October Argument Session (13 Cases)

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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
-	reak in custody" permits the police to resume questioning a suspe	ct who had previo	ously asked for	or a lawyer. If t	he break in custo	ody lasts more than	two weeks	between interrogations, the decision
n <i>Edwards v.</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	Supreme Court held that a party cannot immediately appeal from a	a federal trial judg	e's ruling tha	t a he must tur	n over evidence	because it is not pro	otected by	the attorney-client privilege.
08-769	US v. Stevens	Decided	CA3	10/6/09	4/20/10	Roberts	8-1	Affirmed
	w that makes it a crime to create or sell depictions of animal cruelty s) that it violates the First Amendment right to free speech.	y (including, in this	s case, dogfig	ghting videos),	applies to such a	a broad spectrum of	f expressio	n (including, for example,
08-6925	Johnson v. US	Decided	CA11	10/6/09	3/2/10	Scalia	7-2	Reversed and Remanded
lolding: The I	Florida felony offense of battery does not require physical force be	etween two people	e and therefo	re does not co	nstitute a "violen	t felony" for the purp	poses of fe	ederal sentencing guidelines.
08-728	Bloate v. US	Decided	CA8	10/6/09	3/8/10	Thomas	7-2	Reversed and Remanded
lolding: The t	time granted to prepare pretrial motions is not automatically exclu-	ded from the 70-c	day 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
lolding: After	r he received a court order in a previous case, the petitioner had st	anding to request	that a cross	place in a fede	eral park be remo	ved. However, the I	District Co	urt was wrong to block the
jovernment'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 cla ng works that are not registered.	im, but the failure	of a copyrigh	nt holder to hav	e a registration o	does not restrict a te	ederal cour	t'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 involveral, and (ii) the arbitration ruling in this case was in fact unconstitut							
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, a consequences.	a defense attorney	y has a respo	nsibility to tell	his client if the g	uilty plea will cause	the client t	o 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 mitice the outcome of the case.	tigating is not a vio	olation of "cle	early establishe	ed Federal law."	•	yer's closii	ng 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
lolding: Whe	n states participate in litigation, private parties may intervene only but non-unique interest.							
08-351	Alvarez v. Smith	Decided	CA7	10/14/09	12/8/09	Breyer	8-1	Vacated and Remanded
lolding: A ch	allenge to an Illinois statute authorizing forfeiture of personal prope	erty used to facilit	ate drug crim	nes was moote	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 rig	ghts lawyer who g	ives an espec	cially strong pe	rformance in a p	articular case, but o	nly in "exti	raordinary circumstances."

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. I	ual fund shareholders may challenge the amount of fees the fund In deciding whether the fees are excessive, courts must consider directors 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
	ntiffs may sometimes sue for violations of state law in federal cour The Court held that a state law forbidding that certain state claim							
08-992	Beard v. Kindler	Decided	CA3	11/2/09	12/8/09	Roberts	8-0	Vacated and Remanded
example, if the	fendant convicted in state court cannot challenge his conviction e defendant missed a deadline created by state law. The Suprem		state law is n	ot "inadequate"	' merely because	e state court judges	have disc	retion whether to apply or ignore it.
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 com				y for electricity, f	ederal law presume	es that rate	is legal.
08-538	Schwab v. Reilly	Argued	CA3	11/3/09				
oresented is: i	sented: When a debtor files for bankruptcy, she must declare the if the creditor does not object, and the debtor later realizes that the Hemi Group, LLC v. City of New York sity cannot show that it lost revenue because of a crime under the	ne property is worth Decided	cA2	the declared am	1/25/10	reditor collect the di	ifference in	value? Reversed and Remanded
08-1065	Pottawattami County v. McGhee	Dismissed	CA8	11/4/09				
	lowing settlement between parties		0.10	.,,,,,,				
08-9156	Wood v. Allen	Decided	CA11	11/4/09	1/20/10	Sotomayor	7-2	Affirmed
Holding: Defe	endant's sentence should not be overruled because his attorney of	lid not make an "un	reasonable o	decision" to with	nhold evidence o	of his mental deficie	ncies.	
08-7412	Graham v. Florida	Decided	ST-KY	11/9/09	5/17/10	Kennedy	6-3	Reversed and Remanded
Holding: It is	unconstitutional to sentence a juvenile offender to life in prison w	rithout parole when	the crime do	oes not involve i	murder, given th	e Eighth Amendme	nt'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	Improvidently Granted							
08-964	Bilski v. Kappos	Argued	CA-FED	11/9/09				
Question pres	sented: When can a patent be issued for a method of doing busin	ess?						
