  - 3) Did the California Supreme Court ignore the Sixth Amendment appeal because it knew it would lose that argument on appeal to federal courts?
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