

1 be even busier and it's going to divert their attention
2 from claims that would otherwise be meritorious.

3 Extending an exception like this to an acknowledged set
4 of claims that have an infinitesimally small chance of
5 merit, that is not a good use of judicial resources.

6 That's not why the writ of habeas corpus exists. And
7 the equitable judgment inherent in -- in Martinez and
8 various other cases on habeas review have noted that
9 that equity must weigh in, and we would be inundated
10 with all sorts of claims about even State law and --

11 JUSTICE BREYER: The other side has been
12 brought out. I mean, there is the occasional claim
13 where let's suppose the appellate lawyer just really
14 didn't even bring an appeal. He had a two-page brief
15 and the trial was rife with errors and a serious
16 penalty. It was attached and -- and no relief
17 whatsoever. He can't bring that to any court. Do you
18 see that? That's the other side of it. Even if there
19 are only a few.

20 JUSTICE KENNEDY: Or you could bring it on
21 State collateral.

22 GENERAL KELLER: You absolutely -- you could
23 bring it as is --

24 JUSTICE BREYER: He has to have -- he has to
25 have failed to do that, and -- or at least the State

1 collateral review has to also have been inadequate. And
2 so we have to have a couple of situations where they are
3 both inadequate or you don't even get into the Federal
4 court. So the standard for winning, which you concede
5 is quite -- is very tough and -- but suppose it's met,
6 that's -- that's, of course, what's annoying on the
7 other side. Here is a person in jail forever or worse,
8 and the trial filled with errors and didn't have decent
9 counsel anywhere and what a mess. I mean, shouldn't
10 there be some remedy? And there is none. And that's
11 why Justice Scalia wrote that there's no way to stop
12 this extension.

13 GENERAL KELLER: Well, first of all --

14 JUSTICE BREYER: He wasn't for it.

15 (Laughter.)

16 GENERAL KELLER: First of all, the
17 miscarriage of justice -- actually in this instance,
18 exception to overcome procedural default -- already
19 exists. And so that would capture any cases of actual
20 innocence that Your Honor would be discussing.

21 JUSTICE BREYER: Where -- where does it
22 exist?

23 GENERAL KELLER: McQuiggin v. Perkins.
24 The -- you can overcome a procedural default for a
25 miscarriage of justice. Wholly separate from Martinez.

1 And in that situation you could overcome a procedural
2 default using that -- that actual-innocence gateway.

3 Now, as Justice Kennedy noted, though, State
4 habeas would be the place to raise that claim. And if
5 the claim was adjudicated in trial court, a record was
6 made for appellate counsel and the habeas counsel, and
7 then neither appellate --

8 JUSTICE BREYER: Actual innocence means he
9 was actually innocent.

10 GENERAL KELLER: Well -- or actually
11 innocent of the death penalty.

12 JUSTICE BREYER: Yeah.

13 GENERAL KELLER: And that would be another
14 way that that type of claim --

15 JUSTICE SOTOMAYOR: Well, that's an
16 interesting open question.

17 GENERAL KELLER: For a different day.

18 (Laughter.)

19 GENERAL KELLER: But the question before the
20 Court today is whether to extend the narrow exception
21 for trial IAC claims when the court has recognized that
22 the trial is the main event; appeals are not central due
23 to determination of innocence or guilt. There's a
24 significant difference between appeals and trials, as
25 the Court has noted in Ross. And the costs of opening

1 up the entire Federal trial do not warrant that
2 extension.

3 JUSTICE KAGAN: General, could I just -- I
4 guess I got a little bit confused in your exchange with
5 Justice Alito, because you had been pressing this is
6 just going to be an infinitesimally small --
7 infinitesimally small, I think that that was your
8 phrase. And Justice Alito said he thought it would
9 happen all the time, and then you said yes, and then you
10 went back to infinitesimally small.

11 So, which is it?

12 GENERAL KELLER: The answer is, there's
13 going to be an infinitesimally small number of claims
14 that are actually successful, meritorious at the end of
15 the day. However, the courts and the States are going
16 to be faced with a wide number of --

17 JUSTICE KAGAN: Right. Okay. I thought
18 that his point was different, that it was actually not
19 going to be infinitesimally small. But let's say that
20 it is going to be pretty rare, as you say. You know,
21 then I think it really is Justice Breyer's question.
22 It's like, okay, it will be rare. But the alternative
23 is that those rare, good claims, where there really has
24 been a defective appellate process and a violation of
25 the constitutional right to a fair appellate process has

1 been violated, and there's no way to correct for that in
2 the same way that there was no way to correct for the --
3 the trial -- the ineffective trial counsel that we
4 talked about in Martinez and Trevino.

5 GENERAL KELLER: You'd still have the
6 actual-innocence exception, and also Martinez reaffirmed
7 the general rule of Coleman. And what State procedural
8 bars necessarily will do is bar certain claims that
9 otherwise could have been raised. But when a trial
10 court has adjudicated the case and neither appellate nor
11 a habeas counsel have raised it, the universe of cases
12 that we're talking about here combined with the cost on
13 the other side of opening an entire Federal trial up do
14 not warrant that extension. And --

15 JUSTICE KAGAN: It did reaffirm the general
16 rule of Coleman except to the extent that this was your
17 only shot. And this is your only shot to raise a claim
18 of ineffective assistance of appellate counsel, which is
19 a violation of a constitutional right.

20 GENERAL KELLER: To raise that particular
21 claim, but that particular claim --

22 JUSTICE KAGAN: That's all we're dealing
23 with here.

24 GENERAL KELLER: But it will be predicated
25 on an underlying trial issue.

1 And that's the difference. The trial IAC
2 claim in Martinez, that was the trial error. That was
3 the particular trial error the court was concerned
4 about, and that unique bedrock right.

5 Here, in contrast, when the Court has
6 recognized repeatedly that appeals are quite different
7 from trials, and that an appellate IAC claim is
8 necessarily predicated upon an alleged trial error, the
9 Court has adjudicated that alleged trial error. And
10 separating it out and just saying that the appellate IAC
11 claim itself has not been raised, that has to be seen,
12 though, in the context that the underlying claim has.

13 If there are no further questions, we ask
14 the Court to affirm the judgment of the Fifth Circuit.

15 CHIEF JUSTICE ROBERTS: Thank you, counsel.

16 Mr. Kretzer, three minutes.

17 REBUTTAL ARGUMENT OF SETH KRETZER

18 ON BEHALF OF THE PETITIONER

19 MR. KRETZER: The point at which my friend
20 elicited a little bit of laughter in the courtroom is
21 when he talked about whether or not actual innocence
22 would apply to actual innocence of the death penalty,
23 and he said that would be an issue for a future day.

