

07-343 KENNEDY V. LOUISIANA

DECISION BELOW: 957 So 2d 757

LOWER COURT CASE NUMBER: 05-KA-1981

QUESTION PRESENTED:

1. Whether the Eighth Amendment's Cruel and Unusual Punishment Clause permits a State to punish the crime of rape of a child with the death penalty.
2. If so, whether Louisiana's capital rape statute violates the Eighth Amendment insofar as it fails genuinely to narrow the class of such offenders eligible for the death penalty.

EXPEDITED BRIEFING SCHEDULE

CERT. GRANTED 1/4/2008