

**THE STATE APPELLATE COURT'S AFFIRMANCE OF THE DENIAL OF A
BATSON MOTION WAS CONTRARY TO CLEARLY ESTABLISHED
FEDERAL LAW AND AN UNREASONABLE DETERMINATION OF FACTS**

Currie v. McDowell - Filed June 8, 2016, in 13-16187 [2016 WL 3192396; 2016 U.S.App.Lexis 10362].

Facts: The trial court denied def.'s *Batson* motion for failure to show a stage one prima facie case after the prosecutor excused an African-American prospective juror who had disclosed that family members had used crack and that her brother and cousin had been arrested for drug use. The state appellate court affirmed the stage one ruling and conducted a stage three analysis as well. The district court denied habeas relief on the basis of a stage three analysis.

Held: (1.) The state appellate court's stage one denial of def.'s *Batson* motion was contrary to clearly established federal law, and the stage three analysis was an unreasonable determination of the facts.

CONTRA COSTA COUNTY - SECOND DEGREE MURDER; ATTEMPTED ROBBERY; FELON IN POSSESSION OF A FIREARM - DISTRICT COURT'S DENIAL OF HABEAS RELIEF REVERSED
SF2013205883 - [REDACTED]

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