24 I think it bears to note that the error in
25 this case, in Mr. Davila's case, was a guilt/innocence

1 phase error. In other words, error that arose at the
2 guilt/innocence phase. In other words, had the jury
3 been allowed, properly instructed, Mr. Moblin -- with
4 Mr. Davila's theory of defense, he would not have been
5 able to get the death penalty.

6 JUSTICE GORSUCH: Counsel --

7 MR. KRETZER: This was the critical issue in
8 the case.

9 JUSTICE GORSUCH: -- I don't know whether
10 we'd create a couple of strange incentives if -- if we
11 went down your road.

12 If procedural default by State habeas
13 counsel, ineffective assistance of appellate counsel is
14 cause, I can see a world in which State habeas counsel
15 might have an incentive not to raise it, you know, might
16 actually be ineffective assistance of State habeas
17 counsel to raise the issue, because Federal habeas may
18 be more forgiving. So what do we about that problem,
19 number one?

20 And, number two, do we also create an
21 incentive for States to stop using collateral review to
22 test IAC claims? They don't have to do that. It's
23 generally thought to be favorable to defense that they
24 do do that, because it gives defense a chance to present
25 evidence and prepare and do things like that. Some

1 States don't permit it. Oklahoma, my old jurisdiction,
2 it was very hard for defense counsel. And don't we
3 create an incentive to go back to that, the bad old
4 days? And -- and so by adding more procedure and
5 perfecting this, do we actually wind up hurting the
6 defense interests in this case?

7 MR. KRETZER: Any State habeas attorney who
8 would deliberately fault a claim from State habeas
9 because they think they could get an ultimately more
10 favorable meritorious review in Federal court would
11 necessarily be violating any number of rules of
12 professional conduct. As an initial matter, they would
13 be --

14 JUSTICE GORSUCH: Why? Why? If it's -- if
15 it's -- if it's the effective best strategy for your
16 client, I would think that's exactly what you'd do.

17 MR. KRETZER: Well, as an initial matter,
18 one would necessarily be perpetrating ineffective
19 assistance on their own by deliberately defaulting a
20 claim from State habeas. There's very few attorneys out
21 there who would deliberately open themselves up to a
22 susceptibility of ineffectiveness contention if, for no
23 other reason, you're kicked off the court appointments
24 list. There's any number of reasons why lawyers would
25 have a duty of candor to court not to deliberately

1 strategically try not to raise a claim here, so that, in
2 fact, they can get some more favorable forum later on.

3 Outside the death penalty context, has to
4 remember that, of course, the process goes very slowly.
5 And so one might, in a non-death case, in a general
6 felony case, might -- one might already be free from
7 custody by the point they would have this aired in
8 Federal court.

9 The number of Federal courts actually having
10 merits hearings on Strickland claims is incredibly
11 small. And considering that habeas is designed --
12 Federal habeas is designed to prevent and correct severe
13 malfunctions of the State trial system, that's probably
14 a very good thing. And yet, in cases where the
15 underlying ineffective-assistance-of-appellate-counsel
16 claim is so integrally intertwined with the underlying
17 strength of the appellate claim that was not raised, I
18 think there's serious pause, because all that Mr. Davila
19 is asking is for the same standard as that which exists
20 in Martinez. Bedrock principles, where the situation --
21 the contention has to be raised in a writ. The -- the
22 two situations are exactly analogous.

23 CHIEF JUSTICE ROBERTS: Thank you, counsel.

24 The case is submitted.

25 (Whereupon, at 12:01 p.m., the case in the

1 above-entitled matter was submitted.)
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A				
a.m 1:17 3:2	akin 34:12 41:25	appealed 9:6	applied 9:25	assessing 37:11
able 13:18 40:3	Alito 16:15 18:9	appeals 6:11	20:21	assistance 3:11
54:5	18:19 19:22	8:11,17 9:9	applies 3:11	3:13 6:8 7:11
above-entitled	21:4,21 45:24	18:6,16 28:2	5:23 21:8,9	8:20 9:17 10:4
1:15 57:1	46:6 51:5,8	43:2,3 50:22	41:1	10:5 11:8,14
absence 6:2	Alito's 22:16	50:24 53:6	apply 9:18,22	11:15 12:1,22
absolutely 6:6	allegation 14:13	APPEARAN...	10:9 21:25	13:15 14:1
37:13 48:22	alleged 9:17	1:18	22:14 25:23	15:7,13,21
accept 21:7	10:4 18:22	appellate 3:11	32:11 35:19	17:3,13 19:14
47:19,22	32:4,24 34:3	4:2 6:12,16,23	37:3,4,8,20	19:21 21:5,9
accepts 15:3	44:2 46:18	7:1,5,11,13,18	38:3,10,15	21:15,22 22:9
acknowledged	53:8,9	7:20,23 8:1,4,8	43:8 45:1	22:12,18,20,25
48:3	allowed 54:3	8:20 10:5,16	53:22	23:5,6,7,9,10
acknowledges	Almanza 4:12	11:14,14,18	appoint 27:2	23:13,14 24:12
45:12	6:19,22 27:24	12:9,15 13:15	Appointed 1:20	24:20 25:18
actual 8:18	27:25	14:1 15:8,21	appointments	27:16 31:25
36:17 49:19	alternative 8:24	21:22 22:13,18	55:23	39:17 40:10,11
50:8 53:21,22	9:3 51:22	22:25 23:1,1,7	appreciable	40:25 41:7,13
actual-innoce...	alternatively	23:13 24:13,18	20:7 21:3	42:8,10,13,15
50:2 52:6	6:19 27:24	25:3,6 27:17	approach 4:7	42:22 44:8
adding 7:7 55:4	amicus 35:2	28:16 29:11,15	April 1:13	45:10,13 46:4
additional 15:7	analogous 38:21	29:21,23 30:5	arguably 21:6	52:18 54:13,16
16:8 20:4 21:7	40:19 42:18	30:12 31:10,11	argue 4:19 6:24	55:19
27:21	56:22	31:14,23,24	7:4 16:10	assistant 24:18
address 26:7	analysis 46:18	32:2,6,15,18	18:10	assume 3:24
30:16	analyze 18:20	32:18 33:10,23	argued 5:3,17	assumes 45:7
addressed 9:4	18:22	33:25 34:4	6:12,16	assuming 4:1
adequate 29:20	analyzing 47:15	36:19,20,25	arguing 27:6	28:19 29:8
31:10	annoying 49:6	37:1 39:12,23	36:25 44:22	attached 44:10
adjudicate	answer 10:7	39:25 40:19	argument 1:16	48:16
29:13	19:25 34:22	41:3,7 42:10	2:2,5,8 3:3,6	attention 48:1
adjudicated	51:12	42:16,17 44:8	8:6,20 17:8	attorney 6:12,23
31:2 32:9 33:1	anticipated	44:9,23 45:10	18:24 21:7	16:21,22 19:13
34:4 41:21	41:11	45:13 46:4,11	25:7 27:22	25:3 26:11
50:5 52:10	anyplace 20:13	46:14,19 48:13	28:7 45:14	27:2,2 55:7
53:9	anyway 11:23	50:6,7 51:24	53:17	attorneys 8:1
admit 25:25	appeal 3:17 7:2	51:25 52:10,18	Arizona 9:13	55:20
AEDPA 17:5	9:17 11:19	53:7,10 54:13	11:24 35:5,5	Austin 1:22
affirm 53:14	12:1 13:2	56:17	arose 24:3 54:1	authority 18:6
afforded 9:8	16:25 17:13,14	appellate-IAC	articulated	30:20
aggregate 18:1	19:15 26:14	28:11 40:4	13:23	avoid 43:12
agree 16:19	27:13,18,21	41:24 44:3	asked 13:8,11	avoided 45:3
21:25 28:20	28:2 31:12,25	46:23	20:9	awful 11:23
Ah 28:18	36:7 41:7,15	Appendix 4:17	asking 17:20	
aired 56:7	46:3 48:14	5:18	24:8 26:3	B
	appealability	application 21:2	32:14,16 36:15	back 7:16 34:11
	47:1	21:18	56:19	45:25 46:21

