

October Argument Session

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 “break in custody” permits the police to resume questioning a suspect who had previously asked for a lawyer. If the break in custody lasts more than two weeks between interrogations, the decision in <i>Edwards v. Arizona</i> 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: A party cannot immediately appeal from a federal trial judge’s ruling that he must turn over evidence protected by the attorney-client privilege.								
08-769	US v. Stevens	Decided	CA3	10/6/09	4/20/10	Roberts	8-1	Affirmed
Holding: A law that makes it a crime to create or sell depictions of animal cruelty (including, in this case, dogfighting videos) applies to such a broad spectrum of expression (including, for example, hunting videos) that it violates the First Amendment right to free speech.								
08-6925	Johnson v. US	Decided	CA11	10/6/09	3/2/10	Scalia	7-2	Reversed and Remanded
Holding: The Florida felony offense of battery does not require physical force between two people and therefore does not constitute a “violent felony” for the purposes of federal sentencing guidelines.								
08-728	Bloate v. US	Decided	CA8	10/6/09	3/8/10	Thomas	7-2	Reversed and Remanded
Holding: The time granted to prepare pretrial motions is not automatically excluded from the 70-day limit under the Speedy Trial 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 standing to request that a cross placed in a federal park be removed. However, the district court was wrong to block the government’s land transfer to a group which 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
Holding: A copyright must be registered before one may file an infringement claim, but the failure of a copyright holder to have a registration does not restrict a federal court’s power to decide infringement claims involving works that are not registered.								
08-604	Union Pacific R.R. v. Locomotive Eng.	Decided	CA7	10/7/09	12/8/09	Ginsburg	9-0	Affirmed
Holding: Federal law provides for the binding arbitration of labor disputes involving railroads. The Court had agreed to decide whether (i) a court may overturn an arbitration award on the ground that it was unconstitutional, and (ii) the arbitration ruling in this case was in fact unconstitutionally retroactive. But it did not rule on those issues because it concluded that the arbitration violated the relevant federal statute.								
08-651	Padilla v. Kentucky	Decided	ST - KY	10/13/09	3/31/10	Stevens	7-2	Reversed and Remanded
Holding: When counseling a client on whether or not to plead guilty to a crime, a defense attorney has a responsibility to tell his client if the guilty plea will cause the client to be deported or have other immigration consequences.								
08-724	Smith v. Spisak	Decided	CA6	10/13/09	1/12/10	Breyer	9-0	Reversed
Holding: Instructing a jury to consider only mitigating facts that were clearly mitigating is not a violation of “clearly established Federal law.” The defendant’s lawyer’s closing argument - poor or not - did not clearly influence the outcome of the case.								
138, Orig.	South Carolina v. North Carolina	Decided	Original	10/13/09	1/20/10	Alito	5-4	-
Holding: When states participate in litigation, private parties may intervene only if they show a unique and compelling interest. Here, two parties were permitted to intervene but a third party was shown to have a compelling, but non-unique, interest.								
08-351	Alvarez v. Smith	Decided	CA7	10/14/09	12/8/09	Breyer	8-1	Vacated and Remanded
Holding: A challenge to an Illinois statute authorizing forfeiture of personal property used to facilitate drug crimes was mooted when parties resolved underlying 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 federal court can award larger-than-usual attorney’s fees to a civil rights lawyer who gives an especially strong performance in a particular case, but only in “extraordinary circumstances.”								

