

Clarence Thomas Calls Out Judges for Disrespecting Supreme Court Rulings

Published Jan 27, 2025 at 2:38 PM EST

By [Jenna Sundel](#)
Reporter (Live News)

Newsweek Is A Trust Project Member

FOLLOW

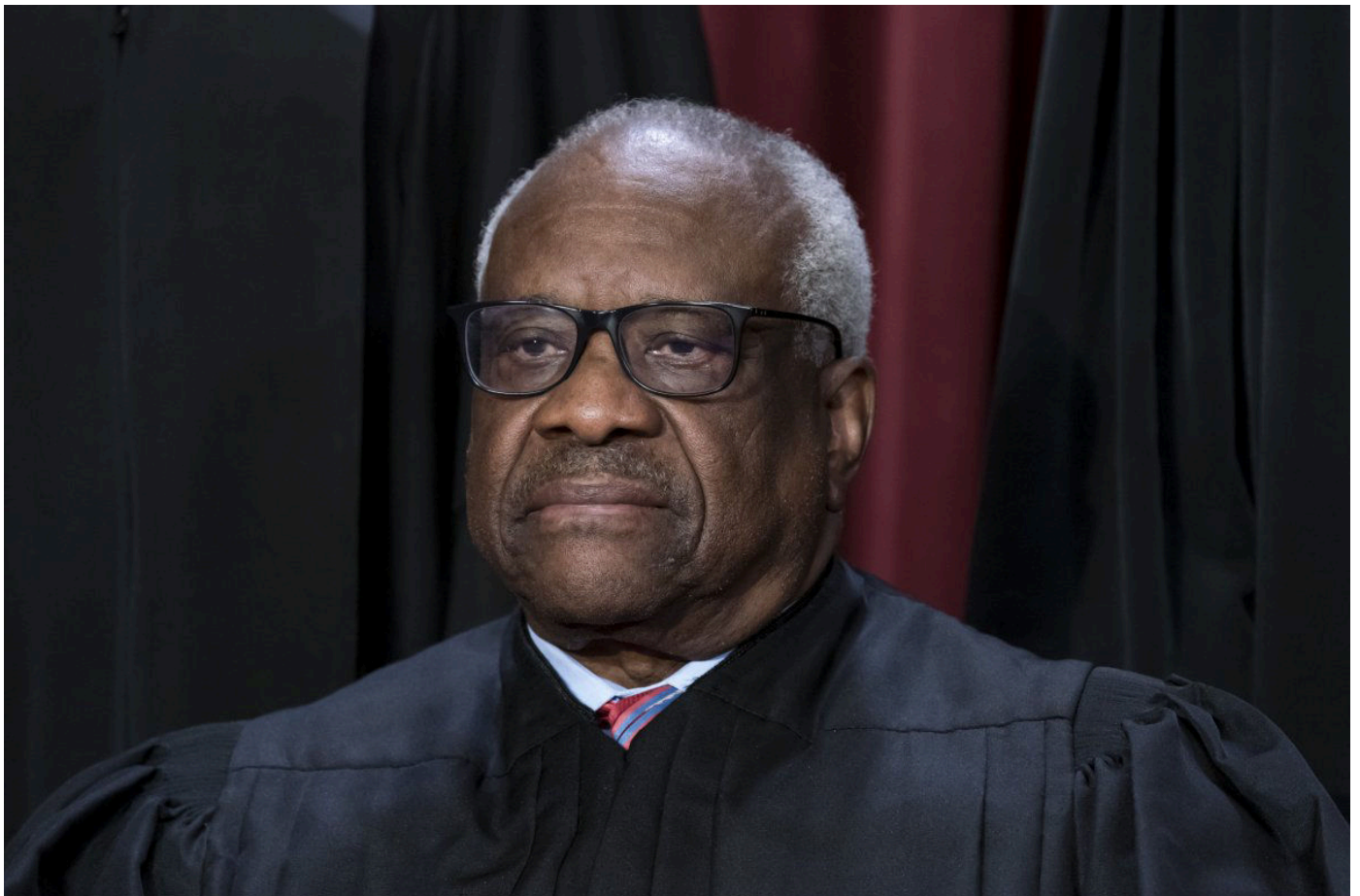
News Article |



Supreme Court Justice [Clarence Thomas](#) slammed a circuit court of appeals for not adhering to legal precedent in a dissent released on Monday.

Thomas dissented from a denial by the court to review a lower court's decision. Justice [Samuel Alito](#) joined the opinion.

"Because I would not overlook the Sixth Circuit's blatant and repeated disrespect for the rule of law, I respectfully dissent," Thomas said in his dissent.



