

# **Northwestern**

PRITZKER SCHOOL OF LAW

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## **BRENDAN DASSEY'S LEGAL TEAM ASKS UNITED STATES SUPREME COURT TO HEAR BRENDAN'S CASE**

Former United States Solicitor General Seth Waxman joins Dassey's Supreme Court team

WASHINGTON DC -- Today, Brendan Dassey's legal team filed a petition for a writ of certiorari before the United States Supreme Court, asking the high Court to agree to hear Brendan's appeal. If the Court accepts the case, it will mark the first time the Court has agreed to hear a juvenile confession case of this type in nearly forty years.

Lending formidable experience and firepower to the legal team, former Solicitor General of the United States Seth Waxman has joined Brendan's longtime lawyers – Steven Drizin and Laura Nirider of Northwestern Pritzker School of Law's [Center on Wrongful Convictions of Youth](#) and Robert Dvorak of Halling & Cayo S.C. – to represent Brendan before the United States Supreme Court. Waxman, who served as U.S. Solicitor General from 1997 to 2001 and is now co-chair of the Appellate and Supreme Court Litigation practice group at WilmerHale, has argued eighty cases before the United States Supreme Court. As a committed champion of pro bono work, Waxman donates over 300 hours every year to representing indigent clients at no cost.

Today's petition explains that Brendan's case raises crucial issues that extend far beyond his case alone and that have divided state and federal courts for decades. "Too many courts around the country, for many years, have been misapplying or even ignoring the Supreme Court's instructions that confessions from mentally impaired kids like Brendan Dassey must be examined with the greatest care -- and that interrogation tactics which may not be coercive when applied to an adult can overwhelm children and the mentally impaired," Drizin said. "Meanwhile, DNA evidence has uncovered dozens of cases involving false confessions from children. The time is now for the Court to reaffirm this country's commitment to protecting kids in the interrogation room."

Added Nirider, "Brendan is deeply grateful that Seth Waxman and his colleagues at WilmerHale have joined his team – as are Steve, Bob, and I. It speaks to the importance of Brendan's case, as well as the justness of his cause, that the country's top Supreme Court litigators have graciously donated their time to urge the Court to resolve this important legal question." Several other esteemed Supreme Court litigators have also joined the team, including WilmerHale attorneys Daniel Volchok, Alan Schoenfeld, James Barton, Ben Gifford, and Henry Becker, as well as Eric Citron of the Washington D.C. Supreme Court boutique firm Goldstein & Russell P.C.

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In 2007, a Wisconsin court convicted Brendan Dassey of helping his uncle Steven Avery rape and murder a young woman named Teresa Halbach and sentenced him to life in prison. The primary evidence against Brendan, who has intellectual and social limitations, was a videotaped confession taken during police interrogation when he was sixteen years old. A federal judge later raised “significant doubts as to [the confession’s] reliability,” pointing out that the videotape shows officers feeding Brendan facts about the crime after he was unable to guess what happened to Ms. Halbach. His case was featured in the hit Netflix Global docuseries *Making a Murderer*.

In 2016, a Wisconsin federal court overturned Brendan’s conviction, finding that his confession had been unconstitutionally coerced. That ruling was initially upheld on appeal by a panel of judges from the United States Court of Appeals for the Seventh Circuit, but the full Court of Appeals reheard the case and narrowly reversed the lower court’s decision to grant a new trial by a 4-3 vote. In dissent, three judges called the reversal a “travesty of justice.”

The State of Wisconsin will now have an opportunity to respond to the petition.