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Texas v. Johnson / How the Case Moved Through the Court System

Supreme Court of the United States

The state of Texas appealed to the Supreme Court. The Court held, 5-4, that the conviction cannot stand because the Texas statute was unconstitutional. The state's interest in preventing breaches of the peace did not support Johnson's conviction because his conduct did not threaten to disturb the peace. Nor did the state's interest in preserving the flag as as as symbol of nationhood and national unity justify Johnson's criminal conviction for engaging in political expression.

Texas v. Johnson (1989)







Texas Court of Criminal Appeals

Johnson appealed his case again, this time successfully. The Court of Criminal Appeals held that Johnson's rights under the First Amendment were violated and overturned his conviction.

Johnson v. State (1988)







Court of Appeals for the Fifth District of Texas

Johnson appealed his case, but the Court of Appeals affirmed his conviction by the County Criminal Court.

Gregory Lee Johnson v. State (1986)







County Criminal Court 8, Dallas County, Texas

In 1984, Gregory Lee Johnson was arrested after burning an American flag in the course of a demonstration outside the Republican National Convention in Dallas, Texas. He was convicted of violating a Texas statute prohibiting desecration of the flag, sentenced to one year in prison, and fined \$2,000.

State v. Gregory Lee Johnson (1984)