October Argument Session (13 Cases)

Case No.	Case	Status	Court	Argued	Opinion	Author	Vote	Judgment
08-680	Maryland v. Shatzer	Decided	ST	10/5/09	2/24/10	Scalia	9-0	Reversed and Remanded
Holding: A "br	reak in custody" permits the police to resume questioning a susp	ect who had previo	usly asked f	or a lawyer. If th			two weeks	
n <i>Edwards v. i</i>	Arizona does not apply to suppress a confession.							
08-678	Mohawk Industries v. Carpenter	Decided	CA11	10/5/09	12/8/09	Sotomayor	9-0	Affirmed
Holding: The S	Supreme Court held that a party cannot immediately appeal from	a federal trial judge	e's ruling tha	at a he must turr	n over evidence	because it is not pro	otected by t	the attorney-client privilege.
08-769	US v. Stevens	Decided	CA3	10/6/09	4/20/10	Roberts	8-1	Affirmed
	v that makes it a crime to create or sell depictions of animal cruel s) that it violates the First Amendment right to free speech.	ty (including, in this	case, dogfi	ghting videos), a	applies to such a	a broad spectrum of	f expressior	n (including, for example,
08-6925	Johnson v. US	Decided	CA11	10/6/09	3/2/10	Scalia	7-2	Reversed and Remanded
Holding: The F	Florida felony offense of battery does not require physical force b	etween two people	and therefo	re does not cor	nstitute a "violen	t felony" for the pur	poses of fe	deral sentencing guidelines.
08-728	Bloate v. US	Decided	CA8	10/6/09	3/8/10	Thomas	7-2	Reversed and Remanded
Holding: The ti	time granted to prepare pretrial motions is not automatically exclu	ided from the 70-da	ay limit unde	er the Speedy T	rial Act of 1974.			
08-472	Salazar v. Buono	Decided	CA9	10/7/09	4/28/10	Kennedy	5-4	Reversed and Remanded
Holding: After	he received a court order in a previous case, the petitioner had s	tanding to request	that a cross	place in a fede	ral park be remo	ved. However, the I	District Cou	irt was wrong to block the
government's	land transfer to a group who wanted to maintain the cross.							
08-103	Reed Elsevier v. Muchnick	Decided	CA2	10/7/09	3/2/10	Thomas	8-0	Reversed and Remanded
	pyright must be registered before one may file an infringement clang works that are not registered.	aim, but the failure	of a copyrigi	ht holder to hav	e a registration of	does not restrict a te	ederal court	's power to decide infringement
08-604	Union Pacific Rail v. Locomotive Eng.	Decided	CA7	10/7/09	12/8/09	Ginsburg	9-0	Affirmed
-	eral law provides for the binding arbitration of labor disputes invol- nal, and (ii) the arbitration ruling in this case was in fact unconstitu	-		-	.,	•		
08-651	Padilla v. Kentucky	Decided	ST - KY	10/13/09	3/31/10	Stevens	7-2	Reversed and Remanded
-	n counseling a client on whether or not to plead guilty to a crime, onsequences.	a defense attorney	has a respo	onsibility to tell h	nis client if the gu	uilty plea will cause	the client to	b be deported or have other
08-724	Smith v. Spisak	Decided	CA6	10/13/09	1/12/10	Breyer	9-0	Reversed
	ructing a jury to consider only mitigating facts that were clearly more the outcome of the case.	itigating is not a vio	lation of "cle	early established	d Federal law." 1	The defendant's law	yer's closin	g argument - poor or not - did not
138, Orig.	South Carolina v. North Carolina	Decided	Original	10/13/09	1/20/10	Alito	5-4	Reversed
-	n states participate in litigation, private parties may intervene only but non-unique interest.		que and con	npelling interest	. Here, two parti	es were permitted to	o intervene	but a third party was shown to have
08-351	Alvarez v. Smith	Decided	CA7	10/14/09	12/8/09	Breyer	8-1	Vacated and Remanded
Holding: A cha	allenge to an Illinois statute authorizing forfeiture of personal prop	erty used to facilita	ate drug crim	nes was mooted	d when parties re	esolved underlying o	disputes as	to ownership of the property.
08-970	Perdue v. Kenny A.	Decided	CA11	10/14/09	4/21/10	Alito	5-4	Reversed and Remanded
Holding: A fed	deral court can award larger-than-usual attorney's fees to a civil ri	ghts lawyer who gi	ves an espe	cially strong per	formance in a p	articular case, but c	nly in "extra	