November Argument Session

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
Holding: Mutual fund shareholders may challenge the amount of fees the fund's investment advisors charge for their services, even if the fee was fully disclosed to, and approved by, the fund's board of directors. In deciding whether the fees are excessive, courts must consider the totality of the circumstances, including how much the advisors charge other clients for similar services and whether the board of directors engaged in a fully informed and disinterested review of the fees.								
08-1008	Shady Grove v. Allstate Ins. Co.	Decided	CA2	11/2/09	3/31/10	Scalia	5-4	Reversed and Remanded
Holding: Plaintiffs may sometimes sue for violations of state law in federal court. In such cases, state law decides the substantive claims, but federal law decides the procedures by which the case will be decided. The Court held that a state law prohibiting certain state claims from being decided in a class action governed procedure, and therefore did not apply in federal court.								
08-992	Beard v. Kindler	Decided	CA3	11/2/09	12/8/09	Roberts	8-0	Vacated and Remanded
Holding: A defendant convicted in state court cannot challenge his conviction in a federal "habeas corpus" petition if there is an "independent and adequate" basis in state law for rejecting his claims — for example, if the defendant missed a deadline created by state law. The Supreme Court ruled that state law is not "inadequate" merely because state court judges have discretion 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
Holding: When a third party challenges an agreement between an energy company and a utility over the rate the utility will pay for electricity, federal law presumes that rate is legal.								
08-538	Schwab v. Reilly	Decided	CA3	11/3/09	6/17/10	Thomas	6-3	Reversed and Remanded
Holding: An estate's trustee in bankruptcy under Chapter 7 need not object to an exemption in order to preserve the estate's ability to recover value in excess of what the debtor explicitly declared to be exempt.								
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 city cannot show that it lost revenue because of a crime under the federal Racketeer Influenced and Corrupt Organizations Act (RICO), it cannot use that statute to recover unpaid taxes.								
08-1065	Pottawattamie County v. McGhee	Dismissed	CA8	11/4/09	--	--	--	--
Dismissed following settlement between parties								
08-9156	Wood v. Allen	Decided	CA11	11/4/09	1/20/10	Sotomayor	7-2	Affirmed
Holding: Defendant's sentence should not be overturned because his attorney did not make an "unreasonable decision" to withhold evidence of his mental deficiencies.								
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 without parole when the crime does not involve murder, given the Eighth Amendment's ban on "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	Decided	CA-FED	11/9/09	6/28/10	Kennedy	9-0	Affirmed
Holding: A method of doing business that seeks to instruct financial institutions on how to hedge risk is not a patentable process.								
08-911	Kucana v. Holder	Decided	CA7	11/10/09	1/20/10	Ginsburg	9-0	Reversed and Remanded
Holding: The jurisdiction-stripping provision of the Immigration and Nationality Act applies only to decisions by the Attorney General (or the Board of Immigration Appeals) that are made discretionary by statute; it does not preclude review of decisions made discretionary by regulation.								
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 its high level officers direct, control, and coordinate its activities, which will usually be its corporate headquarters.								

December Argument Session

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: Lawsuits under the Federal False Claims Act seeking to recover federal funds that have been misspent are barred if the information used in the lawsuits came from state or local agencies' reports or audits.								
08-905	Merck v. Reynolds	Decided	CA3	11/30/09	4/27/10	Breyer	9-0	Affirmed
Holding: The time for a plaintiff to file a federal securities fraud lawsuit begins to run as soon as a plaintiff discovers, or reasonably should have discovered, all of the facts that make up the violation, including the 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: Federal bankruptcy law prohibits lawyers from advising a debtor to take on more debt when filing for bankruptcy, and certain disclosure requirements do not violate 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 bankruptcy court has the authority to discharge a student loan debt even if the student has not filed a claim of undue hardship.								
08-1151	Stop the Beach Renourishment v. Florida	Decided	ST-FL	12/2/09	6/17/10	Scalia	8-0	Affirmed
Holding: The Florida Supreme Court held that when the state deposited sand to stop erosion, that land became the state's property. The Supreme Court held that the state had not taken property without just compensation.								
08-861	Free Enterprise Fund v. PCAOB	Decided	CADC	12/7/09	6/28/10	Roberts	5-4	Affirmed in Part, Reversed in Part, and Remanded
Holding: The stipulation that members of the Public Company Accounting Oversight Board can only be removed for good cause by members of the SEC who themselves could only be removed for good cause, is an unconstitutional limitation on the President's removal power. Board members are correctly categorized as inferior officers that can be appointed by the President.								
08-1175	Florida v. Powell	Decided	ST-FL	12/7/09	2/23/10	Ginsburg	7-2	Reversed and Remanded
Holding: Police satisfy the requirements of <i>Miranda v. Arizona</i> when they advise a suspect that he has the right to talk to a lawyer before answering questions and that he can request a lawyer at any point during questioning.								
08-876	Black v. US	Decided	CA7	12/8/09	6/24/10	Ginsburg	9-0	Vacated and Remanded
Holding: The Court's opinion in <i>Skilling v. United States</i> on the scope of the honest services law renders the jury instructions in this case incorrect.								
08-1196	Weyhrauch v. US	Decided	CA9	12/8/09	6/24/10	Per Curiam	9-0	Vacated and Remanded
Holding: Vacated and remanded for further consideration in light of <i>Skilling v. United States</i> .								
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 victims can sometimes bring their claims in court as a group, through a "class action" lawsuit. At the same time, rather than litigate disputes in courts, people sometimes agree to arbitration. In this case, the Supreme Court held that an arbitration may proceed as a class action only if the parties agreed to arbitrate on a class-wide basis.								

