



CLARENCE EARL GIDEON

Clarence Earl Gideon was an unlikely hero. He was a man with an eighth-grade education who ran away from home when he was in middle school. He spent much of his early adult life

as a drifter, spending time in and out of prisons for nonviolent crimes.

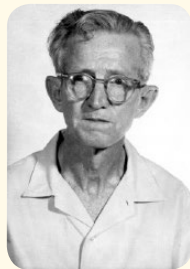
Gideon was charged with breaking and entering with the intent to commit a misdemeanor, which is a felony under Florida law. At trial, Gideon appeared in court without an attorney. In open court, he asked the judge to appoint counsel for him because he could not afford an attorney. The trial judge denied Gideon's request because Florida law only permitted appointment of counsel for poor defendants charged with capital offenses.

At trial, Gideon represented himself—he made an opening statement to the jury, cross-examined the prosecution's witnesses, presented witnesses in his

own defense, declined to testify himself, and made arguments emphasizing his innocence. Despite his efforts, the jury found Gideon guilty and he was sentenced to five years imprisonment.

Gideon sought relief from his conviction by filing a petition for writ of habeas corpus in the Florida Supreme Court. In his petition, Gideon challenged his conviction and sentence on the ground that the trial judge's refusal to appoint counsel violated Gideon's constitutional rights. The Florida Supreme Court denied Gideon's petition.

Gideon next filed a handwritten petition in the Supreme Court of the United States. The Court agreed to hear the case to resolve the question of whether the right to counsel guaranteed under the Sixth Amendment of the Constitution applies to defendants in state court.



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