November Argument Session (13 Cases)

Case No.	Case	Status	Court	Argued	Opinion	Author	Vote	Judgment
08-586	Jones v. Harris Associates LP.	Decided	CA7	11/2/09	3/30/10	Alito	9-0	Vacated and Remanded
of directors. In	al fund shareholders may challenge the amount of fees the fund's n deciding whether the fees are excessive, courts must consider lirectors engaged in a fully-informed and disinterested review of the	the totality of the c						
08-1008	Shady Grove v. Allstate Ins. Co.	Decided	CA2	11/2/09	3/31/10	Scalia	5-4	Reversed and Remanded
	tiffs may sometimes sue for violations of state law in federal cour The Court held that a state law forbidding that certain state claims							
08-992	Beard v. Kindler	Decided	CA3	11/2/09	12/8/09	Roberts	8-0	Vacated and Remanded
	fendant convicted in state court cannot challenge his conviction in a defendant missed a deadline created by state law. The Supremo							
08-674	NRG Power v. Maine Pub. Util. Comm'n	Decided	CADC	11/3/09	1/13/10	Ginsburg	8-1	Reversed and Remanded
	n a third party challenges an agreement between an energy comp				y for electricity,	federal law presumes	that rate	is legal.
08-538	Schwab v. Reilly	Argued	CA3	11/3/09				
	ented: When a debtor files for bankruptcy, she must declare the value of the creditor does not object, and the debtor later realizes that the							
08-969	Hemi Group, LLC v. City of New York	Decided	CA2	11/3/09	1/25/10	Roberts	5-3	Reversed and Remanded
Holding: If a ci	ity cannot show that it lost revenue because of a crime under the	federal Racketeer	Influenced a	nd Corrupt Org	anizations Act (I	RICO), it cannot use t	that statut	te to recover unpaid taxes.
08-1065	Pottawattami County v. McGhee	Dismissed	CA8	11/4/09				
Dismissed follo	owing settlement between parties							
08-9156	Wood v. Allen	Decided	CA11	11/4/09	1/20/10	Sotomayor	7-2	Affirmed
Holding: Defer	ndant's sentence should not be overruled because his attorney d	id not make an "un	reasonable o	decision" to with	hhold evidence	of his mental deficien	icies.	
08-7412	Graham v. Florida	Decided	ST-KY	11/9/09	5/17/10	Kennedy	6-3	Reversed and Remanded
Holding: It is a	unconstitutional to sentence a juvenile offender to life in prison w	thout parole when	the crime do	es not involve	murder, given th	ne Eighth Amendmen	t's ban or	n "cruel and unusual" punishment.
08-7621	Sullivan v. Florida	DIG	ST-KY	11/9/09	5/17/10	Per Curiam	9-0	-
Dismissed as I	Improvidently Granted							
08-964	Bilski v. Kappos	Argued	CA-FED	11/9/09				
Question pres	ented: When can a patent be issued for a method of doing busine	ess?						
08-911	Kucana v. Holder	Decided	CA7	11/10/09	1/20/10	Ginsburg	9-0	Reversed and Remanded
Holding: Discr	etionary determinations by the Board of Immigration Appeals, su	ch as whether or n	ot to "reoper	n" a previous ru	ling, cannot be	appealed to a federa	l appeals	court.
08-1107	Hertz Corp. v. Friend	Decided	CA9	11/10/09	2/23/10	Breyer	9-0	Vacated and Remanded
Holding: The "	'principal place of business" of a corporation is the place where it	s high level officers	s direct, con	trol, and coordi	nate its activities		e its corp	orate headquarters.

