

119 S.Ct. 1518
Supreme Court of the United States

Rita L. SAENZ, Director,
California Department of Social
Services, et al., Petitioners,
v.
Brenda ROE and Anna Doe etc.

No. 98–97.
|
Argued Jan. 13, 1999.
|
Decided May 17, 1999.

Synopsis

Recent California residents brought action challenging constitutionality of California statute imposing durational residency requirement by limiting Temporary Assistance to Needy Families (TANF) benefits through recipient's first year of residency. The United States District Court for the Eastern District of California, [David F. Levi, J., 966 F.Supp. 977](#), granted plaintiffs' motion for preliminary injunction, and state appealed. The Court of Appeals, [134 F.3d 1400](#), affirmed. After granting certiorari, the Supreme Court, Justice [Stevens](#), held that: (1) state statute violated Fourteenth Amendment right to travel, and (2) federal statute authorizing states to impose durational residency requirements did not resuscitate constitutionality of state statute.

Judgment of Court of Appeals affirmed.

Chief Justice [Rehnquist](#) filed dissenting opinion in which Justice [Thomas](#) joined.

Justice [Thomas](#) filed dissenting opinion in which Chief Justice [Rehnquist](#) joined.

West Codenotes

Held Unconstitutional

[West's Ann.Cal.Welf. & Inst.Code § 11450.03](#).

****1519** *Syllabus**

California, which has the sixth highest welfare benefit levels in the country, sought to amend its Aid to Families with Dependent Children (AFDC) program in 1992 by limiting new residents, for the first year they live in the State, to the benefits they would have received in the State of their prior residence. Cal. Welf. & Inst.Code Ann. § [11450.03](#). Although the Secretary of Health and Human Services approved the change—a requirement ****1520** for it to go into effect—the Federal District Court enjoined its implementation, finding that, under *Shapiro v. Thompson*, [394 U.S. 618](#), [89 S.Ct. 1322](#), [22 L.Ed.2d 600](#), and *Zobel v. Williams*, [457 U.S. 55](#), [102 S.Ct. 2309](#), [72 L.Ed.2d 672](#), it penalized “the decision of new residents to migrate to [California] and be treated [equally] with existing residents,” *Green v. Anderson*, [811 F.Supp. 516](#), [521](#). After the Ninth Circuit invalidated the Secretary's approval of § [11450.03](#) in a separate proceeding, this Court ordered *Green* to be dismissed. The provision thus remained inoperative until after Congress enacted the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), which replaced AFDC with Temporary Assistance to Needy Families (TANF). PRWORA expressly authorizes any State receiving a TANF grant to pay the benefit amount of another State's TANF program to residents who have lived in the State for less than 12 months. Since the Secretary no longer needed to approve § [11450.03](#), California announced that enforcement would begin on April 1, 1997. On that date, respondents filed this class action, challenging the constitutionality of § [11450.03](#)'s durational residency requirement and PRWORA's approval of that requirement. In issuing a preliminary injunction, the District Court found that PRWORA's existence did not affect its analysis in *Green*. Without reaching the merits, the Ninth Circuit affirmed the injunction.

Held:

1. [Section 11450.03](#) violates § 1 of the Fourteenth Amendment. Pp. 1524–1528.

***490** a) In assessing laws denying welfare benefits to newly arrived residents, this Court held in *Shapiro* that a State cannot enact durational residency requirements in order to inhibit the migration of needy persons into the State, and that a classification that has the effect of imposing a penalty on the right to travel violates the Equal Protection Clause absent a compelling governmental interest. Pp. 1524–1525.

(b) The right to travel embraces three different components: the right to enter and leave another State; the right to be treated as a welcome visitor while temporarily present in another State; and, for those travelers who elect to become permanent residents, the right to be treated like other citizens of that State. Pp. 1525–1526.

(c) The right of newly arrived citizens to the same privileges and immunities enjoyed by other citizens of their new State—the third aspect of the right to travel—is at issue here. That right is protected by the new arrival's status as both a state citizen and a United States citizen, and it is plainly identified in the Fourteenth Amendment's Privileges or Immunities Clause, see *Slaughter–House Cases*, 16 Wall. 36, 80, 21 L.Ed. 394. That newly arrived citizens have both state and federal capacities adds special force to their claim that they have the same rights as others who share their citizenship. Pp. 1526–1527.

(d) Since the right to travel embraces a citizen's right to be treated equally in her new State of residence, a discriminatory classification is itself a penalty. California's classifications are defined entirely by the period of residency and the location of the disfavored class members' prior residences. Within the category of new residents, those who lived in another country or in a State that had higher benefits than California are treated like lifetime residents; and within the broad subcategory of new arrivals who are treated less favorably, there are 45 smaller classes whose benefit levels are determined by the law of their former States. California's legitimate interest in saving money does not justify this discriminatory scheme. The Fourteenth Amendment's Citizenship Clause expressly equates citizenship with residence, *Zobel*, 457 U.S., at 69, 102 S.Ct. 2309, and does not tolerate a hierarchy of subclasses of similarly situated citizens based on the location of their prior residences. Pp. 1527–1528.

2. PRWORA's approval of durational residency requirements does not resuscitate § 11450.03. This Court has consistently held that Congress may not authorize the States to violate the Fourteenth Amendment. Moreover, the protection afforded to a citizen by that Amendment's Citizenship Clause limits **1521 the powers of the National Government as well as the States. Congress' Article I powers to legislate are limited not only by the scope of the Framers' affirmative delegation, but also by the principle that the powers may not be exercised in a way that violates *491 other specific provisions of the Constitution. See *Williams v. Rhodes*, 393 U.S. 23, 29, 89 S.Ct. 5, 21 L.Ed.2d 24. Pp. 1528–1530.

134 F.3d 1400, affirmed.

STEVENS, J., delivered the opinion of the Court, in which O'CONNOR, SCALIA, KENNEDY, SOUTER, GINSBURG, and BREYER, JJ., joined. REHNQUIST, C. J., filed a dissenting opinion, in which THOMAS, J., joined, *post*, p. 1530. THOMAS, J., filed a dissenting opinion, in which REHNQUIST, C. J., joined, *post*, p. 1535.

Attorneys and Law Firms

Theodore Garelis, Sacramento, CA, for petitioners.

Seth P. Waxman, Washington, DC, for U.S. as amicus curiae, by special leave of the Court.

Mark D. Rosenbaum, Los Angeles, CA, for respondents.

Opinion

*492 Justice STEVENS delivered the opinion of the Court.

In 1992, California enacted a statute limiting the maximum welfare benefits available to newly arrived residents. The scheme limits the amount payable to a family that has resided in the State for less than 12 months to the amount payable by the State of the family's prior residence. The questions presented by this case are whether the 1992 statute was constitutional when it was enacted and, if not, whether an amendment to the Social Security Act enacted by Congress in 1996 affects that determination.

I

California is not only one of the largest, most populated, and most beautiful States in the Nation; it is also one of the most generous. Like all other States, California has participated in several welfare programs authorized by the Social Security Act and partially funded by the Federal Government. Its programs, however, provide a higher level of benefits and serve more needy citizens than those of most other States. In one year the most expensive of those programs, Aid to Families with Dependent Children (AFDC), which was replaced in 1996 with Temporary Assistance to *493 Needy Families (TANF), provided benefits for an average of 2,645,814 persons per month at an annual cost to the State of \$2.9 billion. In California the cash benefit for a family of two—a mother and one child—is \$456 a month, but

in the neighboring State of Arizona, for example, it is only \$275.

In 1992, in order to make a relatively modest reduction in its vast welfare budget, the California Legislature enacted § 11450.03 of the state Welfare and Institutions Code. That section sought to change the California AFDC program by limiting new residents, for the first year they live in California, to the benefits they would have received in the State of their prior residence.¹ Because in 1992 a state program either had to conform to federal specifications or receive a waiver **1522 from the Secretary of Health and Human Services in order to qualify for federal reimbursement, § 11450.03 required approval by the Secretary to take effect. In October 1992, the Secretary issued a waiver purporting to grant such approval.

On December 21, 1992, three California residents who were eligible for AFDC benefits filed an action in the Eastern District of California challenging the constitutionality *494 of the durational residency requirement in § 11450.03. Each plaintiff alleged that she had recently moved to California to live with relatives in order to escape abusive family circumstances. One returned to California after living in Louisiana for seven years, the second had been living in Oklahoma for six weeks and the third came from Colorado. Each alleged that her monthly AFDC grant for the ensuing 12 months would be substantially lower under § 11450.03 than if the statute were not in effect. Thus, the former residents of Louisiana and Oklahoma would receive \$190 and \$341 respectively for a family of three even though the full California grant was \$641; the former resident of Colorado, who had just one child, was limited to \$280 a month as opposed to the full California grant of \$504 for a family of two.

The District Court issued a temporary restraining order and, after a hearing, preliminarily enjoined implementation of the statute. District Judge Levi found that the statute “produces substantial disparities in benefit levels and makes no accommodation for the different costs of living that exist in different states.”² Relying primarily on our decisions in *Shapiro v. Thompson*, 394 U.S. 618, 89 S.Ct. 1322, 22 L.Ed.2d 600 (1969), and *Zobel v. Williams*, 457 U.S. 55, 102 S.Ct. 2309, 72 L.Ed.2d 672 (1982), he concluded that the statute placed “a penalty on the decision of new residents to migrate to the State and be treated on an equal basis with existing residents.” *Green v. Anderson*, 811 F.Supp. 516, 521 (E.D.Cal.1993). In his view, if the purpose of the measure

was to deter migration by poor people into the State, it would be unconstitutional for that reason. And even if the purpose was only to conserve limited funds, the State had failed to explain why the entire burden of the saving should be imposed on new residents. The Court of Appeals summarily *495 affirmed for the reasons stated by the District Judge. *Green v. Anderson*, 26 F.3d 95 (C.A.9 1994).

We granted the State's petition for certiorari. 513 U.S. 922, 115 S.Ct. 306, 130 L.Ed.2d 218 (1994). We were, however, unable to reach the merits because the Secretary's approval of § 11450.03 had been invalidated in a separate proceeding,³ and the State had acknowledged that the Act would not be implemented without further action by the Secretary. We vacated the judgment and directed that the case be dismissed. *Anderson v. Green*, 513 U.S. 557, 115 S.Ct. 1059, 130 L.Ed.2d 1050 (1995) (*per curiam*).⁴ Accordingly, § 11450.03 remained inoperative until after Congress enacted the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), 110 Stat. 2105.

PRWORA replaced the AFDC program with TANF. The new statute expressly authorizes any State that receives a block grant under TANF to “apply to a family the rules (including benefit amounts) of the [TANF] program ... of another State if the family has moved to the State from the other State and has resided in the State for less than 12 months.” 110 Stat. 2124, 42 U.S.C. § 604(c) (1994 ed., Supp. II). With this federal statutory provision in effect, California no longer needed specific approval from the Secretary to implement § 11450.03. The California Department of Social Services therefore issued an “All County Letter” announcing that the **1523 enforcement of § 11450.03 would commence on April 1, 1997.

The All County Letter clarifies certain aspects of the statute. Even if members of an eligible family had lived in California all of their lives, but left the State “on January 29th, intending to reside in another state, and returned on April 15th,” their benefits are determined by the law of their State of residence from January 29 to April 15, assuming *496 that that level was lower than California's.⁵ Moreover, the lower level of benefits applies regardless of whether the family was on welfare in the State of prior residence and regardless of the family's motive for moving to California. The instructions also explain that the residency requirement is inapplicable to families that recently arrived from another country.

II

On April 1, 1997, the two respondents filed this action in the Eastern District of California making essentially the same claims asserted by the plaintiffs in *Anderson v. Green*,⁶ but also challenging the constitutionality of PRWORA's approval of the durational residency requirement. As in *Green*, the District Court issued a temporary restraining order and certified the case as a class action.⁷ The court also advised the Attorney General of the United States that the constitutionality of a federal statute had been drawn into question, but she did not seek to intervene or to file an *amicus* brief. Reasoning that PRWORA permitted, but did not require, States to impose durational residency requirements, Judge Levi concluded that the existence of the federal statute did not affect the legal analysis in his prior opinion in *Green*.

He did, however, make certain additional comments on the parties' factual contentions. He noted that the State did not challenge plaintiffs' evidence indicating that, although *497 California benefit levels were the sixth highest in the Nation in absolute terms,⁸ when housing costs are factored in, they rank 18th; that new residents coming from 43 States would face higher costs of living in California; and that welfare benefit levels actually have little, if any, impact on the residential choices made by poor people. On the other hand, he noted that the availability of other programs such as homeless assistance and an additional food stamp allowance of \$1 in stamps for every \$3 in reduced welfare benefits partially offset the disparity between the benefits for new and old residents. Notwithstanding those ameliorating facts, the State did not disagree with plaintiffs' contention that § 11450.03 would create significant disparities between newcomers and welfare recipients who have resided in the State for over one year.

The State relied squarely on the undisputed fact that the statute would save some \$10.9 million in annual welfare costs—an amount that is surely significant even though only a relatively small part of its annual expenditures of approximately \$2.9 billion for the entire program. It contended that this cost saving was an appropriate exercise of budgetary authority as long as the residency requirement did not penalize the right to travel. The State reasoned that the payment of the same benefits that would have been received in the State of prior residency eliminated any potentially punitive aspects of the measure. Judge Levi concluded, however, that the relevant

comparison was not between new residents of California and the residents of their former States, but rather between the new residents and longer term residents of California. He therefore again enjoined the implementation of the statute.

****1524** Without finally deciding the merits, the Court of Appeals affirmed his issuance of a preliminary injunction. *Roe v. Anderson*, 134 F.3d 1400 (C.A.9 1998). It agreed with the *498 District Court's view that the passage of PRWORA did not affect the constitutional analysis, that respondents had established a probability of success on the merits, and that class members might suffer irreparable harm if § 11450.03 became operative. Although the decision of the Court of Appeals is consistent with the views of other federal courts that have addressed the issue,⁹ we granted certiorari because of the importance of the case. *Anderson v. Roe*, 524 U.S. 982, 119 S.Ct. 31, 141 L.Ed.2d 791 (1998).¹⁰ We now affirm.

III

The word “travel” is not found in the text of the Constitution. Yet the “constitutional right to travel from one State to another” is firmly embedded in our jurisprudence. *United States v. Guest*, 383 U.S. 745, 757, 86 S.Ct. 1170, 16 L.Ed.2d 239 (1966). Indeed, as Justice Stewart reminded us in *Shapiro v. Thompson*, 394 U.S. 618, 89 S.Ct. 1322, 22 L.Ed.2d 600 (1969), the right is so important that it is “assertable against private interference as well as governmental action ... a virtually unconditional personal right, guaranteed by the Constitution to us all.” *Id.*, at 643, 89 S.Ct. 1322 (concurring opinion).

*499 In *Shapiro*, we reviewed the constitutionality of three statutory provisions that denied welfare assistance to residents of Connecticut, the District of Columbia, and Pennsylvania, who had resided within those respective jurisdictions less than one year immediately preceding their applications for assistance. Without pausing to identify the specific source of the right, we began by noting that the Court had long “recognized that the nature of our Federal Union and our constitutional concepts of personal liberty unite to require that all citizens be free to travel throughout the length and breadth of our land uninhibited by statutes, rules, or regulations which unreasonably burden or restrict this movement.” *Id.*, at 629, 89 S.Ct. 1322. We squarely held that it was “constitutionally impermissible” for a State to enact durational residency requirements for the purpose of

inhibiting the migration by needy persons into the State.¹¹ We further held that a classification that had the effect of imposing a penalty on the exercise of the right to travel violated the Equal Protection Clause “unless shown to be necessary to promote a *compelling* governmental interest,” *id.*, at 634, 89 S.Ct. 1322, and that no such showing had been made.

In this case California argues that § 11450.03 was not enacted for the impermissible purpose of inhibiting migration by needy persons and that, unlike the legislation **1525 reviewed in *Shapiro*, it does not penalize the right to travel because new arrivals are not ineligible for benefits during their first year of residence. California submits that, instead *500 of being subjected to the strictest scrutiny, the statute should be upheld if it is supported by a rational basis and that the State's legitimate interest in saving over \$10 million a year satisfies that test. Although the United States did not elect to participate in the proceedings in the District Court or the Court of Appeals, it has participated as *amicus curiae* in this Court. It has advanced the novel argument that the enactment of PRWORA allows the States to adopt a “specialized choice-of-law-type provision” that “should be subject to an intermediate level of constitutional review,” merely requiring that durational residency requirements be “substantially related to an important governmental objective.”¹² The debate about the appropriate standard of review, together with the potential relevance of the federal statute, persuades us that it will be useful to focus on the source of the constitutional right on which respondents rely.

IV

The “right to travel” discussed in our cases embraces at least three different components. It protects the right of a citizen of one State to enter and to leave another State, the right to be treated as a welcome visitor rather than an unfriendly alien when temporarily present in the second State, and, for those travelers who elect to become permanent residents, the right to be treated like other citizens of that State.

It was the right to go from one place to another, including the right to cross state borders while en route, that was vindicated in *Edwards v. California*, 314 U.S. 160, 62 S.Ct. 164, 86 L.Ed. 119 (1941), which invalidated a state law that impeded the free interstate passage of the indigent. We reaffirmed that right in *United States v. Guest*, 383 U.S. 745, 86 S.Ct. 1170, 16 L.Ed.2d 239 (1966), which afforded protection to the “right to travel freely to and from the State of Georgia and

to use highway facilities and other *501 instrumentalities of interstate commerce within the State of Georgia.” *Id.*, at 757, 86 S.Ct. 1170. Given that § 11450.03 imposed no obstacle to respondents' entry into California, we think the State is correct when it argues that the statute does not directly impair the exercise of the right to free interstate movement. For the purposes of this case, therefore, we need not identify the source of that particular right in the text of the Constitution. The right of “free ingress and regress to and from” neighboring States, which was expressly mentioned in the text of the Articles of Confederation,¹³ may simply have been “conceived from the beginning to be a necessary concomitant of the stronger Union the Constitution created.” *Id.*, at 758, 86 S.Ct. 1170.

The second component of the right to travel is, however, expressly protected by the text of the Constitution. The first sentence of Article IV, § 2, provides:

“The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.”

Thus, by virtue of a person's state citizenship, a citizen of one State who travels in other States, intending to return home at the end of his journey, is entitled to enjoy the “Privileges and Immunities of Citizens in the several States” that he visits.¹⁴ This provision removes “from the citizens of each State the disabilities of alienage in the other States.” *Paul v. Virginia*, 8 Wall. 168, 180, 19 L.Ed. 357 (1868) (“[W]ithout some *502 provision ... removing from the citizens **1526 of each State the disabilities of alienage in the other States, and giving them equality of privilege with citizens of those States, the Republic would have constituted little more than a league of States; it would not have constituted the Union which now exists”). It provides important protections for nonresidents who enter a State whether to obtain employment, *Hicklin v. Orbeck*, 437 U.S. 518, 98 S.Ct. 2482, 57 L.Ed.2d 397 (1978), to procure medical services, *Doe v. Bolton*, 410 U.S. 179, 200, 93 S.Ct. 739, 35 L.Ed.2d 201 (1973), or even to engage in commercial shrimp fishing, *Toomer v. Witsell*, 334 U.S. 385, 68 S.Ct. 1156, 92 L.Ed. 1460 (1948). Those protections are not “absolute,” but the Clause “does bar discrimination against citizens of other States where there is no substantial reason for the discrimination beyond the mere fact that they are citizens of other States.” *Id.*, at 396, 68 S.Ct. 1156. There may be a substantial reason for requiring the nonresident to pay more than the resident for a hunting license, see *Baldwin v. Fish and Game Comm'n of Mont.*, 436 U.S. 371, 390–391, 98 S.Ct. 1852, 56 L.Ed.2d 354 (1978), or to enroll in the state university, see *Vlandis v. Kline*, 412 U.S. 441, 445, 93 S.Ct.

2230, 37 L.Ed.2d 63 (1973), but our cases have not identified any acceptable reason for qualifying the protection afforded by the Clause for “the ‘citizen of State A who ventures into State B’ to settle there and establish a home.” *Zobel*, 457 U.S., at 74, 102 S.Ct. 2309 (O’CONNOR, J., concurring in judgment). Permissible justifications for discrimination between residents and nonresidents are simply inapplicable to a nonresident’s exercise of the right to move into another State and become a resident of that State.

