

QUESTION PRESENTED

Whether the U. S. Court of Appeals for the Sixth Circuit erred in concluding that the Michigan Supreme Court failed to apply “clearly established” Supreme Court precedent under 28 U. S. C. § 2254 on the issue of the fair-cross-section requirement under *Duren v. Missouri*, 439 U. S. 357 (1979), where the Sixth Circuit adopted the comparative-disparity test (for evaluating the difference between the numbers of African Americans in the community compared to the venires), which this Court has never applied and which four circuits have specifically rejected.