December Argument Session (10 Cases)

Case No.	Case	Status	Court	Argued	Opinion	Author	Vote	Judgment
08-304	Graham County v. US ex rel. Wilson	Decided	CA4	11/30/09	3/30/10	Stevens	7-2	Reversed and Remanded
Holding: Laws audits.	uits under the Federal False Claims Act seeking to recover federa	al funds that have b	een misspe	nt are barred if	the information	used in the lawsuits	came from	n state or local agencies' reports or
08-905	Merck v. Reynolds	Decided	CA3	11/30/09	4/27/10	Breyer	9-0	Affirmed
Holding: The ti	ime for a plaintiff to file a federal securities fraud lawsuit begins to	run as soon as a p	plaintiff disc	overs, or reasor	nably should hav	e discovered, all of	the facts tl	hat make up the violation,
ncluding the c	defendant's intent to defraud.							
08-1119	Milavetz v. US	Decided	CA8	12/1/09	3/8/10	Sotomayor	9-0	Reversed and Remanded
Holding: Feder	ral bankruptcy law prohibits lawyers from advising a debtor to tal	ke on more debt wh	nen filing for	bankruptcy and	d certain disclos	ure requirements do	not violate	e the attorney's free speech rights.
08-1134	US Aid Funds v. Espinosa	Decided	CA9	12/1/09	3/23/10	Thomas	9-0	Affirmed
Holding: A bar	hkruptcy court has the authority to discharge a student loan debt	even if the student	has not file	d a claim of unc	due hardship.			
08-1151	Stop the Beach v. Florida	Argued	ST-FL	12/2/09				
Question prese	ented: The Florida Supreme Court held that when the state depos	sited sand to stop	erosion, that	land became t	he state's prope	rty. The question pr	esented is	whether that ruling violated the
ederal Constit	tution, including because it constituted a "taking" of private prope	erty without compe	ensation.					
08-861	Free Ent. Fund v. PCAOB	Argued	CADC	12/7/09				
	ented: The Public Company Accounting Oversight Board has var ecause the President does not have the direct power to appoint of a point of the President does not have the direct power to appoint of the President Resident Reside					ion presented is wh	ether the E	Soard's structure violates the
08-1175	Florida v. Powell	Decided	ST-FL	12/7/09	2/23/10	Ginsburg	7-2	Reversed and Remanded
Holding: Police	e satisfy the requirements of Miranda v. Arizona when they advise	a suspect that the	ey have the r	right to talk to a	lawyer before a	nswering questions	and that th	ney can request a lawyer at any point
luring questio	ning.							
08-876	Black v. US	Argued	CA7	12/8/09				
Question prese	ented: Federal law makes it a crime to deprive your employer of	our "honest servic	es." One qu	estion presente	d by this case is	whether an employ	ee of a priv	vate company violate the statute if
here is no risk	that his employer will be harmed? The case also presents an un	related question re	garding wha	at a defendant n	nust do to objec	t to an erroneous ju	ry instruction	on.
08-1196	Weyhrauch v. US	Argued	CA9	12/8/09				
Question prese	ented: Can a state government official be convicted under the ho	nest services statu	te for condu	ict that is not ille	egal under state	law?		
08-1198	Stolt-Nielsen S.A. v. AnimalFeeds	Decided	CA2	12/9/09	4/27/10	Alito	5-3	Reversed and Remanded
Holding: When	a defendant is alleged to have violated many people's rights, the	e victims can some	times bring	their claims in c	court as a group	through a "class ac	ction" laws	uit. At the same time, rather
	sputes in courts, people sometimes agree to arbitration. In this c							
lass-wide bas	sis.	•					•	-

January Argument Session (10 Cases)

