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For Immediate Release

US Supreme Court Upholds Michigan v. Bryant *Holds Admission of Statement Did Not Violate Confrontation Clause*

Facts of the Case

In April of 2001, Anthony Covington was shot and fatally wounded by Richard Bryant. Before Covington died, he was able to drive several blocks before falling out of his car at a gas station. Police officers who arrived at the scene found him severely injured and in pain. When they arrived they knew nothing about what had occurred.

They quickly attempted to discover the nature of his injury, the perpetrator who had inflicted it, and the location where the crime occurred. Covington told them he had been shot, that Bryant had shot him, and that the location was several blocks away. Bryant's conviction for second-degree murder was reversed when the Michigan Supreme Court, in a 4-3 decision, held that his confrontation rights were violated by admission of the statements the victim made to the police.

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Holding of the Court

The U.S. Supreme Court held that the statements given by Covington were not “testimonial” in nature because they assisted the police in their investigation of an ongoing emergency. Therefore, the identification and description of the shooter at Bryant’s trial did not violate the Confrontation Clause.

“We are gratified by the 6-2 decision of the United States Supreme Court today that reinstates his conviction, and holds that the introduction of an absent victim’s statements in these circumstances does not violate the constitution,” said Timothy Baughman.

“The Wayne County Prosecutor’s Office is proud of the work of Lori Palmer and Tim Baughman in this case. I would also like to thank all of those who assisted her in preparation for the argument,” said Prosecutor Kym L. Worthy.

Mr., Baughman and Ms. Palmer made history in 2006 as the first father and daughter team to appear before the U.S. Supreme Court in *Hudson v. Michigan*. Ms. Palmer sat second chair in that case. In October, 2010 she again appeared with her father in *Bryant v. Michigan* with her father sitting second chair.

Ms. Palmer currently works for Michigan Supreme Court Justice Brian K. Zahra.

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