

The Supreme Court Update - February 27, 2023

by Brock Huebner

Today, the Supreme Court of the United States granted certiorari in two cases:

Consumer Financial Protection Bureau v. Community Fin. Services Assn., No. 22-448: This case involves a constitutional challenge to the Consumer Financial Protection Bureau, the federal agency tasked with protecting consumers in the financial sector. The question presented is: Whether the court of appeals erred in holding that the statute providing funding to the Consumer Financial Protection Bureau, 12 U.S.C. § 5497, violates the appropriations clause in Article I, Section 9 of the Constitution, and in vacating a regulation promulgated at a time when the Bureau was receiving such funding.

Pulsifer v. United States, No. 22-340: This statutory interpretation and criminal sentencing case concerns the criteria necessary for a defendant to be sentenced under the “safety valve” provisions of the federal sentencing statute, rather than the mandatory minimum. The question presented is: Whether defendants satisfy the criteria in 18 U.S.C. § 3553(f)(1) as amended by the First Step Act of 2018 in order to qualify for the federal drug-sentencing “safety valve” provision so long as they do not have (a) more than four criminal history points, (b) a three-point offense, and (c) a two-point offense, or whether defendants satisfy the criteria so long as they do not have (a), (b), or (c).

Related People

- Brock Huebner

Related Capabilities

- Appellate