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Case No.	Case	Status	Court	Argued	Opinion	Author	Vote	Judgment
132, Orig	Alabama v. North Carolina	Decided	Original	1/11/10	6/1/10	Scalia	7-2	-
lolding: The (Court adopts the Special Master's recommendations and overru	lles all nine exception	ons presented	d by the plaintiff	s.			
07-11191	Briscoe v. Virginia	Decided	ST-VA	1/11/10	1/25/10	Per Curiam	9-0	Vacated and Remanded
olding: Vaca	tted and Remanded in light of the Court's decision in Melendez-	Diaz v. Massachuse	tts (2009).					
08-1224	US v. Comstock	Decided	CA4	1/12/10	5/17/10	Breyer	7-2	Reversed and Remanded
•	Court upholds the law passed by Congress to order the civil cor uld be released.	nmitment of a menta	ally ill federal	prisoner who is	s a sex offender	with the commitmer	nt to contin	ue beyond the date the inmate
08-645	Abbott v. Abbott	Decided	CA5	1/12/10	5/17/10	Kennedy	6-3	Reversed and Remanded
om the coun	rent has a right of custody under the Hague convention on child stry where the child is living.				_			
08-661	American Needle v. NFL	Decided	CA7	1/13/10	5/24/10	Stevens	9-0	Reversed
	federal antitrust laws prohibit some "collective" action by "separater the Sherman Antitrust Act.	ate entities. The St	ipreme Coun	t field that NFL	teams interaction	ons regarding licens	ing intellect	tual property can sometimes be
08-1200	Jerman v. Carlisle	Decided	CA6	1/13/10	4/21/10	Sotomayor	7-2	Reversed and Remanded
olding: Debt	collectors are liable for violating the Fair Debt Collection Practic	ces Act even if they	did not know	that their cond	uct violated the	statute.		
08-240	Mac's Shell Serv. v. Shell Oil Products, Co.	Decided	CA1	1/19/10	3/2/10	Alito	9-0	Reversed and Remanded
olding: A gas	s station may not sue a former franchisor for "constructive termi	nation" under the Po	etroleum Mar	rketing Practice	s Act.			
08-1214	Granite Rock v. Teamsters	Argued	CA9	1/19/10				
uestion pres	sented: In this case, the employer wants to sue over a collective	bargaining agreeme	ent signed by	a local union ra	ather than its inte	ernational. The ques	tions are, u	ınder federal labor law, whether (1) a
deral court o	or instead an arbitrator should decide whether there is an actual	agreement, and (2)	the employe	r should sue the	e international or	instead the local.		
08-1402	Berghius v. Smith	Decided	CA6	1/20/10	3/30/10	Ginsburg	9-0	Reversed and Remanded
-	ndants have the right to a trial by a jury selected from a fair crostained a very small percentage of African Americans, the Court hyiolation.		•				-	* *
08-810	Conkright v. Frommert	Decided	CA2	1/20/10	4/21/10	Roberts	5-3	Reversed and Remanded
olding: Wher	n an employee health plan gives the plan administrator the power	er to resolve ambigu	ities in the pl	lan's terms, the	administrator's	interpretation is enti	tled to defe	erence in court. The Court

February Argument Session (12 Cases)

