

SUPREME COURT OF THE UNITED STATES

Flowers v. Mississippi

Flowers v. Mississippi, 139 S. Ct. 2228 (2019) · No. No. 17–9572 · Decided June 21, 2019

SUMMARY

****Flowers v. Mississippi, 139 S. Ct. 2228 (2019)**** – The Supreme Court reversed a capital murder conviction, holding that the trial court clearly erred under *Batson v. Kentucky* by finding the State’s peremptory strike of a black prospective juror was not motivated by discriminatory intent. The Court emphasized that a totality-of-circumstances analysis must include the State’s historical pattern of striking black jurors across six trials, disparate questioning of black and white venire members, and side-by-side comparisons of struck and seated jurors. The decision reinforces that even a single racially motivated strike violates equal protection and that appellate courts must consider all relevant evidence, including prior *Batson* violations and pretextual explanations.

CASE DETAILS

COURT	Supreme Court of the United States
WRITING FOR THE COURT	Brett Kavanaugh; John Roberts; Ruth Bader Ginsburg; Stephen Breyer; Samuel Alito; Sonia Sotomayor; Elena Kagan
JURISDICTION	Federal
DECIDED	June 21, 2019
DOCKET	No. 17–9572
DISPOSITION	reversed and remanded
PROCEDURAL POSTURE	On writ of certiorari to the Supreme Court of Mississippi after the Mississippi Supreme Court affirmed Flowers' conviction and death sentence in a 5-to-4 decision on remand from the U.S. Supreme Court in light of <i>Foster v. Chatman</i> .
STANDARD OF REVIEW	Clearly erroneous review of the trial court's factual determination on discriminatory intent in <i>Batson</i> challenges.
PRECEDENTIAL VALUE	Published
PARTIES	Curtis Giovanni Flowers v. Mississippi

TOPICS

- criminal procedure
- equal protection
- civil rights
- fourteenth amendment
- standard of review

PRACTICE AREAS

Criminal Law

Constitutional Law

Civil Rights

QUESTIONS PRESENTED

1. Whether the trial court clearly erred in concluding that the State's peremptory strike of black prospective juror Carolyn Wright was not motivated in substantial part by discriminatory intent, in violation of *Batson v. Kentucky*.

HOLDINGS

1. All of the relevant facts and circumstances taken together establish that the trial court committed clear error in concluding that the State's peremptory strike of black prospective juror Carolyn Wright was not motivated in substantial part by discriminatory intent.

KEY QUOTATIONS

"All of the relevant facts and circumstances taken together establish that the trial court at Flowers' sixth trial committed clear error in concluding that the State's peremptory strike of black prospective juror Carolyn Wright was not motivated in substantial part by discriminatory intent." (2228)

"The Constitution forbids striking even a single prospective juror for a discriminatory purpose." (2242)

"Four critical facts, taken together, require reversal." (2230)

FACTUAL BACKGROUND

Curtis Flowers, a black man, was tried six times for the 1996 murder of four employees at a furniture store in Winona, Mississippi. The same white prosecutor represented the State in all six trials. In the first four trials, the State used peremptory strikes to remove all 36 black prospective jurors it could strike. The Mississippi Supreme Court reversed the first two convictions due to prosecutorial misconduct, and the third conviction due to *Batson* violations. The fourth and fifth trials ended in mistrials. At the sixth trial, the State struck five of six black prospective jurors, resulting in a jury of 11 white jurors and 1 black juror. The jury convicted Flowers and sentenced him to death.

PROCEDURAL HISTORY

Flowers was convicted of murder and sentenced to death in his sixth trial. The Mississippi Supreme Court affirmed the conviction. The U.S. Supreme Court granted certiorari, vacated, and remanded in light of *Foster v. Chatman*. On remand, the Mississippi Supreme Court again affirmed by a 5-4 vote. The U.S. Supreme Court granted certiorari on the *Batson* issue and reversed.

DISPOSITION

reversed and remanded

REMAND INSTRUCTIONS

for further proceedings not inconsistent with this opinion.

CASES CITED

- *Batson v. Kentucky*, 476 U.S. 79 (1986)
- *Swain v. Alabama*, 380 U.S. 202 (1965)
- *Foster v. Chatman*, 578 U.S. ____ (2016)
- *Snyder v. Louisiana*, 552 U.S. 472 (2008)
- *Miller-El v. Dretke*, 545 U.S. 231 (2005)
- *Miller-El v. Cockrell*, 537 U.S. 322 (2003)
- *Strauder v. West Virginia*, 100 U.S. 303 (1880)
- *Powers v. Ohio*, 499 U.S. 400 (1991)
- *Edmonson v. Leesville Concrete Co.*, 500 U.S. 614 (1991)
- *Georgia v. McCollum*, 505 U.S. 42 (1992)
- *J.E.B. v. Alabama ex rel. T.B.*, 511 U.S. 127 (1994)
- *Hernandez v. Texas*, 347 U.S. 475 (1954)
- *Brown v. Board of Education*, 347 U.S. 483 (1954)
- *Neal v. Delaware*, 103 U.S. 370 (1881)
- *Carter v. Texas*, 177 U.S. 442 (1900)
- *Norris v. Alabama*, 294 U.S. 587 (1935)
- *Hale v. Kentucky*, 303 U.S. 613 (1938) (per curiam)
- *Pierre v. Louisiana*, 306 U.S. 354 (1939)
- *Smith v. Texas*, 311 U.S. 128 (1940)
- *Avery v. Georgia*, 345 U.S. 559 (1953)
- *Coleman v. Alabama*, 377 U.S. 129 (1964)
- *United States v. Detroit Timber & Lumber Co.*, 200 U.S. 321 (1906)
- *Slaughter-House Cases*, 16 Wall. 36 (1873)
- *Loving v. Virginia*, 388 U.S. 1 (1967)
- *Plessy v. Ferguson*, 163 U.S. 537 (1896)
- *Flowers v. State*, 773 So. 2d 309 (Miss. 2000)
- *Flowers v. State*, 842 So. 2d 531 (Miss. 2003)
- *Flowers v. State*, 947 So. 2d 910 (Miss. 2007)
- *Flowers v. State*, 158 So. 3d 1009 (Miss. 2014)
- *Flowers v. State*, 240 So. 3d 1082 (Miss. 2017)

CITED IN

- *Flowers v. Mississippi*, *Flowers v. Mississippi*, 588 U.S. ___, 139 S. Ct. 2228 (2019)
- *Flowers v. Mississippi*, *Flowers v. Mississippi*, 139 S. Ct. 2228, 2241, 2250-51 (2019)
- *Flowers v. Mississippi*, *Flowers v. Mississippi*, 588 U.S. ---, 139 S. Ct. 2228 (2019)

- Flowers v. Mississippi, Flowers v. Mississippi, 139 S. Ct. 2228 (2019)

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