

Barker v. wingo

Law



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Barker v. Wingo Case brief In this case, the petitioner brought the action with an aim of having his conviction overturned after a period of five years with sixteen continuances. Eventually, the petitioner was tried and issued with a conviction for murder.

Facts of the Case

The case involves the murder of an aged couple in July 20, 1958, Christian County, Kentucky. The couple was killed at their home by intruders, Willie Barker and Silas Manning, beating them to death. The suspects were indicted on September 15, 1958. The appointment of Counsel was done with the Commonwealth initially trying Manning to acquire a conviction before Barker's trial. Of the six Manning trials, four emerged erroneous prompting new trials. On February 1963, Barker's trial was scheduled after finding Manning guilty of the murders. Two more trials were done for Barker, who tried to have his case dismissed for having been denied speedy trial right. This was rejected and he was convicted and issued with a life sentence. Barker's appeal for the decision finally ended up at the Supreme Court.

Legal Question

Must the defendant raise a call for his right to a speedy trial in order to have it?

Decision

Any inflexible rule cannot determine the constitutional right of the defendant to a speedy trial, but an ad hoc balancing basic can be used instead where the conduct of the prosecution is weighed against the defendant's. The court decided that the defendant was never denied his constitutional right to a speedy trial.

Reasoning of the Court

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In the case, after establishing that no serious prosecution prejudice existed and that the defendant never wanted speedy trial, the court concluded that Barker's constitutional right to a speedy trial was not violated. Barker delayed to object the delays until after their occurrence. When a defendant has the intention of having a speedy trial, he has an obligation to actively invoke it. The Court decision was thus on point.