January Argument Session

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	-
Holding: The Court adopts the Special Master’s recommendations and overrules all nine exceptions presented by the plaintiffs.								
07-11191	Briscoe v. Virginia	Decided	ST-VA	1/11/10	1/25/10	Per Curiam	9-0	Vacated and Remanded
Holding: Vacated and remanded in light of the Court’s decision in <i>Melendez-Diaz v. Massachusetts</i> (2009).								
08-1224	US v. Comstock	Decided	CA4	1/12/10	5/17/10	Breyer	7-2	Reversed and Remanded
Holding: The Court upholds the law passed by Congress to order the civil commitment of a mentally ill federal prisoner who is a sex offender with the commitment to continue beyond the date the inmate otherwise would be released.								
08-645	Abbott v. Abbott	Decided	CA5	1/12/10	5/17/10	Kennedy	6-3	Reversed and Remanded
Holding: A parent has a right of custody under the Hague Convention on child abduction by reason of the parent’s ne exeat right. That right is the authority to consent before the other parent can remove a child from the country where the child is living.								
08-661	American Needle v. NFL	Decided	CA7	1/13/10	5/24/10	Stevens	9-0	Reversed
Holding: The federal antitrust laws prohibit some “collective” action by “separate” entities. The Supreme Court held that NFL teams’ interactions regarding licensing intellectual property can sometimes be challenged under the Sherman Antitrust Act.								
08-1200	Jerman v. Carlisle	Decided	CA6	1/13/10	4/21/10	Sotomayor	7-2	Reversed and Remanded
Holding: The “bona fide error” defense of the Fair Debt Collection Practices Act does not apply to legal errors.								
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
Holding: A gas station may not sue a former franchisor for “constructive termination” under the Petroleum Marketing Practices Act.								
08-1214	Granite Rock v. Teamsters	Decided	CA9	1/19/10	6/24/10	Thomas	7-2	Affirmed in Part, Reversed in Part, and Remanded
Holding: The dispute between the parties over the date on which their collective bargaining agreement was ratified was an issue to be decided by the district court, not by an arbitrator.								
08-1402	Berghuis v. Smith	Decided	CA6	1/20/10	3/30/10	Ginsburg	9-0	Reversed and Remanded
Holding: Defendants have the right to a trial by a jury selected from a fair cross-section of the community. In this case, in which an African-American man convicted by an all-white jury selected from a pool that contained a very small percentage of African Americans, the Court held that there was not enough evidence of systematic exclusion of African-American jurors from the pool to establish a constitutional violation.								
08-810	Conkright v. Frommert	Decided	CA2	1/20/10	4/21/10	Roberts	5-3	Reversed and Remanded
Holding: When an employee health plan gives the plan administrator the power to resolve ambiguities in the plan’s terms, the administrator’s interpretation is entitled to deference in court. The Court held that the administrator’s right to deference is not lost simply because the administrator previously had a different interpretation of the plan, even if that prior interpretation had been found unreasonable by a court.								