08-911	Kucana v. Holder	Decided	CA7	11/10/09	1/20/10	Ginsburg	9-0	Reversed and Remanded
Holding: Discr	retionary determinations by the Board of Immigration Appeals, su	ich as whether or no	ot to "reoper	n" a previous ru	ling, cannot be a	appealed to a feder	al appeals	court.
8-1107	Hertz Corp. v. Friend	Decided	CA9	11/10/09	2/23/10	Breyer	9-0	Vacated and Remanded
	"principal place of business" of a corporation is the place where					1 1 1 10 11	1 14	

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 Judits.	suits under the Federal False Claims Act seeking to recover feder	ral funds that have t	oeen misspe	nt are barred if	the information ι	used in the lawsuits	s 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
-	time for a plaintiff to file a federal securities fraud lawsuit begins defendant's intent to defraud.	to run as soon as a	plaintiff disc	overs, or reasor	nably should hav	e discovered, all o	f the facts t	hat make up the violation,
08-1119	Milavetz v. US	Decided	CA8	12/1/09	3/8/10	Sotomayor	9-0	Reversed and Remanded
olding: Fede	eral bankruptcy law prohibits lawyers from advising a debtor to ta	ake on more debt w	hen filing for	bankruptcy and	d certain disclos	ure requirements d	o not violat	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
olding: A bar	nkruptcy court has the authority to discharge a student loan deb	t even if the student	has not file	d a claim of und	ue hardship.			
08-1151	Stop the Beach v. Florida	Argued	ST-FL	12/2/09				
jestion pres	•		_					
40011011 DI C3	sented: The Florida Supreme Court held that when the state depo	osited sand to stop	erosion. that	t land became the	ne state's prope	rtv. The auestion p	resented is	whether that ruling violated the
	sented: The Florida Supreme Court held that when the state depo itution, including because it constituted a "taking" of private prop	•		t land became th	ne state's prope	rty. The question p	resented is	whether that ruling violated the
deral Consti	itution, including because it constituted a "taking" of private prop	perty without compe	ensation.		ne state's prope	rty. The question p	resented is	whether that ruling violated the
deral Consti	itution, including because it constituted a "taking" of private prop	Argued	ensation.	12/7/09				-
deral Consti	itution, including because it constituted a "taking" of private prop	Argued Irious powers related	CADC d to regulatir	12/7/09 ng public compa	anies. The quest			<u>-</u>
deral Consti	itution, including because it constituted a "taking" of private properties. Free Ent. Fund v. PCAOB sented: The Public Company Accounting Oversight Board has va	Argued Irious powers related	CADC d to regulatir	12/7/09 ng public compa	anies. The quest	ion presented is wh		-
08-861 uestion presonstitution b	Free Ent. Fund v. PCAOB sented: The Public Company Accounting Oversight Board has value as the President does not have the direct power to appoint Florida v. Powell	Argued urious powers related or remove Board m Decided	CADC d to regulating thembers, or the str-FL	12/7/09 ng public compato direct the Boa	anies. The questard's decisions.	ion presented is wl	hether the E	Board's structure violates the Reversed and Remanded
08-861 uestion presonstitution b 08-1175 olding: Polic	Free Ent. Fund v. PCAOB Sented: The Public Company Accounting Oversight Board has value as the President does not have the direct power to appoint Florida v. Powell se satisfy the requirements of Miranda v. Arizona when they advise	Argued urious powers related or remove Board m Decided	CADC d to regulating thembers, or the str-FL	12/7/09 ng public compato direct the Boa	anies. The questard's decisions.	ion presented is wl	hether the E	Board's structure violates the Reversed and Remanded
08-861 Uestion presonstitution b 08-1175 Diding: Policuring questic	Free Ent. Fund v. PCAOB Sented: The Public Company Accounting Oversight Board has value as the President does not have the direct power to appoint of Plorida v. Powell Se satisfy the requirements of Miranda v. Arizona when they advisoning.	Argued urious powers related or remove Board m Decided se a suspect that the	CADC d to regulating tembers, or the strict	12/7/09 ng public compato direct the Boa 12/7/09 right to talk to a	anies. The questard's decisions.	ion presented is wl	hether the E	Board's structure violates the Reversed and Remanded
08-861 uestion presonstitution b 08-1175 olding: Policuring questic	Free Ent. Fund v. PCAOB Sented: The Public Company Accounting Oversight Board has value as the President does not have the direct power to appoint Florida v. Powell se satisfy the requirements of Miranda v. Arizona when they advisoning. Black v. US	Argued arious powers related or remove Board m Decided be a suspect that the Argued	CADC d to regulating tembers, or the symmetry have the result.	12/7/09 ng public compato direct the Boat 12/7/09 right to talk to a	anies. The quest ard's decisions. 2/23/10 lawyer before an	ion presented is when the distributed is when the distributed is when the distributed is well as well	hether the E	Board's structure violates the Reversed and Remanded ney can request a lawyer at any poi
