

AUTHORITIES

Crawford v. Washington, 541 U.S. 36 (2004)

<https://caselaw.findlaw.com/us-supreme-court/541/36.html>

Davis v. Washington, 547 U.S. 813 (2006)

<https://caselaw.findlaw.com/us-supreme-court/547/813.html>

Michigan v. Bryant, U.S. 131 S.Ct 1143 (2011)

<https://caselaw.findlaw.com/us-supreme-court/09-150.html>

US v. Brito, 427 F.3d 53 (2005)

<https://caselaw.findlaw.com/us-1st-circuit/1349535.html>

Zuliani v. State, 97 S.W.3d 589 (Tex. Crim. App. 2003)

<https://caselaw.findlaw.com/tx-court-of-criminal-appeals/1450480.html>

Ricondo v. State, 475 S.W.2d 793 (Tex. Crim. App. 1971)

<https://law.justia.com/cases/texas/court-of-criminal-appeals/1971/44289-3.html>

Salazar v. State, 38 S.W.3d 141 (Tex. Crim. App. 2001)

<https://caselaw.findlaw.com/tx-court-of-criminal-appeals/1338295.html>

Fowler v. State, 379 S.W.2d 345 (Tex. Crim. App. 1964)

<https://law.justia.com/cases/texas/court-of-criminal-appeals/1964/36781-3.html>

Tex. R. Evid. 803(2)

<https://www.txcourts.gov/media/1448644/texas-rules-of-evidence-updated-with-amendments-effective-612020-f.pdf>

U.S. Const. amend. VI

<https://constitution.congress.gov/constitution/amendment-6/#amendment-6>

TIPS FOR USING AUTHORITIES

- When using previous cases to support your argument, look for fact patterns as close to the current case as possible. The more similar the previous case is, the more it supports your argument.
- On the opposite end, sometimes you are arguing that the previous case is good law but should not apply in this case. When you want to argue that previous cases DO NOT support the current case, look for as many differences as you can between the previous case and the current case.
 - For example, suppose you were arguing whether or not case law (the findings of previous cases) supports searches of backpacks at football games. You may find cases that say that it is legal to search backpacks in school settings, or on private property.

- FOR – the courts have found that backpack searches are legal in different situations.
 - AGAINST – the courts have given an opinion on backpack searches at schools and on private property, but this situation is different because the search was at a football game on municipal property. The courts have not addressed this issue.

- The more recent a case is, the better...usually. If Supreme Court cases have a conflict in their conclusions, the one that is the more recent holds IF they are both equally relevant to the issue you are arguing. If a more recent case is deciding that a previous Supreme Court case was decided incorrectly, the opinion will definitely tell you so. Look sharp, though – sometimes there are multiple points of error, so make sure that the section of the opinion you are reading directly relates to the point you seek to make. Also, some older cases are regularly cited because they established big changes to the legal world; for example, *Miranda v State of Arizona* is the case that establishes that police have to read you your rights when you are arrested, so called “Miranda Rights.” (You have the right to remain silent, etc.) That case was decided in 1966 and there have been many, many relevant cases since then on the same topic, but you will still see *Miranda v State* cited along with more recent cases because it represents such a watershed moment in legal procedure.

- This year, you are being provided links to the entire cases for the authorities. They have not been abridged to only include the issues before you. In some cases, the entire opinion pertains directly to our case. But some of them have multiple points of error – one case has fourteen points of error! This is typical of appeals cases where the Appellant is trying to argue everything, they can in hopes that they will get a new trial based on at least one of their points. Your job is to identify which points speak directly to your argument and to disregard points that are irrelevant. The points of error will be clearly spelled out in the beginning of the case description. Pinpointing relevance will be an added challenge for you and a way to distinguish your brief and oral arguments.

- Assume that all technicalities in filing cases have been met and that this case has properly made its way through all the lower courts. Focus on the issues brought forth here.