**Gideon V. Wainwright**

**Brief Fact Summary.** Gideon was charged with a felony in Florida state court. He appeared before the state Court, informing the Court he was indigent and requested that the Court appoint him an attorney. The Court declined to appoint Gideon an attorney, stating that under Florida law, the only time an indigent defendant is entitled to appointed counsel is when he is charged with a capital offense.

**Synopsis of Rule of Law.** This case overruled Betts and held that the right of an indigent defendant to appointed counsel is a fundamental right, essential to a fair trial. Failure to provide an indigent defendant with an attorney is a violation of the Fourteenth Amendment of the United States Constitution (”Constitution”).

**Facts.** Gideon was charged in a Florida state court with breaking and entering into a poolroom with the intent to commit a misdemeanor. Such an offense was a felony under Florida law. When Gideon appeared before the state Court he informed the court that he was indigent and requested the Court appoint him an attorney, asserting that “the United States Supreme Court says I am entitled to be represented by counsel.” The se Court informed Gideon that under Florida law only indigent clients charged with capital offenses are entitled to court appointed counsel.
Gideon proceeded to a jury trial; made an opening statement, cross-examined the State’s witnesses, called his own witnesses, declined to testify himself; and made a closing argument. The jury returned a guilty verdict and Gideon was sentenced to serve five years in state prison. While serving his sentence, Gideon filed a petition for habeas corpus attacking his conviction and sentence on the ground that the trial court’s refusal to appoint counsel denied his constitutional rights and rights guaranteed him under the Bill of Rights. The Florida State Supreme Court denied relief. Because the problem of a defendant’s constitutional right to counsel in state court continued to be source of controversy since Betts v. Brady, the United States Supreme Court (”Supreme Court”) granted certiorari to again review the issue.

**Issue.** Whether the Sixth Amendment constitutional requirement that indigent defendants be appointed counsel is so fundamental and essential to a fair trial that it is made obligatory on the states by the Fourteenth Amendment of the Constitution?