Associate Justice Clarence Thomas joins other members of the Supreme Court as they pose for a group portrait in Washington, Oct. 7, 2022. **AP PHOTO/J. SCOTT APPLEWHITE. FILE**

Why It Matters

Thomas' dissent focuses on the Sixth Circuit Court of Appeals' application of the Antiterrorism and Effective Death Penalty Act (AEDPA). The law limits federal courts' power to review state criminal convictions.

Thomas said this case is the latest in a "long line" of AEDPA errors made by the Sixth Circuit. The [Supreme Court](#) has reversed the lower court's decisions at least two dozen times for misapplying the statute, according to Thomas.

What To Know

David Smith, an Ohio man, was convicted of attempted murder, felonious assault, aggravated robbery, and aggravated burglary after he attacked Quortney Tolliver in her mobile home in 2015.

Before the trial, Smith asked the court to suppress Tolliver's identification of him as the suspect, arguing that law enforcement was "unnecessarily suggestive" when interviewing her. The motion was unsuccessful and the evidence was admitted.

In appeals of the decision, Smith renewed his argument for the suppression of Tolliver's identification.

"Overall, [Lieutenant Greg] Johnson did not merely *suggest* that Smith was the perpetrator, but rather explicitly *informed* Tolliver several times that Smith committed the crime and tried to kill her," the Sixth Circuit Court of Appeals wrote in its ruling.

The Sixth Circuit directed the district court to issue a writ of habeas corpus unless the state can hold a new trial within 180 days. The order would require the government to prove to a judge that there is a valid reason the defendant is in jail.

Thomas said the lower court's majority made errors that were "particularly egregious."

"The panel majority's errors have real consequences," Thomas said. "The State of Ohio must retry Smith for a crime committed nearly a decade ago. That result comes at a steep cost for both society and the victim."

He said he would have reversed the Sixth Circuit's decision "to ensure that federal courts do not exceed their very limited role in collateral review of state criminal convictions."

Dissent Definition and Meaning

A dissenting opinion is written by a Supreme Court justice who disagrees with the majority opinion in a case. Dissenting opinions are not law and future cases are not required to follow them.

The opinions allow justices to represent minority viewpoints on contested legal issues.

How Many Justices are on the Supreme Court?

There are nine Supreme Court justices. The current Court consists of Chief Justice [John Roberts](#) and Associate Justices Thomas, Alito, [Sonia Sotomayor](#), [Elena Kagan](#), [Neil Gorsuch](#), [Brett Kavanaugh](#), [Amy Coney Barrett](#) and [Ketanji Brown Jackson](#).

What People Are Saying

Thomas, in his dissent: "I would have granted certiorari and summarily reversed. Smith did not make the required showing for habeas relief, and the Sixth Circuit's analysis blatantly disregards both AEDPA and this

Court's precedents in order to give Smith a regrettable windfall."

What Happens Next

The Supreme Court's decision allows for a retrial of Smith's case.

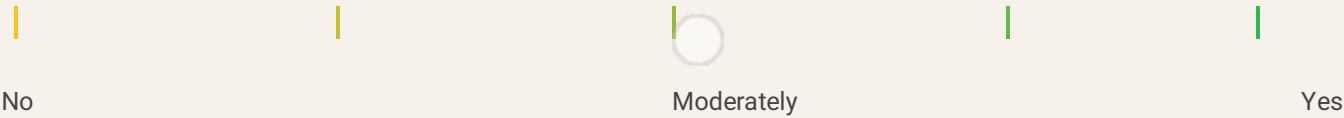
Do you have a story *Newsweek* should be covering? Do you have any questions about this story?
Contact LiveNews@newsweek.com.

Is This Article Trustworthy?



Newsweek is committed to journalism that is factual and fair
We value your input and encourage you to rate this article.

