

**Citation:** *Gregg V Georgia*, 428 U.S. 153 (1976)

**Parties:**

Gregg: found guilty of murder, appellant here

v.

Georgia: sentenced Gregg, appellee here

**Theories:**

The appellant is theorizing that the imposition of the death penalty infringes on his eight and fourteenth amendments, constituting as “cruel and unusual” for the crimes he committed. The appellee, the state of Georgia, finds that ruling of the death penalty is a just punishment for the murder and robbery committed by Gregg; which is supported under Georgia’s statute that the death penalty still applies to murder and five other penalties.

**Key Facts:**

Troy Gregg was found guilty of robbing and murdering two men in both the lower courts and Georgia’s Supreme Court.

**Prior Proceedings:**

The lower courts sentenced the death penalty to Gregg for the robbery and murder of which he was found guilty for, and the Georgia Supreme Court upheld the ruling when further appealed by Gregg.

**Issue:**

Is the petitioner’s conviction of capital punishment a violation of his Eight and Fourteenth Amendments, as the sentencing is excessive and discriminatory?

**Holdings:**

No.

**Ruling:**

The issue before the court is whether the application of the death penalty is in violation of the appellant’s Eighth and Fourteenth Amendments. The Supreme Court found that ruling did not violate the petitioner’s Fourteenth and Eight amendments. As found in the constitution, the Eight Amendment prohibits the use of “excessive” punishment, however this does not translate into the court choosing the least severe reprimand. Furthermore, the court also stated that capital punishment has been a permitted retribution for perpetrated murder by the U.S constitution, for over a century. Consequently being a fair retribution for the murders committed by Gregg, the state found that original sentencing was neither unfair nor

discriminatory. The statutory system sentencing Gregg was also found to be constitutional, as a judge reviewed and upheld the ruling in the lower courts.

In addition, supplementary statutes have been fabricated in Georgia's legislature to ensure the jury is given adequate information and assistance in determining the imposition of the death penalty, allowing for a consistent imposition. Therefore, the appellant's argument regarding the vagueness of Georgia's statutes was ignored. However, the Supreme Court did find that the murder sentencing for the armed robbery was rarely ruled in the state of Georgia, and ejected the ruling for that circumstance. In conclusion, the court found that the sentencing of death was not completed under any arbitrary means, nor did the ruling violate the appellants Eight or Fourteenth Amendments.

**Disposition:** Affirmed