**Facts of the Case**

**Facts of the Case**

Anthony (“Tony”) Jones was a 15 year-old accused of making an obscene telephone call to a neighbor, Mrs. Smith, on June 8, 2010.  After Mrs. Smith filed a complaint, Jones and a friend, Mark Pike, were arrested and taken to the Children’s Detention Home. Jones was on probation when he was arrested, after being in the company of another boy who had stolen a wallet from a woman’s purse.

At the time of the arrest related to the phone call, Jones’s parents were at work.  The arresting officer left no notice for them and did not make an effort to inform them of their son’s arrest.  When Jones’s mother did not find Jones at home, she sent his older brother looking for him.  They eventually learned of Jones’s arrest from the family of Mark Pike. When Mrs. Jones arrived at the Detention Home, she was told that a hearing was scheduled in juvenile court the following day.

The arresting officer filed a petition with the court on the same day of Jones’s initial court hearing.  The petition was not served on Jones or his parents.  In fact, they did not see the petition until more than two months later, on August 17, 2010, the day of Anthony’s habeas corpus hearing. The June 9 hearing was informal.  Not only was Mrs. Smith not present, but no transcript or recording was made, and no one was sworn in prior to testifying.  Jones was questioned by the judge and there are conflicting accounts as to what, if anything, Jones admitted.  After the hearing, Jones was taken back to the Detention Home.  He was detained for another two or three days before being released.    When Jones was released, his parents were notified that another hearing was scheduled for June 15, 2010.

Mrs. Smith was again not present for the June 15th hearing, despite Mrs. Jones’s request that she be there “so she could see which boy that done the talking, the dirty talking over the phone.”  Again, no record was made and there were conflicting accounts regarding any admissions by Jones.  At this hearing, the probation officers filed a report listing the charge as lewd phone calls.  An adult charged with the same crime would have received a maximum sentence of a $50 fine and two months in jail.  The report was not disclosed to Jones or his parents.  At the conclusion of the hearing, the judge committed Jones to juvenile detention for six years, until he turned 21.

Jones’s parents filed a petition for a writ of habeas corpus, which was dismissed by both the Superior Court of Indiana and the Indiana Supreme Court.  The Jones’ next sought relief in the Supreme Court of the United States.  The Court agreed to hear the case to determine the procedural due process rights of a juvenile criminal defendant.

In your legal brief you must include reference to at **least two of the three precedent cases listed below.** A legal brief should be 1-2 page summary of the constitutional/legal argument for the ruling. Your purpose is to convince the Justice you clerk for that your position is the strongest and should be followed in their official opinion writing for the case.

**Due Process Precedent Cases:**

Gideon v. Wainwright (1963):

Roe v. Wade (1973):

McDonald v. Chicago (2010):