

The Supreme Court - May 29, 2018

The Supreme Court of the United States issued its rulings in three cases today:

Lagos v. United States, No. 16-1519: The Mandatory Victims Restitution Act of 1996 requires that defendants convicted of certain offenses “reimburse the victim for lost income and necessary . . . expenses incurred during participation in the *investigation or prosecution* of the offense or attendance at proceedings related to the offense.” 18 U.S.C. §3663A(b)(4) (emphasis added). Petitioner Sergio Fernando Lagos was convicted of using a company he controlled to defraud GE — the company’s lender — of tens of millions of dollars. GE, for its part, had incurred approximately \$5 million in expenses during its own investigation of the fraud and during Lagos’s company’s related bankruptcy proceedings. The District Court, agreeing with the Government’s argument, awarded these expenses to GE as restitution under Section §3663A(b)(4), and the Fifth Circuit affirmed. The Court today reversed, holding that the words “investigation” and “proceedings” are limited to government investigations and criminal proceedings.

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

Collins v. Virginia, No. 16-1027: Two police officers in Virginia, in separate incidents, saw a driver on the same orange and black motorcycle commit traffic offenses, but then elude them. Through further investigation, the officers identified the motorcycle as likely stolen and in the possession of petitioner Ryan Collins, who had the motorcycle parked at the top of a driveway of a house. One of the officers, without a warrant, went to the house, lifted a tarp covering the motorcycle in the driveway, ran the license plates which confirmed the motorcycle was stolen, covered the motorcycle again, and returned to his car. When Collins arrived at the house, the officer knocked on the door, Collins answered and agreed to talk, admitted that he had bought the motorcycle without title, and was arrested. The Virginia trial court, Court of Appeals, and Supreme Court of Virginia, all rejected Collins’s argument that the officer had trespassed on the curtilage of the house in violation of the Fourth Amendment. Today, the Court reversed, holding that the automobile exception to the Fourth Amendment does not permit a police officer,

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uninvited and without a warrant, to enter the curtilage of a home in order to search a vehicle parked therein.

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

City of Hays v. Vogt, No. 16-1495: Today, in a case which had presented the question of whether the Fifth Amendment is violated when compelled statements are used at a probable cause hearing but not at a criminal trial, the Court dismissed the writ of certiorari as improvidently granted.