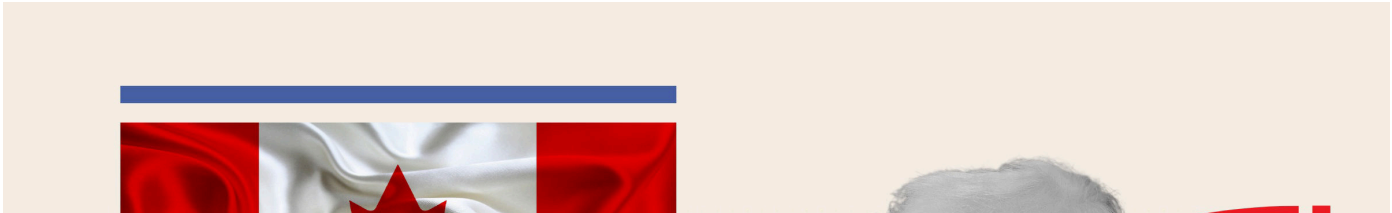
Slide Circle to Vote



VOTE

ADVERTIS

Top Stories





Patriotism Surges in Canada as Citizens Band Together to Fight Trump



US Stocks Bounce Back After Trump, Mexico Agree to Tariff Pause: Live Updates





USAID 'Shutting Down'—Elon Musk



Why 'Forever Chemicals' Are So Hard to Regulate

About the writer

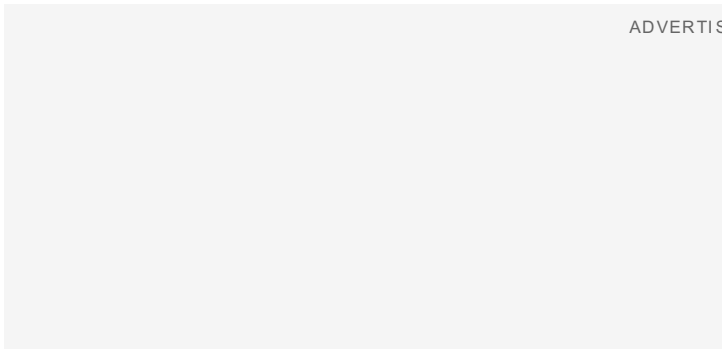
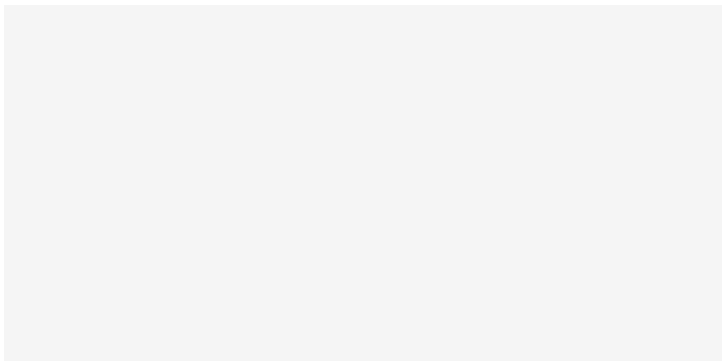
Jenna Sundel

FOLLOW

Jenna Sundel is a Newsweek reporter based in New Jersey. Her focus is reporting on breaking news. She has in-depth ...

[read more](#)

ADVERTISEMENT



ADVERTIS

THE DEBATE

To Keep Pace With China, the U.S. Needs Its Allies to Step Up | Opinion

By Anders Fogh Rasmussen



VS



Why the U.S. Has a Better Hand Than China in the Great Power Game | Opinion

By Joseph S. Nye, Jr.

ADVERTISEMENT

U.S.WorldScienceHealthRankingsOpinionEntertainmentFact CheckMy TurnEducationEventsSportsPodcastsBetter PlanetBetter WorkplacesVaultMightierAutosNewslettersUnconventionalVantageExpertsVoices

- ☐ Trending
- Israel at War Vladimir Putin Russia-Ukraine War Donald Trump
- ☐ Subscriptions

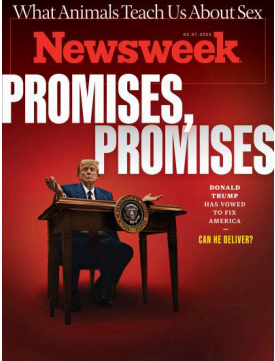
Digital+ Monthly (Ad Free Trial) \$1.00 Digital+ Yearly \$49.00 Premium Monthly \$9.99 Premium Yearly \$99

- Newsletters in your inbox See all
- ☐ The Bulletin (Daily)See Sample
- ☐ The Gist of It (Daily)
- ☐ Geoscape (Twice a Week)
- ☐ The 1600 (Daily)
- ☐ Inside Trump Policy (Weekly)
- ☐ Sports Daily (Daily)
- ☐ The Josh Hammer Report (Weekly)See Sample
- ☐ For The Culture (Three Times a Week)See Sample
- ☐ Discoveries (3 Times a Week)
- ☐ Like & Subscribe (Daily)
- ☐ Breaking News (As it Breaks)
- ☐ The Debate (Twice a Week)
- ☐ Pawsitively (Daily)
- ☐ Better Planet (Weekly)
- ☐ Newsweek Pulse (2x3 Times a Month)

Email address

Sign up now

You can unsubscribe at any time. By signing up you are agreeing to our Terms of Service and Privacy Policy



- ☐ In The Magazine
- February 07 2025 Issue