What is at issue in this case, then, is this third aspect of the right to travel—the right of the newly arrived citizen to the same privileges and immunities enjoyed by other citizens of the same State. That right is protected not only by the new arrival’s status as a state citizen, but also by her status as a citizen of the United States.¹⁵ That additional source *503 of protection is plainly identified in the opening words of the Fourteenth Amendment:

“All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States;”¹⁶

Despite fundamentally differing views concerning the coverage of the Privileges or Immunities Clause of the Fourteenth Amendment, most notably expressed in the majority and dissenting opinions in the *Slaughter–House Cases*, 16 Wall. 36, 21 L.Ed. 394 (1872), it has always been common ground that this Clause protects the third component of the right to travel. Writing for the majority in the *Slaughter–House Cases*, Justice Miller explained that one of the privileges conferred by this Clause “is that a citizen of the United States can, of his own volition, become a citizen of any State of the Union by a *bonâ fide* residence therein, with the same rights as other citizens of that State.” *Id.*, at 80. Justice Bradley, in dissent, used even stronger language to make the same point:

“The states have not now, if they ever had, any power to restrict their citizenship to any classes or persons. A citizen of the United States has a perfect constitutional *504 right to go to and reside in any State he **1527 chooses, and to claim citizenship therein, and an equality of rights with every other citizen; and the whole power of the nation is pledged to sustain him in that right. He is not bound to cinge to any superior, or to pray for any act of grace, as a

means of enjoying all the rights and privileges enjoyed by other citizens.” *Id.*, at 112–113.

That newly arrived citizens “have two political capacities, one state and one federal,” adds special force to their claim that they have the same rights as others who share their citizenship.¹⁷ Neither mere rationality nor some intermediate standard of review should be used to judge the constitutionality of a state rule that discriminates against some of its citizens because they have been domiciled in the State for less than a year. The appropriate standard may be more categorical than that articulated in *Shapiro*, see *supra*, at 1524–1525, but it is surely no less strict.

V

Because this case involves discrimination against citizens who have completed their interstate travel, the State’s argument that its welfare scheme affects the right to travel only “incidentally” is beside the point. Were we concerned solely with actual deterrence to migration, we might be persuaded that a partial withholding of benefits constitutes a lesser incursion on the right to travel than an outright denial of all benefits. See *Dunn v. Blumstein*, 405 U.S. 330, 339, 92 S.Ct. 995, 31 L.Ed.2d 274 (1972). *505 But since the right to travel embraces the citizen’s right to be treated equally in her new State of residence, the discriminatory classification is itself a penalty.

It is undisputed that respondents and the members of the class that they represent are citizens of California and that their need for welfare benefits is unrelated to the length of time that they have resided in California. We thus have no occasion to consider what weight might be given to a citizen’s length of residence if the bona fides of her claim to state citizenship were questioned. Moreover, because whatever benefits they receive will be consumed while they remain in California, there is no danger that recognition of their claim will encourage citizens of other States to establish residency for just long enough to acquire some readily portable benefit, such as a divorce or a college education, that will be enjoyed after they return to their original domicile. See, e.g., *Sosna v. Iowa*, 419 U.S. 393, 95 S.Ct. 553, 42 L.Ed.2d 532 (1975); *Vlandis v. Kline*, 412 U.S. 441, 93 S.Ct. 2230, 37 L.Ed.2d 63 (1973).

The classifications challenged in this case—and there are many—are defined entirely by (a) the period of residency in California and (b) the location of the prior residences of the

disfavored class members. The favored class of beneficiaries includes all eligible California citizens who have resided there for at least one year, plus those new arrivals who last resided in another country or in a State that provides benefits at least as generous as California's. Thus, within the broad category of citizens who resided in California for less than a year, there are many who are treated like lifetime residents. And within the broad subcategory of new arrivals who are treated less favorably, there are many smaller classes whose benefit levels are determined by the law of the States from whence they came. To justify § 11450.03, California must therefore explain not only why it is sound fiscal policy to discriminate against those who have been citizens for less than a year, but also why it is permissible to apply such a variety of rules within that class.

*506 These classifications may not be justified by a purpose to deter welfare applicants from migrating to California for three reasons. First, although it is reasonable to assume that some persons may be motivated to **1528 move for the purpose of obtaining higher benefits, the empirical evidence reviewed by the District Judge, which takes into account the high cost of living in California, indicates that the number of such persons is quite small—surely not large enough to justify a burden on those who had no such motive.¹⁸ Second, California has represented to the Court that the legislation was not enacted for any such reason.¹⁹ Third, even if it were, as we squarely held in *Shapiro v. Thompson*, 394 U.S. 618, 89 S.Ct. 1322, 22 L.Ed.2d 600 (1969), such a purpose would be unequivocally impermissible.

Disavowing any desire to fence out the indigent, California has instead advanced an entirely fiscal justification for its multitiered scheme. The enforcement of § 11450.03 will save the State approximately \$10.9 million a year. The question is not whether such saving is a legitimate purpose but whether the State may accomplish that end by the discriminatory means it has chosen. An evenhanded, across-the-board reduction of about 72 cents per month for every beneficiary would produce the same result. But our negative answer to the question does not rest on the weakness of the State's purported fiscal justification. It rests on the fact that the Citizenship Clause of the Fourteenth Amendment expressly equates citizenship with residence: “That Clause does not provide for, and does not allow for, degrees of citizenship based on length of residence.” *Zobel*, 457 U.S., at 69, 102 S.Ct. 2309. It is equally clear that the Clause does not tolerate a hierarchy of 45 subclasses of similarly situated *507 citizens based on the location of their prior residence.²⁰ Thus

§ 11450.03 is doubly vulnerable: Neither the duration of respondents' California residence, nor the identity of their prior States of residence, has any relevance to their need for benefits. Nor do those factors bear any relationship to the State's interest in making an equitable allocation of the funds to be distributed among its needy citizens. As in *Shapiro*, we reject any contributory rationale for the denial of benefits to new residents:

“But we need not rest on the particular facts of these cases. Appellants' reasoning would logically permit the State to bar new residents from schools, parks, and libraries or deprive them of police and fire protection. Indeed it would permit the State to apportion all benefits and services according to the past tax contributions of its citizens.” 394 U.S., at 632–633, 89 S.Ct. 1322.

See also *Zobel*, 457 U.S., at 64, 102 S.Ct. 2309. In short, the State's legitimate interest in saving money provides no justification for its decision to discriminate among equally eligible citizens.

VI

The question that remains is whether congressional approval of durational residency requirements in the 1996 amendment to the Social Security Act somehow resuscitates the constitutionality of § 11450.03. That question is readily answered, for we have consistently held that Congress may not authorize the States to violate the Fourteenth Amendment.²¹ Moreover, the protection afforded to the citizen by *508 the Citizenship Clause of that Amendment is a limitation on the powers of the National Government as well as the States.

Article I of the Constitution grants Congress broad power to legislate in certain areas. Those legislative powers are, **1529 however, limited not only by the scope of the Framers' affirmative delegation, but also by the principle “that they may not be exercised in a way that violates other specific provisions of the Constitution. For example, Congress is granted broad power to ‘lay and collect Taxes,’ but the taxing power, broad as it is, may not be invoked in such a way as to violate the privilege against self-incrimination.” *Williams v. Rhodes*, 393 U.S. 23, 29, 89 S.Ct. 5, 21 L.Ed.2d 24 (1968) (footnote omitted). Congress has no affirmative power to authorize the States to violate the Fourteenth Amendment and is implicitly prohibited from passing legislation that purports to validate any such violation.

“Section 5 of the Fourteenth Amendment gives Congress broad power indeed to enforce the command of the amendment and ‘to secure to all persons the enjoyment of perfect equality of civil rights and the equal protection of the laws against State denial or invasion’ *Ex parte Virginia*, 100 U.S. 339, 346 [25 L.Ed. 676] (1880). Congress’ power under § 5, however, ‘is limited to adopting measures to enforce the guarantees of the Amendment; § 5 grants Congress no power to restrict, abrogate, or dilute these guarantees.’ *Katzenbach v. Morgan*, 384 U.S. 641, 651, n. 10 [86 S.Ct. 1717, 16 L.Ed.2d 828] (1966). Although we give deference to congressional decisions and classifications, neither Congress nor a State can validate a law that denies the rights guaranteed by the Fourteenth Amendment. See, e.g., *Califano v. Goldfarb*, 430 U.S. 199, 210 [97 S.Ct. 1021, 51 L.Ed.2d 270] (1977); *Williams v. Rhodes*, 393 U.S. 23, 29 [89 S.Ct. 5, 21 L.Ed.2d 24] (1968).” *Mississippi Univ. for Women v. Hogan*, 458 U.S. 718, 732–733 [102 S.Ct. 3331, 73 L.Ed.2d 1090] (1982).

*509 The Solicitor General does not unequivocally defend the constitutionality of § 11450.03. But he has argued that two features of PRWORA may provide a sufficient justification for state durational requirements to warrant further inquiry before finally passing on the section’s validity, or perhaps that it is only invalid insofar as it applies to new arrivals who were not on welfare before they arrived in California.²²

He first points out that because the TANF program gives the States broader discretion than did AFDC, there will be significant differences among the States which may provide new incentives for welfare recipients to change their residences. He does not, however, persuade us that the disparities under the new program will necessarily be any greater than the differences under AFDC, which included such examples as the disparity between California’s monthly benefit of \$673 for a family of four with Mississippi’s benefit of \$144 for a comparable family. Moreover, we are not convinced that a policy of eliminating incentives to move to California provides a more permissible justification for classifying California citizens than a policy of imposing special burdens on new arrivals to deter them from moving into the State. Nor is the discriminatory impact of § 11450.03 abated by repeatedly characterizing it as “a sort of specialized choice-of-law rule.”²³ California law alone discriminates among its own citizens on the basis of their prior residence.

The Solicitor General also suggests that we should recognize the congressional concern addressed in the legislative history of PRWORA that the “States might engage in a ‘race to the bottom’ in setting the benefit levels in their TANF *510 programs.”²⁴ Again, it is difficult to see why that concern should be any greater under TANF than under AFDC. The evidence reviewed by the District Court indicates that the savings resulting from the discriminatory policy, if spread equitably throughout the entire program, would have only a miniscule impact on benefit levels. Indeed, as one of the legislators apparently interpreted this concern, it **1530 would logically prompt the States to reduce benefit levels sufficiently “to encourage emigration of benefit recipients.”²⁵ But speculation about such an unlikely eventuality provides no basis for upholding § 11450.03.

Finally, the Solicitor General suggests that the State’s discrimination might be acceptable if California had limited the disfavored subcategories of new citizens to those who had received aid in their prior State of residence at any time within the year before their arrival in California. The suggestion is ironic for at least three reasons: It would impose the most severe burdens on the neediest members of the disfavored classes; it would significantly reduce the savings that the State would obtain, thus making the State’s claimed justification even less tenable; and, it would confine the effect of the statute to what the Solicitor General correctly characterizes as “the invidious purpose of discouraging poor people generally from settling in the State.”²⁶

* * *

Citizens of the United States, whether rich or poor, have the right to choose to be citizens “of the State wherein they *511 reside.” U.S. Const., Amdt. 14, § 1. The States, however, do not have any right to select their citizens.²⁷ The Fourteenth Amendment, like the Constitution itself, was, as Justice Cardozo put it, “framed upon the theory that the peoples of the several states must sink or swim together, and that in the long run prosperity and salvation are in union and not division.” *Baldwin v. G.A.F. Seelig, Inc.*, 294 U.S. 511, 523, 55 S.Ct. 497, 79 L.Ed. 1032 (1935).

The judgment of the Court of Appeals is affirmed.

It is so ordered.

Chief Justice REHNQUIST, with whom Justice THOMAS joins, dissenting.

The Court today breathes new life into the previously dormant Privileges or Immunities Clause of the Fourteenth Amendment—a Clause relied upon by this Court in only one other decision, *Colgate v. Harvey*, 296 U.S. 404, 56 S.Ct. 252, 80 L.Ed. 299 (1935), overruled five years later by *Madden v. Kentucky*, 309 U.S. 83, 60 S.Ct. 406, 84 L.Ed. 590 (1940). It uses this Clause to strike down what I believe is a reasonable measure falling under the head of a “good-faith residency requirement.” Because I do not think any provision of the Constitution—and surely not a provision relied upon for only the second time since its enactment 130 years ago—requires this result, I dissent.

I

Much of the Court's opinion is unremarkable and sound. The right to travel clearly embraces the right to go from one place to another, and prohibits States from impeding the *512 free interstate passage of citizens. The state law in *Edwards v. California*, 314 U.S. 160, 62 S.Ct. 164, 86 L.Ed. 119 (1941), which prohibited the transport of any indigent person into California, was a classic barrier to travel or migration and the Court rightly struck it down. Indeed, for most of this country's history, what the Court today calls the first “component” of the right to travel, *ante*, at 1525, was the entirety of this right. As Chief Justice Taney stated in his dissent in the *Passenger Cases*, 7 How. 283, 12 L.Ed. 702 (1849):

“We are all citizens of the United States; and, as members of the same community, must have the right to pass and re-pass through every part of it without interruption, as freely as in our own States. And a tax imposed by a State for entering its **1531 territories or harbours is inconsistent with the rights which belong to the citizens of other States as members of the Union, and with the objects which that Union was intended to attain. Such a power in the States could produce nothing but discord and mutual irritation, and they very clearly do not possess it.” *Id.*, at 492.

See also *Crandall v. Nevada*, 6 Wall. 35, 44, 18 L.Ed. 745 (1867); *Williams v. Fears*, 179 U.S. 270, 274, 21 S.Ct. 128, 45 L.Ed. 186 (1900); *Memorial Hospital v. Maricopa County*, 415 U.S. 250, 280–283, 94 S.Ct. 1076, 39 L.Ed.2d 306 (1974) (REHNQUIST, J., dissenting) (collecting and discussing cases). The Court wisely holds that because Cal. Welf. & Inst.Code Ann. § 11450.03 (West Supp.1999) imposes no

obstacle to respondents' entry into California, the statute does not infringe upon the right to travel. See *ante*, at 1525. Thus, the traditional conception of the right to travel is simply not an issue in this case.

I also have no difficulty with aligning the right to travel with the protections afforded by the Privileges and Immunities Clause of Article IV, § 2, to nonresidents who enter other States “intending to return home at the end of [their] journey.” See *ante*, at 1525. Nonresident visitors of other *513 States should not be subject to discrimination solely because they live out of State. See *Paul v. Virginia*, 8 Wall. 168, 19 L.Ed. 357 (1868); *Hicklin v. Orbeck*, 437 U.S. 518, 98 S.Ct. 2482, 57 L.Ed.2d 397 (1978). Like the traditional right-to-travel guarantees discussed above, however, this Clause has no application here, because respondents expressed a desire to stay in California and become citizens of that State. Respondents therefore plainly fall outside the protections of Article IV, § 2.

Finally, I agree with the proposition that a “citizen of the United States can, of his own volition, become a citizen of any State of the Union by a *bonâ fide* residence therein, with the same rights as other citizens of that State.” *Slaughter–House Cases*, 16 Wall. 36, 80, 21 L.Ed. 394 (1872).

But I cannot see how the right to become a citizen of another State is a necessary “component” of the right to travel, or why the Court tries to marry these separate and distinct rights. A person is no longer “traveling” in any sense of the word when he finishes his journey to a State which he plans to make his home. Indeed, under the Court's logic, the protections of the Privileges or Immunities Clause recognized in this case come into play only when an individual *stops* traveling with the intent to remain and become a citizen of a new State. The right to travel and the right to become a citizen are distinct, their relationship is not reciprocal, and one is not a “component” of the other. Indeed, the same dicta from the *Slaughter–House Cases* quoted by the Court actually treat the right to become a citizen and the right to travel as separate and distinct rights under the Privileges or Immunities Clause of the Fourteenth Amendment. See *id.*, at 79–80.¹ At most, restrictions on an individual's *514 right to become a citizen indirectly affect his calculus in deciding whether to exercise his right to travel in the first place, **1532 but such an attenuated and uncertain relationship is no ground for folding one right into the other.

No doubt the Court has, in the past 30 years, essentially conflated the right to travel with the right to equal state citizenship in striking down durational residence requirements similar to the one challenged here. See, e.g., *Shapiro v. Thompson*, 394 U.S. 618, 89 S.Ct. 1322, 22 L.Ed.2d 600 (1969) (striking down 1-year residence before receiving any welfare benefit); *Dunn v. Blumstein*, 405 U.S. 330, 92 S.Ct. 995, 31 L.Ed.2d 274 (1972) (striking down 1-year residence before receiving the right to vote in state elections); *Maricopa County*, 415 U.S., at 280–283, 94 S.Ct. 1076 (striking down 1-year county residence before receiving entitlement to nonemergency hospitalization or emergency care). These cases marked a sharp departure from the Court's prior right-to-travel cases because in none of them was travel itself prohibited. See *id.*, at 254–255, 94 S.Ct. 1076 (“Whatever its ultimate scope ... the right to travel was involved in only a limited sense in *Shapiro*”); *Shapiro, supra*, at 671–672, 89 S.Ct. 1322 (Harlan, J., dissenting).

Instead, the Court in these cases held that restricting the provision of welfare benefits, votes, or certain medical benefits *515 to new citizens for a limited time impermissibly “penalized” them under the Equal Protection Clause of the Fourteenth Amendment for having exercised their right to travel. See *Maricopa County, supra*, at 257, 94 S.Ct. 1076. The Court thus settled for deciding what restrictions amounted to “deprivations of very important benefits and rights” that operated to indirectly “penalize” the right to travel. See *Attorney General of N.Y. v. Soto-Lopez*, 476 U.S. 898, 907, 106 S.Ct. 2317, 90 L.Ed.2d 899 (1986) (plurality opinion). In other cases, the Court recognized that laws dividing new and old residents had little to do with the right to travel and merely triggered an inquiry into whether the resulting classification rationally furthered a legitimate government purpose. See *Zobel v. Williams*, 457 U.S. 55, 60, n. 6, 102 S.Ct. 2309, 72 L.Ed.2d 672 (1982); *Hooper v. Bernalillo County Assessor*, 472 U.S. 612, 618, 105 S.Ct. 2862, 86 L.Ed.2d 487 (1985).² While *Zobel* and *Hooper* reached the wrong result in my view, they at least put the Court on the proper track in identifying exactly what interests it was protecting; namely, the right of individuals not to be subject to unjustifiable classifications as opposed to infringements on the right to travel.

The Court today tries to clear much of the underbrush created by these prior right-to-travel cases, abandoning its effort to define what residence requirements deprive individuals of “important rights and benefits” or “penalize” the right to travel. See *ante*, at 1527–1528. Under its new analytical

framework, a State, outside certain ill-defined circumstances, cannot classify its citizens by the length of their residence in the State without offending the Privileges or Immunities Clause of the Fourteenth Amendment. The Court thus departs from *Shapiro* and its progeny, and, while paying lipservice to the right to travel, the Court does *516 little to explain how the right to travel is involved at all. Instead, as the Court's analysis clearly demonstrates, see *ante*, at 1527–1528, this case is only about respondents' right to immediately enjoy all the privileges of being a California citizen in relation to that State's ability to test the good-faith assertion of this right. The Court has thus come full circle by effectively disavowing the analysis of *Shapiro*, segregating the right to travel and the rights secured by Article IV from the right to become a citizen under the Privileges or Immunities Clause, and then testing the residence requirement here against this latter right. For all its misplaced efforts to fold the right to become a citizen into the right to travel, the Court has essentially returned to its original understanding of the right to travel.

II

In unearthing from its tomb the right to become a state citizen and to be treated **1533 equally in the new State of residence, however, the Court ignores a State's need to assure that only persons who establish a bona fide residence receive the benefits provided to current residents of the State. The *Slaughter-House* dicta at the core of the Court's analysis specifically condition a United States citizen's right to “become a citizen of any state of the Union” and to enjoy the “same rights as other citizens of that State” on the establishment of a “bonâ fide residence therein.” 16 Wall., at 80, 21 L.Ed. 394 (emphasis added). Even when redefining the right to travel in *Shapiro* and its progeny, the Court has “always carefully distinguished between bona fide residence requirements, which seek to differentiate between residents and nonresidents, and residence requirements, such as durational, fixed date, and fixed point residence requirements, which treat established residents differently based on the time they migrated into the State.” *Soto-Lopez, supra*, at 903, n. 3, 106 S.Ct. 2317 (citing cases).

*517 Thus, the Court has consistently recognized that while new citizens must have the same opportunity to enjoy the privileges of being a citizen of a State, the States retain the ability to use bona fide residence requirements to ferret out those who intend to take the privileges and run. As this Court explained in *Martinez v. Bynum*, 461 U.S. 321, 328–329, 103

S.Ct. 1838, 75 L.Ed.2d 879 (1983): “A bona fide residence requirement, appropriately defined and uniformly applied, furthers the substantial state interest in assuring that services provided for its residents are enjoyed only by residents.... A bona fide residence requirement simply requires that the person *does* establish residence before demanding the services that are restricted to residents.” The *Martinez* Court explained that “residence” requires “both physical presence and an intention to remain,” see *id.*, at 330, 103 S.Ct. 1838, and approved a Texas law that restricted eligibility for tuition-free education to families who met this minimum definition of residence, *id.*, at 332–333, 103 S.Ct. 1838.

