

# Wiley Rein & George Mason Supreme Court Clinic File *Amicus* Brief

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September 29, 2011

On Friday, September 23, the Supreme Court Clinic at the George Mason University School of Law (GMUSL), led by Wiley Rein attorneys William S. Consovoy and Thomas R. McCarthy, filed an *amicus* brief in the Supreme Court of the United States on behalf of the National District Attorneys Association (NDAA) in *Perry v. New Hampshire*, No. 10-8974. Perry is a criminal case on direct appeal from the Supreme Court of New Hampshire presenting the question whether the due process protections against the admission of unreliable eyewitness identification evidence should be expanded to apply to eyewitness identification evidence not procured through improper state action.

Clinic students Lora Barnhart Driscoll, Elizabeth Garvey, and Matthew McGuire assisted in drafting the NDAA's *amicus* brief, which argues that unreliable eyewitness identification evidence does not implicate the Due Process Clause if it was not procured through improper state action.

Mr. Consovoy and Mr. McCarthy are the co-directors of the GMUSL Supreme Court Clinic.

## Practice Areas

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Issues and Appeals