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NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States* v. *Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

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WILLIAMS *v.* TAYLOR, WARDEN

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

No. 98–8384. Argued October 4, 1999– Decided April 18, 2000

A Virginia jury convicted petitioner Williams of robbery and capital murder, and, after a sentencing hearing, found a probability of future dangerousness and unanimously fixed his punishment at death. Concluding that such punishment was "proper" and "just," the trial judge imposed the death sentence. The Virginia Supreme Court affirmed. In state habeas corpus proceedings, the same trial judge found, on the evidence adduced after hearings, that Williams' conviction was valid, but that his counsel's failure to discover and present significant mitigating evidence violated his right to the effective assistance of counsel under *Strickland* v. *Washington*, 466 U. S. 668. In rejecting the trial judge's recommendation that Williams be resentenced, the State Supreme Court held, *inter alia*, that the trial judge had failed to recognize that *Strickland* had been modified by *Lockhart* v. *Fretwell*, 506 U. S. 364, 369, and that Williams had not suffered sufficient prejudice to warrant relief. In habeas corpus proceedings under 28 U. S. C. §2254, the federal trial judge agreed with the state trial judge that the death sentence was constitutionally infirm on ineffective-assistance grounds. The federal judge identified five categories of mitigating evidence that counsel had failed to introduce and rejected the argument that such failure had been a strategic decision to rely primarily on the fact that Williams had confessed voluntarily. As to prejudice, the judge determined, among other things, that there was a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different, see *Strickland*, 466 U. S., at 694. Applying an amended version of §2254(d)(1) enacted in the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA), the judge concluded that the Virginia Supreme Court's decision "was contrary to, or involved an

unreasonable application of, clearly established Federal law, as determined by the Supreme Court of the United States." The Fourth Circuit reversed, construing §2254(d)(1) to prohibit federal habeas relief unless the state court had interpreted or applied the relevant precedent in a manner that reasonable jurists would all agree is unreasonable. The court declared that it could not say that the Virginia Supreme Court's decision on prejudice was an unreasonable application of the *Strickland* or *Lockhart* standards established by the Supreme Court.

Held: The judgment is reversed, and the case is remanded.

163 F. 3d 860, reversed and remanded.

JUSTICE STEVENS delivered the opinion of the Court as to Parts I, III, and IV, concluding that Williams was denied his constitutionally guaranteed right to the effective assistance of counsel, as defined in *Strickland*, when his trial lawyers failed to investigate and to present substantial mitigating evidence to the sentencing jury. Pp. 25–34.

(a) The threshold question under AEDPA— whether Williams seeks to apply a rule of law that was clearly established at the time his state-court conviction became final— is easily answered because the merits of his claim are squarely governed by *Strickland*. To establish ineffective assistance of counsel, the defendant must prove: (1) that counsel's performance fell below an objective standard of reasonableness, 466 U. S., at 688; and (2) that the deficient performance prejudiced the defense, which requires a showing that there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different, *id.*, at 694. Because the *Strickland* test qualifies as "clearly established Federal law, as determined by the Supreme Court," this Court's precedent "dictated" that the Virginia Supreme Court apply that test in entertaining Williams' ineffective-assistance claim. See *Teague* v. *Lane*, 489 U. S. 288, 301. Pp. 25–27.

(b) Williams is entitled to relief because the Virginia Supreme Court's decision rejecting his ineffective-assistance claim is both "contrary to, [and] involved an unreasonable application of, clearly established Federal law." *Strickland* provides sufficient guidance for resolving virtually all ineffective-assistance claims, and the Virginia Supreme Court erred in holding that *Lockhart* modified or in some way supplanted *Strickland*. Although there are a few situations in which the overriding focus on fundamental fairness may affect the analysis, see *Strickland*, 466 U. S., at 692, cases such as *Lockhart* and *Nix* v. *Whiteside*, 475 U. S. 157, do not justify a departure from a straightforward application of *Strickland* when counsel's ineffectiveness deprives the defendant of a substantive or procedural right to which the law entitles him. Here, Williams had a constitutionally

protected right to provide mitigating evidence that his trial counsel either failed to discover or failed to offer. Moreover, the Virginia trial judge correctly applied both components of the *Strickland* standard to Williams' claim. The record establishes that counsel failed to prepare for sentencing until a week beforehand, to uncover extensive records graphically describing Williams' nightmarish childhood, to introduce available evidence that Williams was "borderline mentally retarded" and did not advance beyond sixth grade, to seek prison records recording Williams' commendations for helping to crack a prison drug ring and for returning a guard's missing wallet, and to discover the testimony of prison officials who described Williams as among the inmates least likely to act violently, dangerously, or provocatively, and of a prison minister that Williams seemed to thrive in a more regimented environment. Although not all of the additional evidence was favorable to Williams, the failure to introduce the comparatively voluminous amount of favorable evidence was not justified by a tactical decision and clearly demonstrates that counsel did not fulfill their ethical obligation to conduct a thorough investigation of Williams' background. Moreover, counsel's unprofessional service prejudiced Williams within *Strickland*'s meaning. The Virginia Supreme Court's prejudice analysis was unreasonable in at least two respects: (1) It was not only "contrary to," but also– inasmuch as it relied on the inapplicable *Lockhart* exception– an "unreasonable application of," the clear law as established in *Strickland*; and (2) it failed to evaluate the totality of, and to accord appropriate weight to, the available mitigation evidence. Pp. 27–34.

