

present” his or her claims to the appropriate state court as “federal” questions.⁴ A defendant who fails to do so will be barred from obtaining federal court review of these claims.

This Article examines what a criminal defendant should do while litigating claims in state court in order to ensure that the claims are properly preserved as federal questions to allow subsequent federal court review. The Article also discusses the potential hazards of attempting to frame all of a defendant’s claims as federal questions while litigating in state court in order to ensure the availability of subsequent federal court review, rather than narrowing the claims to state-law questions. Narrowing the claims to state-law questions may cause the loss of subsequent federal court review but enhance the defendant’s chances of success in state court.

4. § 2254.