

Opinion of STEVENS, J.

SUPREME COURT OF THE UNITED STATES

No. 05–1629

ALBERTO R. GONZALES, ATTORNEY GENERAL,
PETITIONER *v.* LUIS ALEXANDER DUENAS-
ALVAREZ

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE NINTH CIRCUIT

[January 17, 2007]

JUSTICE STEVENS, concurring in part and dissenting in part.

While I join Parts I, II, and III–B of the Court’s opinion, as well as its judgment, I do not join Part III–A. I am not prepared to disagree with anything said in Part III–A, but I believe we would be well advised to withhold comment on issues of California law until after they have been addressed by the Court of Appeals in the first instance. Limiting our decision to the question we granted certiorari to answer, though not a rigid rule, is generally prudent. Doing so seems particularly wise whenever reaching beyond the question presented requires analysis of disputed issues of state law. Because circuit judges are generally more familiar with the law of the States within their respective jurisdictions than we are, we have often followed the sound practice of deferring to the courts of appeals on such matters even when we did not necessarily share their views. See, *e.g.*, *Haring v. Prosise*, 462 U. S. 306, 314 (1983); *Bishop v. Wood*, 426 U. S. 341, 345–346, and n. 10 (1976) (collecting cases); see also *Elk Grove Unified School Dist. v. Newdow*, 542 U. S. 1, 16 (2004). I would adhere to that settled practice in this case.