<p>51:10 55:3 backstop 8:6 bad 55:3 balance 28:3 balances 11:1 bar 52:8 barred 27:3 bars 26:10 35:19 43:7 52:8 based 21:22 32:3,8 40:5 baseline 31:1 41:20 basically 10:9 40:9 basis 35:15 46:15 bears 53:24 bedrock 31:3 53:4 56:20 beginning 29:1 behalf 1:19,22 2:4,7,10 3:7 28:8 53:18 believe 3:23 best 4:7 24:1 55:15 better 5:7 7:6 beyond 21:19 22:5 bit 51:4 53:20 blast 16:16 bottom 27:11 Breyer 19:10 20:9 22:11,15 22:24 23:8,21 24:10 28:20 34:13,24 35:10 35:20 36:2 37:21 47:5,12 47:17,19 48:11 48:24 49:14,21 50:8,12 Breyer's 51:21 brief 3:23 6:16 7:18 10:1 25:6 26:7 34:23</p>	<p>35:2 36:19 38:7,18 43:19 48:14 briefing 36:23 bring 6:2 24:22 48:14,17,20,23 bringing 6:1 24:21 brought 5:24 11:19 48:12 burden 10:6 13:11 20:1,14 36:12 busier 48:1 busy 47:22</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>C 2:1 3:1 cabined 16:18 calculus 45:20 calibrated 5:7 24:1 called 26:17 candor 55:25 capital 10:3 15:25 35:5 capture 49:19 care 6:3 carves 25:21 case 3:4 6:4,22 7:10,21 8:17 8:18,25 9:10 10:22 14:20 21:18 23:11,12 23:15,17 24:3 25:3,14 27:17 30:19,20 33:18 33:19 36:23 43:14,15 44:15 44:19 47:11 52:10 53:25,25 54:8 55:6 56:5 56:6,24,25 cases 10:3,6 14:2 14:9 21:16 28:21,22 32:10 33:5 34:8 35:1</p>	<p>35:4,5,8,16 36:20 38:9 45:18 48:8 49:19 52:11 56:14 catch-22 24:16 cause 11:5,5 17:9 25:19 54:14 central 50:22 centrality 3:17 certain 8:2 38:4 52:8 certainly 20:17 21:13 23:16 36:18 certificate 47:1 challenge 12:5 27:23 challenged 3:18 27:12 chance 25:22 30:14 48:4 54:24 channel 37:19 channeled 12:2 channelled 13:17 channelling 31:5 charge 15:15 charging 5:19 Chief 3:3,8 6:25 11:12 12:8,11 12:19 14:8,11 14:19,24 15:17 28:5,9 37:3,7 37:10,14 53:15 56:23 choice 37:18 choose 30:13 choosing 4:3 chosen 29:15 Circuit 9:10 35:5 53:14 Circuit's 9:4 circumstance</p>	<p>4:2 cite 38:8 cited 20:17 34:25 claim 5:24 6:8 7:11 8:8,12,16 10:3,10,11 11:8 12:3,5 13:2,19 14:17 14:21 15:9,11 15:23 16:1,6,8 16:11 17:21 19:3,9 20:1 23:2 25:4 29:6 29:7,9,12 30:4 30:10 31:2 32:2,7,9,18 33:15,19 34:1 34:2 37:19,25 38:12 39:17,18 39:20,22 40:10 40:14,25 42:9 42:10,16 44:1 44:4,7,22 46:23,23 47:7 47:16 48:12 50:4,5,14 52:17,21,21 53:2,7,11,12 55:8,20 56:1 56:16,17 claims 3:11,12 8:2,5 10:15,16 10:18 11:13,18 11:22,23 12:23 13:14 14:12 15:5,8 16:7 19:7,8,14 20:5 20:15,22 21:15 21:15,20 22:9 22:12 28:11,16 28:23 29:11 30:5,14 32:7 35:9 36:19,21 36:21 37:1 40:4 41:14,24 44:3 45:5 47:2</p>	<p>48:2,4,10 50:21 51:13,23 52:8 54:22 56:10 clear 5:25 6:2 26:12 clearly 3:25 4:1 client 5:24 26:12 55:16 closing 5:8 22:2 Coleman 25:15 25:17 26:3,10 26:13 27:4,4,6 29:2,4 30:24 41:22 43:8,13 43:14 52:7,16 collapse 44:25 46:7,18 collateral 10:11 11:17 12:4,23 13:17 16:25 17:10,10,12 25:19 26:17 27:7 35:13 37:25 48:21 49:1 54:21 combined 34:9 39:2 52:12 come 35:21 comity 43:9 complaining 36:5 complete 5:8 concede 49:4 concern 28:14 31:5 concerned 21:4 53:3 concerns 16:15 19:12 33:19 conduct 55:12 confessions 24:7 conforming 6:15 confronting 33:16 confused 51:4 consequence</p>
---	---	---	--	---