Case No.	Case	Status	Court	Argued	Opinion	Author	Vote	Judgment
08-1322	Astrue v. Ratliff	Argued	CA8	2/22/10				
	ented: When a party wins a lawsuit against the government and i				rst go to the par	ty or instead straight	t to the law	yer? The question matters because if
they go to the	party, the government can deduct money the party owes it (for e	xample, to pay off I	back taxes)					
08-974	Lewis v. City of Chicago	Decided	CA7	2/22/10	5/24/10	Scalia	9-0	Reversed and Remanded
	ral law sets a short deadline to file a "charge" with the Equal Emp							
court. A plaint	iff who does not file a timely charge following the adoption of an	allegedly discrimina	atory practic	e may still file a	timely charge cl	hallenging the applic	ation of th	e practice.
08-1498	Holder v. Humanitarian Law Project	Argued	CA9	2/23/10				
Question pres	ented: Is the federal law criminalizing providing support for terror	ist groups unconsti	tutional bed	ause it is either	too vague or vic	lates the right to free	e speech?	
08-1569	US v. O'Brien	Decided	CA1	2/23/10	5/24/10	Kennedy	9-0	Affirmed
Holding: The c	question of whether or not a firearm is a machine gun must be de	cided unanimously	by a jury, n	ot by a judge du	iring sentencing.			
08-1301	Carr v. US	Decided	CA7	2/24/10	6/1/10	Sotomayor	6-3	Reversed and Remanded
Holding: The fe	ederal Sex Offender Registration and Notification Act (SORNA) re	equires defendants	who commi	it certain sex-rel	ated offenses to	register with state a	and federal	databases. The Court held that a
defendant who	o committed a sex-related offense before SORNA became law is	not required to reg	ister under t	the statute.				
08-1341	US v. Marcus	Decided	CA2	2/24/10	5/24/10	Breyer	7-1	Reversed and Remanded
	n a defendant raises an issue on appeal that he did not raise in th							
	ne on appeal that he had been unconstitutionally convicted for co						neld that th	is error did not "affec[t] the
appellant's sul	bstantial rights" or "seriously affec[t] the fairness, integrity or pub	lic reputation of jud	licial procee	dings" and ther	efore did not wa	rrant a new trial.		
00 4470	Boundaries Theory time	D. Maria	040	0/4/40	0/4/40	W	F 4	December 1 and Demended
08-1470	Berghuis v. Thompkins	Decided	CA6	3/1/10	6/1/10	Kennedy	5-4	Reversed and Remanded
Holding: In ord	der to invoke his Miranda rights, a suspect must "unambiguously	request counsel. I	t a detenda	nt simply remair	is silent, police o	micers may continue	e to ask qu	lestions.
09-5327	Holland v. Florida	Argued	CA11	3/1/10				
Question pres	ented: Can the fact that a defendant missed the one-year deadlir	ne to file a "habeas	corpus" pet	tition challenging	g his conviction	be forgiven because	it resulted	from his lawyer's inexcusable
mistake?								
08-1394	Skilling v. US	Argued	CA5	3/1/10				
	ented: The case raises two issues regarding the "honest services					elf? Second, is the s	tatute unco	onstitutionally vague? The case also
raises a separa	ate issue: what legal standard governs a claim that prejudice in the	ne community preve	ented him fr	om receiving a	fair trial?			
08-1521	McDonald v. City of Chicago	Argued	CA7	3/2/10				
Question pres	ented: Does the constitutional right to bear arms apply to state a	nd local gun laws?						
08-1529	Hui v. Castaneda	Decided	CA9	3/2/10	5/3/10	Sotomayor	9-0	Reversed and Remanded
Holding: Publi	c health service officers and employees are immune from Bivens	actions for constitu	utional harm	s committed in	the line of duty.			
08-1555	Samantar v. Yousuf	Decided	CA4	3/3/10	6/1/10	Stevens	9-0	Affirmed and Remanded
Holding: The F	oreign Sovereign Immunities Act (FISA) does not determine whe	ther or not a foreign	n official qua	alifies for immun	ity from suit.			
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March Argument Session (11 Cases)

