

The Supreme Court Update - March 4, 2026

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

On March 4, 2026, the Supreme Court of the United States issued two decisions:

Galette v. New Jersey Transit Corporation, New Jersey Transit Corporation v. Colt, Nos. 24-1021, 24-1113: These consolidated cases consider the applicability of interstate sovereign immunity to the New Jersey Transit Corporation (“NJ Transit”), an entity created by the New Jersey Legislature as an “instrumentality of the State exercising public and essential governmental functions” but “independent of any supervision or control” of the State’s Department of Transportation. N.J. Stat. § 27:25–4(a). NJ Transit moved to dismiss two state court negligence suits from individuals who were struck by NJ Transit buses, asserting that NJ Transit was entitled to sovereign immunity as an arm of New Jersey. The state courts reached different conclusions: one court granting NJ Transit’s motion to dismiss and the other court denying the motion. In a 9-0 decision authored by Justice Sotomayor, the Court held that NJ Transit is not an arm of New Jersey and thus cannot assert interstate sovereign immunity. The Court determined that the statute creating NJ Transit made it legally separate and responsible for its own judgments, notwithstanding the originating statute’s description of NJ Transit as an “instrumentality of the State.”

View the Court’s [decision](#).

Urias-Orellana v. Bondi, No. 24-777: This case addresses what standard of review courts of appeals apply to certain evidentiary rulings by the Board of Immigration Appeals in asylum cases. The Immigration and Nationality Act (“INA”) permits the government to grant asylum to a noncitizen if it determines that the person “is a refugee,” meaning that the person is “unable or unwilling to return” to his or her country of nationality “because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.” 8 U.S.C. § 1101(a)(42)(A). In this case, the petitioner—a native of El Salvador—sought asylum, claiming to be the target of a hitman in El Salvador. The Immigration Judge found the petition to be credible, but concluded that these facts did not establish past

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persecution or a well-founded fear of future persecution and denied the application for asylum. The Board of Immigration Appeals (“BIA”) affirmed. The U.S. Court of Appeals for the First Circuit also affirmed, noting that its review was cabined to whether the agency’s conclusion was supported by substantial evidence—meaning reversal would be warranted only “if, in reviewing the record as a whole, any reasonable adjudicator would be compelled to conclude to the contrary.” In a unanimous decision authored by Justice Jackson, the Supreme Court affirmed, holding that the INA requires application of the substantial-evidence standard to the agency’s determination whether a given set of undisputed facts rises to the level of persecution under § 1101(a)(42).

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