While the physical presence element of a bona fide residence is easy to police, the subjective intent element is not. It is simply unworkable and futile to require States to inquire into each new resident's subjective intent to remain. Hence, States employ objective criteria such as durational residence requirements to test a new resident's resolve to remain before these new citizens can enjoy certain in-state benefits. Recognizing the practical appeal of such criteria, this Court has repeatedly sanctioned the State's use of durational residence requirements before new residents receive in-state tuition rates at state universities. *Starns v. Malkerson*, 401 U.S. 985, 91 S.Ct. 1231, 28 L.Ed.2d 527 (1971), summarily aff'g 326 F.Supp. 234 (D.Minn.1970) (upholding 1-year residence requirement for in-state tuition); *Sturgis v. Washington*, 414 U.S. 1057, 94 S.Ct. 563, 38 L.Ed.2d 464, summarily aff'g 368 F.Supp. 38 (W.D.Wash.1973) (same). The Court has declared: “The State can establish such reasonable criteria for in-state status as to make virtually certain that students who are not, in fact, bona fide residents of the State, *518 but have come there solely for educational purposes, cannot take advantage of the in-state rates.” *Vlandis v. Kline*, 412 U.S. 441, 453–454, 93 S.Ct. 2230, 37 L.Ed.2d 63 (1973). The Court has done the same in upholding a 1-year residence requirement for eligibility to obtain a divorce in state courts, see *Sosna v. Iowa*, 419 U.S. 393, 406–409, 95 S.Ct. 553, 42 L.Ed.2d 532 (1975), and in upholding political party registration restrictions that amounted to a durational residency requirement for voting in primary elections, see *Rosario v. Rockefeller*, 410 U.S. 752, 760–762, 93 S.Ct. 1245, 36 L.Ed.2d 1 (1973).

If States can require individuals to reside in-state for a year before exercising the right to educational benefits, the right to terminate a marriage, or the right to vote in primary elections that all other state citizens enjoy, then States may surely do the same for welfare benefits. Indeed, there is no

material difference between a 1-year residence requirement applied to the level of welfare benefits given out by a State, and the same requirement applied to the level of tuition subsidies at a state university. The welfare payment here and in-state tuition rates are cash subsidies provided to a limited class of people, and California's standard of living **1534 and higher education system make both subsidies quite attractive. Durational residence requirements were upheld when used to regulate the provision of higher education subsidies, and the same deference should be given in the case of welfare payments. See *Dandridge v. Williams*, 397 U.S. 471, 487, 90 S.Ct. 1153, 25 L.Ed.2d 491 (1970) (“[T]he Constitution does not empower this Court to second-guess state officials charged with the difficult responsibility of allocating limited public welfare funds among the myriad of potential recipients”).

The Court today recognizes that States retain the ability to determine the bona fides of an individual's claim to residence, see *ante*, at 1527, but then tries to avoid the issue. It asserts that because respondents' need for welfare benefits is unrelated to the length of time they have resided in California, it has “no occasion to consider what weight might be given to a citizen's length of residence if the bona fides of *519 her claim to state citizenship were questioned.” See *ibid*. But I do not understand how the absence of a link between need and length of residency bears on the State's ability to objectively test respondents' resolve to stay in California. There is no link between the need for an education or for a divorce and the length of residence, and yet States may use length of residence as an objective yardstick to channel their benefits to those whose intent to stay is legitimate.

In one respect, the State has a greater need to require a durational residence for welfare benefits than for college eligibility. The impact of a large number of new residents who immediately seek welfare payments will have a far greater impact on a State's operating budget than the impact of new residents seeking to attend a state university. In the case of the welfare recipients, a modest durational residence requirement to allow for the completion of an annual legislative budget cycle gives the State time to decide how to finance the increased obligations.

The Court tries to distinguish education and divorce benefits by contending that the welfare payment here will be consumed in California, while a college education or a divorce produces benefits that are “portable” and can be enjoyed after individuals return to their original domicile.

Ibid. But this “you can't take it with you” distinction is more apparent than real, and offers little guidance to lower courts who must apply this rationale in the future. Welfare payments are a form of insurance, giving impoverished individuals and their families the means to meet the demands of daily life while they receive the necessary training, education, and time to look for a job. The cash itself will no doubt be spent in California, but the benefits from receiving this income and having the opportunity to become employed or employable will stick with the welfare recipients if they stay in California or go back to their true domicile. Similarly, tuition subsidies are “consumed” in-state but the recipient takes the benefits of a college education with him wherever *520 he goes. A welfare subsidy is thus as much an investment in human capital as is a tuition subsidy, and their attendant benefits are just as “portable.”³ More importantly, this foray into social economics demonstrates that the line drawn by the Court borders on the metaphysical, and requires lower courts to plumb the policies animating certain benefits like welfare to define their “essence” and hence their “portability.” As this Court wisely recognized almost 30 years ago, “[t]he intractable economic, social, and even philosophical problems presented by public welfare assistance programs are not the business of this Court.” *Dandridge, supra*, at 487, 90 S.Ct. 1153.

I therefore believe that the durational residence requirement challenged here is a permissible exercise of the State's power to “assur[e] that services provided for its residents are enjoyed only by residents.” *Martinez*, 461 U.S., at 328, 103 S.Ct. 1838. The 1-year period established in § 11450.03 is the same period this Court approved in *Starns* and *Sosna*. The requirement does not deprive welfare recipients of all benefits; indeed, the limitation has no effect whatsoever on a recipient's ability to enjoy the full 5-year period of welfare eligibility; to enjoy the full **1535 range of employment, training, and accompanying supportive services; or to take full advantage of health care benefits under Medicaid. See Brief for Petitioners 7–8, 27. This waiting period does not preclude new residents from all cash payments, but merely limits them to what they received in their prior State of residence. Moreover, as the Court recognizes, see *ante*, at 1523, any pinch resulting from this limitation during the 1-year period is mitigated by other programs such as homeless assistance and an increase in food stamp allowance. The 1-year period thus permissibly balances the new resident's needs for subsistence with the State's need to ensure the bona fides of their claim to residence.

*521 Finally, Congress' express approval in 42 U.S.C. § 604(c) of durational residence requirements for welfare recipients like the one established by California only goes to show the reasonableness of a law like § 11450.03. The National Legislature, where people from Mississippi as well as California are represented, has recognized the need to protect state resources in a time of experimentation and welfare reform. As States like California revamp their total welfare packages, see Brief for Petitioners 5–6, they should have the authority and flexibility to ensure that their new programs are not exploited. Congress has decided that it makes good welfare policy to give the States this power. California has reasonably exercised it through an objective, narrowly tailored residence requirement. I see nothing in the Constitution that should prevent the enforcement of that requirement.

Justice THOMAS, with whom THE CHIEF JUSTICE joins, dissenting.

I join THE CHIEF JUSTICE's dissent. I write separately to address the majority's conclusion that California has violated “the right of the newly arrived citizen to the same privileges and immunities enjoyed by other citizens of the same State.” *Ante*, at 1526. In my view, the majority attributes a meaning to the Privileges or Immunities Clause that likely was unintended when the Fourteenth Amendment was enacted and ratified.

The Privileges or Immunities Clause of the Fourteenth Amendment provides that “[n]o State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.” U.S. Const., Amdt. 14, § 1. Unlike the Equal Protection and Due Process Clauses, which have assumed near-talismanic status in modern constitutional law, the Court all but read the Privileges or Immunities Clause out of the Constitution in the *Slaughter-House Cases*, 16 Wall. 36, 21 L.Ed. 394 (1872). There, the Court held that the State of Louisiana had not abridged *522 the Privileges or Immunities Clause by granting a partial monopoly of the slaughtering business to one company. *Id.*, at 59–63, 66. The Court reasoned that the Privileges or Immunities Clause was not intended “as a protection to the citizen of a State against the legislative power of his own State.” *Id.*, at 74. Rather the “privileges or immunities of citizens” guaranteed by the Fourteenth Amendment were limited to those “belonging to a citizen of the United States as such.” *Id.*, at 75. The Court declined to specify the privileges or immunities that fell into this latter category, but it made clear that few did. See *id.*, at 76 (stating that “nearly every civil right for the

establishment and protection of which organized government is instituted,” including “those rights which are fundamental,” are not protected by the Clause).

Unlike the majority, I would look to history to ascertain the original meaning of the Clause.¹ At least in American law, the ****1536** phrase (or its close approximation) appears to stem ***523** from the 1606 Charter of Virginia, which provided that “all and every the Persons being our Subjects, which shall dwell and inhabit within every or any of the said several Colonies ... shall HAVE and enjoy all Liberties, Franchises, and Immunities ... as if they had been abiding and born, within this our Realme of *England*.”⁷ Federal and State Constitutions, Colonial Charters and Other Organic Laws 3788 (F. Thorpe ed.1909). Other colonial charters contained similar guarantees.² Years later, as tensions between England and the American Colonies increased, the colonists adopted resolutions reasserting their entitlement to the privileges or immunities of English citizenship.³

***524** The colonists' repeated assertions that they maintained the rights, privileges, and immunities of persons “born within the realm of England” and “natural born” persons suggests that, at the time of the founding, the terms “privileges” and “immunities” (and their counterparts) were understood to refer to those fundamental rights and liberties specifically enjoyed by English citizens and, more broadly, by all persons. Presumably members of the Second Continental Congress so understood these terms when they employed them in the Articles of Confederation, which guaranteed that “the free inhabitants of each of these States, paupers, vagabonds and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several States.” Art. IV. The Constitution, which superceded the Articles of Confederation, similarly guarantees that “[t]he Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.” Art. IV, § 2, cl. 1.

Justice Bushrod Washington's landmark opinion in *Corfield v. Coryell*, 6 F.Cas. 546 (No. 3,230) (CCED Pa. 1825), reflects this historical understanding. In *Corfield*, a citizen of Pennsylvania challenged a New Jersey law that prohibited any person who was not an “actual inhabitant and resident” of New Jersey from harvesting oysters from New Jersey waters. *Id.*, at 550. Justice Washington, sitting as Circuit Justice, rejected the argument that the New Jersey law violated ****1537** Article IV's Privileges and Immunities Clause. He reasoned, “we cannot accede to the proposition ... that, under

this provision of the constitution, the citizens of the several states are permitted to participate in all the rights ***525** which belong exclusively to the citizens of any other particular state, merely upon the ground that they are enjoyed by those citizens.” *Id.*, at 552. Instead, Washington concluded:

“We feel no hesitation in confining these expressions to those privileges and immunities which are, in their nature, fundamental; which belong, of right, to the citizens of all free governments; and which have, at all times, been enjoyed by the citizens of the several states which compose this Union, from the time of their becoming free, independent, and sovereign. What these fundamental principles are, it would perhaps be more tedious than difficult to enumerate. They may, however, be all comprehended under the following general heads: Protection by the government; the enjoyment of life and liberty, with the right to acquire and possess property of every kind, and to pursue and obtain happiness and safety; subject nevertheless to such restraints as the government may justly prescribe for the general good of the whole. The right of a citizen of one state to pass through, or to reside in any other state, for purposes of trade, agriculture, professional pursuits, or otherwise; to claim the benefit of the writ of habeas corpus; to institute and maintain actions of any kind in the courts of the state; ... and an exemption from higher taxes or impositions than are paid by the other citizens of the state; ... the elective franchise, as regulated and established by the laws or constitution of the state in which it is to be exercised. These, and many others which might be mentioned, are, strictly speaking, privileges and immunities.” *Id.*, at 551–552.

Washington rejected the proposition that the Privileges and Immunities Clause guaranteed equal access to all public benefits (such as the right to harvest oysters in public waters) that a State chooses to make available. Instead, he ***526** endorsed the colonial-era conception of the terms “privileges” and “immunities,” concluding that Article IV encompassed only *fundamental* rights that belong to all citizens of the United States.⁴ *Id.*, at 552.

Justice Washington's opinion in *Corfield* indisputably influenced the Members of Congress who enacted the Fourteenth Amendment. When Congress gathered to debate the Fourteenth Amendment, Members frequently, if not as a matter of course, appealed to *Corfield*, arguing that the Amendment was necessary to guarantee the fundamental rights that Justice Washington identified in his opinion. See Harrison, [Reconstructing the Privileges or Immunities](#)

Clause, 101 Yale L.J. 1385, 1418 (1992) (referring to a Member's "obligatory quotation from *Corfield* "). For just one example, in a speech introducing the Amendment to the Senate, Senator Howard explained the Privileges or Immunities Clause by quoting at length from *Corfield*.⁵ Cong. Globe, 39th Cong., 1st Sess., 2765 (1866). Furthermore, it appears that no Member of Congress refuted the notion that Washington's analysis in *Corfield* undergirded the meaning of the Privileges or Immunities Clause.⁶

****1538 *527** That Members of the 39th Congress appear to have endorsed the wisdom of Justice Washington's opinion does not, standing alone, provide dispositive insight into their understanding of the Fourteenth Amendment's Privileges or Immunities Clause. Nevertheless, their repeated references to the *Corfield* decision, combined with what appears to be the historical understanding of the Clause's operative terms, supports the inference that, at the time the Fourteenth Amendment was adopted, people understood that "privileges or immunities of citizens" were fundamental rights, rather than every public benefit established by positive law. Accordingly, the majority's conclusion—that a State violates the Privileges or Immunities Clause when it "discriminates" against citizens who have been domiciled in the State for less than a year in the distribution of welfare benefits—appears contrary to the original understanding and is dubious at best.

As THE CHIEF JUSTICE points out, *ante*, at 1530, it comes as quite a surprise that the majority relies on the Privileges or Immunities Clause at all in this case. That is

because, as I have explained *supra*, at 1535, the *Slaughter–House Cases* sapped the Clause of any meaning. Although the majority appears to breathe new life into the Clause today, it fails to address its historical underpinnings or its place in our constitutional jurisprudence. Because I believe that the demise of the Privileges or Immunities Clause has contributed in no small part to the current disarray of our Fourteenth ***528** Amendment jurisprudence, I would be open to reevaluating its meaning in an appropriate case. Before invoking the Clause, however, we should endeavor to understand what the Framers of the Fourteenth Amendment thought that it meant. We should also consider whether the Clause should displace, rather than augment, portions of our equal protection and substantive due process jurisprudence. The majority's failure to consider these important questions raises the specter that the Privileges or Immunities Clause will become yet another convenient tool for inventing new rights, limited solely by the "predilections of those who happen at the time to be Members of this Court." *Moore v. East Cleveland*, 431 U.S. 494, 502, 97 S.Ct. 1932, 52 L.Ed.2d 531 (1977).

I respectfully dissent.

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Footnotes

* The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States v. Detroit Timber & Lumber Co.*, 200 U.S. 321, 337, 26 S.Ct. 282, 50 L.Ed. 499.

1 California Welf. & Inst.Code Ann. § 11450.03 (West Supp.1999) provides:
 "(a) Notwithstanding the maximum aid payments specified in paragraph (1) of subdivision (a) of Section 11450, families that have resided in this state for less than 12 months shall be paid an amount calculated in accordance with paragraph (1) of subdivision (a) of Section 11450, not to exceed the maximum aid payment that would have been received by that family from the state of prior residence.
 "(b) This section shall not become operative until the date of approval by the United States Secretary of Health and Human Services necessary to implement the provisions of this section so as to ensure the continued compliance of the state plan for the following:
 "(1) Title IV of the federal Social Security Act (Subchapter 4 (commencing with Section 601) of Chapter 7 of Title 42 of the United States Code).
 "(2) Title IX [*sic*] of the federal Social Security Act (Subchapter 19 (commencing with Section 1396) of Chapter 7 of Title 42 of the United States Code)."

- 2 The District Court referred to an official table of fair market rents indicating that California's housing costs are higher than any other State except Massachusetts. See *Green v. Anderson*, 811 F.Supp. 516, 521, n. 13 (E.D.Cal.1993); see also Declaration of Robert Greenstein, App. 91–94.
- 3 *Beno v. Shalala*, 30 F.3d 1057 (C.A.9 1994).
- 4 In February 1996, the Secretary granted waivers for certain changes in California's welfare program, but she declined to authorize any distinction between old and new residents. App. to Pet. for Cert. 46–52.
- 5 Record 30 (Plaintiffs' Exh. 3, Attachment 1).
- 6 One of the respondents is a former resident of Oklahoma and the other moved to California from the District of Columbia. In both of those jurisdictions the benefit levels are substantially lower than in California.
- 7 On the stipulation of the parties, the court certified a class of plaintiffs defined as “ ‘all present and future AFDC and TANF applicants and recipients who have applied or will apply for AFDC or TANF on or after April 1, 1997, and who will be denied full California AFDC or TANF benefits because they have not resided in California for twelve consecutive months immediately preceding their application for aid.’ ” App. to Pet. for Cert. 20.
- 8 Forty-four States and the District of Columbia have lower benefit levels than California. *Id.*, at 22, n. 10.
- 9 See *Maldonado v. Houstoun*, 157 F.3d 179 (C.A.3 1998) (finding two-tier durational residency requirement an unconstitutional infringement on the right to travel); *Green v. Anderson*, 26 F.3d 95 (C.A.9 1994), vacated as unripe, 513 U.S. 557, 115 S.Ct. 1059, 130 L.Ed.2d 1050 (1995) (*per curiam*); *Hicks v. Peters*, 10 F.Supp.2d 1003 (N.D.Ill.1998) (granting injunction against enforcement of durational residency requirement); *Westenfelder v. Ferguson*, 998 F.Supp. 146 (D.R.I.1998) (holding durational residency requirement a penalty on right to travel incapable of surviving rational-basis review). Two state courts have reached the same conclusion. See *Mitchell v. Steffen*, 504 N.W.2d 198 (Minn.1993), cert. denied, 510 U.S. 1081, 114 S.Ct. 902, 127 L.Ed.2d 93 (1994) (striking down a similar provision in Minnesota law); *Sanchez v. Department of Human Services*, 314 N.J.Super. 11, 713 A.2d 1056 (1998) (striking down two-tier welfare system); cf. *Jones v. Milwaukee County*, 168 Wis.2d 892, 485 N.W.2d 21 (1992) (holding that a 60–day waiting period for applicant for general relief is not a penalty and therefore not unconstitutional).
- 10 After this case was argued, petitioner Rita L. Saenz replaced Eloise Anderson as Director, California Department of Social Services.
- 11 “We do not doubt that the one-year waiting-period device is well suited to discourage the influx of poor families in need of assistance.... But the purpose of inhibiting migration by needy persons into the State is constitutionally impermissible.” 394 U.S., at 629, 89 S.Ct. 1322.
- “Thus, the purpose of deterring the in-migration of indigents cannot serve as justification for the classification created by the one-year waiting period.... If a law has ‘no other purpose ... than to chill the assertion of constitutional rights by penalizing those who choose to exercise them, then it [is] patently unconstitutional.’ *United States v. Jackson*, 390 U.S. 570, 581 [88 S.Ct. 1209, 20 L.Ed.2d 138] (1968).” *Id.*, at 631, 89 S.Ct. 1322.
- 12 Brief for United States as *Amicus Curiae* 8, 10.
- 13 “The 4th article, respecting the [*sic*] extending the rights of the Citizens of each State, throughout the United States ... is formed exactly upon the principles of the 4th article of the present Confederation.” 3 Records of the Federal Convention of 1787, p. 112 (M. Farrand ed.1966). Article IV of the Articles of Confederation provided that “the people of each State shall have free ingress and regress to and from any other State.”
- 14 *Corfield v. Coryell*, 6 F. Cas. 546 (No. 3,230) (C.C.E.D.Pa.1823) (Washington, J., on circuit) (“fundamental” rights protected by the Privileges and Immunities Clause include “the right of a citizen of one state to pass through, or to reside in any other state”).
- 15 The Framers of the Fourteenth Amendment modeled this Clause upon the “Privileges and Immunities” Clause found in Article IV. Cong. Globe, 39th Cong., 1st Sess., 1033–1034 (1866) (statement of Rep. Bingham). In *Dred Scott v. Sandford*, 19 How. 393, 15 L.Ed. 691 (1856), this Court had limited the protection of Article IV to rights under state law and concluded that free blacks could not claim citizenship. The Fourteenth Amendment overruled this decision. The Amendment's Privileges or Immunities Clause and Citizenship Clause guaranteed the rights of newly freed black citizens by ensuring that they could claim the state citizenship of any State in which they resided and by precluding that State from abridging their rights of national citizenship.
- 16 U.S. Const., Amdt. 14, § 1. The remainder of the section provides: “nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”
- 17 “Federalism was our Nation's own discovery. The Framers split the atom of sovereignty. It was the genius of their idea that our citizens would have two political capacities, one state and one federal, each protected from incursion by the other. The resulting Constitution created a legal system unprecedented in form and design, establishing two orders of

government, each with its own direct relationship, its own privity, its own set of mutual rights and obligations to the people who sustain it and are governed by it.” *U.S. Term Limits, Inc. v. Thornton*, 514 U.S. 779, 838, 115 S.Ct. 1842, 131 L.Ed.2d 881 (1995) (KENNEDY, J., concurring).

