

The Supreme Court - March 18, 2019

Today, the Supreme Court granted certiorari in four cases:

Ramos v. Louisiana, No. 18-5924: Whether the Fourteenth Amendment fully incorporates the Sixth Amendment guarantee of a unanimous verdict.

Kahler v. Kansas, No. 18-6135: Do the Eighth and Fourteenth Amendments permit a state to abolish the insanity defense?

Kansas v. Garcia, No. 17-834: (1) Whether the Immigration Reform and Control Act (“IRCA”) expressly preempts the States from using any information entered on or appended to a federal Form I-9, including common information such as name, date of birth, and social security number, in a prosecution of any person (citizen or alien) when that same, commonly used information also appears in non-IRCA documents, such as state tax forms, leases, and credit applications. (2) Whether the IRCA impliedly preempts Kansas’s prosecution of respondents.

Mathena v. Malvo, No. 18-217: This case, involving one of the D.C. snipers and his sentence of life without parole, presents the following question: Did the Fourth Circuit err in concluding—in direct conflict with Virginia’s highest court and other courts—that a decision of this Court (*Montgomery v. Louisiana*, 136 S. Ct. 718 (2016)) addressing whether a new constitutional rule announced in an earlier decision (*Miller v. Alabama*, 567 U.S. 460 (2012)) applies retroactively on collateral review may properly be interpreted as modifying and substantively expanding the very rule whose retroactivity was in question?

Related Capabilities

- Appellate
- Labor & Employment
- Immigration