27:16 consequences 9:19 30:19 consider 36:23 consideration 14:25 considerations 12:20 considered 45:5 considering 25:5 41:10 56:11 constellation 18:7 constitute 18:8 Constitution 43:1 constitutional 22:3 26:6 39:24 43:7 51:25 52:19 constitutionally 6:15 31:11 contending 22:12 contention 12:1 12:6 15:14 55:22 56:21 contentions 23:5 context 8:12 29:4 53:12 56:3 contrast 53:5 convicted 3:15 corpus 48:6 correct 4:24 14:21 16:19 32:17 38:16 39:1 44:13 45:11 52:1,2 56:12 CORRECTI... 1:8 cost 28:12 43:8 45:21 52:12 costs 28:17 39:8 50:25 couched 6:7	counsel 3:12,13 3:17,23 4:2,16 5:12,15 7:12 7:14,24 8:20 9:17 10:4,5,16 11:15 12:15 13:7,15 14:2 15:8,13,22 17:3,9,11,14 19:14,21 21:5 21:9,22 22:10 22:13,19,20,25 23:1,2,6,7,10 23:13,14,22,24 23:25 24:13,16 24:19,20 25:13 25:18,24 26:21 27:12,17 28:5 29:15,19,20,21 30:3,9,10,11 30:13,17 31:4 31:10,12,14,25 32:6,15,19 33:10,23,25 34:5,15 35:17 36:7,25 37:1 39:3,11,12,17 39:19,23,25 40:18 41:7,13 41:15 42:10,13 42:16,17,20,22 42:23 43:4 44:8,23 45:10 45:13 46:5,19 49:9 50:6,6 52:3,11,18 53:15 54:6,13 54:13,14,17 55:2 56:23 counsel's 5:18 countervailing 28:14 couple 49:2 54:10 course 11:13 15:11 19:1 20:11 21:14	28:1 40:11 49:6 56:4 court 1:1,16,20 3:9 4:15,20 5:20 6:10,11 6:20 7:5,6 8:10 8:17,19 9:3,6,8 9:9,13 11:3,11 12:24 13:6 14:12,16,19,23 17:5,16,17,18 17:21,22 18:6 18:16,20,21,23 19:5,19 20:1 21:1,17 25:23 25:24 26:16,23 27:18,22 28:2 28:10 29:13,13 30:11,25 31:1 31:3,13 32:8 32:12,15 33:2 33:7,11,16,16 33:17 34:11 35:2,14,17 41:20,23,24 42:8,9,15 43:10,12 44:15 44:19 45:2,6,8 46:25 47:18 48:17 49:4 50:5,20,21,25 52:10 53:3,5,9 53:14 55:10,23 55:25 56:8 Court's 11:1,4 courtroom 53:20 courts 13:11,13 15:2 33:5 34:20,21 36:17 36:22,24 45:4 47:3 51:15 56:9 cover 5:19 33:14 covered 21:1 cranting 14:11 create 19:3,6	21:3 54:10,20 55:3 created 11:3 creating 30:23 credibly 7:4 criminal 1:7 6:11 28:2 35:3 critical 54:7 curious 47:24 custody 56:7 cut 12:11 <hr/> D <hr/> D 3:1 D.C 1:12 DANIEL 1:3 Davila 1:3 3:4 3:14 15:10,14 15:20 20:23 26:19 56:18 Davila's 3:17 12:4 23:17 53:25 54:4 Davis 1:6 3:4 day 50:17 51:15 53:23 days 55:4 de 17:23 deadline 26:14 dealing 13:8 52:22 death 50:11 53:22 54:5 56:3 debate 46:24 decent 49:8 decide 7:5 14:13 14:20 29:14 30:12 decided 35:1 36:7 43:11 deciding 30:18 decision 44:24 44:24 decisions 11:17 decisis 26:13 declined 27:1	default 16:17 18:11 49:18,24 50:2 54:12 defaulted 10:11 33:19 44:22 45:4 defaulting 55:19 defective 51:24 defendant 13:18 15:24 19:18 23:23 defendants 16:2 defense 3:16 29:19,20 54:4 54:23,24 55:2 55:6 deficient 26:20 39:23 definition 13:16 deliberate 37:18 deliberately 12:2 55:8,19 55:21,25 deluged 34:21 DEPARTME... 1:7 designed 56:11 56:12 despite 3:14 detail 25:12 determination 9:10 25:2 50:23 determinations 17:17 dicta 27:6 difference 16:5 41:12,17 43:25 46:11 47:8,9 50:24 53:1 different 8:16 10:14 16:2 18:17 19:6 21:16 32:16,23 32:25 33:5 36:5 40:22 46:2 50:17
---	--	---	--	--