Be-988 Hamilton v. Lanning	Case No.	Case	Status	Court	Argued	Opinion	Author	Vote	Judgment
locoking approach and consider "known or virtually certain" events to decided future disposable income. 99-223 Levin v. Commerce Energy Decided CA6 3/22/10 6/1/10 Ginsburg 9-0 Reversed and Remanded	08-998	Hamilton v. Lanning	Decided	CA10	3/22/10	6/7/10	Alito	8-1	Affirmed
Decided CA6 3/22/10 6/1/10 Ginsburg 9-0 Reversed and Remanded Holding: Under the doctrine of comity, a tax payer's lawsuit claiming discriminatory state taxation must proceed originally in state court, even when it is a request to increase the tax burden on a competitor. Decided CA7 3/23/10					' to her creditor	s during the peri	od of her bankrupto	y plan. A l	oankruptcy court may use a forward-
Holding: Under the doctrine of comity, a tax payer's lawsuit claiming discriminatory state taxation must proceed originally in state court, even when it is a request to increase the tax burden on a competitor. 08-1457 New Process Steel v. NLRB Argued CA7 3/23/10 Question presented: An administrative body known as the National Labor Relations Board makes rulings on federal latoral raw. The question is whether a Board ruling issued by only two board members is legs on the state of the presented: Does a federal law holding shippers liable for damage to certain shipments apply to damage during the rail portion of an international shipment that has no domestic bill of lading? Question presented: A state defendant is generally not permitted to file a "second or successive" federal habeas corpus challenge to his conviction or sentence. Here, the defendant filed a habeas corpus application and won a right to a reconsideration of his sentence. After the state court imposed the same sentence again, he again sought federal habeas corpus. This time, he raised a new argument that coul have been in his initial application but was not. The question presented is whether the latter petition is "second or successive" and therefore forbidden. 99-338 Renico v. Lett Decided CA6 3/29/10 S/3/10 Roberts 6-3 Reversed and Remanded Holding: The Michigan Supreme Court decision in the case was "reasonable" under federal habeas law, and therefore the Sixth Circuit was wrong in granting habeas relief to Reginald Lett. 98-3191 Morrison v. National Australia Bank Argued CA2 3/29/10 S/3/10 Roberts 6-3 Reversed and Remanded Replaced CA6 3/29/10 Roberts 6-3 Reversed and Remanded Replaced CA6 Reversed Replaced CA6 3/29/10 Roberts 6-3 Reversed Replaced CA6 Reversed	loooking appr	oach and consider "known or virtually certain" events to decided	future disposable ir	ncome.					
08-1457 New Process Steel v. NLRB Argued CA7 3/23/10 Question presented: An administrative body known as the National Labor Relations Board makes rulings on federal labor law. The question is whether a Board ruling issued by only two board members is legal 08-1553 Kawasaki v. Regal-Beloit Corp. Argued CA9 3/24/10 Question presented: Does a federal law holding shippers liable for damage to certain shipments apply to damage during the rail portion of an international shipment that has no domestic bill of lading? 99-158 Magwood v. Patterson Argued CA11 3/24/10 Question presented: A state defendant is generally not permitted to file a "second or successive" federal habeas corpus challenge to his conviction or sentence. Here, the defendant filed a habeas corpus application and won a right to a reconsideration of his sentence. After the state court imposed the same sentence again, he again sought federal habeas corpus. This time, he raised a new argument that coult have been in his initial application but was not. The question presented is whether the latter petition is "second or successive" and therefore forbidden. 99-388 Renico v. Lett 99-388 Renico v. Lett Poecided CA6 3/29/10 5/3/10 Roberts 6-3 Reversed and Remanded Holding: The Michigan Supreme Court decision in the case was "reasonable" under federal habeas law, and therefore the Sixth Circuit was wrong in granting habeas relief to Reginald Lett. 98-1191 Morrison v. National Australia Bank Argued CA2 3/29/10 Question presented: When may federal courts hear a suit by foreign plaintiffs alleging that they were harmed by securities fraud in a transaction conducted overseas but that nonetheless has ties to the United States? 99-6338 Dillon v. US Question presented: When a defendant seeks to modify his sentence in light of a revision to the federal Sentencing Guidelines, is the trial judge bound by the Guidelines or may he impose a different sentence of the Gard Law forbids a lawful permanent resident who has been convicted of an "aggravated felony" fr	09-223	Levin v. Commerce Energy	Decided	CA6	3/22/10	6/1/10	Ginsburg	9-0	Reversed and Remanded
Ouestion presented: An administrative body known as the National Labor Relations Board makes rulings on federal labor law. The question is whether a Board ruling issued by only two board members is legal 08-1553 Kawasaki v. Regal-Beloit Corp. Argued CA9 3/24/10 Question presented: Does a federal law holding shippers liable for damage to certain shipments apply to damage during the rail portion of an international shipment that has no domestic bill of lading? O9-156 Magwood v. Patterson Argued CA11 3/24/10 Question presented: A state defendant is generally not permitted to file a "second or successive" federal habeas corpus challenge to his conviction or sentence. Here, the defendant filed a habeas corpus application and won a right to a reconsideration of his sentence. After the state court imposed the same sentence again, he again sought federal habeas corpus. This time, he raised a new argument that coult have been in his initial application but was not. The question presented is whether the latter petition is "second or successive" and therefore forbidden. O9-338 Renico v. Lett Decide CA6 3/29/10 5/3/10 Roberts 6-3 Reversed and Remanded Holding: The Michigan