February Argument Session

Case No.	Case	Status	Court	Argued	Opinion	Author	Vote	Judgment
08-1322	Astrue v. Ratliff	Decided	CA8	2/22/10	6/14/10	Thomas	9-0	Reversed and Remanded
Holding: An individual who wins a case against the federal government and recovers attorney’s fees can have those offset if that individual owes a debt to the government.								
08-974	Lewis v. City of Chicago	Decided	CA7	2/22/10	5/24/10	Scalia	9-0	Reversed and Remanded
Holding: Federal law sets a short deadline to file a “charge” with the Equal Employment Opportunity Commission to challenge discrimination by an employer, which is a prerequisite to later filing a lawsuit in court. A plaintiff who does not file a timely charge following the <i>adoption</i> of an allegedly discriminatory practice may still file a timely charge challenging the application of the <i>practice</i> .								
08-1498	Holder v. Humanitarian Law Project	Decided	CA9	2/23/10	6/21/10	Roberts	6-3	Affirmed in Part, Reversed in Part, and Remanded
Holding: The federal material support statute is constitutional as applied to the particular kinds of support that the parties in this case seek to provide to foreign terrorist organizations. The Court concludes that, as applied to these individuals and groups, the statute does not violate the free speech clause of the First Amendment.								
08-1569	US v. O’Brien	Decided	CA1	2/23/10	5/24/10	Kennedy	9-0	Affirmed
Holding: The question of whether or not a firearm is a machine gun must be decided unanimously by a jury, not by a judge during sentencing.								
08-1301	Carr v. US	Decided	CA7	2/24/10	6/1/10	Sotomayor	6-3	Reversed and Remanded
Holding: The federal Sex Offender Registration and Notification Act (SORNA) requires defendants who commit certain sex-related offenses to register with state and federal databases. The Court held that a defendant who committed a sex-related offense before SORNA became law is not required to register under the statute.								
08-1341	US v. Marcus	Decided	CA2	2/24/10	5/24/10	Breyer	7-1	Reversed and Remanded
Holding: When a defendant raises an issue on appeal that he did not raise in the district court, that argument is generally subject to “plain error review,” which is hard to prove. In this case, the defendant argued for the first time on appeal that he had been unconstitutionally convicted for conduct that occurred before the criminal statute was enacted. The Supreme Court held that this error did not “affect[t] the appellant’s substantial rights” or “seriously affect[t] the fairness, integrity or public reputation of judicial proceedings” and therefore did not warrant a new trial.								
08-1470	Berghuis v. Thompkins	Decided	CA6	3/1/10	6/1/10	Kennedy	5-4	Reversed and Remanded
Holding: In order to invoke his <i>Miranda</i> rights, a suspect must “unambiguously” request counsel. If a defendant simply remains silent, police officers may continue to ask questions.								
09-5327	Holland v. Florida	Decided	CA11	3/1/10	6/14/10	Breyer	7-2	Reversed and Remanded
Holding: The 1-year statute of limitations in the Antiterrorism and Effective Death Penalty Act is subject to equitable tolling in appropriate cases.								
08-1394	Skilling v. US	Decided	CA5	3/1/10	6/24/10	Ginsburg	9-0	Affirmed in Part, Reversed in Part, and Remanded
Holding: (1) Pre-trial publicity and community prejudice did not prevent Skilling from having a fair trial. (2) The “honest services” statute covers only bribery and kickback schemes. Part of the opinion vacates the Fifth Circuit’s ruling on Skilling’s conspiracy conviction. In her dissent, Justice Sotomayor disagrees with the Court’s conclusion that Skilling had a fair trial before an impartial jury.								
08-1521	McDonald v. City of Chicago	Decided	CA7	3/2/10	6/28/10	Alito	5-4	Reversed and Remanded
Holding: The constitutional right to keep and bear arms extends to state and local gun laws.								
08-1529	Hui v. Castaneda	Decided	CA9	3/2/10	5/3/10	Sotomayor	9-0	Reversed and Remanded
Holding: Public health service officers and employees are immune from Bivens actions for constitutional harms 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 Foreign Sovereign Immunities Act (FSIA) does not determine whether or not a foreign official qualifies for immunity from suit.								