<p>differently 18:17 difficult 8:11 17:24 30:6,7 difficulty 12:14 dilute 7:8 dime's 41:12,17 direct 3:16 6:12 6:15,23 12:1 12:15 13:2,16 16:25 17:13,14 19:15 25:3,6 27:13,21 28:2 31:12 41:14 46:3 directly 24:8 DIRECTOR 1:6 disagree 21:12 discarded 19:4 discrete 5:8 discretion 7:14 8:2 11:4 discussed 25:15 discussing 49:20 discussion 5:2 dispute 30:2 distinction 8:13 11:13 district 5:20 8:13,19 9:2,13 14:15 19:5 26:23 47:21 divert 48:1 DIVISION 1:9 doctrine 16:17 22:14 doing 17:19 25:11,11 30:23 door 11:9 doubly 33:19 45:4 doubt 5:6 8:1 38:3 downline 18:3 19:7 dream 22:4 due 50:22</p>	<p>duty 55:25</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>E 2:1 3:1,1 easily 19:4 easy 7:12 19:7 47:13,13 effect 26:20,21 26:24 effective 15:12 30:3 31:24 39:25 40:18 43:4 44:7 55:15 effectively 26:2 38:11 effectiveness 7:23 egregious 4:13 6:21 27:24 either 6:13 Eldridge 10:25 elicited 53:20 empirical 20:2 20:10 34:19 47:23 empirically 47:24 ends 42:24,25 43:5 enormous 16:16 17:6 ensure 40:16,18 42:13,16 ensuring 44:9 entire 28:12 34:9 45:21 51:1 52:13 entitled 31:11 43:4 equal 31:16 equitable 11:3 13:3,4 30:24 45:20 48:7 equity 48:9 equivalent 24:25 Erick 1:3 3:14</p>	<p>err 33:6,10 erred 32:15 erroneous 3:15 22:1 error 4:5,8,10 4:14 5:19 6:17 6:23 16:23 17:2,15,19 18:2,3,7,8,11 18:25 19:1,2 21:10,23,24 22:3,3 23:18 31:2 32:4,10 32:21,22,23,25 33:8,22,23 34:3,7 36:6 37:2 40:2,3,7 40:10,25 41:3 41:21 44:2,7 45:9,14 46:19 53:2,3,8,9,24 54:1,1 errors 18:7,14 18:15,22 19:9 45:1 48:15 49:8 ESQ 1:19,21 2:3 2:6,9 establish 25:19 evaluate 14:12 42:8,9 evaluated 17:4 evaluating 7:23 11:20 event 44:14 50:22 everybody 45:12 evidence 3:19 4:7 22:1 23:16 54:25 evidentiary 18:2 45:23 exactly 42:25 46:6 55:16 56:22 examine 16:21 exception 11:5</p>	<p>13:3,4 25:21 30:23 35:18 38:20,21 39:18 48:3 49:18 50:20 52:6 exchange 51:4 execution 3:14 exercise 7:14 11:4 exist 10:17 16:11 49:22 existed 46:16 exists 33:14 46:15 48:6 49:19 56:19 exponentially 30:14 expressly 29:3 extend 10:22 33:17 50:20 extended 9:16 21:6 extending 28:11 41:23 48:3 extension 32:11 49:12 51:2 52:14 extent 19:25 52:16 external 37:18</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>faced 51:16 faces 3:14 facing 15:19,20 15:25 16:2 35:13 fact 7:8 8:3 9:11 29:13 33:1,15 33:18 40:2 44:18 45:5 56:2 factor 37:18 factors 26:7 31:4 38:21 43:18 failed 45:14</p>	<p>48:25 failing 33:10 fails 23:2 failure 24:22 fair 35:20 42:14 42:17 51:25 fairness 40:16 40:18 44:10 familiar 15:15 46:25 far 47:16 fashioning 30:25 fault 55:8 favor 13:3 21:18 favorable 54:23 55:10 56:2 Fay 34:12 41:25 federal 4:15 5:20 6:9 8:13 9:2,12 11:11 14:15 16:21,23 17:4,9,16,25 18:4,10,19,21 19:4,18 20:1,6 20:7 25:20 26:15,21,23 27:20 28:13 34:10,20 35:1 36:18 42:23 45:2,21 47:3 49:3 51:1 52:13 54:17 55:10 56:8,9 56:12 federalism 43:9 43:14 felony 56:6 fewer 19:23 Fifth 9:4 53:14 fifty 35:22 figure 40:16,17 file 26:23,25 27:21 filed 36:17 filings 14:20 filled 49:8</p>
---	--	--	---	---

finality 9:21	gathering 22:16	32:5,7 34:7	52:11 54:12,14	IATC 39:18
find 3:25 18:5,9 20:13	general 1:21	36:22 37:12,14	54:16,17 55:7	idea 5:25 29:22 38:6,25
finds 16:22	7:10 25:18,20	40:4 43:11	55:8,20 56:11	identical 40:20
first 6:17 10:10	28:9 29:2,10	44:1,5,16,21	56:12	identify 45:25
25:10 27:22	30:1,22 32:2	44:24 45:1,8	happen 19:17	ignore 28:25
31:19 41:5,9	32:17,24 33:7	45:15,17,17,18	51:9	immediately
43:13 49:13,16	33:13,24 34:22	46:4,17 47:25	happened 6:14	5:10
first-tier 26:17	34:25 35:12,25	48:1 51:6,13	19:1 28:13	importance
fits 42:7	36:16 37:6,9	51:15,19,20	32:8,20 33:12	15:12 31:14
five 19:25 22:10	37:13,16 38:7	good 7:1 27:4	34:18 44:25	important 12:20
flood 47:3	38:16,18 39:2	48:5 51:23	happens 4:12	19:8 22:13,18
focus 7:6	39:5,8 40:1,7	56:14	28:24 38:11	23:23 32:1
focused 40:1	40:21,24 41:18	GORSUCH	hard 14:16 15:8	39:11,12 40:11
follow 5:16	41:22 42:2,3,5	5:12,15 25:13	15:18,23 23:8	43:19,24
30:18	42:19 43:6,25	25:17 54:6,9	24:20 55:2	importantly
force 15:2	44:5,11 45:7	55:14	harm 4:13,13	4:16
forever 49:7	45:16 46:6,13	gotten 8:9,10	6:18,21 27:23	impossible 12:7
forfeitable 23:18	46:17 47:10,15	26:24	27:24	12:7,18
forfeited 4:8	47:18,25 48:22	grant 14:13 36:4	hear 3:3	improper 22:2
forgiving 54:18	49:13,16,23	granted 14:3,25	hearing 16:13	imputed 26:11
formulate 15:9	50:10,13,17,19	35:11 36:10,12	25:10 26:15	inadequate 9:17
15:18,23 24:1	51:3,12 52:5,7	46:1	hearings 14:8,15	49:1,3
24:2	52:15,20,24	guess 19:11	56:10	incentive 54:15
fortify 29:18	56:5	36:11 39:14	held 18:17	54:21 55:3
Forty 35:23	generally 54:23	51:4	Help 26:8	incentives 54:10
forum 11:7 56:2	GINSBURG	guidance 10:24	high 47:2	incisive 4:14
found 4:21 5:20	8:18 9:14	guilt 50:23	hindsight 7:16	increase 20:6,7
16:9	27:10,15 41:4	guilt/innocence	hold 8:19	incredibly 10:18
foundation 31:3	give 5:3,4,6 30:8	53:25 54:2	holding 8:24 9:3	56:10
35:3	given 4:5 31:23	<hr/> H <hr/>	hole 16:16 17:6	independent
four 24:7	gives 30:21	habeas 5:20 6:9	Honor 49:20	39:24
free 56:6	31:15 43:1	8:14 10:2 12:2	hours 24:7	indicates 10:2
freestanding	54:24	12:6 13:2	Houston 1:19	ineffective 3:11
39:24	giving 5:9	16:21,23 17:4	huge 28:12,17	3:12 4:3 6:8
friend 53:19	go 19:18 31:8	17:9,16 18:1,4	45:20	7:11 8:19 10:3
frivolous 16:7	33:11 36:22	18:10,20,21	hundred 35:21	10:5,16 11:8
funneled 11:17	38:22 55:3	19:16,18 25:20	35:23 36:3	11:14 12:1,5
12:22	goes 22:5 37:16	26:15,21,24	hurting 55:5	12:22 13:15
further 16:3	56:4	27:1 28:14	<hr/> I <hr/>	14:1 15:7,21
53:13	going 7:22 12:12	29:15 30:12	IAC 28:16 29:6	17:3,10,11,13
future 53:23	12:13,14 13:13	34:4,11,20,20	29:11,23,24	17:14 19:14,21
<hr/> G <hr/>	15:1,25 16:12	35:22 36:18	30:3,5,7 32:2,6	21:5,8,14,21
G 3:1	17:1,5,18,20	41:5,8 42:22	32:18 33:13	22:9,12,18,19
gateway 30:8	17:22 18:20,21	42:23 45:2,21	35:14 36:19,20	22:24 23:1,5,6
33:14 50:2	24:18 28:17,21	47:3,20,22	50:21 53:1,7	23:6,9,10,13
	29:6,23 30:6	48:6,8 50:4,6	53:10 54:22	23:14,24 24:12
	30:13,14 32:3			

