

CONTENTS

<i>Preface</i>	<i>xi</i>
Chapter 4. Police Interrogation and the Privilege Against Self-Incrimination	1
B. Fifth Amendment Limits on Custodial Interrogation: <i>Miranda v. Arizona</i>	1
1. <i>Miranda v. Arizona</i> and Its Affirmation by the Supreme Court	1
<i>Vega v. Tekoh</i>	1
Chapter 9. Plea Bargaining and Guilty Pleas	11
G. Impact of Guilty Pleas	11
<i>Class v. United States</i>	11
Chapter 11. Right to Counsel	15
D. Standard for “Effective Assistance” of Counsel	15
<i>Andrus v. Texas</i>	15
Chapter 12. Trial by Jury	23
B. Jury Composition and Selection	23
2. Selecting the Petit Jury	23
<i>Flowers v. Mississippi</i>	23
C. Pretrial Publicity and the Right to a Fair Trial	30
1. When Does Pretrial Publicity Interfere with a Defendant’s Right to a Fair Trial?	30
<i>United States v. Tsarnaev</i>	30
Chapter 13. Sentencing	35
D. The Death Penalty	35
3. Recent Limits on the Scope of the Death Penalty	35
d. Method of Execution	35
<i>Bucklew v. Precythe</i>	35
Chapter 14. Double Jeopardy	43
D. Exceptions to the Double Jeopardy Rule	43
2. Dual Sovereignty	43
<i>Denezpi v. United States</i>	43

Chapter 15. Habeas Corpus	55
B. The Issues that Must Be Addressed in Order for a Federal Court to Grant Habeas Corpus Relief	55
4. Does the Petition Rely on Existing Rules or Seek Recognition of a New Rule of Constitutional Law? <i>Edwards v. Vannoy</i>	55 55
Federal Rules of Criminal Procedure	61
Rule 4. Arrest Warrant or Summons on a Complaint	61
Rule 4.1. Complaint, Warrant, or Summons by Telephone or Other Reliable Electronic Means	63
Rule 5. Initial Appearance	65
Rule 5.1. Preliminary Hearing	68
Rule 6. The Grand Jury	70
Rule 7. The Indictment and the Information	76
Rule 8. Joinder of Offenses or Defendants	77
Rule 11. Pleas	78
Rule 14. Relief from Prejudicial Joinder	82
Rule 16. Discovery and Inspection	83
Rule 23. Jury or Nonjury Trial	88
Rule 26.2. Producing a Witness’s Statement	89
Rule 41. Search and Seizure	90
Excerpted Statutes	96
18 U.S.C.	96
§3142. Release or Detention of a Defendant Pending Trial	96
§3144. Release or Detention of a Material Witness	102
§3161. Time Limits and Exclusions	102
28 U.S.C.	107
§2241. Power to Grant Writ	107
§2242. Application	108
§2243. Issuance of Writ; Return; Hearing; Decision	109
§2244. Finality of Determination	109
§2245. Certificate of Trial Judge Admissible in Evidence	111
§2246. Evidence; Depositions; Affidavits	111
§2247. Documentary Evidence	111
§2248. Return or Answer; Conclusiveness	112
§2249. Certified Copies of Indictment, Plea and Judgment; Duty of Respondent	112
§2250. Indigent Petitioner Entitled to Documents Without Cost	112
§2251. Stay of State Court Proceedings	112
§2252. Notice	112

Contents

§2253.	Appeal	113
§2254.	State Custody; Remedies in State Courts	113
§2255.	Federal Custody; Remedies on Motion Attacking Sentence	115
§2261.	Prisoners in State Custody Subject to Capital Sentence; Appointment of Counsel; Requirement of Rule of Court or Statute; Procedures for Appointment	116
§2262.	Mandatory Stay of Execution; Duration; Limits on Stays of Execution; Successive Petitions	117
§2263.	Filing of Habeas Corpus Application; Time Requirements; Tolling Rules	118
§2264.	Scope of Federal Review; District Court Adjudications	118
§2265.	Certification and Judicial Review	119
§2266.	Limitation Periods for Determining Applications and Motions	119