

SCALIA, J., dissenting

SUPREME COURT OF THE UNITED STATES

No. 01–1289

STATE FARM MUTUAL AUTOMOBILE INSURANCE
COMPANY, PETITIONER *v.* INEZ PREECE CAMPBELL
AND MATTHEW C. BARNECK, SPECIAL ADMINISTRATOR
AND PERSONAL REPRESENTATIVE OF THE ESTATE OF
CURTIS B. CAMPBELL

ON WRIT OF CERTIORARI TO THE SUPREME COURT OF UTAH

[April 7, 2003]

JUSTICE SCALIA, dissenting.

I adhere to the view expressed in my dissenting opinion in *BMW of North America, Inc. v. Gore*, 517 U. S. 559, 598-99 (1996), that the Due Process Clause provides no substantive protections against “excessive” or “unreasonable” awards of punitive damages. I am also of the view that the punitive damages jurisprudence which has sprung forth from *BMW v. Gore* is insusceptible of principled application; accordingly, I do not feel justified in giving the case *stare decisis* effect. See *id.*, at 599. I would affirm the judgment of the Utah Supreme Court.