Supreme Court decision in the case was "reasonable" under federal habeas law, and therefore the Sixth Circuit was wrong in granting habeas relief to Reginald Lett. O8-1191 Morrison v. National Australia Bank Argued CA2 3/29/10 Question presented: When may federal courts hear a suit by foreign plaintiffs alleging that they were harmed by securities fraud in a transaction conducted overseas but that nonetheless has ties to the United States? O9-6338 Dillon v. US Argued CA3 3/30/10 Question presented: When a defendant seeks to modify his sentence in light of a revision to the federal Sentencing Guidelines, is the trial judge bound by the Guidelines or may he impose a different sentence. O9-6338 Dillon v. US Argued CA3 3/30/10 6/7/10 Breyer 6-3 Affirmed Holding: The Bureau o	Holding: Unde	er the doctrine of comity, a tax payer's lawsuit claiming discrimina	atory state taxation i	must procee	ed originally in s	tate court, even	when it is a request	to increas	se the tax burden on a competitor.
08-1553 Kawasaki v. Regal-Beloit Corp. Argued CA9 3/24/10 Question presented: Does a federal law holding shippers liable for damage to certain shipments apply to damage during the rail portion of an international shipment that has no domestic bill of lading? 09-158 Magwood v. Patterson Argued CA11 3/24/10 Question presented: A state defendant is generally not permitted to file a "second or successive" federal habeas corpus challenge to his conviction or sentence. Here, the defendant filed a habeas corpus application and won a right to a reconsideration of his sentence. After the state cour imposed the same sentence again, he again sought federal habeas corpus. This time, he raised a new argument that coul have been in his initial application but was not. The question presented is whether the latter petition is "second or successive" and therefore forbidden. 09-338 Renico v. Lett Decided CA6 3/29/10 S/3/10 Roberts 6-3 Reversed and Remanded Holding: The Michigan Supreme Court decision in the case was "reasonable" under federal habeas law, and therefore the Sixth Circuit was wrong in granting habeas relief to Reginald Lett. 08-1191 Morrison v. National Australia Bank Argued CA2 3/29/10 Question presented: When may federal courts hear a suit by foreign plaintiffs alleging that they were harmed by securities fraud in a transaction conducted overseas but that nonetheless has ties to the United States? 09-6338 Dillon v. US Argued CA3 3/30/10 Question presented: When a defendant seeks to modify his sentence in light of a revision to the federal Sentencing Guidelines, is the trial judge bound by the Guidelines or may he impose a different sentence 09-5201 Barber v. Thomas Decided CA9 3/30/10 6/7/10 Breyer 6-3 Affirmed Affirmed CA9 3/30/10 CA9		110111111111111111111111111111111111111		Q	0, -0, .0				
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OB-1191 Morrison v. National Australia Bank Question presented: When may federal courts hear a suit by foreign plaintiffs alleging that they were harmed by securities fraud in a transaction conducted overseas but that nonetheless has ties to the United States? O9-6338 Dillon v. US Question presented: When a defendant seeks to modify his sentence in light of a revision to the federal Sentencing Guidelines, is the trial judge bound by the Guidelines or may he impose a different sentence O9-5201 Barber v. Thomas Decided CA9 3/30/10 6/7/10 Breyer 6-3 Affirmed Holding: The Bureau of Prisons was correct to award good-time credits to prisoners only after time they have served in prison rather than based on the entire length of their sentence. O9-60 Carachuri-Rosendo v. Holder Argued CA5 3/31/10 Question presented: Federal law forbids a lawful permanent resident who has been convicted of an "aggravated felony" from asking an immigration judge to cancel his deportation. A defendant who is convicted multiple times for drug offenses can be deemed to have committed an aggravated felony. The question presented is whether the successive drug conviction is an aggravated felony automatically or instead only if the court specifically finds that the defendant is a repeat offender.				0.00					
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09-60 Carachuri-Rosendo v. Holder Argued CA5 3/31/10 Question presented: Federal law forbids a lawful permanent resident who has been convicted of an "aggravated felony" from asking an immigration judge to cancel his deportation. A defendant who is convicted multiple times for drug offenses can be deemed to have committed an aggravated felony. The question presented is whether the successive drug conviction is an aggravated felony automatically or instead only if the court specifically finds that the defendant is a repeat offender.	09-5201	Barber v. Thomas	Decided	CA9	3/30/10	6/7/10	Breyer	6-3	Affirmed
Question presented: Federal law forbids a lawful permanent resident who has been convicted of an "aggravated felony" from asking an immigration judge to cancel his deportation. A defendant who is convicted multiple times for drug offenses can be deemed to have committed an aggravated felony. The question presented is whether the successive drug conviction is an aggravated felony automatically or instead only if the court specifically finds that the defendant is a repeat offender.	Holding: The I		oners only after time			rather than bas	sed on the entire leng	gth of thei	r sentence.
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instead only if the court specifically finds that the defendant is a repeat offender.									
08-6261 Robertson v. US ex rel. Watson DIG ST-DC 3/31/10 5/24/10 Per Curiam 5-4 -		•		y. The ques	tion presented i	s whether the si	uccessive drug conv	iction is a	n aggravated felony automatically or
	08-6261	Robertson v. US ex rel. Watson	DIG	ST-DC	3/31/10	5/24/10	Per Curiam	5-4	-
Dismissed as Improvidently Granted	Dismissed as	Improvidently Granted							