18 App. 21–26.

19 The District Court and the Court of Appeals concluded, however, that the “apparent purpose of § 11450.03 was to deter migration of poor people to California.” *Roe v. Anderson*, 134 F.3d 1400, 1404 (C.A.9 1998).

20 See Cohen, *Discrimination Against New State Citizens: An Update*, 11 *Const. Comm.* 73, 79 (1994) (“[J]ust as it would violate the Constitution to deny these new arrivals state citizenship, it would violate the Constitution to concede their citizenship in name only while treating them as if they were still citizens of other states”).

21 “ ‘Congress is without power to enlist state cooperation in a joint federal-state program by legislation which authorizes the States to violate the Equal Protection Clause.’ *Shapiro v. Thompson*, 394 U.S. 618, 641, 89 S.Ct. 1322, 22 L.Ed.2d 600 (1969).” *Townsend v. Swank*, 404 U.S. 282, 291, 92 S.Ct. 502, 30 L.Ed.2d 448 (1971).

22 Brief for United States as *Amicus Curiae* 29, n. 10.

23 *Id.*, at 9; see also *id.*, at 3, 8, 14, 15, 20, 22, 23, 24, 27, 28, 28–29.

24 *Id.*, at 8. See H.R.Rep. No. 104–651, p. 1337 (1996) (“States that want to pay higher benefits should not be deterred from doing so by the fear that they will attract large numbers of recipients from bordering States”).

25 Brief for United States as *Amicus Curiae* 16. See States’ Perspective on Welfare Reform: Hearing before the Senate Committee on Finance, 104th Cong., 1st Sess., 9 (1995).

26 Brief for United States as *Amicus Curiae* 30, n. 11.

27 As Justice Jackson observed: “[I]t is a privilege of citizenship of the United States, protected from state abridgment, to enter any State of the Union, either for temporary sojourn or for the establishment of permanent residence therein and for gaining resultant citizenship thereof. If national citizenship means less than this, it means nothing.” *Edwards v. California*, 314 U.S. 160, 183, 62 S.Ct. 164, 86 L.Ed. 119 (1941) (concurring opinion).

1 The Court’s decision in the *Slaughter–House Cases* only confirms my view that state infringement on the right to travel is limited to the kind of barrier established in *Edwards v. California*, 314 U.S. 160, 62 S.Ct. 164, 86 L.Ed. 119 (1941), and its discussion is worth quoting in full:

“But lest it should be said that no such privileges and immunities are to be found if those we have been considering are excluded, we venture to suggest some which own their existence to the Federal government, its National character, its Constitution, or its laws.

“One of these is well described in the case of *Crandall v. Nevada* [6 Wall. 35, 18 L.Ed. 745 (1867)]. It is said to be the right of the citizen of this great country, protected by implied guarantees of its Constitution, ‘to come to the seat of government to assert any claim he may have upon that government, to transact any business he may have with it, to seek its protection, to share its offices, to engage in administering its functions. He has the right of free access to its seaports, through which all operations of foreign commerce are conducted, to the subtreasuries, land offices, and courts of justice in the several States.’ And quoting from the language of Chief Justice Taney in another case, it is said ‘that for all the great purposes for which the Federal government was established, we are one people, with one common country, we are all citizens of the United States;’ and it is, as such citizens, that their rights are supported in this court in *Crandall v. Nevada*.” 16 Wall., at 79, 21 L.Ed. 394 (footnote omitted).

2 As Chief Justice Burger aptly stated in *Zobel*: “In reality, right to travel analysis refers to little more than a particular application of equal protection analysis. Right to travel cases have examined, in equal protection terms, state distinctions between newcomers and longer term residents.” 457 U.S., at 60, n. 6, 102 S.Ct. 2309.

3 The same analysis applies to divorce.

1 Legal scholars agree on little beyond the conclusion that the Clause does not mean what the Court said it meant in 1873. See, e.g., Harrison, *Reconstructing the Privileges or Immunities Clause*, 101 *Yale L.J.* 1385, 1418 (1992) (Clause is an antidiscrimination provision); D. Currie, *The Constitution in the Supreme Court* 341–351 (1985) (same); 2 W. Crosskey, *Politics and the Constitution in the History of the United States* 1089–1095 (1953) (Clause incorporates first eight Amendments of the Bill of Rights); M. Curtis, *No State Shall Abridge* 100 (1986) (Clause protects the rights included in the Bill of Rights as well as other fundamental rights); B. Siegan, *Supreme Court’s Constitution* 46–71 (1987) (Clause guarantees Lockean conception of natural rights); Ackerman, *Constitutional Politics/Constitutional Law*, 99 *Yale L.J.* 453, 521–536 (1989) (same); J. Ely, *Democracy and Distrust* 28 (1980) (Clause “was a delegation to future constitutional decision-makers to protect certain rights that the document neither lists ... or in any specific way gives directions for finding”); R. Berger, *Government by Judiciary* 30 (2d ed. 1997) (Clause forbids race discrimination with respect to rights




listed in the Civil Rights Act of 1866); R. Bork, *The Tempting of America* 166 (1990) (Clause is inscrutable and should be treated as if it had been obliterated by an ink blot).

- 2 See 1620 Charter of New England, in 3 Thorpe, at 1839 (guaranteeing “[l]iberties, and franchises, and Immunities of free Denizens and natural Subjects”); 1622 Charter of Connecticut, reprinted in 1 *id.*, at 553 (guaranteeing “[l]iberties and Immunities of free and natural Subjects”); 1629 Charter of the Massachusetts Bay Colony, in 3 *id.*, at 1857 (guaranteeing the “liberties and Immunities of free and natural subjects”); 1632 Charter of Maine, in 3 *id.*, at 1635 (guaranteeing “[l]iberties[,] Franchises and Immunities of or belonging to any of the naturall borne subjects”); 1632 Charter of Maryland, in 3 *id.*, at 1682 (guaranteeing “Privileges, Franchises and Liberties”); 1663 Charter of Carolina, in 5 *id.*, at 2747 (holding “liberties, franchises, and privileges” inviolate); 1663 Charter of the Rhode Island and Providence Plantations, in 6 *id.*, at 3220 (guaranteeing “libertyes and immunityes of free and naturall subjects”); 1732 Charter of Georgia, in 2 *id.*, at 773 (guaranteeing “liberties, franchises and immunities of free denizens and natural born subjects”).
- 3 See, *e.g.*, *The Massachusetts Resolves*, in *Prologue to Revolution: Sources and Documents on the Stamp Act Crisis* 56 (E. Morgan ed. 1959) (“*Resolved*, That there are certain essential Rights of the *British* Constitution of Government, which are founded in the Law of God and Nature, and are the common Rights of Mankind—Therefore, ... *Resolved* that no Man can justly take the Property of another without his Consent ... this inherent Right, together with all other essential Rights, Liberties, Privileges and Immunities of the People of Great Britain have been fully confirmed to them by *Magna Charta*”); *The Virginia Resolves*, *id.*, at 47–48 (“[T]he Colonists aforesaid are declared entitled to all Liberties, Privileges, and Immunities of Denizens and natural Subjects, to all Intents and Purposes, as if they had been abiding and born within the Realm of *England*”); 1774 *Statement of Violation of Rights*, 1 *Journals of the Continental Congress* 68 (1904) (“[O]ur ancestors, who first settled these colonies, were at the time of their emigration from the mother country, entitled to all the rights, liberties, and immunities of free and natural-born subjects, within the realm of England ... Resolved ... [t]hat by such emigration they by no means forfeited, surrendered or lost any of those rights”).
- 4 During the first half of the 19th century, a number of legal scholars and state courts endorsed Washington's conclusion that the Clause protected only fundamental rights. See, *e.g.*, *Campbell v. Morris*, 3 H. & McH. 535, 554 (Md.1797) (Chase, J.) (Clause protects property and personal rights); *Douglass v. Stephens*, 1 Del.Ch. 465, 470 (1821) (Clause protects the “absolute rights” that “all men by nature have”); 2 J. Kent, *Commentaries on American Law* 71–72 (1836) (Clause “confined to those [rights] which were, in their nature, fundamental”). See generally Antieau, *Paul's Perverted Privileges or the True Meaning of the Privileges and Immunities Clause of Article Four*, 9 Wm. & Mary L.Rev. 1, 18–21 (1967) (collecting sources).
- 5 He also observed that, while the Supreme Court had not “undertaken to define either the nature or extent of the privileges and immunities,” Washington's opinion gave “some intimation of what probably will be the opinion of the judiciary.” *Cong. Globe*, 39th Cong., 1st Sess., 2765 (1866).
- 6 During debates on the Civil Rights Act of 1866, Members of Congress also repeatedly invoked *Corfield* to support the legislation. See generally Siegan, *Supreme Court's Constitution*, at 46–56. The Act's sponsor, Senator Trumbull, quoting from *Corfield*, explained that the legislation protected the “fundamental rights belonging to every man as a free man, and which under the Constitution as it now exists we have a right to protect every man in.” *Cong. Globe*, *supra*, at 476. The Civil Rights Act is widely regarded as the precursor to the Fourteenth Amendment. See, *e.g.*, J. tenBroek, *Equal Under Law* 201 (rev. ed. 1965) (“The one point upon which historians of the Fourteenth Amendment agree, and, indeed, which the evidence places beyond cavil, is that the Fourteenth Amendment was designed to place the constitutionality of the Freedmen's Bureau and civil rights bills, particularly the latter, beyond doubt”).

Filings (23)

Title	PDF	Court	Date	Type
1. REPLY TO RESPONDENTS' BRIEF ON THE MERITS Anderson v. Roe 1998 WL 906320	—	U.S.	Dec. 29, 1998	Brief
2. BRIEF OF CATHOLIC CHARITIES USA, NATIONAL COUNCIL OF THE CHURCHES OF CHRIST IN THE USA, LUTHERAN SERVICES IN AMERICA, AMERICAN FRIENDS SERVICE COMMITTEE AND AMERICAN JEWISH COMMITTEE AS AMICI CURIAE IN SUPPORT OF RESPONDENTS Anderson v. Roe 1998 WL 847170	—	U.S.	Dec. 08, 1998	Brief
3. BRIEF FOR SIXTY-SIX ORGANIZATIONS SERVING DOMESTIC VIOLENCE SURVIVORS AS AMICI CURIAE IN SUPPORT OF RESPONDENTS Anderson v. Roe 1998 WL 847246	—	U.S.	Dec. 08, 1998	Brief
4. BRIEF OF SOCIAL SCIENTISTS AS AMICI CURIAE SUPPORTING RESPONDENTS Anderson v. Roe 1998 WL 847266	—	U.S.	Dec. 08, 1998	Brief
5. BRIEF FOR WILLIAM COHEN, MICHAEL C. DORF, GERALD GUNTHER, RODERICK M. HILLS, JR., PAUL KAHN, KENNETH L. KARST, SETH KREIMER, DOUGLAS LAYCOCK, JEFFERY LEHMAN, FRANK MICHELMAN, RICHARD PILDES, DONALD H. REGAN, STEVEN SHRIFFRIN, GARY SWIMSON, AND CHRISTINA B. WHITMAN, AMICI CURIAE, SUPPORTING RESPONDENTS Anderson v. Roe 1998 WL 847289	—	U.S.	Dec. 08, 1998	Brief
6. BRIEF OF AMICUS CURIAE THE AMERICAN BAR ASSOCIATION IN SUPPORT OF RESPONDENTS Anderson v. Roe 1998 WL 847295	—	U.S.	Dec. 08, 1998	Brief
7. BRIEF OF AMICI CURIAE BRENNAN CENTER FOR JUSTICE AT NEW YORK UNIVERSITY SCHOOL OF LAW, ASIAN AMERICAN LEGAL DEFENSE AND EDUCATION FUND, INC., CENTER FOR CONSTITUTIONAL RIGHTS, LAWYERS' COMMITTEE FOR CIVIL RIGHTS OF THE SAN FRANCISCO BAY AREA AND PEOPLE FOR THE AMERICAN WAY FOUNDATION IN SUPPORT OF RESPONDENTS Anderson v. Roe 1998 WL 847301	—	U.S.	Dec. 08, 1998	Brief
8. BRIEF OF THE NATIONAL LAW CENTER ON HOMELESSNESS AND POVERTY AS AMICUS CURIAE IN SUPPORT OF RESPONDENTS Anderson v. Roe 1998 WL 847330	—	U.S.	Dec. 08, 1998	Brief














Title	PDF	Court	Date	Type
9. BRIEF OF ACORN, ET AL., AMICI CURIAE IN SUPPORT OF RESPONDENTS Anderson v. Roe 1998 WL 847347	—	U.S.	Dec. 08, 1998	Brief
10. BRIEF OF RESPONDENTS Anderson v. Roe 1998 WL 847469	—	U.S.	Dec. 08, 1998	Brief
11. BRIEF AMICUS CURIAE OF THE INSTITUTE FOR JUSTICE IN SUPPORT OF PETITIONERS Anderson v. Roe 1998 WL 784405	—	U.S.	Nov. 10, 1998	Brief
12. PETITIONERS' BRIEF ON THE MERITS Anderson v. Roe 1998 WL 784602	—	U.S.	Nov. 10, 1998	Brief
13. BRIEF OF WASHINGTON LEGAL FOUNDATION, ALLIED EDUCATIONAL FOUNDATION, U.S. REP. JOHN DOOLITTLE, CALIF. SENS. RAY HAYNES, RICHARD MOUNTJOY AND MAURICE JOHANNESSEN, AND CALIFORNIA ASSEMBLYMEN BILL MORROW AND BERNIE RICHTER AS AMICI CURIAE IN SUPPORT OF PETITIONERS Anderson v. Roe 1998 WL 789354	—	U.S.	Nov. 10, 1998	Brief
14. BRIEF AMICUS CURIAE OF PACIFIC LEGAL FOUNDATION IN SUPPORT OF PETITIONERS Anderson v. Roe 1998 WL 789357	—	U.S.	Nov. 10, 1998	Brief
15. BRIEF OF THE NATIONAL GOVERNORS' ASSOCIATION, NATIONAL ASSOCIATION OF COUNTIES, COUNCIL OF STATE GOVERNMENT, INTERNATIONAL CITY-COUNTY MANAGEMENT ASSOCIATION, U.S. CONFERENCE OF MAYORS, AND NATIONAL LEAGUE OF CITIES AS AMICI CURIAE SUPPORTING PETITIONERS Anderson v. Roe 1998 WL 789358	—	U.S.	Nov. 10, 1998	Brief
16. BRIEF FOR THE UNITED STATES AS AMICUS CURIAE SUPPORTING PETITIONERS IN PART AND RESPONDENTS IN PART Anderson v. Roe 1998 WL 798866	—	U.S.	Nov. 10, 1998	Brief
17. BRIEF OF THE COMMONWEALTH OF PENNSYLVANIA, AND THE STATES OF ALABAMA, FLORIDA, GEORGIA, HAWAII, MARYLAND, MINNESOTA, MONTANA, NEVADA, NEW HAMPSHIRE, NEW YORK, NORTH CAROLINA, NORTH DAKOTA, OHIO, RHODE ISLAND AND WASHINGTON IN SUPPORT OF PETITIONERS Anderson v. Roe 1998 WL 798877	—	U.S.	Nov. 10, 1998	Brief

Title	PDF	Court	Date	Type
<p>18. Appellants' Reply Brief Brenda ROE and Anna Doe, on behalf of themselves and all others similarly situated, Plaintiffs-Appellees, v. Eloise ANDERSON, Director of the California Department of Social Services; California Department of Social Services; Pete Wilson, Governor of the State of California; CRAIG Brown, Director of the California Department of Finance, Defendants-Appellants. 1997 WL 33485009</p>		C.A.9	Sep. 15, 1997	Brief
<p>19. Appellants' Brief Brenda ROE and Anna Doe, on behalf of Themselves and all others Similarly Situated, Plaintiffs-Appellees, v. Eloise ANDERSON, Director of the California Department of Social Services; California Department of Social Services; Pete Wilson, Governor of the State of California; Craig Brown, Director of the California Department of Finance, Defendants-Appellants. 1997 WL 33487051</p>		C.A.9	Aug. 01, 1997	Brief
<p>20. Oral Argument Finney v. Roe 1999 WL 22762</p>	—	U.S.	Jan. 13, 1999	Oral Argument
<p>21. Motion for Leave of Court to File Brief as Amici Curiae and Brief Amici Curiae of the United States Justice Foundation and California State Senators Ray Haynes, Rob Hurtt, Tim Leslie, and Richard Rainey; and California State Assembly Members Steve Baldwin, Howard Kaloogian, Bill Leonard, Tom McClintock, and Bernie Richter, in Support of Petitioners Eloise ANDERSON, Director, California Department of Social Services; California Department of Social Services; Pete Wilson, Governor of the State of California; and Craig L. Brown, Director, California Department of Finance, Petitioners, v. Brenda ROE and Anna Doe, on behalf of themselves, and all others similarly situated, Respondents. 1998 WL 34080971</p>		U.S.	July 31, 1998	Petition
<p>22. Docket 97-16326 ROE, ET AL v. ANDERSON, ET AL</p>	—	C.A.9	July 21, 1997	Docket
<p>23. Docket 2:97CV00529 ROE, ET AL v. ANDERSON, ET AL</p>	—	E.D.Cal.	Apr. 01, 1997	Docket

Negative Treatment

Negative Citing References (40)

The KeyCited document has been negatively referenced by the following events or decisions in other litigation or proceedings:

