

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 Lumber Co.*, 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

Syllabus

WRIGHT, WARDEN, ET AL. v. WEST

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

No. 91-542. Argued March 24, 1992—Decided June 19, 1992

A few weeks after a Virginia home was burglarized, over 15 of the missing items were recovered from respondent West's home. At his trial on grand larceny charges, he admitted to a prior felony conviction, but denied having stolen the items, explaining that he frequently bought and sold merchandise at different flea markets. He offered no explanation for how he had acquired any of the stolen items until cross-examination, when he gave vague, evasive and even contradictory answers; could not remember how he acquired several major items, including a television set and a coffee table; and failed to produce any evidence corroborating his story. West was convicted. The State Supreme Court affirmed the conviction and denied his petition for a writ of habeas corpus, both times rejecting, *inter alia*, West's contention that the evidence was insufficient to support a finding of guilt beyond a reasonable doubt. On federal habeas, the District Court also rejected that contention. The Court of Appeals reversed on the ground that the standard of *Jackson v. Virginia*, 443 U.S. 307, 319—that evidence is sufficient to support a conviction as a matter of due process if, "after viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt"—had not been met.

Held: The judgment is reversed, and the case is remanded.
931 F.2d 262, reversed and remanded.

JUSTICE THOMAS, joined by THE CHIEF JUSTICE and JUSTICE SCALIA, concluded that regardless of whether a federal habeas court should review state-court applications of law to fact deferentially or *de novo*, the trial record contains more than enough evidence to support West's conviction. *Jackson* repeatedly emphasizes the deference owed the trier of fact and

the sharply limited nature of constitutional sufficiency review. The case against West was strong. The jury was entitled to disbelieve his uncorroborated and confused testimony, discount his credibility on account of his prior felony conviction, and take his demeanor into account. The jury was also permitted to consider what it concluded to be perjured testimony as affirmative evidence of guilt. Pp.16-18.

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JUSTICE WHITE concluded that there was enough evidence to support West's conviction under the *Jackson* standard. P.1.

JUSTICE O'CONNOR, joined by JUSTICE BLACKMUN and JUSTICE STEVENS, concluded that the evidence supported West's conviction and that there was no need to decide the standard of review issue to decide this case. Pp.1, 9.

JUSTICE KENNEDY concluded that the evidence was sufficient to convince a rational factfinder of guilt beyond a reasonable doubt and that *Teague v. Lane*, 489 U.S. 288, should not be interpreted as calling into question the settled principle that mixed questions are subject to *de novo* review on federal habeas corpus. Pp.1-5.

JUSTICE SOUTER concluded that West sought the benefit of a "new rule," and thus his claim was barred by *Teague v. Lane*, 489 U.S. 288. The Court of Appeals misapplied *Teague's* commands, since, while the *Jackson* rule was "old" enough to have predated the finality of West's conviction, it was not specific enough to dictate the rule on which the conviction was held unlawful. Although the State Supreme Court was not entitled to disregard *Jackson*, it does not follow from *Jackson's* rule that the insufficiency of the evidence to support West's conviction was apparent. Virginia has long recognized a rule that evidence of falsely explained possession of recently stolen property is sufficient to sustain a finding that the possessor took the goods, and the jury's rejection of West's explanation implies a finding that his explanation was false. Virginia's rule is reasonable and has been accepted as good law against the backdrop of a general state sufficiency standard no less stringent than the *Jackson* rule. Thus, it is not possible to say that reasonable jurists could not have considered Virginia's rule compatible with the *Jackson* standard. Pp.1-7.

THOMAS, J., announced the judgment of the Court and delivered an opinion, in which REHNQUIST, C. J., and SCALIA, J., joined. WHITE, J., filed an opinion concurring in the judgment. O'CONNOR, J., filed an opinion concurring in the judgment, in which BLACKMUN and STEVENS, JJ., joined. KENNEDY, J., and SOUTER, J., filed opinions concurring in the judgment.