08-861 uestion presonstitution b 08-1175 olding: Policuring questicuring questicuring presons 18-876 uestion pres	Free Ent. Fund v. PCAOB Sented: The Public Company Accounting Oversight Board has value as the President does not have the direct power to appoint of Plorida v. Powell Se satisfy the requirements of Miranda v. Arizona when they advisoring. Black v. US Sented: Federal law makes it a crime to deprive your employer of	Argued arious powers related or remove Board m Decided be a suspect that the Argued your "honest service are a suspect service are	CADC d to regulating tembers, or the service of the	12/7/09 ng public compato direct the Boato direct direc	anies. The quest ard's decisions. 2/23/10 lawyer before and discussions.	Ginsburg nswering questions whether an emplo	hether the E 7-2 s and that th	Board's structure violates the Reversed and Remanded ney can request a lawyer at any points vate company violate the statute if
08-861 uestion presonstitution b 08-1175 olding: Policuring questicuring questicuring presons 18-876 uestion pres	Free Ent. Fund v. PCAOB Sented: The Public Company Accounting Oversight Board has value as the President does not have the direct power to appoint Florida v. Powell se satisfy the requirements of Miranda v. Arizona when they advisoning. Black v. US	Argued arious powers related or remove Board m Decided be a suspect that the Argued your "honest service are a suspect service are	CADC d to regulating tembers, or the service of the	12/7/09 ng public compato direct the Boato direct direc	anies. The quest ard's decisions. 2/23/10 lawyer before and discussions.	Ginsburg nswering questions whether an emplo	hether the E 7-2 s and that th	Board's structure violates the Reversed and Remanded ney can request a lawyer at any points vate company violate the statute if
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oderal Constitution pressionstitution because on the constitution because of the constitution because of the constitution because of the constitution of the constitut	Free Ent. Fund v. PCAOB Sented: The Public Company Accounting Oversight Board has value as the President does not have the direct power to appoint of Plorida v. Powell Se satisfy the requirements of Miranda v. Arizona when they advisoring. Black v. US Sented: Federal law makes it a crime to deprive your employer of k that his employer will be harmed? The case also presents an universe the provided in the provi	Argued Pecided See a suspect that the Argued Argued Argued Argued your "honest service nrelated question re	CADC d to regulating tembers, or the service of the	12/7/09 ng public compate direct the Boat 12/7/09 right to talk to a 12/8/09 estion presented at a defendant in 12/8/09	anies. The quest ard's decisions. 2/23/10 lawyer before and by this case is nust do to object	Ginsburg nswering questions whether an emplo	hether the E 7-2 s and that th	Board's structure violates the Reversed and Remanded ney can request a lawyer at any point vate company violate the statute if
08-861 uestion presonstitution b 08-1175 olding: Policuring question 08-876 uestion presere is no risk 08-1196 uestion pres	Free Ent. Fund v. PCAOB Sented: The Public Company Accounting Oversight Board has value ause the President does not have the direct power to appoint Florida v. Powell Se satisfy the requirements of Miranda v. Arizona when they advisoring. Black v. US Sented: Federal law makes it a crime to deprive your employer of k that his employer will be harmed? The case also presents an universe with the convicted under the his ented: Can a state government official be convicted under the his estate.	Argued rious powers related or remove Board m Decided se a suspect that the Argued your "honest servicenrelated question re Argued onest services statu Decided	CADC d to regulating tembers, or the service of the	12/7/09 ng public compate to direct the Boat 12/7/09 right to talk to a 12/8/09 estion presented a defendant in 12/8/09 act that is not illes 12/9/09	anies. The quest ard's decisions. 2/23/10 lawyer before and by this case is must do to object and a decision and a decision and a decision are also and a decision and a decision are also and a decision and a decision are also a decision are	Ginsburg nswering questions whether an emplot to an erroneous juliaw? Alito	hether the E 7-2 s and that th yee of a pri ury instruction	Reversed and Remanded ney can request a lawyer at any povate company violate the statute if on. Reversed and Remanded