24:13,15,18,19 25:18 27:16 30:10 39:17 40:10,11,25 41:6,13,15 42:8,10,13,15 42:22 45:10,12 46:4 52:3,18 54:13,16 55:18	4:11 6:16 19:8 23:18 27:23 instructions 3:15,21 45:23 insubstantial 8:21,22 9:1 integrally 56:16 integrity 44:10 intent 3:18 4:20 5:2 interest 9:20 26:5 interesting 22:17 50:16 interests 9:20 55:6 intertwined 56:16 introduction 22:1 inundate 13:19 inundated 13:14 48:9 inundation 11:10 issue 3:18 6:1,10 6:13 7:13 9:16 21:13 25:22,24 29:14 30:12 32:4,19,19,21 33:25 34:3,10 37:12 41:13 43:11 44:12 52:25 53:23 54:7,17 issued 45:3 issues 7:1,3,4,7 7:19	judgment 9:5 30:24 48:7 53:14 judgments 45:3 judicial 48:5 jurisdiction 55:1 jurists 46:24 jury 3:15,21 4:11 6:16 15:15 19:8 21:24 23:18 24:6,8 27:23 30:4 44:12 45:23 54:2 justice 1:8 3:3,8 3:20,22 4:5,18 4:23 5:1,12,15 5:16 6:25 8:18 9:14,15,24 10:19,24 11:12 12:8,11,19 13:7,10,12,12 13:22,25 14:2 14:6,8,11,19 14:24 15:17 16:15 18:9,19 19:10,22 20:9 21:4,21 22:11 22:15,16,24 23:8,21 24:10 25:13,17 27:10 27:15 28:5,10 28:15,18,20 29:5,17 30:1 30:16 31:8,18 31:19,20,21 32:13,22 33:3 33:9,21 34:13 34:24 35:3,10 35:11,20 36:2 37:3,7,10,14 37:21 38:14,17 39:4,7,9 40:6,8 40:22 41:2,4 41:11 42:1,3,6 42:24 43:16 44:4,6,11 45:7	45:16,24 46:6 46:9,14 47:5 47:12,17,19 48:11,20,24 49:11,14,17,21 49:25 50:3,8 50:12,15 51:3 51:5,8,17,21 52:15,22 53:15 54:6,9 55:14 56:23 justified 35:14	48:20 50:3 kept 47:22 kicked 55:23 kind 10:22 kinds 13:14 47:20 know 7:13,19,21 8:8 11:18 16:1 20:13 22:17 24:12 31:12 33:3 34:17,21 35:23 36:4 38:3,4 40:12 43:20,23 47:20 47:24 51:20 54:9,15 Kretzer 1:19 2:3 2:9 3:5,6,8,21 4:4,9,22,25 5:5 5:13 6:6 7:25 9:2,23 10:7,23 11:2,24 12:10 12:17,24 13:9 13:21,24 14:4 14:7,10,14,22 15:3 16:4 17:24 18:13,24 20:3,16 21:12 22:7,23 23:4 23:16,25 25:1 25:16 26:10 27:14,19 53:16 53:17,19 54:7 55:7,17
ineffective-ass... 37:25 ineffective-ass... 20:22 21:19 29:7 56:15 ineffectiveness 12:15 15:14 16:14 26:14,16 27:7 55:22 infinitesimally 14:6 28:15 34:8 45:18 48:4 51:6,7,10 51:13,19 information 20:2,10 34:19 34:20 inherent 48:7 initial 4:9 10:11 12:4 26:17 27:7 28:22 55:12,17 innocence 49:20 50:8,23 53:21 53:22 innocent 50:9,11 inquiry 11:6 instance 24:21 34:14 41:19 49:17 INSTITUTIO... 1:9 instructed 54:3 instruction 5:3,9 8:25 21:24 24:5 27:12 30:4,21 44:12 instructional	J jail 49:7 Joint 4:17 5:17 judge 4:19 5:10 19:21 23:2 36:6,9 judges 8:14 47:21	K Kagan 31:18,21 38:14,17 39:4 39:7,9 40:6,8 40:22 41:2 42:1,3,6,24 43:16 44:4,6 44:11 45:7,16 51:3,17 52:15 52:22 Keller 1:21 2:6 28:6,7,9 29:2 29:10 30:1,22 32:2,17,24 33:7,13,24 34:22,25 35:12 35:25 36:16 37:6,9,13,16 38:7,16 39:2,5 39:8 40:1,7,21 40:24 41:18 42:2,5,19 43:6 43:25 44:5,11 45:16 46:6,13 46:17 47:10,15 47:18,25 48:22 49:13,16,23 50:10,13,17,19 51:12 52:5,20 52:24 Kennedy 9:15 9:24 10:19,24 13:12 14:2 29:17 30:1,16	L large 22:11 latest 35:16 laughter 49:15 50:18 53:20 law 15:4,16 27:4 34:10 44:16 45:22 48:10 lawyer 7:1 19:16 19:18,20 20:24 23:20 31:16 36:9 47:6	