April Argument Session (8 Cases)

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Case No.	Case	Status	Court	Argued	Opinion	Author	Vote	Judgment
08-1371	Christian Legal Society v. Martinez	Argued	CA9	4/19/10				
Question pres	sented: Does the First Amendment permit a state university to de	ny recognition and	funds to a re	eligious group th	nat requires its m	nembers and leaders	to share	the organization's values, which
conflict with t	the university's non-discrimination rules?							
08-1332	City of Ontario v. Quon	Argued	CA9	4/19/10				
Question pres	sented: Does the Constitution prevent the government from review	wing text messages	s sent by an	employee on a	government dev	ice.		
09-367	Dolan v. US	Argued	CA10	4/20/10				
Question Pres	sented: Whether a district court decision to enter a restitution ord	ler beyond the nine	ty-day time l	imit prescribed	in 18 U.S.C. § 3	664(d)(5) must be va	cated.	
09-337	Krupski v. Costa Crociere	Decided	CA11	4/21/10	6/7/10	Sotomayor	6-3	Reversed and Remanded
Holding: The	determination of whether a party who makes a mistake in identify	ing the other party	being sued	may still file the	ir claim in a time	ly manner depends	upon wha	t the party to be added to the case
knew or shou	ıld have known about the dispute.							
09-497	Rent-A-Center v. Jackson	Argued	CA9	4/26/10				
Question Pres	sented: Whether the district court is in all cases required to deteri	mine claims that an	arbitration a	agreement subje	ect to the Federa	I Arbitration Act ("FA	AA") is und	conscionable, even when the parties to
	nave clearly and unmistakably assigned this "gateway" issue to the					•	,	·
09-448	Hardt v. Reliance Standard Life Ins.	Decided	CA4	4/26/10	5/24/10	Thomas	9-0	Reversed and Remanded
Holding: A fee	e claimant need not prevail to recover attorney's fees under ERIS	A § 502(g)(1). A dist	trict court ma	ay award feeds	and costs as lon	g as a claimant has	achieved	"some degree of success on the
merits."						-		-
09-475	Monsanto v. Geertson Seed Farms	Argued	CA9	4/27/10				
Question Pres	sented: (1) Whether plaintiffs under the National Environmental Po	olicy Act are specia	Illy exempt fr	om the requirer	ment of showing	a likelihood of irrepa	arable har	m to obtain an injunction; (2) whether a
district court	may enter an injunction sought to remedy a NEPA violation witho	ut conducting an e	videntiary he	aring sought by	a party to resol	ve genuinely dispute	ed facts di	rectly relevant to the appropriate
scope of the	requested injunction; and (3) whether the Ninth Circuit erred when	n it affirmed a natio	nwide injunc	tion that sough	t to remedy a NE	PA violation based	on only a	remote possibility of reparable harm.
•	•		-	· ·	-		-	
09-559	Doe #1 v. Reed	Argued	CA9	4/28/10				
Question Pres	sented: Does the First Amendment protect a referendum signer's	right to anonymity	?					
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Term Statistics

Split	Total
9-0 (or 8-0)	23
8-1	4
7-2	9
6-3 (or 5-3)	9
5-4	6
Total	51

Current Status	Count
Granted	0
Scheduled	0
Argued	24
Decided	50
Dismissed	1
DIG	2
Total Decided	50
Total Dismissed	3
Total Pending	24
Total Granted	77

Author	Count
Roberts	5
Stevens	4
Scalia	5
Kennedy	5
Thomas	4
Ginsburg	6
Breyer	7
Alito	6
Sotomayor	7
Per Curiam	3
Total Decided	52