deral Consti 08-861 uestion presonstitution b 08-1175 olding: Policuring question 08-876 uestion presere is no risk 08-1196 uestion presere is no risk 08-1198 olding: Wher	Free Ent. Fund v. PCAOB Sented: The Public Company Accounting Oversight Board has value as the President does not have the direct power to appoint Florida v. Powell Se satisfy the requirements of Miranda v. Arizona when they advisoring. Black v. US Sented: Federal law makes it a crime to deprive your employer of k that his employer will be harmed? The case also presents an universely the sented: Can a state government official be convicted under the his	Argued arious powers related or remove Board m Decided as a suspect that the sea a suspect	CADC d to regulating tembers, or the service of the	12/7/09 ng public compate of direct the Boat of the Bo	anies. The quest ard's decisions. 2/23/10 lawyer before and by this case is must do to object and are are also and are are also are are are also are	Ginsburg nswering questions whether an emplot to an erroneous juliaw? Alito through a "class a	hether the E 7-2 s and that the second privacy instruction second privacy	Reversed and Remanded ney can request a lawyer at any powate company violate the statute if on. Reversed and Remanded aut. At the same time, rather

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	Argued	Original	1/11/10				
uestion pres	sented: The dispute is over the construction of a hazardous waste	facility in North Ca	arolina pursu	ant to a compa	ct between seve	eral states.		
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-D	iaz v. Massachuset	ts (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 comulate be released.	mitment of a menta	ally ill federal	I prisoner who is	s a sex offender	with the commitmen	t to contir	nue beyond the date the inmate
08-645	Abbott v. Abbott	Decided	CA5	1/12/10	5/17/10	Kennedy	6-3	Reversed and Remanded
	rent has a right of custody under the Hague convention on child a stry where the child is living.	abduction by reaso	n of the pare	ent's ne exeat ri	ght. That right is	s the authority to cor	nsent befo	re the other parent can remove a chi
08-661	American Needle v. NFL	Decided	CA7	1/13/10	5/24/10	Stevens	9-0	Reversed
08-1200	Jerman v. Carlisle collectors are liable for violating the Fair Debt Collection Practice	Decided es Act even if they	CA6	1/13/10 v that their cond	4/21/10	Sotomayor statute.	7-2	Reversed and Remanded
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
	s station may not sue a former franchisor for "constructive termin					Aiito	9-0	neversed and nemanded
iding. A gas	s station may not sue a former transmissi for constructive termin	anon under the re	- I Oleum Ivia		o Act.			
08-1214	Granite Rock v. Teamsters	Argued	CA9	1/19/10				
	sented: In this case, the employer wants to sue over a collective bor instead an arbitrator should decide whether there is an actual a						tions are, ı	under federal labor law, whether (1) a
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 cross tained a very small percentage of African Americans, the Court he violation.							
08-810	Conkright v. Frommert	Decided	CA2	1/20/10	4/21/10	Roberts	5-3	Reversed and Remanded
	n an employee health plan gives the plan administrator the power administrator's right to deference is not lost simply because the aby a 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				
Question prese	ented: When a party wins a lawsuit against the government and		neys' fees,	do those fees fi	rst go to the par	ty or instead straigh	t to the law	yyer? The question matters because if
they go to the	party, the government can deduct money the party owes it (for e	example, 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 plainti	iff who does not file a timely charge following the adoption of an	allegedly discrimina	tory praction	e may still file a	timely charge cl	hallenging the applic	cation of th	e practice.
08-1498	Holder v. Humanitarian Law Project	Argued	CA9	2/23/10				
Question prese	ented: Is the federal law criminalizing providing support for terror	ist groups unconsti	tutional bed	ause it is either	too vague or vio	lates the right to fre	e speech?	
08-1569	US v. O'Brien	Decided	CA1	2/23/10	5/24/10	Kennedy	9-0	Affirmed
Holding: The q	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	uring sentencing.			
08-1301	Carr v. US	Argued	CA7	2/24/10				
	ented: The federal Sex Offender Registration and Notification Ac				ertain sex-related	offenses to register	r with state	and federal databases. The issue is
whether a defe	endant who committed a sex-related offense before SORNA bec	ame law must regis	ter after its	enactment.				
