

04-6964 JOHNSON V. CALIFORNIA

DECISION BELOW: No. A085450 unpublished

LOWER COURT CASE NUMBER: A085450

QUESTION PRESENTED:

Whether to establish a prima facie case under *Batson v. Kentucky*, 476 U.S. 79 (1986), the objector must show that it is more likely than not the other party's peremptory challenges, if unexplained, were based on impermissible group bias?

CERT. GRANTED 1/7/2005