<p>48:13 lawyer's 16:6 lawyers 8:4 40:12 55:24 leave 7:21 26:24 27:20 led 27:13 46:2 Legal 35:3 let's 15:20,21 31:8 39:13 48:13 51:19 level 29:23,24 31:14 40:23 levels 34:7 life 16:2 limitations 25:7 26:22 limited 21:5,8 21:14 line 27:11 35:16 list 55:24 litigate 42:15 litigated 11:8 litigation 35:13 41:1 42:2 little 45:22 51:4 53:20 logic 3:10 11:15 long 35:16 45:3 longest 35:6 look 7:16 10:21 12:24 17:18 20:13 29:9,11 looked 10:25 27:5 30:25 35:4 looking 15:1 29:6 45:25 LORIE 1:6 lot 11:23 15:12 20:15 25:13 lower 30:14</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>main 38:24 50:22 maintain 31:1</p>	<p>41:20 malfunctions 56:13 margin 16:8 Martinez 3:10 5:23,24,25 6:3 6:8 9:8,12,16 10:9,22 11:2,9 11:16,22,23,24 12:19,21,25 15:4,11 16:17 19:11 20:1,4 20:20 21:2,3,4 21:13 22:5,5,8 22:8,14 25:14 25:21 26:12 27:5 28:11 29:3 30:8,22 31:6 32:6,11 33:13,17 34:16 34:25 35:8,9 35:14,15,21 37:8,17 38:2 38:10,19,19 39:15 40:1,8,8 40:15,24 41:11 41:14,19,22 42:7,12 43:8 43:17,17 48:7 49:25 52:4,6 53:2 56:20 Martinez's 45:20 Martinez-Tre... 20:5 Massachusetts 38:9 massive 36:18 Mathews 10:25 matter 1:15 4:9 11:25 23:23 43:7 55:12,17 57:1 McQuiggin 49:23 mean 7:3,19 8:12 10:13</p>	<p>15:17 22:19 23:11 28:19 29:5 34:14 36:4 37:4,24 38:24 39:10 45:12 48:12 49:9 means 17:8,18 18:21 50:8 mechanism 13:1 memory 4:23 mentioned 7:17 merit 7:3 48:5 meritorious 10:18 16:7 28:16 30:15 34:9 45:19 48:2 51:14 55:10 merits 8:20 9:3 26:4 46:22 56:10 mess 49:9 met 49:5 mind 5:22 31:16 minimum 9:7 minute 14:4 minutes 53:16 miscarriage 49:17,25 missed 26:22 missing 6:5 23:11 26:14 Missouri 9:14 mistake 19:12 19:19 22:21 23:3 24:22,22 mistakes 26:11 Moblin 54:3 modest 21:2 Monday 1:13 move 6:21</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>N 2:1,1 3:1 narrow 12:21 29:4 30:23</p>	<p>50:20 naturally 3:10 nature 3:10 necessarily 8:3,5 16:11 21:17 23:20 32:3,18 34:2 41:1 42:20 43:10 44:23 52:8 53:8 55:11,18 necessary 14:22 necessity 14:12 need 16:13 31:22 needed 30:9 neither 24:4 34:4 50:7 52:10 never 11:7 17:22 18:23 24:4,15 new 5:4,6 11:10 19:18 27:13,15 27:17,18,25 28:1 Ninth 9:10 35:4 Noia 34:12 non-death 56:5 norm 37:24 normally 19:13 26:3 note 24:8 53:24 noted 28:15 36:20 48:8 50:3,25 novo 17:23 number 7:15 14:4,24 15:1,5 15:7 20:6,7 21:5 22:11 28:16,21,24 29:18 33:5 34:8 37:11,23 37:23 38:4,8 45:18 47:2 51:13,16 54:19 54:20 55:11,24 56:9</p>	<p>numbers 11:21</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>O 2:1 3:1 object 4:1,17 5:9 20:24,25 objected 3:23,25 4:18 18:2 20:25 34:15 objection 4:6,11 5:7,18 6:9,18 6:18,19,21 8:25 16:24 24:2 45:22,23 46:1 objections 29:19 34:10 44:16 objects 23:20 obligation 16:6 obvious 41:8 obviously 11:19 24:14 occasional 48:12 occur 21:10 occurred 19:2 21:23 odd 44:17 offered 27:2 oh 5:5,14 9:23 10:23 27:19 Ohio 38:9 okay 13:9 19:17 31:19 39:7,9 51:17,22 Oklahoma 38:10 55:1 old 45:14 55:1,3 once 31:23 43:3 open 50:16 55:21 opened 11:9 opening 28:12 34:9 44:2 45:21 50:25 52:13 opinion 9:5 24:24</p>
---	--	--	---	--

<p>rare 10:15 45:15 45:17 51:20,22 51:23 rarely 14:14 re-file 26:25 reach 14:17 read 3:24 10:1 14:20 36:12 40:6 47:23 ready 20:17 reaffirm 52:15 reaffirmed 29:3 41:22 52:6 reality 13:5 realize 28:23 really 14:25 20:10 33:18 43:18 48:13 51:21,23 reason 6:7 12:3 14:16 18:16 19:5 25:4,11 36:3 41:19 55:23 reasonable 46:24 47:6 reasonably 17:21 reasoning 42:19 reasons 13:23 45:11 55:24 rebuttal 2:8 20:18 28:4 53:17 recognize 13:13 recognized 3:17 30:22 31:3,13 37:17 50:21 53:6 record 16:21 29:14 46:15 50:5 redefining 42:6 regard 30:21 regarded 8:2 rejected 17:21 relevant 29:11</p>	<p>32:10 reliance 26:4 relief 9:7 14:3 26:19 48:16 remand 9:9 remedy 27:19,20 28:19 40:13 49:10 remember 56:4 remembered 4:10 5:13 removing 13:1 repeatedly 31:13 53:6 reply 36:19 request 25:6 requested 24:4 resources 48:5 respond 31:18 Respondent 1:10,22 2:7 28:8 result 10:14 32:23 46:2 resulted 8:16 32:25 46:11 retain 8:1 retrospect 7:12 returning 41:24 reversal 8:10 reversible 18:8 review 4:6,13 10:11 11:17 12:4,15,23 13:17,18 15:2 17:23 25:19 26:18 27:7 28:14 33:4 34:11 36:18 44:25 45:22 46:11,15 47:3 48:8 49:1 54:21 55:10 reviewing 8:10 8:17 9:9 18:16 31:9 33:8 rife 48:15</p>	<p>right 12:13 13:10,13 18:19 31:3,22,24 32:1 33:24 35:15,17,18 36:2 37:5,8,9 38:15,18,22 39:3,9,24 42:20,25 43:6 51:17,25 52:19 53:4 road 54:11 Roberts 3:3 4:21 4:21 5:2 6:25 11:12 12:8,11 12:19 13:12 14:8,11,19,24 15:17 28:5 37:3,7,10,14 53:15 56:23 root 44:11 Ross 50:25 roughly 35:22 route 4:3 rule 5:25 6:3 11:3 20:20,20 21:17 22:8 25:18,21 26:10 27:4 29:3 30:25 35:7 38:10 41:22 52:7,16 ruled 33:18,21 33:22 rules 55:11 ruling 33:25 Ryan 32:6</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>S 2:1 3:1 save 28:3 saying 4:19 11:4 13:12 15:18 18:6 24:10 53:10 says 32:18 Scalia 41:11</p>	<p>49:11 SCOTT 1:21 2:6 28:7 second 31:17 32:7 see 5:1 10:21 11:22,22 23:8 23:22 26:6 36:14,18 45:9 48:18 54:14 seeking 26:20 27:20 seen 23:17 53:11 sent 24:7 sentence 5:8 15:19 43:13 sentences 16:3 separate 49:25 separating 53:10 sequence 4:19 serious 48:15 56:18 set 32:10 43:2 48:3 SETH 1:19 2:3 2:9 3:6 53:17 sets 25:17 43:3 settle 28:23 seven 35:8 severe 56:12 shot 6:1,2 24:15 38:25 39:14,16 39:19,22 43:20 43:24 44:1 52:17,17 show 14:16 38:9 40:13 42:22 47:5,10,13,13 side 20:12 48:11 48:18 49:7 52:13 sifted 16:9 significance 37:11 significant 11:13 39:6</p>	<p>50:24 similarly 39:21 simply 17:25 18:1,3,14,24 27:5 28:25 single 21:10,10 34:10 situation 6:17 6:22 17:25 24:12 27:8 30:7 34:6 43:9 46:20 47:14,24 50:1 56:20 situations 15:24 27:3 33:17 49:2 56:22 six 7:4 skeptical 25:5 slightly 36:5 slowly 56:4 small 14:6 15:6 15:7 25:21 28:16,24 29:1 34:8 38:4 45:18,24 48:4 51:6,7,10,13 51:19 56:11 Solicitor 1:21 somewhat 9:25 22:19 sorry 5:15 12:11 32:13 46:9 sort 8:13 42:3 sorted 25:9 sorts 35:13 48:10 Sotomayor 3:20 3:22 4:5,18,23 5:1 13:7,10,22 13:25 14:6 28:15,18 29:5 31:8,19,20 32:13,22 33:3 33:9,21 35:11 46:9,14 50:15 Sotomayor's 5:16</p>
---	--	--	--	---

