

Wetzel v. Lambert, --- U.S. --- (2012)
Decided February 21, 2012

FACTS: During Lambert's trial for robbery-murder in Philadelphia in 1984, one of the prosecution witnesses, Jackson, admitted to being involved, and named Reese and Lambert as accomplices. 20 years later, Lambert requested postconviction relief, arguing that the prosecution had "failed to disclose ... a 'police activity sheet' in violation of Brady v. Maryland.¹ The document "noted that a photo display containing a picture of an individual named Lawrence Woodlock was shown to two witnesses" in the robbery and that they made an ID. Further, the document noted that Woodlock had been implicated by Jackson as being involved with him in multiple armed robberies, but did not specify the robbery in question in this case. The document "bore the names of the law enforcement officers involved in the investigation of the ... robbery" and the "names of the robbery's murder victims, as well as the police case numbers for those murders." There was no indication, however, that Woodlock was every investigated.

Lambert argued that the activity sheet was exculpatory, because it suggested another robber was involved and that he could have used it to impeach Jackson. The Commonwealth, on the other hand, stated that it was "nothing more than an 'ambiguously worded notation.'" In addition, since Jackson was already "extensively impeached" at the trial, it "would not have discredited Jackson any further."

The Pennsylvania Supreme Court agreed and rejected the claim, holding the document was not material. Lambert filed for review in the U.S. District Court, which denied the writ of habeas corpus. Lambert appealed and the Third Circuit Court of Appeals reversed and granted the writ, ordering that Lambert be released unless retried within 120 days. Pennsylvania requested certiorari and the U.S. Supreme Court granted review.

ISSUE: Must evidence that is not clearly material be revealed under Brady?

HOLDING: No

DISCUSSION: The Court noted that the Third Circuit "overlooked the [state court's decision] that the notations were ... 'not exculpatory or impeaching' but instead 'entirely ambiguous.'" The Third Circuit had "focused solely on the alternative ground that any impeachment value that might have been obtained from the notations would have been cumulative."

The Court agreed that it was incorrect for the Court of Appeals not to consider the trial court's ruling about the document. The Court agreed that ruling could be reasonable, but did not find it necessary to agree or disagree with it. Instead, the Court noted that "any retrial here would take place *three decades* after the crime, posing the most daunting difficulties for the prosecution." The Court held that it was not appropriate to reverse the conviction unless the "state court decision is examined and found to be unreasonable" under federal law.² The decision of the Third Circuit Court of Appeals was vacated and the case remanded.

¹ 373 U.S. 83 (1963)

² Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA)

Full Text of Opinion: <http://www.supremecourt.gov/opinions/11pdf/11-38.pdf>