

The Supreme Court Update - June 23, 2025

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

On June 20, 2025, the Supreme Court of the United States issued six decisions:

Diamond Alternative Energy, LLC v. Environmental Protection Agency, No. 24-7:

This case addresses fuel producers' Article III standing to challenge the Environmental Protection Agency's ("EPA") approval of California regulations requiring automakers to manufacture more electric vehicles and fewer gasoline-powered vehicles. Fuel producers sued the EPA in the D.C. Circuit, arguing the EPA lacked authority to approve the regulations. California and other states adopting the regulations intervened to defend the EPA's approval, arguing the fuel producers lacked standing. The D.C. Circuit held the fuel producers lacked standing because they failed to establish that automakers would likely respond to invalidation of the regulations by producing fewer electric vehicles and more gasoline-powered vehicles. In a 7-2 opinion authored by Justice Kavanaugh, the Court reversed the D.C. Circuit and held that the fuel producers have standing. Article III standing requires plaintiffs to show three elements: injury in fact, causation, and redressability. The fuel producers' injury in fact and causation are "straightforward and undisputed," as decreased purchases of gasoline and other liquid fuels constitute monetary injury caused by the California regulations. The fuel producers also satisfy redressability, as even minimal additional revenue would satisfy this requirement and invalidating the regulations would likely result in more revenue from fuel sales. Justices Sotomayor and Jackson filed dissenting opinions.

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Esteras v. United States, No. 23-7483: This case clarifies the factors that courts may look to when considering whether to revoke a term of supervised release. Under federal sentencing statutes, a court must consider ten factors when imposing a criminal sentence. 18 U.S.C. § 3553. Eight of those ten factors must be considered if a court imposes or revokes supervised release. 18 U.S.C. § 3583(c), (e). In this case, petitioner Edgardo Esteras was arrested and charged with domestic violence and other crimes while on supervised release. The district court revoked supervised release and imposed

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a 24-month reimprisonment sentence based on the court's determination that the revocation sentence would "promote respect for the law." This factor is included in § 3553(a)(2)(A), but is not among the eight factors in § 3583(c) or (e). In a decision authored by Justice Barrett (joined in full by Chief Justice Roberts and Justices Thomas, Kagan, and Kavanaugh, and in part by Justices Sotomayor and Jackson), the Supreme Court held that courts may only consider the eight factors enumerated in § 3583(e) when deciding whether to revoke a sentence of supervised release, interpreting the exclusion of the "promote respect for the law" factor from Sections 3583(c) and (e) as evidencing Congress's intent that courts should not consider that factor's focus on retribution vis-à-vis the defendant's underlying criminal offense in the supervised release context. Justice Sotomayor (joined by Justice Jackson) and Justice Jackson each filed opinions concurring in part and concurring in the judgment. Justice Alito (joined by Justice Gorsuch) dissented.

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Food and Drug Administration v. R.J. Reynolds Vapor Co., No. 23-1187: This case considers the proper judicial forum to challenge the Food and Drug Administration's ("FDA") denial of an application to market a new tobacco product under the Family Smoking Prevention and Tobacco Control Act ("TCA"). The TCA allows "any person adversely affected" by an FDA denial order to seek judicial review either in the D.C. Circuit or "the circuit in which such person resides or has their principal place of business." 21 U.S.C. § 387l(a)(1). After R.J. Reynolds Vapor Co.'s application for an e-cigarette product was denied, it did not seek review in the D.C. Circuit or in the Fourth Circuit, the North Carolina-based company's home forum. Instead, it joined with a Texas-based retailer and Mississippi-based trade association to sue in the Fifth Circuit. The FDA sought to dismiss or transfer the lawsuit, arguing that only the manufacturer applicant itself—R.J. Reynolds Vapor—qualified as the party "adversely affected." The Fifth Circuit denied the motion and retained jurisdiction. In a 7-2 decision authored by Justice Barrett, the Supreme Court affirmed the Fifth Circuit and held that retailers who would sell the product qualify as "adversely affected" parties for purposes of TCA judicial review. The Court's reasoning relied on Administrative Procedure Act precedents and the TCA's text to adopt the broad definition of "adversely affected." Justice Jackson (joined by Justice Sotomayor) dissented, arguing the TCA's text and purpose limited the "adversely affected" language to manufacturers.

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Fuld v. Palestine Liberation Organization, No. 24-20: This case addresses whether the exercise of personal jurisdiction over the Palestine Liberation Organization ("PLO") and Palestine Authority ("PA") under the Promoting Security and Justice for Victims of Terrorism Act ("PSJVTA") violates the Fifth Amendment's Due Process Clause. Two lawsuits were filed against the PLO and PA in federal district courts under the Anti-Terrorism Act of 1990 ("ATA"), which creates a federal civil damages action for U.S. nationals injured or killed "by reason of an act of international terrorism." The PSJVTA names the PA and PLO specifically and provides that they shall be deemed to have

