

Gregg v georgia essay



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Gregg v.

Georgia My Legal Brief of the Case Facts: Gregg argues that capital punishment is cruel and unusual, so it violates his constitutional rights protected under the Eighth Amendment. In 1972 the U. S, Supreme Court ruled in Furman v. Georgia, that the death penalty couldn't be used in an arbitrary manner, in any state.

Issues: Gregg, who was sentenced to death, argues that society has evolved to a point, where capital punishment should no longer be viewed as an acceptable form of punishment. That imposing the death penalty violates a convicted person's Eighth and Fourteenth Amendment rights. Laws: Fifth Amendment states a person can't be tried for the same offense twice, they also can't be denied life liberty, or property without due process, and they, must be indicted by a Grand Jury if there are capital charges filed against them. Eighth Amendment states cruel and unusual punishments, and extremely high bails cannot be levied against a person.

Fourteenth Amendment states again that a person can't be deprived of life, liberty, or property without receiving due process from the law. Applications: Since 35 states have passed statutes allowing the death penalty to be an acceptable form of punishment, it was argued that a majority of today's society still view capital punishment, as an acceptable and useful form of punishment for certain crimes. Though, some argue that capital punishment doesn't work as a deterrent to criminals, this argument is inconclusive.

Conclusions: Greggs conviction was upheld, with the courts citing the death penalty doesn't violate the aforementioned Amendment pertaining to cruel

and unusual punishments, and that the united States holds a long standing history of capital punishments viewed as acceptable, in certain cases. Gregg v.

Georgia 428 U. S. 153 U. S.

Supreme Court July 2, 1976