

BREYER, J., dissenting

**SUPREME COURT OF THE UNITED STATES**

MARCUS DANTE REED *v.* LOUISIANA

ON PETITION FOR WRIT OF CERTIORARI TO THE SUPREME  
COURT OF LOUISIANA

No. 16–656 Decided February 27, 2017

The petition for a writ of certiorari is denied.

JUSTICE BREYER, dissenting from the denial of certiorari.

Marcus Dante Reed was sentenced to death in Caddo Parish, Louisiana, a county that in recent history has apparently sentenced more people to death per capita than any other county in the United States. See Aviv, *Revenge Killing: Race and the Death Penalty in a Louisiana Parish*, *The New Yorker*, July 6 & 13, 2015, p. 34. The arbitrary role that geography plays in the imposition of the death penalty, along with the other serious problems I have previously described, has led me to conclude that the Court should consider the basic question of the death penalty’s constitutionality. See *Glossip v. Gross*, 576 U. S. \_\_\_\_ (2015) (BREYER, J., dissenting). For this reason, I would grant Reed’s petition for a writ of certiorari.