

QUESTION 10 THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK IV  
OR IN EXAMPLIFY ANSWER SCREEN 10

Charged with murder, Defendant Dapper could not post bond and was remanded to the county jail pending trial. Roughly four months later, defense counsel arranged the night before trial for Dapper to be dressed in street clothes for jury selection. Before jury selection began, Dapper was brought into court in an orange jumpsuit, clearly marked "County Jail." Defense counsel asked where Dapper's trial clothes were, and the deputy responded "well his own clothes are lice-infested and the ones you brought him somehow disappeared."

Trial counsel asked for an hour or so to go out and buy new clothes for Dapper because "I do not want him seen by the jury in jail clothes. It is not proper; his constitutional rights would be violated." The court was unimpressed with defense counsel's request and said, "We are starting now! Request denied." Counsel renewed his objection. The matter proceeded to trial and, on the first full day of trial, Dapper appeared in front of the jury in jail clothes. He was convicted.

On appeal, Dapper claims he was denied his constitutional right to a fair trial by having to appear for trial in jail clothes.

Discuss the constitutional right(s) involved and evaluate Dapper's argument.

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