

The Supreme Court - October 21, 2019

On Friday afternoon, the Supreme Court of the United States granted certiorari in the following four cases:

Seila Law LLC v. Consumer Financial Protection Bureau, No. 19-7: (1) Whether the vesting of substantial executive authority in the Consumer Financial Protection Bureau, an independent agency led by a single director, violates the separation of powers. (2) If the Consumer Financial Protection Bureau is found unconstitutional on the basis of separation of powers, can 12 U.S.C. §5491(c)(3) be severed from the Dodd-Frank Act?

Nasrallah v. Barr, No. 18-1432: Whether, notwithstanding 8 U.S.C. §1252(a)(2)(C), which limits judicial review over orders against criminal aliens, the courts of appeals possess jurisdiction to review factual findings underlying denials of withholding (and deferral) of removal relief.

Dept. of Homeland Security v. Thuraissigiam, No. 19-161: Whether, as applied to respondent, 8 U.S.C. §1252(e)(2), which limits the scope of judicial review over habeas challenges to expedited-removal orders, is unconstitutional under the Suspension Clause.

Lomax v. Ortiz-Marquez, No. 18-8369: Does a dismissal without prejudice for failure to state a claim count as a strike under 28 U.S.C. §1915(g), which generally prohibits a prisoner from bringing a civil action *in forma pauperis* if the prisoner has, on three or more occasions, while incarcerated or detained, brought an action that was dismissed as frivolous, malicious, or fails to state a claim upon which relief may be granted?

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