08-1341	US v. Marcus	Decided	CA2	2/24/10	5/24/10	Breyer	7-1	Reversed and Remanded
lolding: When	n a defendant raises an issue on appeal that he did not raise in th	e district court, that	t argument	is generally sub	ject to "plain erro	or review," which is	hard to pro	ove. In this case, the defendant arguer
or the first tim	e on appeal that he had been unconstitutionally convicted for co	enduct that occurred	d before the	criminal statute	e was enacted. T	he Supreme Court h	neld that th	nis error did not "affec[t] the
ppellant's sub	bstantial rights" or "seriously affec[t] the fairness, integrity or pub	lic reputation of jud	icial procee	edings" and ther	efore did not wa	rrant a new trial.		
08-1470	Berghuis v. Thompkins	Argued	CA6	3/1/10				
Question prese	ented: The case raises two issues. First, when a defendant says	he understands his	"Miranda"	rights but does i	not invoke or wa	ive them, what are t	he police a	allowed to say in trying to persuade
nim to coopera	ate? Second, did the federal court of appeals in this case improp	erly override the sta	ate courts' i	uling that the ev	idence of the de	efendant's guilt was	so strong t	that he was not harmed by the bad
erformance o	of his lawyer?							
09-5327	Holland v. Florida	Argued	CA11	3/1/10				
	ented: Can the fact that a defendant missed the one-year deadling				a his conviction	he forgiven because	it resulted	I from his lawyer's inexcusable
nistake?	crited. Oan the fact that a defendant missed the one year deadin	ic to lile a Tiabeas	corpus pc	illori challengin	g ms conviction	be longiven because	, it resuited	THOM THIS lawyer 3 mexeduable
notario.								
08-1394	Skilling v. US	Argued	CA5	3/1/10				
Question prese	ented: The case raises two issues regarding the "honest services	" law. First, must th	ne defendar	t have intended	to benefit himse	elf? Second, is the s	tatute unce	onstitutionally vague? The case also
aises a separa	ate issue: what legal standard governs a claim that prejudice in t	he community preve	ented him fi	rom receiving a	fair trial?			
08-1521	McDonald v. City of Chicago	Argued	CA7	3/2/10				
Question prese	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: Public	c health service officers and employees are immune from Bivens	actions for constitu	itional harm	s committed in	the line of duty.			
08-1555	Samantar v. Yousuf	Argued	CA4	3/3/10				
Question prese	ented: Does federal law permit a plaintiff to file a suit in this coun		official of a	foreign govern	ment for alleged	human rights abuse	es he comr	nitted overseas while in office?
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March Argument Session (11 Cases)

Case No.	Case	Status	Court	Argued	Opinion	Author	Vote	Judgment
08-998	Hamilton v. Lanning	Argued	CA10	3/22/10				
Question pres	sented: Federal law requires that a debtor in a Chapter 13 bankru	ptcy pay her "projed	cted disposa	able income" to	her creditors du	iring the period of he	r bankrup	otcy plan. The question presented is
how to calcul	late "projected disposable income" when it is known that the deb	tor's future income	will be subst	antially higher of	or lower than he	r past income.		
09-223	Levin v. Commerce Energy	Argued	CA6	3/22/10				
Question pres	sented: May plaintiffs bring a suit in federal court alleging that a s	tate tax exemption b	benefiting ot	her parties but	not them is unco	onstitutionally discrim	inatory?	
08-1457	New Process Steel v. NLRB	Argued	CA7	3/23/10				
Question pres	sented: An administrative body known as the National Labor Rela	tions Board makes		deral labor law.	. The question is	whether a Board rul	ng issue	d by only two board members is legal.
08-1553	Kawasaki v. Regal-Beloit Corp.	Argued	CA9	3/24/10				
	sented: Does a federal law holding shippers liable for damage to				ail portion of an	international shipme	nt that ha	as no domestic bill of lading?
09-158	Magwood v. Patterson	Argued	CA11	3/24/10				
	sented: A state defendant is generally not permitted to file a "seco							
	nd won a right to a reconsideration of his sentence. After the state						This time,	, he raised a new argument that could
have been in	his initial application but was not. The question presented is whe	ther the latter petitic	on is "second	d or successive	" and therefore t	forbidden.		
09-338	Renico v. Lett	Decided	CA6	3/29/10	5/3/10	Roberts	6-3	Reversed and Remanded
Holding: The	Michigan Supreme Court decision in the case was "reasonable" in	under federal habea	s law, and th	nerefore the Six	th Circuit was w	rong in granting habe	eas relief	to Reginald Lett.
