

## Supreme Court changes death penalty course

by UPI

WASHINGTON - The U.S. Supreme Court's nine justices were narrowly divided on a capital punishment ruling that changed direction from three previous death penalty rulings.

In a 5-4 decision announced Monday, the court upheld the Arizona death sentence of Jeffrey Landrigan, who had contended his lawyer's defense was inadequate.

Monday's ruling was opposite of decisions in three similar cases involving Texas executions, all of which were overturned in narrowly split votes, The New York Times reported Tuesday.

Writing for the majority in the Landrigan case, Justice Clarence Thomas said Landrigan's case was extremely weak and that he would not be able to show that the lawyer's performance had made a difference to the outcome of the sentencing hearing.

Chief Justice John Roberts voted with Thomas as did the other conservative justices -- Antonin Scalia and Samuel Alito.

Justice Anthony Kennedy, who has developed into the key swing vote this term, joined the majority. His was the fifth vote that overturned the Texas cases, the Times said.

Justice John Paul Stevens wrote in dissent that Thomas' assumption on strength of Landrigan's case was "pure guesswork." The other dissenting justices were David Souter, Ruth Bader Ginsburg and Stephen Breyer.

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