<p>sound 29:25 special 22:22 45:15 specifically 25:6 spent 25:13 standard 4:10 4:12,14 10:8 23:4 27:23,25 30:18 46:24 47:1 49:4 56:19 standards 10:21 46:25 standing 35:6 stare 26:13 start 13:25 41:23 started 19:10,24 state 5:10 6:10 6:23 8:10 11:16,17,19 12:6,13,16,22 13:15,18 16:25 17:10,12,21,22 18:6,23,25 19:16 24:4 25:23 26:16,22 26:24,25 27:2 27:18,21 31:15 31:15,23 34:10 35:7 37:4,19 38:5 41:5,8 42:22 43:2,7 43:10,20 44:16 45:3,22 48:10 48:21,25 50:3 52:7 54:12,14 54:16 55:7,8 55:20 56:13 State-appointed 27:1 statements 22:2 States 1:1,16 13:1 19:23 21:6,7 36:24 37:7,15,20 38:2,14 51:15</p>	<p> 54:21 55:1 statistics 11:21 22:4 36:1 statutory 11:25 26:6 stayed 38:12 stop 49:11 54:21 strange 54:10 strategic 25:4 strategically 56:1 strategy 7:20 55:15 strength 7:15 56:17 Strickland 14:15 23:4 25:2,9 56:10 stronger 37:2 strongest 7:7 studies 20:16 study 10:2 stunning 10:1 subject 34:16 submitted 56:24 57:1 subset 15:6 substantial 8:1 8:11 10:10,13 10:16 14:17,21 16:10 19:3,9 29:5,8 46:23 substantiality 8:6 succeed 47:16 success 46:22 successful 16:10 36:22 51:14 successor 26:25 suffer 13:5 suffice 25:19 sufficiency 3:18 4:7 sufficient 5:19 6:15,20 suggest 38:21 suggesting 15:19</p>	<p> 43:23 supplemental 5:9 27:21 30:4 44:12 suppose 24:11 24:24 34:16 48:13 49:5 supposed 9:18 9:21 26:8 30:18 Supreme 1:1,16 33:11 sure 36:16 39:11 39:14 41:10 42:12 survive 47:2 susceptibility 55:22 system 13:20 56:13 systemic 10:20 10:20 28:12 30:19 39:8 45:20</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>T 2:1,1 table 7:22 tactical 25:10 take 6:3 29:18 taken 27:12 talk 40:9 43:18 talked 15:12 21:14 39:10 52:4 53:21 talking 7:9 25:14 46:21 52:12 talks 40:10 task 17:25 ten 35:4,8 terms 11:20 38:19 terribly 16:2 test 9:18,22,24 10:8 46:10,10 46:10 54:22</p>	<p>Tex 1:19,22 Texas 1:7 4:11 6:10 15:16 23:17 28:2 Thank 28:5,9 53:15 56:23 theme 38:25 themselves 55:21 theoretically 8:9 theory 24:9 54:4 they'd 18:9 thing 5:21 6:25 8:7 18:25 38:18 39:22 41:4 42:11 45:15,25 56:14 things 7:21 24:17 47:20 54:25 think 4:21 5:17 5:19 7:2,4 13:21,23 15:3 19:15 20:3,11 20:11,12 21:3 21:17 22:15,16 22:17 24:2,20 24:25 25:1 26:2 27:11 31:14 36:3,13 38:18,22 39:10 39:13 40:6 42:24,25 51:7 51:21 53:24 55:9,16 56:18 thinking 38:19 38:22 41:16 third 10:6 36:20 43:22 thought 7:14 32:20 37:24 51:8,17 54:23 thousand 35:23 35:23,24 three 7:7 31:5,6 31:9 34:7 43:18 53:16 threshold 47:2</p>	<p>time 8:14 16:24 25:14 26:18 28:3 38:13 41:9 51:9 times 11:21 35:1 37:12 tiny 28:21 today 50:20 tough 49:5 transcript 3:24 transferred 4:20 5:2 transferred-in... 24:5 treated 35:17 tremendous 10:6 Trevino 11:16 16:18 21:6,13 22:6 37:8 43:17 52:4 trial 3:13 4:16 5:10,18 6:8,20 7:19 8:3 12:22 16:21,24 17:15 17:19 18:14,15 18:22 19:1,1 19:12,13,19,20 20:24 21:1,11 21:15,23 22:3 22:3,9,20 23:2 23:3,6,10,14 23:19,22,24,25 24:16,20 25:24 27:13,15,17,25 28:13,13 29:4 29:12,13,24 30:2,3,7,9,10 30:11,11 31:2 31:4 32:4,8,8 32:10,15,20,25 33:2,5,13,15 33:17,20 34:3 34:9,15 35:14 35:17 36:6,9,9 37:2 39:3,10 39:17,17,19</p>
---	---	--	--	--