08-1191	Morrison v. National Australia Bank	Argued	CA2	3/29/10				
Question pres States?	sented: When may federal courts hear a suit by foreign plaintiffs a	alleging that they we	ere harmed b	y securities frau	ud in a transaction	on conducted overse	as but th	at nonetheless has ties to the United
09-6338	Dillon v. US	Argued	CA3	3/30/10				
Question pres	sented: When a defendant seeks to modify his sentence in light o	f a revision to the fe	deral Senter	ncing Guidelines	s, is the trial judg	ge bound by the Guid	lelines or	may he impose a different sentence?
09-5201	Barber v. Thomas	Argued	CA9	3/30/10				
	sented: Did the federal Bureau of Prisons properly adopt a rule th				their time serve	d rather than the len	ath of the	sentence (which would provide
greater credit	the state of the s	at minates receive	good tilllo	oreant based of	THOI WITH SOLVE		garoran	s sentence (which would provide
09-60	Carachuri-Rosendo v. Holder	Argued	CA5	3/31/10				
Question pres	sented: Federal law forbids a lawful permanent resident who has	been convicted of a	n "aggravate	ed felony" from	asking an immig	gration judge to canc	el his der	portation. A defendant who is
	ultiple times for drug offenses can be deemed to have committed							
	if the court specifically finds that the defendant is a repeat offende		•	·		-		,
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							1
	,							

April Argument Session (8 Cases)

Case No.	Case	Status	Court	Argued	Opinion	Author	Vote	Judgment
08-1371	Christian Legal Society v. Martinez	Argued	CA9	4/19/10				
Question prese	ented: Does the First Amendment permit a state university to der	ny recognition and fu	unds to a re	eligious group th	at requires its m	embers and leaders	to share	the organization's values, which
conflict with the	e university's non-discrimination rules?							
08-1332	City of Ontario v. Quon	Argued	CA9	4/19/10				
Question prese	ented: Does the Constitution prevent the government from revieu	ving text messages	sent by an	employee on a g	government devi	ce.		
09-367	Dolan v. US	Argued	CA10	4/20/10				
Question Prese	ented: Whether a district court decision to enter a restitution order	er beyond the ninety	/-day time l	limit prescribed i	in 18 U.S.C. § 36	664(d)(5) must be vac	cated.	
09-337	Krupski v. Costa Crociere	Argued	CA11	4/21/10				
Question Prese	ented: Whether Fed. R. Cir. P. 15(c)(1)(C) - which permits an ame	ended complaint to '	relate bacl	k," for limitation	purposes, when	the amendment cor	rects a "r	nistake concerning the proper party's
identity" - pern	mits "mistakes" where the plaintiff had imputed knowledge of the	identity of the adde	ed defenda	nt prior to filing s	suit.			
09-497	Rent-A-Center v. Jackson	Argued	CA9	4/26/10				
	ented: Whether the district court is in all cases required to detern			agreement subje	ct to the Federal	Arbitration Act ("FA	A") is und	conscionable, even when the parties to
the contract ha	ave clearly and unmistakably assigned this "gateway" issue to th	e arbitrator for decis	sion.					
09-448	Hardt v. Reliance Standard Life Ins.	Decided	CA4	4/26/10	5/24/10	Thomas	9-0	Reversed and Remanded
•	claimant need not prevail to recover attorney's fees under ERISA	A § 502(g)(1). A distri	ict court ma	ay award feeds a	and costs as long	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				
	ented: (1) Whether plaintiffs under the National Environmental Po							
	nay enter an injunction sought to remedy a NEPA violation withou							
scope of the re	equested injunction; and (3) whether the Ninth Circuit erred when	it attirmed a nation	wide injunc	tion that sought	to remedy a NE	PA violation based o	on only a	remote possibility of reparable harm.
09-559	Doe #1 v. Reed	Argued	CA9	4/28/10				
Question Prese	ented: Does the First Amendment protect a referendum signer's	right to anonymity?					•	

Split	Total
9-0 (or 8-0)	21
8-1	3
7-2	8
6-3 (or 5-3)	6
5-4	5
Total Decided	43

Current Status	Count
Granted	0
Scheduled	0
Argued	32
Decided	42
Dismissed	1
DIG	2
Total Decided	42
Total Dismissed	3
Total Pending	32
Total Granted	77

Author	Count
Roberts	5
Stevens	3
Scalia	4
Kennedy	4
Thomas	4
Ginsburg	5
Breyer	6
Alito	5
Sotomayor	5
Per Curiam	3
Total Decided	44