

The Supreme Court - December 10, 2018

The Supreme Court of the United States issued the following decision today:

United States v. Stitt, No. 17-765; **United States v. Sims**, No. 17-766: Respondents in these two consolidated cases were both convicted in federal court of unlawfully possessing a firearm, and found by the district court in each case to have prior state burglary convictions requiring the imposition of a mandatory 15-year minimum prison term under the Armed Career Criminal Act. While “burglary” is a prior felony for purposes of the Act, the Sixth and Eighth Circuits each held that the state law definitions here, which extended to burglary of structures or vehicles adapted or customarily used for overnight accommodation, did not fall within the Act. The Court today disagreed, holding that the statutory term “burglary” under the Armed Career Criminal Act includes burglary of a structure or vehicle that has been adapted or is customarily used for overnight accommodation.

The Court’s decision is available [here](#).

Today, the Supreme Court granted certiorari in the following case:

Kisor v. Wilkie, No. 18-15: Whether the Court should overrule *Auer v. Robbins*, 519 U.S. 452 (1997) and *Bowles v. Seminole Rock & Sand Co.*, 325 U.S. 410 (1945), which direct courts to defer to an agency’s reasonable interpretation of its own ambiguous regulation.

Friday afternoon, the Supreme Court granted certiorari in the following case:

Dutra Group v. Batterton, No. 18-266: Whether punitive damages may be awarded to a Jones Act seaman in a personal injury suit alleging a breach of the general maritime duty to provide a seaworthy vessel.

Related Capabilities

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