

The Supreme Court Update - January 9, 2026

by Ian Blodger, Jessica M. Leano, and Brock Huebner

On January 9, 2026, the Supreme Court of the United States issued one decision:

Bowe v. United States, No. 24-5438: This case interprets provisions of the Antiterrorism and Effective Death Penalty Act of 1996 (“AEDPA”) that limit prisoners’ abilities to bring second or successive motions to challenge their convictions or sentences. AEDPA includes different provisions for state and federal prisoners, but the portion governing federal prisoners includes various cross-references to some of the procedures for state prisoners. See 28 U.S.C. § 2254 (state prisoners); § 2255 (federal prisoners). In this case, Michael Bowe, a federal prisoner, attempted multiple times to challenge his mandatory consecutive 10-year sentence based on Supreme Court precedents issued after his conviction. The Eleventh Circuit denied his petitions based on requirements in the AEDPA provision governing state prisoners. Today, in a 5-4 decision authored by Justice Sotomayor, the Court reversed the Eleventh Circuit. After concluding that the Court could exercise jurisdiction to consider the case, the majority held that the § 2244(b)(1) requirement does not apply to second or successive motions filed under § 2255(h) by federal prisoners. Justice Jackson authored a concurring opinion. Justice Gorsuch (joined by Justices Thomas and Alito in full, and Justice Barrett in part) dissented.

View the [Court's decision](#).

Related People

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