

08-1470 BERGHUIS V. THOMPKINS

DECISION BELOW:547 F.3d 572

LOWER COURT CASE NUMBER: 06-2435

QUESTIONS PRESENTED:

I. Whether the Sixth Circuit expanded the Miranda rule to prevent an officer from attempting to non-coercively persuade a defendant to cooperate where the officer informed the defendant of his rights, the defendant acknowledged that he understood them, and the defendant did not invoke them but did not waive them.

II. Whether the Court of Appeals failed to afford the State court the deference it was entitled to under 28 U.S.C. §2254(d), when it granted habeas relief with respect to an ineffective assistance of counsel claim where the substantial evidence of Thompkin's guilt allowed the State court to reasonably reject the claim.

CERT. GRANTED 9/30/2009