FOR DISCUSSION

ESCOBEDO CASE

No. 419 Misc., 1965 Term
MIRANDA v. ARIZONA
Cert to Ariz SC Timely

1. Ariz; kidnapping and rape; pleaded not guilty; twenty to thirty years in prison.

2. Direct attack.

3. Full oral and written confession.

4. Introduced at trial by prosecutor as part of direct case.

5. Evidence objected to at trial on right to counsel grounds; point argued and decided on appeal.

6. Obtained after arrest in police station; had already been identified in line-up by victim; statements made to police officers; at first denied guilt but later succumbed to questioning.

7. No consultations with counsel; never warned of right to counsel and probably never warned of right to remain silent; warned that statement could be used against him before he signed written confession; never asked for counsel.

8. Ample substantiation in record.

9. No procedural obstacles to review.

10. No other issues raised.

MES

Ariz SC op reported
at 401 P. 2d 721