**How to Write a Brief**

What the Brief Should Contain in Each Section

**Facts:**

The **first paragraph** includes the basic facts of what occurred. Jo Bob was stopped by Big Bad Patrol man and Patrol man smelled marijuana. Big Bad Patrol Man searched Jo Bob’s car and found 6 kilos of heroin. Jo Bob was convicted.

The **second paragraph** includes the procedural history. Jo Bob was convicted in Crack County, Texas. He appealed to the Fourth Court of Appeals where his conviction was affirmed. The Texas Court of Criminal Appeals refused to hear his case. He filed a writ of certoari to SCOTUS.

**Issue:**

Whether or not Jo Bob’s Fourth Amendment rights were violated by Big Bad Patrol Man.

**Rule:**

The Fourth Amendment protects individuals from unreasonable search and seizure.

**Analysis:**

This should be the longest section of your brief. If your facts are longer, than you are in trouble. This is where you explain why the court ruled in favor or against the petitioner. Offer explanation that also considers historically why the court may have felt the way it did.

**Conclusion:**

Jo Bob’s conviction was vacated and was sent back to the Court of Appeals for review in light of the Court’s opinion.