

SUPREME COURT OF THE UNITED STATES

Hamm v. Smith

608 U.S. ____ (2026) · No. No. 24-872 · Decided May 21, 2026

SUMMARY

The Supreme Court dismissed as improvidently granted a writ of certiorari in a capital case concerning the assessment of intellectual disability under *Atkins v. Virginia* when a defendant has multiple IQ scores. Justice Sotomayor, joined by Justice Jackson, concurred, explaining that the case was not suitable for establishing a specific methodology for evaluating multiple IQ scores and defending the lower courts’ holistic approach.

CASE DETAILS

COURT	Supreme Court of the United States
WRITING FOR THE COURT	Per Curiam
JURISDICTION	Supreme Court of the United States
DECIDED	May 21, 2026
DOCKET	No. 24-872
DISPOSITION	dismissed
PROCEDURAL POSTURE	On writ of certiorari to the United States Court of Appeals for the Eleventh Circuit in a federal habeas proceeding concerning whether Smith is intellectually disabled and constitutionally ineligible for execution under <i>Atkins v. Virginia</i> .
STANDARD OF REVIEW	Not reached by the per curiam disposition. The separate opinions discuss de novo review under 28 U.S.C. § 2254(d), clear-error review of factual findings, and the standards applicable to federal habeas relief.
PRECEDENTIAL VALUE	Published Supreme Court disposition, but the per curiam dismissal as improvidently granted did not decide the merits; separate opinions are not controlling holdings on the merits.
PARTIES	John Q. Hamm, Commissioner, Alabama Department of Corrections v. Joseph Clifton Smith

TOPICS

cruel and unusual punishment

constitutional law

federal habeas corpus

post-conviction relief

PRACTICE AREAS

constitutional law

capital punishment

federal habeas corpus

post-conviction relief

QUESTIONS PRESENTED

1. Whether the writ of certiorari should be dismissed as improvidently granted.
2. Whether and how courts may consider the cumulative effect of multiple IQ scores when assessing an Atkins intellectual-disability claim.

HOLDINGS

1. The writ of certiorari is dismissed as improvidently granted.

KEY QUOTATIONS

“The writ of certiorari is dismissed as improvidently granted.” (608 U.S. ____ (2026))

FACTUAL BACKGROUND

Smith was convicted of first-degree murder in Alabama and sentenced to death. The record contained multiple IQ scores ranging from 72 to 78, including scores with standard-error ranges reaching below 70, as well as evidence concerning adaptive functioning and developmental history. After an evidentiary hearing, the federal District Court found by a preponderance of the evidence that Smith had significantly subaverage intellectual functioning, significant adaptive deficits, and intellectual-disability-related impairments arising before age 18.

PROCEDURAL HISTORY

Smith was convicted of capital murder in Alabama and sentenced to death. After *Atkins v. Virginia*, he sought state and federal post-conviction relief based on intellectual disability. The federal District Court for the Southern District of Alabama ultimately found Smith intellectually disabled and concluded that he could not constitutionally be executed; the Eleventh Circuit affirmed. This Court vacated the Eleventh Circuit's initial decision for lack of clarity and, after the Eleventh Circuit clarified its reasoning, granted certiorari. The Court dismissed the writ as improvidently granted without deciding the merits.

DISPOSITION

dismissed

CASES CITED

- *Atkins v. Virginia*, 536 U.S. 304 (2002)
- *Hall v. Florida*, *Hall v. Florida*, 572 U.S. 701 (2014)
- *Moore v. Texas*, 581 U.S. 1 (2017)
- *Hamm v. Smith*, 604 U.S. 1 (2024) (per curiam)

- *Penry v. Lynaugh*, 492 U.S. 302 (1989)
- *Brumfield v. Cain*, 576 U.S. 305 (2015)
- *Anderson v. Bessemer City*, 470 U.S. 564 (1985)
- *Thomas v. Allen*, 607 F.3d 749 (11th Cir. 2010)
- *Reeves v. State*, 226 So. 3d 711 (Ala. Crim. App. 2016)
- *Anderson v. Bessemer City*, 470 U.S. 564 (1985)
- *Gamble v. United States*, 587 U.S. 678 (2019)
- *Grants Pass v. Johnson*, 603 U.S. 520 (2024)
- *Bucklew v. Precythe*, 587 U.S. 119 (2019)
- *Ramos v. Louisiana*, 590 U.S. 83 (2020)
- *Dobbs v. Jackson Women's Health Organization*, 597 U.S. 215 (2022)
- *Busby v. Guerrero*, 2026 WL 1291044 (5th Cir. May 8, 2026)
- *Lebron v. National Railroad Passenger Corp.*, 513 U.S. 374 (1995)
- *Hawk v. Olson*, 326 U.S. 271 (1945)