

United States Supreme Court
2009-2010 Term
In Haiku Form
© SupremeCourtHaiku.com 2010

Sears v. Upton (June 29, 2010)

Georgia Supreme Court
Failed to use Sixth Amendment
Test for prejudice

Christian Legal Society Chapter of the University of California, Hastings College of Law v. Martinez (June 28, 2010)

Law school need not fund
School clubs that discriminate
Against certain groups

Bilski v. Kappos (June 28, 2010)

Risk hedging method
Merely an abstract idea
Not patentable

McDonald v. Chicago (June 28, 2010)

Second Amendment
Self-defense a basic right
States can't ban handguns

Free Enterprise Fund v. Public Company Accounting Oversight Board (June 28, 2010)

Audit review board
No Senate advice needed
But tenure too strong

Black v. United States (June 24, 2010)

"Honest-services"
Jury charge erroneous
Objection preserved

Magwood v. Patterson (June 24, 2010)

New sentence challenge
Not "second or successive"
Habeas allowed

Granite Rock Co. v. Int'l Brotherhood of Teamsters (June 24, 2010)

CBA approved?
Question for federal court
Not arbitrator

Morrison v. National Australia Bank Ltd. (June 24, 2010)

Foreign shareholders
No securities fraud claim
In United States

Doe v. Reed (June 24, 2010)

State referendum
Disclosure of signatures
No free speech problem

Skilling v. United States (June 24, 2010)

Houston venue fair
"Honest-services" not vague
Covers bribes, kickbacks

Monsanto Co. v. Geertson Seed Farms (June 21, 2010)

Plant Protection Act
Roundup Ready alfalfa
Some planting allowed

Kawasaki Kisen Kaisha Ltd. v. Regal-Beloit Corp. (June 21, 2010)

Shipment from China
Cargo destroyed in U.S.
Bring suit in Tokyo

Rent-A-Center, West, Inc. v. Jackson (June 21, 2010)

Arbitration clause
Agreement enforceable?
Ask arbitrator

Holder v. Humanitarian Law Project (June 21, 2010)

Law prohibiting
Support for terrorist groups
No free speech issues

Dillon v. United States (June 17, 2010)

Long drug crime sentence
Retroactive reduction
No further time off

Schwab v. Reilly (June 17, 2010)

Bankrupt caterer
Cooking tools on Schedule C
Need no objection

City of Ontario v. Quon (June 17, 2010)

Cops issued pagers
Transcripts reviewed for misuse
Reasonable search

Stop the Beach Renourishment, Inc. v. Florida Dep't of Environmental Protection (June 17, 2010)

Beachfront property
Cut off by restoration
Is not a taking

New Process Steel, L.P. v. National Labor Relations Board (June 17, 2010)

The NLRB
Must have at least three members
To have a quorum

Dolan v. United States (June 14, 2010)

Assault conviction
Restitution to Victim
Hearing timely set

Holland v. Florida (June 14, 2010)

Habeas Corpus
Attorney Unresponsive
May Extend Deadline

Astrue v. Ratliff (June 14, 2010)

Lawyer fee award
Is property of client
Subject to offset

Carachuri-Rosendo v. Holder (June 14, 2010)

Legal resident
Second drug misdemeanor
No deportation

United States v. Juvenile Male (June 7, 2010)

Youth sex offender
Required to register?
Let's ask Montana

Krupski v. Costa Crociere S.P.A. (June 7, 2010)

Limitations bar?
Relation back based upon
Defendant's knowledge

Hamilton v. Lanning (June 7, 2010)

Bankruptcy debtor
Creditor payments based on
Projected income

Barber v. Thomas (June 7, 2010)

Federal sentence
Time off for good behavior
End of year credit

Carr v. United States (June 1, 2010)

Sex offender act
State lines crossed before passage
Law does not apply

Levin v. Commerce Energy, Inc. (June 1, 2010)

