

# Based upon on a hypothetical legal situation

Law



Case Brief For A Legal Situation Word Count: 291 page) CASE BRIEF Facts:

Defendant Woodson, an African-American man, was accused of murdering a white woman during an apartment burglary. The prosecutor used two peremptory challenges to excuse the only two African-Americans in the process of jury selection. Prosecutor Forbes claimed that the reason he excused the two jurors had facial hair.

Procedure: Now Defendant Woodson faces life imprisonment as punishment as he was convicted of first-degree murder.

Issue(s): Did Defendant Woodson receive an unfair trial?

Rule: There is a precedent from a case in which the verdict was overturned in a case for a man in a similar situation. In the case *Snyder v. Louisiana*, No. 06-10119, “ The Supreme Court, rul[ed] that a Louisiana prosecutor had used improper tactics to pick an all-white jury for a black defendant’s murder trial, [and subsequently] overturned the conviction of a man who has been on death row for 12 years.” 1

Application/Analysis: Prosecutors should be allowed to consider race as a factor in the jury selection, as well as gender and age, which could also be problematic for the defense. Since Mr. Woodson was Black, he definitely should have been able to at least have one or two jurors be Black as well so the jury would constitute a reflection of more of a jury of his peers. Alan M. Dershowitz—a lawyer for O. J. Simpson—wrote eloquently in his book, “ We were pleased that we had a largely [B]lack jury, which might be more open to arguments about police perjury, evidence tampering, and so on—arguments we believed were correct. If that is playing the race card, then the race card should be played—because...police [often make mistakes]...” 2

Conclusion: The court needs to nullify the jury verdict, and dismiss the charges against Defendant Woodson.

#### WORKS CITED

Dershowitz, Alan M. Reasonable Doubts: The Criminal Justice System and the O. J. Simpson Case. US:

Simon and Schuster, 1997. Pp. 123.

Greenhouse, Linda. Court Details Opposition to Bias in Jury Selection.

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New York Times Online at: .