

"Struck from a jury for being Black?" *The Washington Post* Op-Ed Calls for Supreme Court to Take Up Client's Case

Publications

February 14, 2024

"The Supreme Court has long held that the Constitution prohibits prosecutors from striking Black people from jury service based on their race. Yet the practice continues...." In a powerful op-ed published by *The Washington Post*, the former director of the Southern Center for Human Rights, Stephen Bright, calls for the US Supreme Court to take up the case of Jenner & Block's client, Warren King.

[Read More](#)

Mr. King, who is intellectually limited and diagnosed with schizophrenia, was sentenced to death in Georgia in 1998. The prosecutor in his trial struck seven of eight prospective Black jurors from Mr. King's Jury and only three of 34 White jurors. "This was egregious racial discrimination," said Bright.

"Now the court has an opportunity to send a message to prosecutors across the country that this abhorrent practice is unacceptable – and it should not hesitate to do so. The right to a fair trial before an impartial jury of one's peers is one of the criminal legal system's most basic principles. But for many Black people, the promise is illusory," writes Bright.

The Supreme Court prohibited race-based jury strikes in a decision called *Batson* in 1986. Yet *Batson* is often violated. In the case of Mr. King, two judges in his first appeal called the strikes "troubling" and the third judge noted the prosecutor's "open disdain and outright contempt for *Batson*" and "the abundant evidence of discrimination showed a violation of that ruling.

Jenner & Block Partner Matt Hellman and Associates Mary Marshall and Donovan Hicks are representing Mr. King in seeking certiorari in U.S. Supreme Court from the 11th Circuit's denial of his *Batson* claim and asking that his conviction be vacated because of rank racial discrimination by the prosecutor.

They are joined in representing Mr. King by the Jenner & Block Supreme Court and Appellate Clinic at the University of Chicago and the Georgia Resource Center. Jenner, the Clinic, and the Georgia

Resource Center successfully represented Michael Nance in the Supreme Court in a death penalty case that Matt argued in 2022.

Related Attorneys



Matthew S. Hellman

Partner

mhellman@jenner.com

+1 202 639 6861

Related Capabilities

Appellate and Supreme Court

Related Locations

Washington, DC

© 2026 Jenner & Block LLP. Attorney Advertising. Jenner & Block LLP is an Illinois Limited Liability Partnership including professional corporations. This publication, presentation, or event is not intended to provide legal advice but to provide information on legal matters and/or firm news of interest to our clients and colleagues. Readers or attendees should seek specific legal advice before taking any action with respect to matters mentioned in this publication or at this event. The attorney responsible for this communication is Brent E. Kidwell, Jenner & Block LLP, 353 N. Clark Street, Chicago, IL 60654-3456. Prior results do not guarantee a similar outcome. Jenner & Block London LLP, an affiliate of Jenner & Block LLP, is a limited liability partnership established under the laws of the State of Delaware, USA and is authorised and regulated by the Solicitors Regulation Authority with SRA number 615729. Information regarding the data we collect and the rights you have over your data can be found in our Privacy Notice. For further inquiries, please contact dataprotection@jenner.com.

Stay Informed