consented to personal jurisdiction in ATA cases involving two factual predicates: the PA's and PLO's (1) practice of paying salaries to terrorists in Israeli prisons and to families of deceased terrorists, and (2) activities on U.S. soil. The district courts found evidence that the PA and PLO had engaged in conduct sufficient to satisfy at least the payments prong, but held that an exercise of jurisdiction under either factual predicate was unconstitutional. The Second Circuit consolidated the cases and affirmed, holding that the PSJVTA could not, consistent with due process, establish personal jurisdiction over the PLO or PA. In a 9-0 decision authored by Chief Justice Roberts, the Court reversed the Second Circuit, finding that the PSJVTA's personal jurisdiction provision does not violate the Fifth Amendment's Due Process Clause because it reasonably ties the assertion of jurisdiction over the PLO and PA to conduct involving the United States and implicating sensitive foreign policy matters within the prerogative of the political branches. Justice Thomas filed an opinion concurring in the judgment, joined in part by Justice Gorsuch.

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

McLaughlin Chiropractic Associates v. McKesson Corp., No. 23-1226: This case addresses whether federal courts are required to follow a federal agency's legal interpretation under the Hobbs Administrative Orders Review Act ("Hobbs Act"). In this case, McLaughlin Chiropractic Associates filed a class action lawsuit against McKesson Corporation, claiming McKesson's unsolicited online fax advertisements violated the Telephone Consumer Protection Act ("TCPA"). After a class was certified, the Federal Communications Commission ("FCC") issued a separate agency order that held that online faxes are not governed by the TCPA in the same manner as physical faxes are. Under Ninth Circuit precedent that required agency orders to be challenged exclusively in the courts of appeals in pre-enforcement suits under the Hobbs Act's procedures, the district court in the class action determined the FCC's order to be a binding interpretation of the TCPA, and granted summary judgment and decertified the class as to the online fax recipients. The Ninth Circuit affirmed. In a 6-3 decision authored by Justice Kavanaugh, the Supreme Court reversed, and held that the Hobbs Act's pre-enforcement review procedures did not preclude parties in subsequent proceedings from challenging an agency's legal interpretations. Instead, for agency determinations governed by the Hobbs Act, district courts must independently determine a law's meaning, "under ordinary principles of statutory interpretation, affording appropriate respect to the agency's interpretation." Justice Kagan (joined by Justices Sotomayor and Jackson) dissented, arguing that the majority's holding "prevents the Hobbs Act from functioning as Congress wanted—by allowing regulated parties to end-run the Act's pre-enforcement judicial review scheme, and thereby undermine the stability and efficacy of administrative programs."

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Stanley v. City of Sanford, Florida, No. 23-997: This case evaluates whether Title I of the Americans with Disabilities Act ("ADA") reaches discrimination against retirees. Title I prohibits discrimination against "qualified individual[s]." 42 U.S.C. § 12112(a). A qualified

individual is someone “who, with or without reasonable accommodation, can perform the essential functions of the employment position that [she] holds or desires.” Petitioner began working as a firefighter for the City of Sanford at a time when the City offered health insurance until age 65 for two categories of retirees: those who retired with 25 years of service, and those who retired earlier because of a disability. The City later changed its policy to continue to pay for health insurance up to age 65 for retirees with 25 years of service but to pay just 24 months of insurance for those who retired earlier due to disability. Petitioner developed a disability that forced her to retire before 25 years of service and claimed the City violated the ADA by providing different health-insurance benefits to those who retire earlier due to disability. The district court dismissed the ADA claim, finding the alleged discrimination occurred after she was retired and was no longer a “qualified individual.” The Eleventh Circuit affirmed the district court, and the Supreme Court affirmed the Eleventh Circuit. The Supreme Court held that to prevail under § 12112(a), a plaintiff must plead and prove that she held or desired a job and could perform its essential functions with or without reasonable accommodation at the time of the employer’s alleged act of disability-based discrimination. The definition of “reasonable accommodation” makes sense for current employees or applicants but not retirees, and § 12112(b)’s examples of discrimination aim to protect job holders and seekers, not retirees. Justice Gorsuch delivered the opinion with respect to Parts I and II, joined by Chief Justice Roberts and Justices Thomas, Alito, Kagan, Kavanaugh, and Barrett; and with respect to Part III, joined by Justices Alito, Sotomayor, and Kagan. Justice Thomas filed a concurrence, joined by Justice Barrett. Justice Sotomayor filed a concurrence in part and dissent in part. Justice Jackson filed a dissent, joined in part by Justice Sotomayor.

View the Court’s [decision](#).

Today, the Court granted certiorari in one case:

Landor v. Louisiana Department of Corrections and Public Safety, No. 23-1197: This case involves Damon Landor, a devout Rastafarian inmate who had his dreadlocks forcibly shaved by prison officials while incarcerated in a Louisiana prison. After Landor was released, he sued the prison officials, seeking compensatory and punitive damages for alleged violations of the Religious Land Use and Institutionalized Persons Act of 2000 (“RLUIPA”). The Fifth Circuit affirmed the dismissal of Landor’s lawsuit, holding that only the State itself, not individual defendants can be liable for RLUIPA violations. The question presented is: Whether an individual may sue a government official in his individual capacity for damages for violations of the RLUIPA.