Challenge to state tax
Must first be brought in state court
Comity Doctrine

Alabama v. North Carolina (June 1, 2010)

Failure to build plant
For radioactive waste
No breach of contract

Samantar v. Yousuf (June 1, 2010)

Foreign officials
Not immune from civil suit
Acts for foreign state

Berghuis v. Thompkins (June 1, 2010)

Miranda Rights read
Suspect silent for hours
Not silent enough

United States v. Marcus (May 24, 2010)

Ex Post Facto Clause
"Any possibility"
Not "plain error" test

Jefferson v. Upton (May 24, 2010)

Habeas corpus
District court need not accept
Findings of state court

Lewis v. City of Chicago, Illinois (May 24, 2010)

Disparate impact
Chicago firefighters
Claims not brought too late

Hardt v. Reliance Standard Life Ins. Co. (May 24, 2010)

ERISA plaintiff
May receive attorneys' fees
Without "prevailing"

United States v. O'Brien (May 24, 2010)

Gun a machinegun?
A question for the jury
Not at sentencing

American Needle, Inc. v. National Football League (May 24, 2010)

All NFL teams
Not a single entity
Antitrust applies

Abbott v. Abbott (May 17, 2010)

Child custody
Mom takes child from Chile
Dad has standing here

United States v. Comstock (May 17, 2010)

Federal inmate
May be detained past sentence
If mentally ill

Graham v. Florida (May 17, 2010)

Life without parole
Non-violent juvenile
Cruel, Unusual

Renico v. Lett (May 3, 2010)

Double Jeopardy?
Not when defendant retried
After hung jury

Hui v. Castaneda (May 3, 2010)

No negligence claims
Against U.S. government
For failure to treat

Reed Elsevier, Inc. v. Muchnick (Mar. 2, 2010)

Jurisdictional?
Copyright registration?
No, pre-condition

Johnson v. United States (Mar. 2, 2010)

"Three strikes" sentencing
Non-violent battery
Cannot be one strike

Salazar v. Buono (April 28, 2010)

Cross in public park
Land swapped with veterans group
Avoids injunction?

Stolt-Nielsen S. A. v. Animalfeeds Int'l Corp. (April 27, 2010)

Parties can't be forced
Into class arbitration
Without their consent

Merck & Co., Inc. v. Reynolds (April 27, 2010)

Securities fraud
Limitations don't run 'til
Facts show scienter

Jerman v. Carlisle, McNellie, Rini, Kramer & Ulrich LPA (April 21, 2010)

Fair Debt Collection
Lawyer ignorance of law
Is not an excuse

Conkright v. Frommert (April 21, 2010)

E . . . R . . . I . . . S . . . A
Administrator of plan
Deference given

Perdue v. Kenny A. (April 21, 2010)

Attorneys' fees sought
Superior performance
May enhance "Iodestar"

Stevens v. United States (April 20, 2010)

Animal cruelty
Statute forbids portrayal
Overbroad on face

Shady Grove Orthopedic Assocs., P.A. v. Allstate Ins. Co. (Mar. 31, 2010)

Court may certify
Class action for interest
Despite New York law

Padilla v. Kentucky (Mar. 31, 2010)

Failure to inform
Deportation risk from plea
Bad job, counselor

Graham County Soil and Water Conservation Dist. v. U.S. ex rel. Wilson (Mar. 30 2010)

No False Claims *quit tam*
For fraud disclosed in report
From state or county

Jones v. Harris Associates L.P. (Mar. 30, 2010)

Investment advice
Fiduciary duty
Reasonable fees

Berghuis v. Smith (Mar. 30, 2010)

Quite White jury pool
No Sixth Amendment issue
In quite White county

United Student Aid Funds, Inc. v. Espinosa (Mar. 23, 2010)

Bankrupt; student loans
Adversary proceeding
Needed for discharge

Milavetz, Gallop & Milavetz, P.A. v. United States (Mar. 8, 2010)

