

The Supreme Court - November 13, 2018

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

PDR Network, LLC v. Carlton & Harris Chiropractic Inc., No 17-1705: Whether the Hobbs Act required the district court in this case to accept the Federal Communication Commission's legal interpretation of the Telephone Consumer Protection Act.

Related Capabilities

- Appellate
- Telecommunications

The Supreme Court also added to its docket the following appeal from a decision of a three-judge district court:

Virginia House of Delegates, et al. v. Golden Bethune-Hill, et al., No. 18-281: (1) Whether the district court conducted a proper "holistic" analysis of the majority-minority Virginia House of Delegates districts under the prior decision in this case, *Bethune-Hill v. Va. State Bd. of Elections*, 137 S. Ct. 788, 799 (2017), even though it ignored a host of evidence; (2) whether the *Bethune-Hill* "predominance" test is satisfied merely by a lengthy description of ordinary Voting Rights Act compliance measures; (3) whether the district court erred in relying on expert analysis it previously rejected as unreliable and irrelevant and expert analysis that lacked any objective or coherent methodology; (4) whether the district court committed clear error in ignoring the entirety of the House's evidentiary presentation under the guise of credibility determinations unsupported by the record and predicated on expert testimony that should not have been credited or even admitted; (5) whether Virginia's choice to draw 11 "safe" majority-minority districts of around or above 55% black voting-age population ("BVAP") was narrowly tailored; and (6) whether the district court erred in ignoring the district-specific evidence before the House in 2011 justifying safe districts at or above 55% BVAP.

In adding the appeal to its docket, the Supreme Court expressly postponed considering whether it had jurisdiction over the case until a hearing on the merits. The Supreme Court further instructed the parties to brief whether appellants have standing to bring the appeal.