Treatment	Title	Date	Type	Depth	Headnote(s)
Declined to Extend by	 1. Williams v. Wisconsin 336 F.3d 576 , 7th Cir.(Wis.) CIVIL RIGHTS - Parolees. Ban on international travel did not violate parolee's right to marry.	July 15, 2003	Case		12 S.Ct.
Declined to Extend by	 2. Merrifield v. Lockyer ”” 547 F.3d 978 , 9th Cir.(Cal.) COMMERCIAL LAW - Industry Regulation. Subjecting some non-pesticide controllers, but not others, from state's licensing scheme violated Equal Protection Clause.	Oct. 22, 2008	Case		1 6 12 S.Ct.
Declined to Extend by	3. Matsuo v. U.S. ”” 586 F.3d 1180 , 9th Cir.(Hawai'i) LABOR AND EMPLOYMENT - Public Employment. Federal Employees Pay Comparability Act (FEPCA) did not unconstitutionally burden right to travel.	Nov. 12, 2009	Case		1 6 S.Ct.
Declined to Extend by	 4. Connelly v. Steel Valley School Dist. ”” MOST NEGATIVE 706 F.3d 209 , 3rd Cir.(Pa.) EDUCATION - Compensation and Benefits. Decision to provide teacher with less than full credit for out-of-state teaching experience satisfied rational basis review.	Jan. 24, 2013	Case		1 6 S.Ct.
Declined to Extend by	 5. Harris v. Cantu ”” 81 F.Supp.3d 566 , S.D.Tex. VETERANS - Educational Benefits. Requirement that veteran be Texas resident at time he enlisted in order to get educational benefits was not rationally related to legitimate state...	Jan. 26, 2015	Case		5 8 13 S.Ct.
Declined to Extend by	 6. Page v. Cuomo ”” 478 F.Supp.3d 355 , N.D.N.Y. CIVIL RIGHTS — Due Process. Individual failed to state constitutional claim to challenge New York State executive order requiring travelers to quarantine in light of COVID-19.	Aug. 11, 2020	Case		1 3 6 S.Ct.
Distinguished by	7. Paciulan v. George ”” 229 F.3d 1226 , 9th Cir.(Cal.) CIVIL RIGHTS - Due Process. Residents not licensed to practice law in California had no protectable interest in gaining pro hac vice status.	Oct. 17, 2000	Case		6 S.Ct.
Distinguished by	8. Schivone v. Destefano ”” 852 A.2d 862 , Conn.Super.	Feb. 01, 2001	Case		8 12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
	GOVERNMENT - Municipalities. City's 5 year durational residency requirement for mayoral office violated equal protection.				
Distinguished by	9. Niedle v. W.C.A.B. 104 Cal.Rptr.2d 534 , Cal.App. 2 Dist. LABOR AND EMPLOYMENT - Workers' Compensation. Statute governing out-of-state vocational rehabilitation plans did not impede claimant's right to travel.	Feb. 27, 2001	Case		6 8 12 S.Ct.
Distinguished by	10. Vieth v. Pennsylvania 188 F.Supp.2d 532 , M.D.Pa. GOVERNMENT - Elections. Claim for one person, one vote violation was stated.	Feb. 22, 2002	Case		6 S.Ct.
Distinguished by	11. Markowitz v. University of California 2002 WL 31428619 , Cal.App. 1 Dist. EDUCATION - Tuition and Fees. Financial independence requirement for reduced law school tuition for residents did not violate right to travel.	Oct. 30, 2002	Case		6 8 S.Ct.
Distinguished by	12. Gean v. Hattaway 330 F.3d 758 , 6th Cir.(Tenn.) CIVIL RIGHTS - Immunity. Qualified immunity precluded liability for using social security benefits for juveniles' maintenance.	June 06, 2003	Case		6 8 12 S.Ct.
Distinguished by	13. Pelland v. Rhode Island 317 F.Supp.2d 86 , D.R.I. CRIMINAL JUSTICE - Probation. Limitations on interstate travel of sex offender probationers was constitutional.	May 07, 2004	Case		6 S.Ct.
Distinguished by	14. Meadows v. Odom 356 F.Supp.2d 639 , M.D.La. GOVERNMENT - States. Privileges or Immunities Clause did not bar state from regulating the occupation of retail floristry in the state.	Feb. 09, 2005	Case		6 8 12 S.Ct.
Distinguished by	15. Garrison v. Glentz 2005 WL 2155936 , W.D.Mich. This is a civil action brought pro se by a state prisoner pursuant to 42 U.S.C. § 1983. Plaintiff is an inmate at the Saginaw Correctional Facility located in Saginaw, Michigan....	Sep. 07, 2005	Case		8 S.Ct.
Distinguished by	16. Sylvester v. Commissioner Of Revenue 837 N.E.2d 662 , Mass. TAXATION - Real Property. Residency requirement for disabled veteran to qualify for exemption did not violate right to travel.	Nov. 16, 2005	Case		6 8 12 S.Ct.
Distinguished by	17. State v. Bennett 125 P.3d 522 , Idaho CRIMINAL JUSTICE - Underage Drinking. Suspension or revocation of driver's license as punishment	Nov. 23, 2005	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
	for underage possession of alcohol was not unconstitutional.				
Distinguished by	18. People v. Parker ” 46 Cal.Rptr.3d 888 , Cal.App. 2 Dist. CRIMINAL JUSTICE - Pardon. Five-year state residency requirement for seeking rehabilitation and pardon did not violate constitutional right to travel.	Aug. 02, 2006	Case		1 8 12 S.Ct.
Distinguished by	19. Torraco v. Port Authority of New York & New Jersey 539 F.Supp.2d 632 , E.D.N.Y. CIVIL RIGHTS - Weapons. FOPA statute allowing interstate transportation of firearms does not support § 1983 damages claim.	Mar. 17, 2008	Case		6 12 S.Ct.
Distinguished by	20. Greene v. Commissioner of Minnesota Dept. of Human Services ” 755 N.W.2d 713 , Minn. GOVERNMENT - Public Assistance. Tribe member was required to receive employment services from Tribe rather than county when she applied for MFIP benefits.	Aug. 28, 2008	Case		1 6 S.Ct.
Distinguished by	21. U.S. v. Shenandoah ” 595 F.3d 151 , 3rd Cir.(Pa.) CRIMINAL JUSTICE - Sex Offenders. Prosecution for violation of SORNA did not violate defendant's due process rights.	Feb. 09, 2010	Case		1 6 S.Ct.
Distinguished by	22. Van Staden v. St. Martin ” 2010 WL 3523029 , E.D.La. IT IS ORDERED that Plaintiff's Motion for Summary Judgment and for Permanent Injunction (Rec.Doc. No. 18) is DENIED; Defendant's Motion for Summary Judgment (Rec.Doc. No. 24) is...	Aug. 31, 2010	Case		1 6 8 S.Ct.
Distinguished by	23. Martinez v. Regents of University of California ” 117 Cal.Rptr.3d 359 , Cal. EDUCATION - Tuition and Fees. Nonresident tuition exemption did not improperly grant education benefits to unlawful aliens based on residence.	Nov. 15, 2010	Case		1 8 12 S.Ct.
Distinguished by	24. Schatz v. Interfaith Care Center ” 811 N.W.2d 643 , Minn. LABOR AND EMPLOYMENT - Workers' Compensation. Provision relating to payments to out-of-state medical providers did not violate equal protection.	Apr. 11, 2012	Case		1 3 6 S.Ct.
Distinguished by	25. Peterson v. Martinez ” 707 F.3d 1197 , 10th Cir.(Colo.) CIVIL RIGHTS - Right to Bear Arms. Second Amendment did not confer right to carry concealed weapons.	Feb. 22, 2013	Case		1 2 4 S.Ct.
Distinguished by	26. Pollack v. Duff ” Aug. 06, 2013	Aug. 06, 2013	Case		1 6

Treatment	Title	Date	Type	Depth	Headnote(s)
	958 F.Supp.2d 280 , D.D.C. LABOR AND EMPLOYMENT - Discrimination. Local residency requirement in government job announcement did not violate nonresident applicant's equal protection rights.				7 S.Ct.
Distinguished by	 27. National Ass'n for Advancement of Multijurisdiction Practice v. Berch ”” 973 F.Supp.2d 1082 , D.Ariz. LEGAL SERVICES - Bar Admission. Rule providing for bar admission on motion for attorneys admitted in states having reciprocal admission rules was constitutional.	Sep. 19, 2013	Case		1 6 S.Ct.
Distinguished by	28. Heller v. State, Dept. of Revenue ”” 314 P.3d 69 , Alaska GOVERNMENT - States. Permanent Fund Dividend (PFD) statute's residency requirement did not violate Equal Protection Clause.	Dec. 06, 2013	Case		5 6 12 S.Ct.
Distinguished by	29. Snyder v. Smith 7 F.Supp.3d 842 , S.D.Ind. CIVIL RIGHTS - Equal Protection. Alleged sexual assault victim stated § 1983 “class of one” equal protection claim against police officers.	Mar. 14, 2014	Case		2 4 S.Ct.
Distinguished by	30. Franceschi v. Chiang ”” 2014 WL 12069866 , C.D.Cal. Plaintiff Ernest J. Franceschi, Jr., an attorney proceeding pro se, filed this action on March 14, 2014, against defendants John Chiang, Jerome E. Horton, Michael Cohen, and George...	Aug. 04, 2014	Case		1 2 S.Ct.
Distinguished by	31. Issaenko v. University of Minnesota ”” 57 F.Supp.3d 985 , D.Minn. EDUCATION - Labor and Employment. Copyright Remedy Clarification Act (CRCA) did not provide a valid waiver of the states' Eleventh Amendment sovereign immunity.	Sep. 30, 2014	Case		4 S.Ct.
Distinguished by	32. Davis v. Oklahoma Dept. of Corrections ”” 370 P.3d 1231 , Okla.Civ.App. Div. 4 HEALTH - Mental Health. Requirement of lifetime sex offender registration was not unconstitutional as applied to offender who had an out-of-state conviction.	Mar. 14, 2016	Case		4 13 S.Ct.
Distinguished by	33. Harris v. Hahn ”” 827 F.3d 359 , 5th Cir.(Tex.) VETERANS — Educational Benefits. Residency requirement of Texas statute providing veterans with tuition waivers at public universities did not violate Equal Protection Clause.	June 23, 2016	Case		1 6 8 S.Ct.
Distinguished by	34. Bednasek v. Kobach ”” 259 F.Supp.3d 1193 , D.Kan. CIVIL RIGHTS — Privileges and Immunities. Kansas voter registration procedures did not place undue burden on fundamental right to travel.	May 04, 2017	Case		1 6 12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by	35. Fish v. Kobach ¶ 259 F.Supp.3d 1218 , D.Kan. GOVERNMENT — Elections. Grandfather clause in Kansas Documentary Proof of Citizenship law did not facially violate recent Kansas residents' constitutional right to travel.	May 04, 2017	Case		1 6 12 S.Ct.
Distinguished by	36. Vanderzon v. Vanderzon 402 P.3d 219 , Utah App. FAMILY LAW — Child Custody. Custody order requiring mother to live within 25 miles of father could not be reasonably interpreted to tether mother's residence to father's.	Aug. 17, 2017	Case		6 S.Ct.
Distinguished by	37. Jones v. State, Department of Revenue ¶ 441 P.3d 966 , Alaska GOVERNMENT — States. Husband and wife were not entitled to permanent fund dividends from Alaska for two years in dispute.	May 24, 2019	Case		1 7 12 S.Ct.
Distinguished by	38. Maehr v. United States Department of State ¶ 5 F.4th 1100 , 10th Cir.(Colo.) CIVIL RIGHTS — Due Process. Restricting international travel of delinquent taxpayer by revoking his passport was rationally based on legitimate government interest.	July 20, 2021	Case		1 8 12 S.Ct.
Distinguished by	39. Remillard v. Warden, Noble Correctional Institution 2021 WL 3268842 , S.D.Ohio This habeas corpus case is before the Court on Objections by Respondent (ECF No. 15) and Petitioner (ECF No. 16) to the Magistrate Judge's Report and Recommendations ("Report," ECF...	July 30, 2021	Case		7 9 S.Ct.
Distinguished by	40. Hope v. Commissioner of Indiana Department of Correction ¶ 9 F.4th 513 , 7th Cir.(Ind.) CRIMINAL JUSTICE — Sex Offenders. Application of Indiana SORA to sex offenders convicted of qualifying offenses pre-SORA then moved to Indiana post-SORA did not violate their right...	Aug. 16, 2021	Case		1 4 6 S.Ct.

History (5)

Direct History (4)

 1. [Roe v. Anderson](#)
966 F.Supp. 977 , E.D.Cal. , June 04, 1997

Affirmed by

2. [Roe v. Anderson](#)
134 F.3d 1400 , 9th Cir.(Cal.) , Jan. 28, 1998

Certiorari Granted by

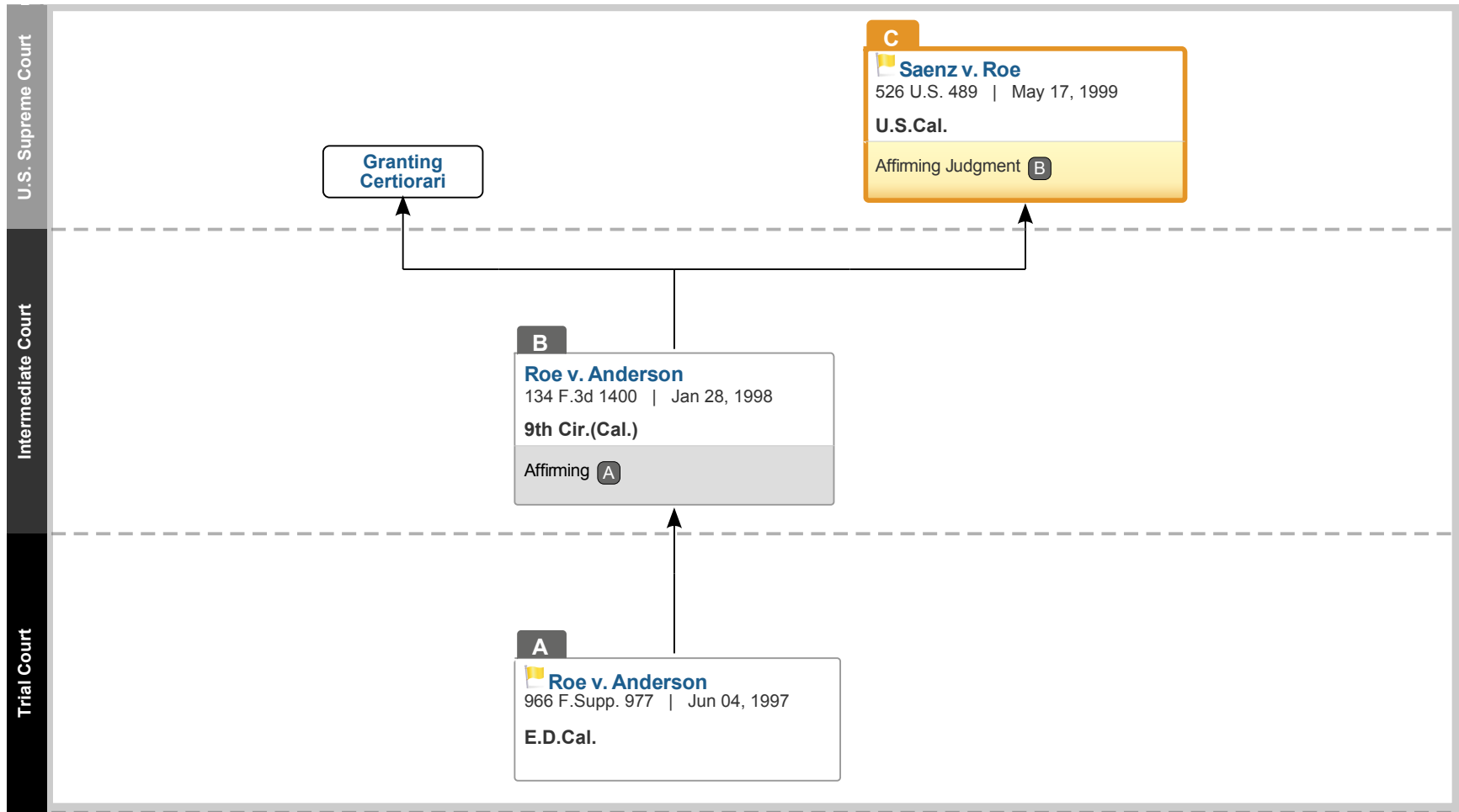
3. [Anderson v. Roe](#)
524 U.S. 982 , U.S. , Sep. 29, 1998

AND Judgment Affirmed by

 4. [Saenz v. Roe](#) 
526 U.S. 489 , U.S.Cal. , May 17, 1999

Related References (1)












5. [Roe v. Saenz](#)
2000 WL 33128689 , E.D.Cal. , Nov. 20, 2000



Citing References (500)

Treatment	Title	Date	Type	Depth	Headnote(s)
Declined to Extend by NEGATIVE	 1. Page v. Cuomo ¶ 478 F.Supp.3d 355, 362+ , N.D.N.Y. CIVIL RIGHTS — Due Process. Individual failed to state constitutional claim to challenge New York State executive order requiring travelers to quarantine in light of COVID-19.	Aug. 11, 2020	Case		1 3 6 S.Ct.
Declined to Extend by NEGATIVE	 2. Harris v. Cantu ¶ 81 F.Supp.3d 566, 574+ , S.D.Tex. VETERANS - Educational Benefits. Requirement that veteran be Texas resident at time he enlisted in order to get educational benefits was not rationally related to legitimate state...	Jan. 26, 2015	Case		5 8 13 S.Ct.
Distinguished by NEGATIVE	3. Hope v. Commissioner of Indiana Department of Correction ¶ 9 F.4th 513, 523+ , 7th Cir.(Ind.) CRIMINAL JUSTICE — Sex Offenders. Application of Indiana SORA to sex offenders convicted of qualifying offenses pre-SORA then moved to Indiana post-SORA did not violate their right...	Aug. 16, 2021	Case		1 4 6 S.Ct.
Distinguished by NEGATIVE	4. Jones v. State, Department of Revenue ¶ 441 P.3d 966, 972+ , Alaska GOVERNMENT — States. Husband and wife were not entitled to permanent fund dividends from Alaska for two years in dispute.	May 24, 2019	Case		1 7 12 S.Ct.
Distinguished by NEGATIVE	5. Bednasek v. Kobach ¶ 259 F.Supp.3d 1193, 1210+ , D.Kan. CIVIL RIGHTS — Privileges and Immunities. Kansas voter registration procedures did not place undue burden on fundamental right to travel.	May 04, 2017	Case		1 6 12 S.Ct.
Distinguished by NEGATIVE	6. Fish v. Kobach ¶ 259 F.Supp.3d 1218, 1232+ , D.Kan. GOVERNMENT — Elections. Grandfather clause in Kansas Documentary Proof of Citizenship law did not facially violate recent Kansas residents' constitutional right to travel.	May 04, 2017	Case		1 6 12 S.Ct.
Distinguished by NEGATIVE	7. Harris v. Hahn ¶ 827 F.3d 359, 363+ , 5th Cir.(Tex.) VETERANS — Educational Benefits. Residency requirement of Texas statute providing veterans with tuition waivers at public universities did not violate Equal Protection Clause.	June 23, 2016	Case		1 6 8 S.Ct.
Distinguished by NEGATIVE	8. Heller v. State, Dept. of Revenue ¶ 314 P.3d 69, 78+ , Alaska GOVERNMENT - States. Permanent Fund Dividend (PFD) statute's residency requirement did not violate Equal Protection Clause.	Dec. 06, 2013	Case		5 6 12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by NEGATIVE	9. Pollack v. Duff ¶ 958 F.Supp.2d 280, 287+ , D.D.C. LABOR AND EMPLOYMENT - Discrimination. Local residency requirement in government job announcement did not violate nonresident applicant's equal protection rights.	Aug. 06, 2013	Case		1 6 7 S.Ct.
Distinguished by NEGATIVE	10. Peterson v. Martinez ¶ 707 F.3d 1197, 1212+ , 10th Cir.(Colo.) CIVIL RIGHTS - Right to Bear Arms. Second Amendment did not confer right to carry concealed weapons.	Feb. 22, 2013	Case		1 2 4 S.Ct.
Distinguished by NEGATIVE	11. Van Staden v. St. Martin ¶ 2010 WL 3523029, *10+ , E.D.La. IT IS ORDERED that Plaintiff's Motion for Summary Judgment and for Permanent Injunction (Rec.Doc. No. 18) is DENIED; Defendant's Motion for Summary Judgment (Rec.Doc. No. 24) is...	Aug. 31, 2010	Case		1 6 8 S.Ct.
Distinguished by NEGATIVE	12. People v. Parker ¶ 46 Cal.Rptr.3d 888, 892+ , Cal.App. 2 Dist. CRIMINAL JUSTICE - Pardon. Five-year state residency requirement for seeking rehabilitation and pardon did not violate constitutional right to travel.	Aug. 02, 2006	Case		1 8 12 S.Ct.
Distinguished by NEGATIVE	13. Sylvester v. Commissioner Of Revenue ¶ 837 N.E.2d 662, 666+ , Mass. TAXATION - Real Property. Residency requirement for disabled veteran to qualify for exemption did not violate right to travel.	Nov. 16, 2005	Case		6 8 12 S.Ct.
Distinguished by NEGATIVE	14. Meadows v. Odom 356 F.Supp.2d 639, 642+ , M.D.La. GOVERNMENT - States. Privileges or Immunities Clause did not bar state from regulating the occupation of retail floristry in the state.	Feb. 09, 2005	Case		6 8 12 S.Ct.
Distinguished by NEGATIVE	15. Gean v. Hattaway ¶ 330 F.3d 758, 771+ , 6th Cir.(Tenn.) CIVIL RIGHTS - Immunity. Qualified immunity precluded liability for using social security benefits for juveniles' maintenance.	June 06, 2003	Case		6 8 12 S.Ct.
Distinguished by NEGATIVE	16. Markowitz v. University of California 2002 WL 31428619, *3+ , Cal.App. 1 Dist. EDUCATION - Tuition and Fees. Financial independence requirement for reduced law school tuition for residents did not violate right to travel.	Oct. 30, 2002	Case		6 8 S.Ct.
Distinguished by NEGATIVE	17. Niede v. W.C.A.B. 104 Cal.Rptr.2d 534, 537+ , Cal.App. 2 Dist. LABOR AND EMPLOYMENT - Workers' Compensation. Statute governing out-of-state vocational rehabilitation plans did not impede claimant's right to travel.	Feb. 27, 2001	Case		6 8 12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	 18. Hope v. Commissioner of Indiana Department of Correction ¶ 984 F.3d 532, 544+ , 7th Cir.(Ind.) CRIMINAL JUSTICE — Sex Offenders. Sex offender registration requirements imposed on offenders who committed offenses pre-SORA, based solely on relocation to Indiana, violated right...	Jan. 06, 2021	Case		1 4 6 S.Ct.
Examined by	 19. Daly v. Harris ¶ 215 F.Supp.2d 1098, 1110+ , D.Hawaii ENVIRONMENTAL LAW - Parks. Charging non-residents a fee to enter underwater park did not violate right to travel.	June 24, 2002	Case		1 6 12 S.Ct.
Examined by	 20. Hughes v. City of Cedar Rapids ¶ 112 F.Supp.3d 817, 839+ , N.D.Iowa GOVERNMENT - Highways and Roads. City's traffic camera system was rationally related to legitimate government interest.	July 02, 2015	Case		1 2 4 S.Ct.
Examined by	 21. Maryland State Conference of NAACP Branches v. Maryland Dept. of State Police ¶ 72 F.Supp.2d 560, 568+ , D.Md. African-American advocacy organization and individual minority motorists filed class action lawsuit against Maryland State Police and individual officers, supervisors, and...	Sep. 30, 1999	Case		1 6 12 S.Ct.
Examined by	22. Minnesota ex rel. Hatch v. U.S. ¶ 102 F.Supp.2d 1115, 1126+ , D.Minn. SOCIAL SECURITY - Medicare. Medicare+Choice payment formulation did not violate the Tenth Amendment.	July 07, 2000	Case		1 6 12 S.Ct.
Examined by	 23. Morrison v. Board of Law Examiners of State of North Carolina ¶ 360 F.Supp.2d 751, 755+ , E.D.N.C. LEGAL SERVICES - Bar Admission. Rule's state-specific prior practice restriction for comity admission to state bar violated Fourteenth Amendment.	Feb. 04, 2005	Case		6 8 12 S.Ct.
Examined by	24. Agre v. Wolf ¶ 284 F.Supp.3d 591, 649+ , E.D.Pa. GOVERNMENT — Elections. Pennsylvania residents were not entitled to declaration that allegedly gerrymandered congressional redistricting plan violated Elections Clause.	Jan. 10, 2018	Case		6 S.Ct.
Examined by	25. National Ass'n for the Advancement of Multijurisdictional Practice (NAAMJP) v. Castille ¶ 66 F.Supp.3d 633, 645+ , E.D.Pa. LEGAL SERVICES - Bar Admission. Pennsylvania's reciprocal bar admissions rule did not violate Article IV's Privileges and Immunities Clause.	Dec. 11, 2014	Case		1 2 4 S.Ct.








