How the Case Moved through the Court System

**Supreme Court of the United States**  
*Marbury v. Madison* (1803)

The Supreme Court of the United States declared that:

- Marbury is entitled to the commission, but:
- The Court cannot issue the writ because the Judiciary Act of 1789, which granted the Supreme Court original jurisdiction to issue writs of mandamus, is unconstitutional.
- The Supreme Court of the United States has the power to review acts of other branches and determine their constitutionality. This power is called judicial review.

William Marbury brought his case directly to the Supreme Court because the Court had original jurisdiction over the case. He asked the Court to issue a writ of mandamus to order James Madison to deliver his commission.