March Argument Session

Case No.	Case	Status	Court	Argued	Opinion	Author	Vote	Judgment
08-998	Hamilton v. Lanning	Decided	CA10	3/22/10	6/7/10	Alito	8-1	Affirmed
Holding: Federal law requires that a debtor in a Chapter 13 bankruptcy pay her “projected disposable income” to her creditors during the period of her bankruptcy plan. A bankruptcy court may use a forward-looking approach and consider “known or virtually certain” events to decided future disposable income.								
09-223	Levin v. Commerce Energy	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.								
08-1457	New Process Steel v. NLRB	Decided	CA7	3/23/10	6/17/10	Stevens	5-4	Reversed and Remanded
Holding: The National Labor Relations Board, a body that makes rulings on federal labor law, must have at least three members in order to exercise its authority.								
08-1553	Kawasaki v. Regal-Beloit Corp.	Decided	CA9	3/24/10	6/21/10	Kennedy	6-3	Reversed
Holding: The Carmack Amendment does not apply to a shipment that originated overseas under a single through bill of lading. The parties’ agreement to litigate their agreement in Japan is binding.								
09-158	Magwood v. Patterson	Decided	CA11	3/24/10	6/24/10	Thomas	5-4	Reversed and Remanded
Holding: The defendant’s habeas application is not a “second or successive” petition because it challenges a new judgment for the first time.								
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” 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	Decided	CA2	3/29/10	6/24/10	Scalia	9-0	Affirmed
Holding: The statute in question does not provide a cause of action to foreigners who sue foreign and American defendants for misconduct regarding securities trading on a foreign exchange.								
09-6338	Dillon v. US	Decided	CA3	3/30/10	6/17/10	Sotomayor	7-1	Affirmed
Holding: When resentencing a defendant after an amendment to the federal sentencing guidelines, <i>United States v. Booker</i> does not require that a judge treat the sentencing guidelines as advisory.								
09-5201	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.								
09-60	Carachuri-Rosendo v. Holder	Decided	CA5	3/31/10	6/14/10	Stevens	9-0	Reversed
Holding: Second or subsequent crimes of possession of drugs are not aggravated felonies under federal immigration law when the underlying state conviction is not based on the fact that there was a prior conviction.								
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.								

April Argument Session

Case No.	Case	Status	Court	Argued	Opinion	Author	Vote	Judgment
08-1371	Christian Legal Society v. Martinez	Decided	CA9	4/19/10	6/28/10	Ginsburg	5-4	Affirmed and Remanded
Holding: A public law school’s policy requiring student groups seeking official recognition and benefits to open their membership and leadership eligibility to all students, including those who do not share their core beliefs about religion and sexual orientation, is a reasonable, viewpoint-neutral condition on access to a limited public forum that does not impair the groups’ First Amendment rights to free speech, expressive association, and free exercise of religion.								
08-1332	City of Ontario v. Quon	Decided	CA9	4/19/10	6/17/10	Kennedy	9-0	Reversed and Remanded
Holding: The search of the police officer’s text messages to his colleagues and to a woman with whom he was having an affair was reasonable. Therefore the officer’s Fourth Amendment rights were not violated.								
09-367	Dolan v. US	Decided	CA10	4/20/10	6/14/10	Breyer	5-4	Affirmed
Holding: A sentencing court that misses the 90-day deadline nonetheless retains the power to order restitution—at least where, as here, that court made clear prior to the deadline’s expiration that it would order restitution, leaving open (for more than 90 days) only the amount.								
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 identifying the other party being sued may still file her claim in a timely manner depends upon what the party to be added to the case knew or should have known about the dispute.								
09-497	Rent-A-Center v. Jackson	Decided	CA9	4/26/10	6/21/10	Scalia	5-4	Reversed
Holding: Under the Federal Arbitration Act, where an agreement to arbitrate includes an agreement that the arbitrator will determine the enforceability agreement, if a party challenges specifically the enforceability of that particular agreement, the district court considers the challenge, but if a party challenges the enforceability of the agreement as a whole, the challenge is for the arbitrator.								
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 claimant need not prevail to recover attorney’s fees under ERISA § 502(g)(1). A district court may award fees and costs as long as a claimant has achieved “some degree of success on the merits.”								
09-475	Monsanto v. Geertson Seed Farms	Decided	CA9	4/27/10	6/21/10	Alito	7-1	Reversed and Remanded
Holding: The respondents do have standing in the case, and the district court abused its discretion in enjoining the partial deregulation and prohibiting the planting of seed.								
09-559	Doe #1 v. Reed	Decided	CA9	4/28/10	6/24/10	Roberts	8-1	Affirmed
Holding: Disclosure of the information on petitions for ballot referenda does not, as a general matter, violate the First Amendment. However, compelled disclosure of this information is subject to review under the First Amendment. The broad challenge made by the petition-signers in this case must be rejected. Additionally, this does not foreclose success to the petition signers in their narrower challenge to a second count in their case, which is pending before the district court.								