JUSTICE O'CONNOR delivered the opinion of the Court as to Part II, concluding that §2254(d)(1) places a new constraint on the power of a federal habeas court to grant relief to a state prisoner with respect to claims adjudicated on the merits in state court: The habeas writ may issue only if the state-court adjudication (1) "was contrary to," or (2) "involved an unreasonable application of . . ." clearly established Federal law, as determined by the Supreme Court of the United States." Pp. 4–15.

(a) Because Williams filed his petition in 1997, his case is not governed by the pre-1996 version of the federal habeas statute, but by the statute as amended by AEDPA. Accordingly, for Williams to obtain federal habeas relief, he must first demonstrate that his case satisfies the condition set by §2254(d)(1). That provision modifies the previously settled rule of independent federal review of state prisoners' habeas petitions in order to curb delays, to prevent "retrials" on federal habeas, and to give effect to state convictions to the extent possible under law. In light of the cardinal principle of statutory construction that courts must give effect, if possible, to every clause and

word of a statute, this Court must give independent meaning to both the "contrary to" and "unreasonable application" clauses of §2254(d)(1). Given the commonly understood definitions of "contrary" as "diametrically different," "opposite in character or nature," or "mutually opposed," §2254(d)(1)'s first clause must be interpreted to mean that a federal habeas court may grant relief if the state court (1) arrives at a conclusion opposite to that reached by this Court on a question of law or (2) decides a case differently than this Court has on a set of materially indistinguishable facts. Under the "unreasonable application" clause, a federal habeas court may grant relief if the state court identifies the correct governing legal principle from this Court's decisions but unreasonably applies that principle to the facts of the prisoner's case. Pp. 4–11.

(b) In defining what qualifies as an "unreasonable application of . . . clearly established Federal law," the Fourth Circuit erred in holding that a state-court decision involves such an application only if the state court has applied federal law in a manner that reasonable jurists would all agree is unreasonable. That standard would tend to mislead federal habeas courts by focusing on a subjective inquiry. Rather, the federal court should ask whether the state court's application of clearly established federal law was objectively unreasonable. Cf. *Wright* v. *West*, 505 U. S. 277, 304. Although difficult to define, "unreasonable" is a common legal term familiar to federal judges. For present purposes, the most important point is that an *unreasonable* application of federal law is different from an *incorrect* application of federal law. See, *e.g.*, *id.*, at 305. Because Congress specifically used the word "unreasonable," and not a term like "erroneous" or "incorrect," a federal habeas court may not grant relief simply because it concludes in its independent judgment that the relevant state-court decision applied clearly established federal law erroneously or incorrectly. Rather, that application must also be unreasonable. Finally, the phrase "clearly established Federal law, as determined by [this] Court" refers to the holdings, as opposed to the dicta, of this Court's decisions as of the time of the relevant state-court decision. In this respect, the quoted phrase bears only a slight connection to this Court's jurisprudence under *Teague* v. *Lane*, 489 U. S. 288. Whatever would qualify as an "old rule" under *Teague* will constitute "clearly established Federal law, as determined by [this] Court," see, *e.g.*, *Stringer* v. *Black*, 503 U. S. 222, 228, but with one caveat: Section 2254(d)(1) restricts the source of clearly established law to this Court's jurisprudence. Pp. 11–15.

STEVENS, J., announced the judgment of the Court and delivered the opinion of the Court with respect to Parts I, III, and IV, in which

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O'CONNOR, KENNEDY, SOUTER, GINSBURG, and BREYER, JJ., joined, and an opinion with respect to Parts II and V, in which SOUTER, GINSBURG, and BREYER, JJ., joined. O'CONNOR, J., delivered the opinion of the Court with respect to Part II (except as to the footnote), in which REHNQUIST, C. J., and KENNEDY and THOMAS, JJ., joined, and in which SCALIA, J. joined, except as to the footnote, and an opinion concurring in part and concurring in the judgment, in which KENNEDY, J., joined. REHNQUIST, C. J., filed an opinion concurring in part and dissenting in part, in which SCALIA and THOMAS, JJ., joined.