

# Terry Lenamon on the Death Penalty

Sidebar with a Board Certified Expert Criminal Trial Attorney



**Terence M. Lenamon** is a Florida Bar certified expert in the area of criminal trial law. With over 17 years experience he has built a reputation as one of Florida's most respected criminal defense lawyers. His defense has been sought by many high-profile clients and has led him through 20 first-degree murder trials and eight death penalty cases. That experience has brought him national recognition as a go-to commentator on death penalty issues. He is the force behind both [deathpenaltyblog.com](http://deathpenaltyblog.com) and Florida Capital Resource Center ([floridacapitalresourcecenter.org](http://floridacapitalresourcecenter.org)), and can be reached at [terry@lenamonlaw.com](mailto:terry@lenamonlaw.com).

## Terry Lenamon's List of Major U.S. Supreme Court Cases dealing with the Indigent's Right to Appointed Counsel, Powell through Spring 2010

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This is not an all-inclusive list of U.S. Supreme Court precedent dealing with the right to counsel; however, it is hoped that most of the major precedent appears here (through Spring 2010).

Each case is hyperlinked to the full opinion as it appears at either Findlaw or the Cornell University websites:

[Powell v. Alabama, 287 U.S. 45 \(1932\)](#)

(Scottsboro case; there is a fundamental right to appointed counsel)

[Johnson v. Zerbst, 304 U.S. 458 \(1938\)](#)

(the right to appointed counsel in federal cases)

[Betts v. Brady, 316 U.S. 455 \(1942\)](#)

(the right to indigent counsel applies to state proceedings only in limited situations where there may be fundamental unfairness leading to a conviction)

[Gideon v. Wainwright, 372 U.S. 335 \(1963\)](#)

(*Betts* is overruled; states must provide appointed counsel under the 14th Amendment's due process provisions)

[Kent v. United States, 383 U.S. 541 \(1966\)](#)

(right to appointed counsel in juvenile hearing)

[Miranda v. Arizona, 384 U.S. 436 \(1966\)](#)

(right to appointed counsel in post-arrest interrogation)

[In re Gault 387 U.S. 1 \(1967\)](#)

(right to appointed counsel for indigent children charged in juvenile delinquency proceedings)

*U.S. v. Wade*, 388 U.S. 218 (1967)  
(right to appointed counsel in line ups)

*Brady v. U.S.*, 397 U.S. 742 (1970)  
(right to appointed counsel in plea negotiations)

*Goldberg v. Kelly*, 397 U.S. 254 (1970)  
(no right to appointed counsel in welfare pre-determination hearing)

*Coleman v. Alabama*, 399 U.S. 1 (1970)  
(right to appointed counsel in preliminary hearings)

*Argersinger v. Hamlin*, 407 U.S. 25 (1972)  
(indigent accused in misdemeanor state proceedings where there is a potential loss of liberty must have appointed counsel)

*Brewer v. Williams*, 430 U.S. 387 (1977)  
(right to appointed counsel in post-arrest interrogation)

*Moore v. Illinois*, 434 U.S. 220 (1977)  
(right to appointed counsel in one-person show-ups)