Summary Reversals, Cases Decided without Oral Argument, and Certified Questions

Case No.	Case	Vote	Court	Opinion	Judgment	
08-10495	Corcoran v. Levenhagen	9-0	CA7	10/20/09	Vacated and Remanded	Summary Reversal
Holding: The Seventh Circuit erred in rejecting one part of the district court's ruling and remanding the case without addressing other parts of the ruling.						
09-144	Bobby v. Van Hook	9-0	CA6	11/9/09	Reversed and Remanded	Summary Reversal
Holding: Defendant's counsel met a minimum level of competence under the correct standard.						
08-1263	Wong v. Belmontes	9-0	CA9	11/16/09	Reversed and Remanded	Summary Reversal
Holding: A court must consider both mitigating and aggravating evidence to prove prejudice when a defendant attempts to show that counsel was ineffective under <i>Strickland v. Washington</i> .						
08-10537	Porter v. McCollum	9-0	CA11	11/30/09	Reversed and Remanded	Summary Reversal
Holding: A defendant can show prejudice if his counsel fails to present important mitigating evidence such as mental health, family background, or military service.						
09-91	Michigan v. Fisher	7-2	ST-NV	12/7/09	Reversed and Remanded	Summary Reversal
Holding: Police officers satisfied the requirements of the emergency aid exception to the Fourth Amendment's warrant requirement when they entered a home after they saw that the defendant had seriously cut his hand and was threatening others within his home.						
08-559	McDaniel v. Brown	9-0	CA9	1/11/10	Reversed and Remanded	Decided Without Oral Argument
Holding: A Federal Trial Court erred in using a record developed 11 years after trial to grant a writ of habeas corpus under <i>Jackson v. Virginia</i> .						
09-5270	Presley v. Georgia	7-2	ST-GA	1/19/10	Reversed and Remanded	Summary Reversal
Holding: The Sixth Amendment's right to a public trial extends to the <i>voir dire</i> process. When one party requests closing the proceedings, a court should consider alternatives whether or not the opposing party suggests specific alternatives.						
09-5731	Wellons v. Hall	5-4	CA11	1/19/10	Vacated and Remanded	Summary Reversal
Holding: The case is remanded for further consideration because the lower court could substantively alter its decision based on the Supreme Court's decision in <i>Cone v. Bell</i> on the standards for evidentiary hearings.						
08-10914	Wilkins v. Gaddy	9-0	CA4	2/22/10	Reversed and Remanded	Summary Reversal
Holding: When deciding an prisoner's excessive force claim, a court should consider the nature of the force, not the extent of the resulting injury.						
09-273	Thaler v. Haynes	9-0	CA5	2/22/10	Reversed and Remanded	Summary Reversal
Holding: <i>Batson v. Kentucky</i> and <i>Snyder v. Louisiana</i> do not require a judge to reject a demeanor-based peremptory challenge because she did not personally observe the juror's behavior.						
08-1234	Kiyemba v. Obama	9-0	CADC	3/1/10	Vacated and Remanded	Decided Without Oral Argument
Holding: The judgement of the lower court is vacated because recent developments have altered the legal issue presented.						
09-8852	Jefferson v. Upton	7-2	CA11	5/24/10	Vacated and Remanded	Summary Reversal
Holding: When a state court presumes that certain key facts are correct, a court of appeals should consider all possible exceptions to that presumption of factual correctness.						
09-940	United States v. Juvenile Male	9-0	CA9	6/7/10	-	Certified Question
Holding: In order to evaluate whether or not a case presents a justiciable case or controversy, the Court requests that the Supreme Court of Montana to respond to a question and confirm that there is no controlling appellate decision, constitutional provision, or statute.						
09-8854	Sears v. Upton	5-4	ST-GA	6/29/10	Vacated and Remanded	Summary Reversal
Holding: Counsel's presentation of some mitigating evidence should not prevent an inquiry into whether or not the evidence was deficient and may have prejudiced the defendant.						