

# [Misdemeanors and the courts](https://assignbuster.com/misdemeanors-and-the-courts/)

Misdemeanors and The Courts Henry G. is 18 years old and resides in the small town of Silverton, California. One night a few months ago, Henry and his buddies were partying at a friend's house.   
They thought it would be a good idea to spray paint their names under the bleachers at   
their high school football stadium. This was a great senior prank in their eyes!   
Unfortunately, they were not planning on a local policeman being on the campus that   
night. They were caught and cited for vandalism of school property. Now this type of   
crime is punishable by up to no more than one year in jail and Henry had a court date last   
week at the Silverton district court. He checked in at the magistrate court office and pled   
not guilty to his charge in front of the judge. Because vandalism is a misdemeanor   
offense and his first offense, he was not required to have a jury trial. He had a court trial   
and was found guilty. The judge felt she had substantial evidence to find Henry guilty as   
charged. However, he did not feel there was sufficient competent evidence and decided to   
take the case a step further and appeal this decision made by the judge. He filed an   
official appeal with the appellate department of the superior court of the State of   
California. Henry hired an attorney to file a brief to the court on his behalf. Once the   
brief had been filed it was given to a panel of justices for review and an oral argument   
was scheduled. During this oral argument the panel of justices asked Henry's attorney   
questions about the night he was cited, evidence of innocence, etcAfter hearing the   
argument and reviewing the briefs they submitted a written statement to the court   
claiming they believed Henry was guilty. He has now been found guilty by a trial judge   
and the mid-level court. Because Henry's citation was a misdemeanor, it is likely he will   
not be able to continue up the court system. He tried to file a claim with the State   
Supreme Court of California but he was denied. Most cases that make it to that level   
involve more criminal offenses such as assaults, abuse, misuse of firearms, etcFamily   
disputes such as divorce, custody, and handling of estate issues are also more along the   
lines of a State Supreme Court case. After this, there is the U. S. Supreme court which is   
the highest court in the land. There are a few thousand cases that are requested for   
review by the U. S. Supreme Court each year and less than 5% of those make it to court.   
In order for a case to be heard by the U. S. Supreme Court, they must meet one of the   
following criteria they:   
must deal with diplomatic personnel or ambassadors to the United States   
originate from state supreme courts and generally involve a constitutional right dismissed by the state   
may be cases appealed from lower federal courts if certain laws require the U. S. Supreme Court to hear them.   
Unfortunately for Henry, he must settle his case at the 1st appellate court level. It is likely   
he will only pay a fine and possible serve a few days in jail but his crime was not of   
paramount importance in higher level court system of the United States.   
Works Cited   
McGuire. (2007). Understanding The U. S. Supreme Court. New York: AIPI   
Sherman, R. R. (2006) The U. S. Supreme Court: The First Hundred Years. Canada: Trafford Publishing.