

12-7515 BURRAGE V. UNITED STATES

DECISION BELOW: 687 F.3d 1015

LOWER COURT CASE NUMBER: 11-3602

QUESTION PRESENTED:

1. Whether the crime of distribution of drugs causing death under 21 U.S.C. § 841 is a strict liability crime, without a foreseeability or proximate cause requirement.
2. Whether a person can be convicted for distribution of heroin causing death utilizing jury instructions which allow a conviction when the heroin that was distributed "contributed to," death by "mixed drug intoxication," but was not the sole cause of death of person.
3. Whether an officer can testify that the defendant is a "known" heroin dealer because the officer couched it as necessary to explain why he put the defendant's picture in a photo lineup.

GRANTED LIMITED TO QUESTIONS 1 AND 2 PRESENTED BY THE PETITION.

CERT. GRANTED 4/29/2013