Bankruptcy lawyers
Are "debt relief agencies"
Feds regulate ads

Bloate v. United States (Mar. 8, 2010)

Speedy Trial Act
Delays caused by motion prep
Not always excused

Mac's Shell Service, Inc. v. Shell Oil Products Co. (Mar. 2, 2010)

Gas station franchise
Constructive termination?
Not with renewal

Kiyemba v. Obama (Mar. 1, 2010)

Guantanamo Bay
Uighurs released in U.S.?
Facts changed; remanded

Maryland v. Shatzer (Feb. 24, 2010)

Miranda invoked
Three more years spent in the joint
Waiver not coerced

Florida v. Powell (Feb. 23, 2010)

Warning a suspect
"Right to talk to a lawyer"
Jibes with *Miranda*

Hertz Corp. v. Friend (Feb. 23, 2010)

Large corporation
Principal place of business?
State with "nerve center"

Wilkins v. Gaddy (Feb. 22, 2010)

Force against convict
May be cruel, unusual
Despite minor harm

Thaler v. Haynes (Feb. 22, 2010)

Juror demeanor
May counter *Batson* challenge
Though unseen by judge

Briscoe v. Virginia (Jan. 25, 2010)

Case remanded
Per case of previous term
Melendez-Diaz

Hemi Group, LLC v. City of New York (Jan. 25, 2010)

Cigarette taxes
No RICO claim for City
Causation remote

Citizens United v. Federal Elec. Comm'n (Jan. 25, 2010)

Ads for candidates
From corporations, unions
Political speech

Wood v. Allen (Jan. 20, 2010)

Habeas corpus
Fact findings reasonable
Counsel effective

Kucana v. Holder (Jan. 20, 2010)

Discretionary
Review barred when by statute
Not regulations

South Carolina v. North Carolina (Jan. 20, 2010)

Catawba River
Non-party intervention
Compelling interest

Wellons v. Hall (Jan. 19, 2010)

Capital trial
Jurors' chocolate presents
Facts merit review

Presley v. Georgia (Jan. 19, 2010)

Jury selection
Public wrongly excluded
Public trial right

Hollingsworth v. Perry (Jan. 13, 2010)

Proposed court broadcast
Proposition 8 trial
Stay pending ruling

NRG Power Mktng. v. Maine Pub. Util. Comm'n
(Jan. 13, 2010)

Mobile-Sierra
Presumption regarding rates
Just, reasonable

Smith v. Spisak (Jan. 12, 2010)

Jury instructions
Gave proper balancing charge
Closing adequate

McDaniel v. Brown (Jan. 11, 2010)

Habeas corpus
Prosecutor's fallacy
Ample evidence

Mohawk Industries Inc. v. Carpenter (Dec. 8, 2009)

Disclosure order
Attorney-client revealed
No instant appeal

Alvarez v. Smith (Dec. 8, 2009)

Drug forfeiture law
Property dispute resolved
Case moot; vacated

Union Pacific Railroad Co. v. Brotherhood of Locomotive Engineers and Trainmen (Dec. 8, 2009)

Pre-hearing conference
Rule not jurisdictional
Statutory grounds

Beard v. Kindler (Dec. 8, 2009)

Fugitive Forfeits
Discretionary State Rule
Judgment Supported

Michigan v. Fisher (Dec. 8, 2009)

Man "going crazy"
Blood on hood of pickup truck
Emergency Aid

Porter v. McCollum (Nov. 30, 2009)

Failure to Seek Out
Mitigating Evidence
Counsel deficient

Wong v. Belmontes (Nov. 16, 2009)

Effective Counsel
May Decline to Open Door
Aggravating Facts

Bobby v. Van Hook (Nov. 9, 2009)

Effective Counsel
Need Not Find All Possible
Mitigating Facts

Corcoran v. Levenhagen (October 20, 2009)

Claims undecided
No explanation given
Merits on remand