

KENNEDY, J., concurring

SUPREME COURT OF THE UNITED STATES

No. 98–7809

SALVADOR MARTINEZ, PETITIONER v. COURT OF
APPEAL OF CALIFORNIA, FOURTH
APPELLATE DISTRICT

ON WRIT OF CERTIORARI TO THE SUPREME COURT OF
CALIFORNIA

[January 12, 2000]

JUSTICE KENNEDY, concurring.

To resolve this case it is unnecessary to cast doubt upon the rationale of *Faretta v. California*, 422 U. S. 806 (1975). *Faretta* can be accepted as quite sound, yet it does not follow that a convicted person has a similar right of self-representation on appeal. Different considerations apply in the appellate system, and the Court explains why this is so. With these observations, I join the opinion of the Court.