

The Supreme Court Update - March 21, 2025

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

The Supreme Court of the United States issued two decisions today:

Delligatti v. United States, No. 23-825: This case interprets 18 U.S.C. § 924(c), which imposes a five-year mandatory minimum sentence when a person uses or carries a firearm during a “crime of violence.” Based on past Supreme Court precedent, courts apply a “categorical approach” to determine whether a criminal offense meets a statute’s definition of a crime of violence, such that the offense must always involve “the use, attempted use, or threatened use of physical force against the person or property of another.” § 924(c)(3)(A). In this case, the defendant argued that his attempted second-degree murder conviction was not a “crime of violence” under Section 924(c) because homicide under New York law can be committed by omission. In a 7-2 decision authored by Justice Thomas, the Court affirmed the conviction and held that the “knowing or intentional causation of injury or death, whether by act or omission, necessarily involves the use of physical force against another person.” Justice Gorsuch (joined by Justice Jackson) dissented, and disagreed with the majority’s analysis of Section 924(c)’s text.

View the Court’s [decision](#).

Thompson v. United States, No. 23-1095: This case concerns 18 U.S.C. § 1014, which prohibits “knowingly mak[ing] any false statement” to influence the FDIC’s action on any loan. Petitioner Patrick Thompson was convicted of violating Section 1014 after he made statements to FDIC loan servicers that he “borrowed \$110,000” when his outstanding balance was more than \$269,000. Thompson contested his conviction, arguing that even if his statements were misleading, they were not false as required by Section 1014. The district court and Seventh Circuit disagreed, reading Section 1014 to also criminalize misleading statements. In a unanimous decision authored by Chief Justice Roberts, the Supreme Court held that Section 1014 does not criminalize statements that are misleading but not false. The Court’s decision relied on the statutory language, which, in contrast to other similar statutes, prohibited “false statements” not “false and misleading statements.” Justice Alito filed a concurring opinion, noting that whether a statement is

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false relies on the context in which that statement was made. Justice Jackson filed a concurring opinion discussing the limited scope of review for the case on remand.

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