Treatment	Title	Date	Type	Depth	Headnote(s)
Examined by	26. Connelly v. Steel Valley School Dist. ¶¶ 2011 WL 5024415, *5+ , W.D.Pa. This is a civil rights action. Plaintiff, Patrick Connelly ("Mr. Connelly"), alleges that, by failing to fully credit his out-of-state teaching experience for purposes of setting...	Oct. 20, 2011	Case		1 6 S.Ct.
Examined by	27. Lines v. Wargo ¶¶ 271 F.Supp.2d 649, 660+ , W.D.Pa. CIVIL RIGHTS - Immunity. State trooper was entitled to qualified immunity on equal protection and due process claims of parolee.	Jan. 10, 2003	Case		1 6 12 S.Ct.
Examined by	28. State v. Dickerson ¶¶ 129 P.3d 1263, 1267+ , Idaho App. CRIMINAL JUSTICE - Sex Offenders. Former version of Sex Offender Registration Notification and Community Right-to-Know Act violated defendant's right to travel.	Feb. 03, 2006	Case		6 8 12 S.Ct.
Examined by	29. Braun v. Headley ¶¶ 750 A.2d 624, 626+ , Md.App. FAMILY LAW - Child Custody. Domingues' holding that relocation of child may trigger review of custody does not apply standard that violates parent's right to travel.	Apr. 26, 2000	Case		1 6 8 S.Ct.
Examined by	30. State v. Burnett ¶¶ 755 N.E.2d 857, 864+ , Ohio CRIMINAL JUSTICE - Trespass. Drug-exclusion zone violated due process right to intra-state travel.	Oct. 17, 2001	Case		1 6 12 S.Ct.
Examined by	31. Carol Olson 1999 N.D. Op. Atty. Gen. 44+ Whether N.D.C.C. § 50-09-29(1) (1) and North Dakota Administrative Code § 75-02-01.2-35.1, regarding Temporary Assistance for Needy Families (TANF) benefits for families who have...	July 23, 1999	Administrative Decision		5 6 8 S.Ct.
Declined to Extend by 	32. Connelly v. Steel Valley School Dist. ¶¶ 706 F.3d 209, 213+ , 3rd Cir.(Pa.) EDUCATION - Compensation and Benefits. Decision to provide teacher with less than full credit for out-of-state teaching experience satisfied rational basis review.	Jan. 24, 2013	Case		1 6 S.Ct.
Declined to Extend by 	33. Matsuo v. U.S. ¶¶ 586 F.3d 1180, 1183+ , 9th Cir.(Hawaii) LABOR AND EMPLOYMENT - Public Employment. Federal Employees Pay Comparability Act (FEPCA) did not unconstitutionally burden right to travel.	Nov. 12, 2009	Case		1 6 S.Ct.
Declined to Extend by 	34. Merrifield v. Lockyer ¶¶ 547 F.3d 978, 983+ , 9th Cir.(Cal.) COMMERCIAL LAW - Industry Regulation. Subjecting some non-pesticide controllers, but not others, from state's licensing scheme violated Equal Protection Clause.	Oct. 22, 2008	Case		1 6 12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by NEGATIVE	35. Maehr v. United States Department of State ¶ 5 F.4th 1100, 1108+ , 10th Cir.(Colo.) CIVIL RIGHTS — Due Process. Restricting international travel of delinquent taxpayer by revoking his passport was rationally based on legitimate government interest.	July 20, 2021	Case		1 8 12 S.Ct.
Distinguished by NEGATIVE	36. Davis v. Oklahoma Dept. of Corrections ¶ 370 P.3d 1231, 1237+ , Okla.Civ.App. Div. 4 HEALTH - Mental Health. Requirement of lifetime sex offender registration was not unconstitutional as applied to offender who had an out-of-state conviction.	Mar. 14, 2016	Case		4 13 S.Ct.
Distinguished by NEGATIVE	37. Issaenko v. University of Minnesota ¶ 57 F.Supp.3d 985, 1010+ , D.Minn. EDUCATION - Labor and Employment. Copyright Remedy Clarification Act (CRCA) did not provide a valid waiver of the states' Eleventh Amendment sovereign immunity.	Sep. 30, 2014	Case		4 S.Ct.
Distinguished by NEGATIVE	38. National Ass'n for Advancement of Multijurisdiction Practice v. Berch ¶ 973 F.Supp.2d 1082, 1111+ , D.Ariz. LEGAL SERVICES - Bar Admission. Rule providing for bar admission on motion for attorneys admitted in states having reciprocal admission rules was constitutional.	Sep. 19, 2013	Case		1 6 S.Ct.
Distinguished by NEGATIVE	39. Schatz v. Interfaith Care Center ¶ 811 N.W.2d 643, 654+ , Minn. LABOR AND EMPLOYMENT - Workers' Compensation. Provision relating to payments to out-of-state medical providers did not violate equal protection.	Apr. 11, 2012	Case		1 3 6 S.Ct.
Distinguished by NEGATIVE	40. Martinez v. Regents of University of California ¶ 117 Cal.Rptr.3d 359, 376+ , Cal. EDUCATION - Tuition and Fees. Nonresident tuition exemption did not improperly grant education benefits to unlawful aliens based on residence.	Nov. 15, 2010	Case		1 8 12 S.Ct.
Distinguished by NEGATIVE	41. U.S. v. Shenandoah ¶ 595 F.3d 151, 162+ , 3rd Cir.(Pa.) CRIMINAL JUSTICE - Sex Offenders. Prosecution for violation of SORNA did not violate defendant's due process rights.	Feb. 09, 2010	Case		1 6 S.Ct.
Distinguished by NEGATIVE	42. Garrison v. Glentz 2005 WL 2155936, *8+ , W.D.Mich. This is a civil action brought pro se by a state prisoner pursuant to 42 U.S.C. § 1983. Plaintiff is an inmate at the Saginaw Correctional Facility located in Saginaw, Michigan....	Sep. 07, 2005	Case		8 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by NEGATIVE	43. Pelland v. Rhode Island ¶ 317 F.Supp.2d 86, 91+ , D.R.I. CRIMINAL JUSTICE - Probation. Limitations on interstate travel of sex offender probationers was constitutional.	May 07, 2004	Case		6 S.Ct.
Distinguished by NEGATIVE	44. Vieth v. Pennsylvania ¶ 188 F.Supp.2d 532, 547+ , M.D.Pa. GOVERNMENT - Elections. Claim for one person, one vote violation was stated.	Feb. 22, 2002	Case		6 S.Ct.
Distinguished by NEGATIVE	45. Paciulan v. George ¶ 229 F.3d 1226, 1229+ , 9th Cir.(Cal.) CIVIL RIGHTS - Due Process. Residents not licensed to practice law in California had no protectable interest in gaining pro hac vice status.	Oct. 17, 2000	Case		6 S.Ct.
Discussed by	46. McDonald v. City of Chicago, Ill. ¶ 130 S.Ct. 3020, 3029+ , U.S. CIVIL RIGHTS - Right to Bear Arms. Second Amendment right to keep and bear arms is fully applicable to the States by virtue of Fourteenth Amendment.	June 28, 2010	Case		12 S.Ct.
Discussed by	47. Selevan v. New York Thruway Authority ¶ 584 F.3d 82, 99+ , 2nd Cir.(N.Y.) GOVERNMENT - Highways and Roads. Nonresident motorists challenging toll policy stated § 1983 claim under the dormant Commerce Clause	Oct. 15, 2009	Case		1 2 12 S.Ct.
Discussed by	48. Bach v. Pataki ¶ 408 F.3d 75, 87+ , 2nd Cir.(N.Y.) GOVERNMENT - Weapons. State's prohibition on allowing nonresidents to obtain firearms license did not violate Privileges and Immunities Clause.	May 06, 2005	Case		1 2 S.Ct.
Discussed by	49. Romeu v. Cohen ¶ 265 F.3d 118, 126+ , 2nd Cir.(N.Y.) GOVERNMENT - Weapons. Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) did not violate equal protection.	Sep. 06, 2001	Case		1 6 12 S.Ct.
Discussed by	50. Doe v. Pennsylvania Bd. of Probation and Parole ¶ 513 F.3d 95, 113+ , 3rd Cir.(Pa.) CRIMINAL JUSTICE - Sex Offenders. Community notice provision of Pennsylvania's "Megan's Law" violated equal protection.	Jan. 23, 2008	Case		1 6 S.Ct.
Discussed by	51. U.S. v. Byrd ¶ 419 Fed.Appx. 485, 491+ , 5th Cir.(Tex.) CRIMINAL JUSTICE - Sex Offenders. Conviction under sex offender registration statute did not require travel for the purpose of avoiding registration.	Mar. 22, 2011	Case		1 3 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	 52. Garber v. Menendez 888 F.3d 839, 845+ , 6th Cir.(Ohio) HEALTH — Limitations. Ohio statute that tolled statute of limitations while defendant was out-of-state did not violate dormant Commerce Clause.	May 01, 2018	Case		—
Discussed by	 53. DeBoer v. Snyder ¶¶ 772 F.3d 388, 420+ , 6th Cir.(Mich.) GLBT - Marriage. Gay marriage bans in Michigan, Kentucky, Ohio, and Tennessee did not violate equal protection or due process.	Nov. 06, 2014	Case		1 3 6 S.Ct.
Discussed by	 54. League of United Latin American Citizens v. Bredezen ¶¶ 500 F.3d 523, 534+ , 6th Cir.(Tenn.) CIVIL RIGHTS - Equal Protection. Tennessee law denying driver's licenses to temporary resident aliens did not violate equal protection.	Aug. 28, 2007	Case		1 6 S.Ct.
Discussed by	 55. Johnson v. City of Cincinnati ¶¶ 310 F.3d 484, 495+ , 6th Cir.(Ohio) CIVIL RIGHTS - Right to Travel. Ordinance banning drug offenders from drug exclusion zones was unconstitutional.	Sep. 26, 2002	Case		1 6 12 S.Ct.
Discussed by	 56. Chavez v. Illinois State Police ¶¶ 251 F.3d 612, 648+ , 7th Cir.(Ill.) CIVIL RIGHTS - Equal Protection. Statistical evidence did not show that State police practices for stops had discriminatory effect.	May 23, 2001	Case		1 6 S.Ct.
Discussed by	57. Hughes v. City of Cedar Rapids, Iowa ¶¶ 840 F.3d 987, 995+ , 8th Cir.(Iowa) CIVIL RIGHTS — Due Process. Drivers did not state procedural due process claim based on city's use of traffic camera system.	Nov. 02, 2016	Case		1 S.Ct.
Discussed by	 58. Doe v. Miller ¶¶ 405 F.3d 700, 711+ , 8th Cir.(Iowa) CIVIL RIGHTS - Due Process. Residency restriction in sex offender statute was rational way of promoting safety of children.	Apr. 29, 2005	Case		1 6 S.Ct.
Discussed by	 59. Minnesota Senior Federation, Metropolitan Region v. U.S. ¶¶ 273 F.3d 805, 809+ , 8th Cir.(Minn.) SOCIAL SECURITY - Medicare. Medicare+Choice formula withstood rational basis review.	Dec. 13, 2001	Case		1 6 12 S.Ct.
Discussed by	 60. Alsbrook v. City of Maumelle ¶¶ 184 F.3d 999, 1008+ , 8th Cir.(Ark.) City employee filed suit under Americans with Disabilities Act (ADA) and § 1983 against city, state, Arkansas Commission on Law Enforcement Standards & Training (ACLEST), and...	July 23, 1999	Case		11 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	61. National Ass'n for the Advancement of Multijurisdiction Practice v. Berch ¶ 773 F.3d 1037, 1046+ , 9th Cir.(Ariz.) LEGAL SERVICES - Bar Admission. Arizona's reciprocity rule for bar admission did not violate Commerce Clause.	Dec. 08, 2014	Case		1 6 8 S.Ct.
Discussed by	62. Russell v. Hug ¶ 275 F.3d 812, 822+ , 9th Cir.(Cal.) LEGAL SERVICES - Bar Admission. Federal district court's requiring state bar membership for indigent defense panel work was valid.	Jan. 04, 2002	Case		8 12 S.Ct.
Discussed by	63. Abdi v. Wray ¶ 942 F.3d 1019, 1029+ , 10th Cir.(Utah) TRANSPORTATION — Aviation. Placement of traveler on suspected terrorist list did not deprive traveler of his liberty interest in travel in violation of procedural due process.	Nov. 12, 2019	Case		1 S.Ct.
Discussed by	64. Powers v. Harris ¶ 379 F.3d 1208, 1214+ , 10th Cir.(Okla.) CIVIL RIGHTS - Equal Protection. Oklahoma Funeral Services Licensing Act did not violate substantive due process or equal protection.	Aug. 23, 2004	Case		8 12 S.Ct.
Discussed by	65. Pollack v. Duff ¶ 793 F.3d 34, 39+ , D.C.Cir. CIVIL RIGHTS - Privileges and Immunities. Agency's hiring policy limiting applicant pool to residents of particular area did not violate applicant's constitutional right to travel.	July 07, 2015	Case		1 6 S.Ct.
Discussed by	66. Hutchins v. District of Columbia 188 F.3d 531, 536+ , D.C.Cir. Minors, parents, and private business brought action against District of Columbia to challenge constitutionality of District's Juvenile Curfew Act. The United States District Court...	June 18, 1999	Case		12 S.Ct.
Discussed by	67. Vicente v. Barnett ¶ 2008 WL 11350243, *2+ , D.Ariz. Pending before the Court are three Motions filed by Defendants. The first Motion for Summary Judgment (Doc. No. 137) seeks summary judgment as to Plaintiffs' federal law claims and...	Mar. 28, 2008	Case		1 S.Ct.
Discussed by	68. Coronado v. Napolitano ¶ 2008 WL 191987, *6+ , D.Ariz. Plaintiffs filed this lawsuit challenging the Arizona statutory scheme governing the right to vote of those convicted of felonies. Defendants have moved to dismiss the Complaint...	Jan. 22, 2008	Case		8 12 S.Ct.
Discussed by	69. Forbes v. County of San Diego ¶ 2021 WL 843175, *7+ , S.D.Cal. Plaintiff Ashton Forbes brings this action against the County of San Diego, the Governor of California, and California's Public Health Officer to challenge the face mask...	Mar. 04, 2021	Case		1 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	 70. Six v. Newsom ¶ 462 F.Supp.3d 1060, 1069+ , C.D.Cal. GOVERNMENT — Public Safety. Executive order issued in response to COVID-19 had real and substantial relation to public health, as supported upholding order.	May 22, 2020	Case		1 3 6 S.Ct.
Discussed by	71. Dairy v. Bonham ¶ 2013 WL 3829268, *8+ , N.D.Cal. Plaintiffs are six individuals and a limited liability company involved in commercial Dungeness crab fishing, who have sued to invalidate California Fish & Wildlife Code § 8276.5...	July 23, 2013	Case		1 2 6 S.Ct.
Discussed by	 72. Peruta v. County of San Diego 678 F.Supp.2d 1046, 1059+ , S.D.Cal. GOVERNMENT - Weapons. Gun owner state claim for violation of his Second Amendment right to bear arms based on denial of concealed weapon permit.	Jan. 14, 2010	Case		1 6 12 S.Ct.
Discussed by	73. Peterson v. LaCabe ¶ 783 F.Supp.2d 1167, 1173+ , D.Colo. GOVERNMENT - Weapons. Colorado statute banning concealed weapons permits for nonresidents of state did not violate privileges and immunities clause.	Mar. 08, 2011	Case		1 2 4 S.Ct.
Discussed by	74. Peruta v. City of Hartford ¶ 2012 WL 3656366, *5+ , D.Conn. The Plaintiff, Edward A. Peruta, brings this action for an injunction on behalf of himself and other persons similarly situated to enjoin the operation of the Pay and Display...	Aug. 24, 2012	Case		1 3 6 S.Ct.
Discussed by	 75. Adams v. Clinton ¶ 90 F.Supp.2d 35, 62+ , D.D.C. GOVERNMENT - District of Columbia. Denial of D.C. residents' right to vote in congressional elections was not unconstitutional.	Mar. 20, 2000	Case		1 S.Ct.
Discussed by	76. Duffy ex rel. Duffy v. Meconi ¶ 395 F.Supp.2d 132, 134+ , D.Del. HEALTH - Medical Assistance. Medicaid beneficiary could raise equal protection challenge to state's denial of her application for benefits.	Oct. 28, 2005	Case		1 8 12 S.Ct.
Discussed by	 77. Farmer v. Board of Regents of the University System of Georgia ¶ 2012 WL 12868428, *10+ , N.D.Ga. This case is before the Court on a motion for summary judgment filed by Defendants Dr. Erroll B. Davis, Dr. Earl B. Yarbrough, Marilyn Stacey-Suggs, Julius Dixon, and the Board of...	May 29, 2012	Case		1 3 6 S.Ct.
Discussed by	78. Matsuo v. U.S. ¶ 532 F.Supp.2d 1238, 1248+ , D.Hawaii LABOR AND EMPLOYMENT - Hours and Wages. Federal Employees Pay Comparability Act (FEPCA) did not violate Equal Protection Clause by locality pay exclusion.	Jan. 30, 2008	Case		1 8 12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	79. Roseen v. Klitch ¶ 2015 WL 1467202, *3+ , D.Idaho Currently pending before the Court is Defendant Justin Klitch's Motion to Dismiss Count IV of Plaintiff's Revised Amended Complaint (Dkt.41), filed September 12, 2014. This motion...	Mar. 30, 2015	Case		1 3 6 S.Ct.
Discussed by	80. Shaikh v. City of Chicago ¶ 2001 WL 123784, *6+ , N.D.Ill. Plaintiff Shahid Shaikh filed a seven-count complaint against the City of Chicago, its Commissioner of the Department of Housing, Julia Stasch, and its Deputy Commissioner of the...	Feb. 13, 2001	Case		1 S.Ct.
Discussed by	81. Hope v. Department of Correction 2019 WL 11505399, *6+ , S.D.Ind. As a matter of state constitutional law, Indiana does not impose mandatory sex offender registration on those who committed their offense prior to the enactment of Indiana's Sex...	July 09, 2019	Case		1 S.Ct.
Discussed by	82. Hope v. Commissioner of Indiana Department of Correction ¶ 2017 WL 1301569, *5+ , S.D.Ind. Defendants, the Commissioner of the Indiana Department of Correction ("DOC"), the Marion County Prosecutor, the Marion County Sheriff, the Huntington County Prosecutor, the...	Apr. 06, 2017	Case		1 6 S.Ct.
Discussed by	83. Doe v. Miller 298 F.Supp.2d 844, 874+ , S.D.Iowa CRIMINAL JUSTICE - Sex Offenders. Statute restricting residency of sex offenders was unconstitutional.	Feb. 09, 2004	Case		1 6 S.Ct.
Discussed by	84. U.S. v. Elmer ¶ 2008 WL 4369310, *11+ , D.Kan. On February 27, 2008, a grand jury indicted defendant for failing to update a registration under the Sex Offender Registration and Notification Act in violation of 18 U.S.C. §...	Sep. 23, 2008	Case		1 6 12 S.Ct.
Discussed by	85. W.O. v. Beshear ¶ 459 F.Supp.3d 833, 838+ , E.D.Ky. LITIGATION — Parties. Residents failed to establish credible threat of persecution resulting from failure to comply with executive orders issued in response to COVID-19.	May 09, 2020	Case		1 6 S.Ct.
Discussed by	86. Dupree v. City of Monroe ¶ 2017 WL 427147, *6+ , W.D.La. Plaintiffs Thomas Dupree ("Dupree"), Alaric Coleman ("Coleman"), and Joseph Smith ("Smith") are police officers employed by Defendant the City of Monroe ("the City"). They bring...	Jan. 31, 2017	Case		1 3 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	87. Doe v. Jindal ¶ 2015 WL 7300506, *6+ , E.D.La. The "state defendants" and defendant Michael Harrison move the Court to dismiss plaintiff's civil rights complaint for lack of subject matter jurisdiction under Federal Rule of...	Nov. 18, 2015	Case		1 6 S.Ct.
Discussed by	88. Alexander v. City of Gretna ¶ 2008 WL 5111152, *2+ , E.D.La. The Motion for Partial Summary Judgment (Doc. # 43) by the City of Gretna, Gretna Police Department and Chief Arthur Lawson is GRANTED, and plaintiffs' right to travel claims are...	Dec. 03, 2008	Case		1 6 S.Ct.
Discussed by	89. Bayley's Campground Inc. v. Mills ¶ 463 F.Supp.3d 22, 31+ , D.Me. HEALTH — Communicable Disease. Irreparable harm arising from governor's executive orders closing border did not outweigh concern for public health posed by COVID-19 pandemic.	May 29, 2020	Case		1 S.Ct.
Discussed by	90. Thompson v. Scutt ¶ 2011 WL 2745934, *4+ , W.D.Mich. This is a habeas corpus action brought by a prisoner seeking relief from a state court judgment of conviction and sentence. Promptly after the filing of a petition for habeas...	July 13, 2011	Case		1 6 S.Ct.
Discussed by	91. Cargile v. Michigan ¶ 2010 WL 3222024, *5+ , E.D.Mich. This matter comes before the court on defendants City of Oak Park, City of Berkley and City of Grosse Pointe's Motion to Dismiss (D/E # 12), defendant State of Michigan's Motion to...	June 18, 2010	Case		1 6 S.Ct.
Discussed by	92. O'Lear v. Miller ¶ 222 F.Supp.2d 850, 860+ , E.D.Mich. GOVERNMENT - Elections. Michigan Democrats challenging redistricting plan failed to state partisan gerrymandering claim.	May 24, 2002	Case		2 4 12 S.Ct.
Discussed by	93. U.S. v. Pietrantonio ¶ 2008 WL 4205546, *14+ , D.Minn. The above-entitled matter comes before the Court upon Defendant's objections to the Report and Recommendation of Chief United States Magistrate Raymond L. Erickson dated July 14,...	Sep. 09, 2008	Case		1 S.Ct.
Discussed by	94. U.S. v. Senogles ¶ 570 F.Supp.2d 1134, 1149+ , D.Minn. CRIMINAL JUSTICE - Sex Offenders. Due process rights of defendant charged with failure to register as sex offender were not violated.	Aug. 04, 2008	Case		1 6 S.Ct.
Discussed by	95. U.S. v. Oakley ¶ 2008 WL 2986256, *19+ , D.Neb. This matter is before the Court on the Report and Recommendation (Filing No. 28) issued by Magistrate Judge F.A. Gossett recommending denial of the motion to dismiss or, in the...	July 31, 2008	Case		1 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	96. Galicki v. New Jersey ¶ 2016 WL 4950995, *12+ , D.N.J. This civil action arises out of the closure of multiple lanes of traffic to the George Washington Bridge ("GWB") from September 9, 2013, through September 13,2013, and is before...	Sep. 15, 2016	Case		1 S.Ct.
Discussed by	97. Jones v. Cuomo ¶ 2021 WL 2269551, *9+ , S.D.N.Y. CIVIL RIGHTS — State Action. New York Governor's COVID-19 executive order restricting inbound travel was narrowly tailored to achieve compelling government interest in stemming...	June 02, 2021	Case		1 6 S.Ct.
Discussed by	98. Weissshaus v. Cuomo ¶ 512 F.Supp.3d 379, 391+ , E.D.N.Y. GOVERNMENT — Emergency. Traveler challenging pandemic-related requirement that he complete "New York State Traveler Health Form" was not entitled to injunctive relief.	Jan. 11, 2021	Case		1 2 6 S.Ct.
Discussed by	99. Edelhertz v. City of Middletown ¶ 2013 WL 4038605, *6+ , S.D.N.Y. Plaintiff Melvyn Edelhertz brings this Section 1983 action alleging defendant the City of Middletown, New York, violated plaintiff's rights under the Privileges and Immunities...	May 06, 2013	Case		1 6 12 S.Ct.
Discussed by	100. Osterweil v. Bartlett ¶ 819 F.Supp.2d 72, 87+ , N.D.N.Y. CIVIL RIGHTS - Right to Bear Arms. New York law prohibiting gun possession in state by nearly all nonresidents did not violate Second Amendment.	May 20, 2011	Case		1 2 6 S.Ct.
Discussed by	101. Romeu v. Cohen ¶ 121 F.Supp.2d 264, 279+ , S.D.N.Y. GOVERNMENT - Elections. Absentee ballot statutes did not violate right to travel of citizen who moved to Puerto Rico.	Sep. 07, 2000	Case		1 6 S.Ct.
Discussed by	102. Ullmo v. Ohio Turnpike and Infrastructure Com'n ¶ 126 F.Supp.3d 910, 918+ , N.D. Ohio TRANSPORTATION - User Fees. Motorist failed to allege that highway toll increase discriminated against interstate commerce, as required to state dormant Commerce Clause claim.	Aug. 25, 2015	Case		1 3 6 S.Ct.
Discussed by	103. Shaw v. Patton ¶ 2014 WL 12673709, *11+ , W.D.Okla. This matter comes before the Court on the Motion to Dismiss filed pursuant to Rule 12(b) (6), F.R.Civ.P., by defendant Robert Patton, in his official capacity as Director of the...	Oct. 16, 2014	Case		1 2 4 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	104. Owner Operator Independent Drivers Association, Inc. v. Pennsylvania Turnpike Commission ¶ 383 F.Supp.3d 353, 385+ , M.D.Pa. GOVERNMENT — Highways and Roads. Statutory scheme that authorized and directed Pennsylvania commission to collect user fees through toll roads did not violate dormant Commerce...	Apr. 04, 2019	Case		1 3 6 S.Ct.
Discussed by	105. U.S. v. Clayton ¶ 2009 WL 1033664, *18+ , W.D.Pa. CRIMINAL JUSTICE - Sex Offenders. Requirement that sex offenders register within three days of traveling in interstate commerce was one way which closely linked such registration...	Apr. 16, 2009	Case		1 6 S.Ct.
Discussed by	106. McCleester v. Mackel 2008 WL 821531, *6+ , W.D.Pa. This matter comes before the Court on the Defendants' Partial Motion to Dismiss, which has been filed pursuant to Federal Rule of Civil Procedure 12(b)(6). Document No. 19. For the...	Mar. 27, 2008	Case		8 12 S.Ct.
Discussed by	107. United States v. Turner 2021 WL 3940362, *3+ , E.D.Tenn. This matter is before the Court on defendant's pro se motion for compassionate release [Doc. 191]. The United States has filed a response in opposition [Doc. 202]. Defense counsel ...	Sep. 02, 2021	Case		—
Discussed by	108. United States v. McKelvey 2021 WL 3719135, *2+ , E.D.Tenn. This matter is before the Court on defendant's pro se motion for compassionate release [Doc. 357]. The United States has filed a response [Doc. 373]. Defendant has filed a pro se...	Aug. 20, 2021	Case		—
Discussed by	109. United States v. Barnes 2020 WL 3791972, *7+ , E.D.Tenn. Defendant believes himself entitled to compassionate release under 18 U.S.C. § 3582(c) (1)(A)(i) [SEALED Doc. 90]. The government essentially waives the threshold question of...	July 07, 2020	Case		—
Discussed by	110. Teel v. Darnell ¶ 2008 WL 474185, *7+ , E.D.Tenn. In this case the Court is required to consider the constitutionality of certain conditions or qualifications Tennessee places on those desiring to vote in Tennessee. Although the...	Feb. 20, 2008	Case		1 8 12 S.Ct.
Discussed by	111. U.S. v. Rand ¶ 2012 WL 195017, *3+ , W.D.Tex. On this day, the Court considered Defendant Ronald Rand's (Defendant) "Motion to Dismiss and Supporting Memorandum" (ECF No. 32) [hereinafter Motion], filed on January 3, 2012...	Jan. 23, 2012	Case		1 3 6 S.Ct.












Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	112. U.S. v. Reyes ¶ 2010 WL 2542030, *3+ , W.D.Tex. On this day, the Court considered Defendant Jesus Maria Reyes's (Defendant) "Motion to Dismiss and Supporting Memorandum" (Docket No. 18) [hereinafter Def.'s Mot. to Dismiss],...	June 22, 2010	Case		1 6 S.Ct.
Discussed by	113. United States v. Marrufo ¶ 2009 WL 10703743, *7+ , W.D.Tex. On this day, the Court considered Defendant Jesus Marrufo's "Motion to Dismiss and Supporting Memorandum" ("Motion"), filed on February 17, 2009, and the Government's "Response to...	Apr. 27, 2009	Case		1 3 6 S.Ct.
Discussed by	114. Stewart v. Justice ¶ 502 F.Supp.3d 1057, 1068+ , S.D.W.Va. HEALTH — Injunction. Governor's mask-mandate and stay-at-home orders were informed, based on science, and substantially related to COVID-19 pandemic.	Nov. 24, 2020	Case		1 3 6 S.Ct.
Discussed by	115. In re Powers ¶ 301 B.R. 90, 95+ , Bkrtcy.W.D.Okla. BANKRUPTCY - Jurisdiction. Congress did not validly abrogate state's Eleventh Amendment immunity in bankruptcy.	Sep. 30, 2003	Case		8 12 S.Ct.
Discussed by	116. Avila v. Biedess ¶ 78 P.3d 280, 287+ , Ariz.App. Div. 1 SOCIAL SECURITY - Medicaid. Alien eligibility criteria for State's health care programs do not violate equal protection.	Oct. 28, 2003	Case		11 S.Ct.
Discussed by	117. Somers v. Superior Court ¶ 92 Cal.Rptr.3d 116, 120+ , Cal.App. 1 Dist. GLBT - Gender Identity and Reassignment. Residence requirement to change sex on birth certificate violated equal protection for nonresidents.	Apr. 10, 2009	Case		1 6 S.Ct.
Discussed by	118. People v. Munizza 2007 WL 1463457, *2+ , Cal.App. 4 Dist. David Munizza, a person twice convicted of a felony in this state, petitioned the Superior Court of San Diego County for a certificate of rehabilitation and pardon pursuant to...	May 21, 2007	Case		1 6 S.Ct.
Discussed by	119. People v. Ranjel 2003 WL 22000341, *9+ , Cal.App. 1 Dist. Defendant was convicted of murder (Pen.Code, § 187), with the special circumstances that the murder was committed for financial gain (§ 190.2, subd. (a) (1)) and with use of a...	Aug. 22, 2003	Case		8 12 S.Ct.
Discussed by	120. Thorpe v. State 107 P.3d 1064, 1068+ , Colo.App. TAXATION - Sales and Use. Sales tax refund statutes did not violate Privileges and Immunities Clause.	Oct. 21, 2004	Case		1 8 12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	121. McEnerney v. U.S. Surgical Corp. ¶ 805 A.2d 816, 822+ , Conn.App. LABOR AND EMPLOYMENT - Workers' Compensation. Claimant who relocated to Florida was not entitled to additional benefits.	Oct. 01, 2002	Case		1 6 12 S.Ct.
Discussed by	122. State v. Yeoman ¶ 236 P.3d 1265, 1268+ , Idaho CRIMINAL JUSTICE - Sex Offenders. Reciprocal sex offender registration requirements applied to persons whose sex crimes convictions occurred before July 1, 1993.	July 26, 2010	Case		8 12 S.Ct.
Discussed by	123. Boren v. State ¶ 2016 WL 556364, *5+ , Idaho App. Bob Lester Boren appeals from the district court's judgment summarily dismissing his petition for post-conviction relief. For the reasons set forth below, we affirm. In the...	Feb. 12, 2016	Case		1 4 6 S.Ct.
Discussed by	124. Rajterowski v. City of Sycamore 940 N.E.2d 682, 690+ , Ill.App. 2 Dist. EDUCATION - School Districts. City residents opposing transfer tax failed to state cause of action for violation of Privileges and Immunities Clause.	Nov. 01, 2010	Case		12 S.Ct.
Discussed by	125. Formaro v. Polk County ¶ 773 N.W.2d 834, 839+ , Iowa CRIMINAL JUSTICE - Sex Offenders. Statute that prohibited registered sex offender from residing within 2,000 feet of certain locations did not violate sex offender's right to...	Sep. 04, 2009	Case		1 6 S.Ct.
Discussed by	126. State v. Moss ¶ 376 P.3d 96, 96+ , Kan.App. Dewayne L. Moss appeals his convictions of several counts of violating the Kansas Offender Registration Act (KORA), K.S.A. 22-4901 et seq. In particular, Moss contends the district...	July 15, 2016	Case		1 6 S.Ct.
Discussed by	127. State v. Cooper ¶ 301 P.3d 331, 334+ , Kan.App. CRIMINAL JUSTICE - Drugs. Privilege or immunities clause of Fourteenth Amendment does not bar enforcement of Kansas criminal statutes prohibiting the possession of marijuana.	Mar. 15, 2013	Case		1 2 6 S.Ct.
Discussed by	128. Doe v. McIntire ¶ 2001 WL 95457, *7+ , Mass.Super. The plaintiffs are legal immigrants who have been denied cash assistance benefits from the Commonwealth of Massachusetts because they have resided in the Commonwealth for less than...	Jan. 25, 2001	Case		6 8 S.Ct.
Discussed by	129. Planned Parenthood of Kansas v. Nixon ¶ 220 S.W.3d 732, 744+ , Mo. FAMILY LAW - Abortion. Statute concerning those who "aid or assist" minors in obtaining abortion did not violate free-speech rights as construed.	May 01, 2007	Case		1 6 12 S.Ct.



Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	 130. State v. Morrow ¶ 683 S.E.2d 754, 764+ , N.C.App. CRIMINAL JUSTICE - Sex Offenders. Trial court must set definite period of enrollment if it orders satellite-based monitoring.	Oct. 06, 2009	Case		—
Discussed by	131. Reel v. Harrison 60 P.3d 480, 482+ , Nev. FAMILY LAW - Visitation. Statute requiring custodial parent to seek noncustodial parent's permission to leave state is constitutional.	Dec. 26, 2002	Case		1 S.Ct.
Discussed by	132. State v. Berringer ¶ 229 P.3d 615, 619+ , Or.App. CRIMINAL JUSTICE - Drugs. Probable cause to detain defendant in possession of marijuana did not end when officer saw defendant's California physician's recommendation.	Apr. 14, 2010	Case		2 S.Ct.
Discussed by	133. Wert v. Com., Dept. of Transp. ¶ 821 A.2d 182, 188+ , Pa.Cmwth. TRANSPORTATION - Motor Vehicles. Licensee failed to establish that Driver's License Compact violates privileges and immunities clause.	Apr. 14, 2003	Case		1 6 S.Ct.
Discussed by	134. Commonwealth v. Greenberg ¶ 2020 WL 1518061, *2+ , Pa.Super. Appellant, Jason Harley Greenberg, appeals pro se from the judgment of sentence entered on June 25, 2019, in the Mercer County Court of Common Pleas. We affirm. The record reveals...	Mar. 30, 2020	Case		1 6 S.Ct.
Discussed by	 135. Owens Corning v. Carter 997 S.W.2d 560, 579+ , Tex. LITIGATION - Dismissal. Dismissal of out-of-state asbestos-related claims was constitutional.	July 01, 1999	Case		1 8 12 S.Ct.
Discussed by	136. Taylor v. State ¶ 2009 WL 259673, *1+ , Tex.App.-Beaumont After appealing from justice court, Dorman Lee Taylor ("Dorman") was convicted by a jury in the county court for three offenses: (1) failing to maintain financial responsibility...	Feb. 04, 2009	Case		1 6 8 S.Ct.
Discussed by	137. State v. Chettero ¶ 297 P.3d 582, 585+ , Utah CRIMINAL JUSTICE - Drugs. Defendant's constitutional right to travel was not implicated by drug interdiction exercise.	Feb. 15, 2013	Case		1 2 6 S.Ct.
Discussed by	 138. Martinez-Cuevas v. DeRuyter Brothers Dairy, Inc. ¶ 475 P.3d 164, 181+ , Wash. LABOR AND EMPLOYMENT — Hours and Wages. Minimum Wage Act exemption for agricultural workers violated privileges or immunities clause as applied to dairy workers.	Nov. 05, 2020	Case		13 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	139. The Honorable Antonio Parkinson ¶ Tenn. Op. Atty. Gen. No. 14-52, 14-52+ 1. Do the drug-free-workplace programs established by Tenn. Code Ann. §§ 50-9-101 to -114 violate either the Tennessee Constitution or the United States Constitution? 2. If the...	Apr. 24, 2014	Administrative Decision		1 2 S.Ct.
Declined to Extend by NEGATIVE	140. Williams v. Wisconsin 336 F.3d 576, 581 , 7th Cir.(Wis.) CIVIL RIGHTS - Parolees. Ban on international travel did not violate parolee's right to marry.	July 15, 2003	Case		12 S.Ct.
Distinguished by NEGATIVE	141. Remillard v. Warden, Noble Correctional Institution 2021 WL 3268842, *11 , S.D.Ohio This habeas corpus case is before the Court on Objections by Respondent (ECF No. 15) and Petitioner (ECF No. 16) to the Magistrate Judge's Report and Recommendations ("Report," ECF...	July 30, 2021	Case		7 9 S.Ct.
Distinguished by NEGATIVE	142. Vanderzon v. Vanderzon 402 P.3d 219, 231+ , Utah App. FAMILY LAW — Child Custody. Custody order requiring mother to live within 25 miles of father could not be reasonably interpreted to tether mother's residence to father's.	Aug. 17, 2017	Case		6 S.Ct.
Distinguished by NEGATIVE	143. Franceschi v. Chiang ¶ 2014 WL 12069866, *10+ , C.D.Cal. Plaintiff Ernest J. Franceschi, Jr., an attorney proceeding pro se, filed this action on March 14, 2014, against defendants John Chiang, Jerome E. Horton, Michael Cohen, and George...	Aug. 04, 2014	Case		1 2 S.Ct.
Distinguished by NEGATIVE	144. Snyder v. Smith 7 F.Supp.3d 842, 857 , S.D.Ind. CIVIL RIGHTS - Equal Protection. Alleged sexual assault victim stated § 1983 "class of one" equal protection claim against police officers.	Mar. 14, 2014	Case		2 4 S.Ct.
Distinguished by NEGATIVE	145. Greene v. Commissioner of Minnesota Dept. of Human Services ¶ 755 N.W.2d 713, 725+ , Minn. GOVERNMENT - Public Assistance. Tribe member was required to receive employment services from Tribe rather than county when she applied for MFIP benefits.	Aug. 28, 2008	Case		1 6 S.Ct.
Distinguished by NEGATIVE	146. Torraco v. Port Authority of New York & New Jersey 539 F.Supp.2d 632, 651+ , E.D.N.Y. CIVIL RIGHTS - Weapons. FOIA statute allowing interstate transportation of firearms does not support § 1983 damages claim.	Mar. 17, 2008	Case		6 12 S.Ct.
Distinguished by NEGATIVE	147. Schiavone v. Destefano ¶ 852 A.2d 862, 866+ , Conn.Super. GOVERNMENT - Municipalities. City's 5 year durational residency requirement for mayoral office violated equal protection.	Feb. 01, 2001	Case		8 12 S.Ct.

















Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 148. District of Columbia v. Heller ¶ 128 S.Ct. 2783, 2831 , U.S. CIVIL RIGHTS - Right to Bear Arms. District of Columbia gun restrictions were unconstitutional given individual rights conferred by Second Amendment.	June 26, 2008	Case		—
Cited by	 149. Bush v. Gore ¶ 121 S.Ct. 525, 549 , U.S.Fla. GOVERNMENT - Elections. Ordered manual recounts of presidential ballots, without specific standards, violated equal protection.	Dec. 12, 2000	Case		—
Cited by	 150. Troxel v. Granville 120 S.Ct. 2054, 2067 , U.S.Wash. FAMILY LAW - Visitation. Nonparent visitation statute violated mother's due process rights.	June 05, 2000	Case		12 S.Ct.
Cited by	 151. Alden v. Maine ¶ 119 S.Ct. 2240, 2265 , U.S.Me. GOVERNMENT - Immunity. Congress could not subject state to suit in state court under Fair Labor Standards Act.	June 23, 1999	Case		—
Cited by	 152. Bayley's Campground, Inc. v. Mills ¶ --- F.3d ----+ , 1st Cir.(Me.) CIVIL RIGHTS — Injunction. Individuals did not show likelihood of success on merits of their claim that Maine Governor's executive order violated their right to travel.	Jan. 19, 2021	Case		1 2 6 S.Ct.
Cited by	 153. United States v. Holcombe ¶ 883 F.3d 12, 17+ , 2nd Cir. CRIMINAL JUSTICE - Sex Offenders. Venue for defendant's prosecution for failing to register as sex offender in Maryland was proper in Southern District of New York.	Feb. 23, 2018	Case		1 3 6 S.Ct.
Cited by	154. Janes v. Triborough Bridge and Tunnel Authority 774 F.3d 1052, 1053+ , 2nd Cir.(N.Y.) TRANSPORTATION - User Fees. Toll discount scheme did not violate constitutional right to travel or dormant Commerce Clause.	Dec. 24, 2014	Case		1 S.Ct.
Cited by	 155. Selevan v. New York Thruway Authority ¶ 711 F.3d 253, 257 , 2nd Cir.(N.Y.) TRANSPORTATION - Motor Vehicles. Toll bridge policy did not violate Fourteenth Amendment or dormant Commerce Clause.	Mar. 27, 2013	Case		1 3 6 S.Ct.
Cited by	 156. Town of Southold v. Town of East Hampton ¶ 477 F.3d 38, 53 , 2nd Cir.(N.Y.) MARITIME LAW - Vessel Operation. Town law restricting ferry service was not per se invalid under dormant Commerce Clause.	Feb. 08, 2007	Case		1 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	<p> 157. Brown v. City of Oneonta, New York ¶¶ 235 F.3d 769, 782 , 2nd Cir.(N.Y.)</p> <p>The reasoning in support of the panel's decision, fully set forth in the panel opinion, needs no elaboration. See <i>Brown v. City of Oneonta</i>, 221 F.3d 329 (2d Cir.2000). Some of...</p>	Dec. 18, 2000	Case		<p>6</p> <p>S.Ct.</p>
Cited by	<p> 158. Hassan v. City of New York ¶¶ 804 F.3d 277, 290 , 3rd Cir.(N.J.)</p> <p>CIVIL RIGHTS - Equal Protection. Discriminatory classification, where right to equal treatment was at stake, qualified as actual injury for standing purposes.</p>	Oct. 13, 2015	Case		—
Cited by	<p>159. National Ass'n for the Advancement of Multijurisdiction Practice v. Castille ¶¶ 799 F.3d 216, 224+ , 3rd Cir.(Pa.)</p> <p>LEGAL SERVICES - Bar Admission. Pennsylvania's reciprocal bar admissions rule did not violate Fourteenth Amendment's Privileges and Immunities Clause.</p>	Aug. 26, 2015	Case		<p>2</p> <p>4</p> <p>13</p> <p>S.Ct.</p>
Cited by	<p> 160. D.F. v. Collingswood Borough Bd. of Educ. ¶¶ 694 F.3d 488, 498 , 3rd Cir.(N.J.)</p> <p>EDUCATION - Disabled Students. Student's out-of-district move did not render moot his claims for compensatory education under IDEA.</p>	Sep. 12, 2012	Case		<p>1</p> <p>S.Ct.</p>
Cited by	<p> 161. McLaughlin v. Watson 271 F.3d 566, 574 , 3rd Cir.(Pa.)</p> <p>CIVIL RIGHTS - Immunity. Government attorney was entitled to qualified immunity for alleged use of influence to cause adverse employment actions.</p>	Nov. 20, 2001	Case		<p>12</p> <p>S.Ct.</p>
Cited by	<p> 162. Maldonado v. Houstoun 256 F.3d 181, 183+ , 3rd Cir.(Pa.)</p> <p>CIVIL RIGHTS - Attorney Fees. Claim for time spent in researching and briefing appeal was excessive.</p>	June 27, 2001	Case		—
Cited by	<p> 163. Michael C. ex rel. Stephen C. v. Radnor Tp. School Dist. 202 F.3d 642, 655 , 3rd Cir.(Pa.)</p> <p>EDUCATION - Disabled Students. IDEA did not require implementation of another state's IEP.</p>	Jan. 14, 2000	Case		<p>1</p> <p>S.Ct.</p>
Cited by	<p>164. Warrick v. Snider 1999 WL 34590218, *1+ , 3rd Cir.(Pa.)</p> <p>This appeal concerns the constitutionality of a 60-day durational residency requirement imposed on new Pennsylvania residents who apply for cash welfare benefits under...</p>	Aug. 17, 1999	Case		—
Cited by	<p>165. Prynne v. Settle ¶¶ 848 Fed.Appx. 93, 104 , 4th Cir.(Va.)</p> <p>CRIMINAL JUSTICE — Sex Offenders. Sex offender plausibly alleged Virginia registration scheme had excessively punitive effects in violation of Ex Post Facto Clause.</p>	Feb. 24, 2021	Case		<p>1</p> <p>2</p> <p>S.Ct.</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	166. Manning v. Caldwell for City of Roanoke 930 F.3d 264, 299 , 4th Cir.(Va.) CIVIL RIGHTS — Due Process. Virginia statutory scheme permitting civil interdiction of “habitual drunkards” was unconstitutionally vague.	July 16, 2019	Case		—
Cited by	167. McBurney v. Young ” 667 F.3d 454, 462 , 4th Cir.(Va.) CIVIL RIGHTS - Privileges and Immunities. VFOIA did not interfere with noncitizen's right to pursue the common calling of requesting records on behalf of clients.	Feb. 01, 2012	Case		2 13 S.Ct.
Cited by	168. Johnson v. County of Horry, S.C. ” 360 Fed.Appx. 466, 471 , 4th Cir.(S.C.) TRANSPORTATION - Motor Vehicles. South Carolina vehicle registration statutes did not violate the Equal Protection Clause.	Jan. 05, 2010	Case		—
Cited by	169. Jackson Women's Health Organization v. Currier ” 760 F.3d 448, 466+ , 5th Cir.(Miss.) FAMILY LAW - Abortion. Only abortion clinic in Mississippi was likely to succeed on its challenge against state's admitting privileges requirement.	July 29, 2014	Case		1 S.Ct.
Cited by	170. Jaramillo v. City of McAllen, Texas ” 306 Fed.Appx. 140, 143 , 5th Cir.(Tex.) CIVIL RIGHTS - Municipal Liability. City's alleged failure to adequately enforce its animal control ordinance did not violate due process.	Jan. 08, 2009	Case		1 S.Ct.
Cited by	171. Chavez v. Arte Publico Press 204 F.3d 601, 608+ , 5th Cir.(Tex.) INTELLECTUAL PROPERTY - Books and Publishing. State was immune from copyright infringement claim.	Feb. 18, 2000	Case		—
Cited by	172. Craigmiles v. Giles 312 F.3d 220, 229 , 6th Cir.(Tenn.) CIVIL RIGHTS - Equal Protection. Tennessee Funeral Directors and Embalmers Act violated equal protection and due process.	Dec. 06, 2002	Case		—
Cited by	173. Thompson v. Ashe ” 250 F.3d 399, 406+ , 6th Cir.(Tenn.) REAL PROPERTY - Subsidized Housing. Public housing authority's “no trespass” policy was constitutional.	May 14, 2001	Case		1 S.Ct.
Cited by	174. Edmond v. Goldsmith 183 F.3d 659, 666 , 7th Cir.(Ind.) Motorists brought class action against city, mayor, and members of police department, alleging that drug interdiction checkpoints violated Fourth Amendment. The United States...	July 07, 1999	Case		10 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 175. A.W. by and through Doe v. Nebraska 865 F.3d 1014, 1020+ , 8th Cir.(Neb.) FAMILY LAW — Juvenile Justice. Juvenile required to register on Minnesota's predatory-offender registry was not subject to Nebraska's Sex Offender Registration Act.	July 31, 2017	Case		—
Cited by	 176. Ibrahim v. U.S. Department of Homeland Security ¶¶ 912 F.3d 1147, 1179 , 9th Cir.(Cal.) GOVERNMENT — Attorney Fees. Alien's achievement in successfully challenging her No Fly list placement and forcing government to fix its error was extraordinary.	Jan. 02, 2019	Case		1 S.Ct.
Cited by	 177. Korab v. Fink ¶¶ 797 F.3d 572, 603 , 9th Cir.(Hawai'i) HEALTH - Aliens. Reduction of state-funded health care benefits for COFA residents did not violate Equal Protection Clause.	Apr. 01, 2014	Case		11 S.Ct.
Cited by	178. Courtney v. Goltz 736 F.3d 1152, 1161+ , 9th Cir.(Wash.) MARITIME LAW - Navigation. Any right under Fourteenth Amendment to use navigable waters of United States did not extend to operating commercial ferry open to the public on a lake.	Dec. 02, 2013	Case		—
Cited by	 179. Coyote Pub., Inc. v. Miller 598 F.3d 592, 607 , 9th Cir.(Nev.) COMMERCIAL LAW - Advertising. Nevada's restrictions on legal brothel advertising directly and materially advanced its substantial interest in limiting the commodification of sex.	Mar. 11, 2010	Case		1 S.Ct.
Cited by	 180. Nordyke v. King 563 F.3d 439, 447+ , 9th Cir.(Cal.) GOVERNMENT - Weapons. Second Amendment applied against the states and local governments through Due Process Clause of the Fourteenth Amendment.	Apr. 20, 2009	Case		12 S.Ct.
Cited by	181. Ellison v. Nevada ¶¶ 299 Fed.Appx. 730, 731 , 9th Cir.(Nev.) CIVIL RIGHTS - Prisons. Collection of prisoner's DNA did not violate his Fifth Amendment right against self-incrimination.	Nov. 06, 2008	Case		4 12 S.Ct.
Cited by	 182. Flowers v. Carville 310 F.3d 1118, 1125+ , 9th Cir.(Nev.) TORTS - Limitations. Ninth Circuit interprets Nevada's borrowing statute.	Nov. 12, 2002	Case		4 8 12 S.Ct.
Cited by	 183. Spears v. Stewart 283 F.3d 992, 1017 , 9th Cir.(Ariz.) CRIMINAL JUSTICE - Habeas Corpus. State's failure to comply with own system precluded taking advantage of AEDPA "short fuse" habeas scheme.	Mar. 20, 2002	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 184. Spears v. Stewart 267 F.3d 1026, 1040 , 9th Cir.(Ariz.) CRIMINAL JUSTICE - Habeas Corpus. Arizona scheme for appointing post-conviction counsel satisfied AEDPA's requirements.	Sep. 24, 2001	Case		—
Cited by	 185. Sony Computer Entertainment, Inc. v. Connectix Corp. 203 F.3d 596, 602 , 9th Cir.(Cal.) INTELLECTUAL PROPERTY - Computers and Online Services. Intermediate copying of game manufacturer's BIOS to develop emulator software constituted fair use.	Feb. 10, 2000	Case		—
Cited by	186. Neal v. Board of Trustees of California State Universities 198 F.3d 763, 766 , 9th Cir.(Cal.) EDUCATION - Athletics. University's reduction of male athletic roster spots did not violate Title IX.	Dec. 15, 1999	Case		—
Cited by	 187. Bay Area Addiction Research and Treatment, Inc. v. City of Antioch 179 F.3d 725, 730+ , 9th Cir.(Cal.) Operators of methadone clinic, their executive director, and individual patients of the clinic sued city under the Americans with Disabilities Act (ADA) and the Rehabilitation Act...	June 03, 1999	Case		—
Cited by	188. Golan v. Gonzales  501 F.3d 1179, 1187 , 10th Cir.(Colo.) COPYRIGHTS - First Amendment. URAA's restoration of copyright protection to foreign works in public domain was subject to First Amendment scrutiny.	Sep. 04, 2007	Case		10 S.Ct.
Cited by	 189. Finstuen v. Crutcher  496 F.3d 1139, 1144 , 10th Cir.(Okla.) FAMILY LAW - Adoption. Oklahoma statute preventing recognition of adoptions by same-sex couples violated the Full Faith and Credit Clause.	Aug. 03, 2007	Case		1 S.Ct.
Cited by	 190. Nelson v. Geringer 295 F.3d 1082, 1095 , 10th Cir.(Wyo.) MILITARY LAW - National Guard. State residency requirement for Assistant Adjutant General of National Guard was invalid.	July 03, 2002	Case		12 S.Ct.
Cited by	191. Barati v. Florida Attorney General --- Fed.Appx. ---- , 11th Cir.(Fla.) Plaintiff Zoltan Barati filed a complaint asserting various constitutional and civil rights claims against the Florida Attorney General and Motorola Solutions, Inc., in relation to...	July 12, 2021	Case		4 S.Ct.
Cited by	192. Clancy v. Florida Department of Corrections 782 Fed.Appx. 779, 781 , 11th Cir.(Fla.) CIVIL RIGHTS — Equal Protection. Change of probationer's status, from misdemeanor to a felony, did not implicate his right to equal protection of the laws.	July 22, 2019	Case		1 S.Ct.












Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 193. Doe v. Moore 410 F.3d 1337, 1348+ , 11th Cir.(Fla.) CRIMINAL JUSTICE - Sex Offenders. Registration/ notification scheme of Florida's Sex Offender Act was constitutional.	June 06, 2005	Case		1 6 12 S.Ct.
Cited by	 194. In re Crow 394 F.3d 918, 924 , 11th Cir.(Ga.) BANKRUPTCY - Student Loans. State agencies collecting student loans were immune from claim they violated bankruptcy stay.	Dec. 23, 2004	Case		—
Cited by	 195. McGuire v. City of Montgomery  2013 WL 1336882, *10+ , M.D.Ala. Plaintiff Michael McGuire's Alabama homecoming was not as sweet as he expected. Upon his arrival, Plaintiff—who was convicted of sexual assault in Colorado in 1986—was required to...	Mar. 29, 2013	Case		1 6 S.Ct.
Cited by	196. Barber v. Alabama 2012 WL 1340090, *11+ , N.D.Ala. Before the court are motions to dismiss Plaintiffs Donald Joe Barber and Joshua Allen Barber's (collectively "Plaintiffs") Amended Complaint, doc. 40, filed by Randy Christian,...	Apr. 16, 2012	Case		1 S.Ct.
Cited by	197. Williams v. King 420 F.Supp.2d 1224, 1230 , N.D.Ala. CIVIL RIGHTS - Equal Protection. Statute criminalizing distribution of genital stimulation devices was constitutional.	Mar. 15, 2006	Case		12 S.Ct.
Cited by	198. United States v. Lyte  2021 WL 3511156, *7 , D.Ariz. A grand jury charged Defendant Shawn Christopher Lyte with failing to register as a sex offender in violation of the Sex Offender Registration and Notification Act (SORNA). The...	Aug. 10, 2021	Case		1 6 S.Ct.
Cited by	 199. Ekweani v. Maricopa County Sheriff's Office 2009 WL 976520, *3+ , D.Ariz. CIVIL RIGHTS - Arrest and Detention. A husband and wife's 1985 and 1986 claims for discrimination against a sheriff's office were dismissed for failing to allege that they were...	Apr. 09, 2009	Case		—
Cited by	200. Martinez v. Goddard 521 F.Supp.2d 1002, 1011+ , D.Ariz. GOVERNMENT - Licensing. State statutory licensing scheme was rationally related to legitimate purpose of protecting the public.	Sep. 20, 2007	Case		12 S.Ct.
Cited by	201. Jernigan v. Crane  64 F.Supp.3d 1260, 1284+ , E.D.Ark. GLBT - Marriage. Arkansas same-sex marriage prohibition violated fundamental right to marry.	Nov. 25, 2014	Case		1 3 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	202. City of San Jose, California v. Trump ¶ 497 F.Supp.3d 680, 737 , N.D.Cal. GOVERNMENT — Records. Exclusion of noncitizens who were not in a lawful immigration status from apportionment violated requirement that apportionment be based on census.	Oct. 22, 2020	Case		1 S.Ct.
Cited by	203. Best Supplement Guide, LLC v. Newsom ¶ 2020 WL 2615022, *5+ , E.D.Cal. Best Supplement Guide LLC is a California limited liability corporation that conducts business under the trade name "Fitness System." Compl. ¶ 17, ECF No. 1. Fitness System...	May 22, 2020	Case		1 3 6 S.Ct.
Cited by	204. Fournerat v. Veterans Administration ¶ 2019 WL 8810110, *5 , C.D.Cal. On May 23, 2019, Wayne M. Fournerat ("Plaintiff"), proceeding pro se, filed a complaint, alleging that Defendants violated his civil rights pursuant to 42 U.S.C. §§ 1983, 1985, and...	Dec. 19, 2019	Case		1 3 6 S.Ct.
Cited by	205. U.S.A. v. Sears ¶ 2015 WL 13359437, *2 , C.D.Cal. On May 9, 2014, park rangers with the National Park Service issued defendant–appellant John C. Sears ("Appellant") citations for violating 36 C.F.R. § 2.10(b)(10), which prohibits...	Apr. 16, 2015	Case		1 3 6 S.Ct.
Cited by	206. B.O.L.T. v. City of Rancho Cordova ¶ 2014 WL 6895944, *3+ , E.D.Cal. Each of the following parties seek dismissal of Plaintiffs' Complaint under Federal Rule of Civil Procedure ("Rule") 12(b) (6): City of Rancho Cordova, County of Sacramento,...	Dec. 08, 2014	Case		1 3 6 S.Ct.
Cited by	207. Cholerton v. Brown ¶ 2014 WL 3818049, *4 , C.D.Cal. The Court submits this Report and Recommendation to the Honorable George H. Wu, United States District Judge, pursuant to 28 U.S.C. § 636 and General Order 05–07 of the United...	May 16, 2014	Case		1 6 S.Ct.
Cited by	208. Ammari v. City of Los Angeles 988 F.Supp.2d 1139, 1151 , C.D.Cal. CIVIL RIGHTS - Free Speech. Ordinance prohibiting advertising signs on motor vehicles unless permanently attached was not a content-based regulation of free speech.	Dec. 20, 2013	Case		4 S.Ct.
Cited by	209. Porto v. City of Laguna Beach 2013 WL 2251004, *7 , C.D.Cal. Pursuant to 28 U.S.C. § 636(b)(1)(C), the Court has reviewed the amended complaint, the motion to dismiss, and all of the records and files herein, and has conducted a de novo...	May 21, 2013	Case		12 S.Ct.
Cited by	210. Di Bartelo v. Scott ¶ 2012 WL 3229385, *5+ , C.D.Cal. On February 21, 2012, Plaintiff Thomas Di Bartelo filed this pro se civil rights complaint, which names as defendants: California Highway Patrol ("CHP") Officer Alex Scott; CHP...	June 20, 2012	Case		1 3 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	211. Farley v. Santa Clara County Dept. of Child Support Services ¶ 2011 WL 4802813, *5, N.D.Cal. On April 22, 2011, Plaintiff John Farley, proceeding pro se, filed a complaint alleging constitutional, federal and state law claims against Defendant Santa Clara County Department...	Oct. 11, 2011	Case		1 3 6 S.Ct.
Cited by	212. Peruta v. County of San Diego 758 F.Supp.2d 1106, 1119, S.D.Cal. CIVIL RIGHTS - Right to Bear Arms. California sheriff could require applicant for license to carry concealed weapon to show "good cause" for its issuance.	Dec. 10, 2010	Case		1 6 S.Ct.
Cited by	213. U.S. v. Passaro ¶ 2007 WL 6147936, *18+, S.D.Cal. CIVIL RIGHTS - Appeals. NULL	Dec. 17, 2007	Case		1 S.Ct.
Cited by	214. Merrifield v. Lockyer 388 F.Supp.2d 1051, 1061+, N.D.Cal. GOVERNMENT - Licensing. California's structural pest control licensing scheme was constitutional.	Aug. 01, 2005	Case		8 12 S.Ct.
Cited by	215. Merrifield v. Lockyer 2005 WL 1662135, *8+, N.D.Cal. Plaintiffs Alan Merrifield, owner and operator of a pest control business, and the California Nuisance Wildlife Control Operators' Association (CNWCOA), a trade association, have...	July 15, 2005	Case		12 S.Ct.
Cited by	216. Grider v. City and County of Denver ¶ 2012 WL 1079466, *6, D.Colo. THIS MATTER comes before the Court pursuant to Defendant City of Aurora's Motion to Dismiss (# 89), the Plaintiffs' response (# 95), and Aurora's reply (# 96); and Defendant City...	Mar. 30, 2012	Case		1 6 13 S.Ct.
Cited by	217. Smith v. District of Columbia ¶ 387 F.Supp.3d 8, 29, D.D.C. CIVIL RIGHTS — Right to Bear Arms. Non-residents pled plausible claim that District of Columbia's statutory scheme for registering guns violated their equal protection rights.	May 16, 2019	Case		1 3 6 S.Ct.
Cited by	218. Quaid v. Kerry ¶ 161 F.Supp.3d 70, 77, D.D.C. CIVIL RIGHTS — Constitutional Torts. Citizens, whose passports were revoked and confiscated, failed to state claim under citizenship clause of Fourteenth Amendment.	Feb. 17, 2016	Case		2 7 9 S.Ct.
Cited by	219. Robinson v. Huerta ¶ 123 F.Supp.3d 30, 44, D.D.C. TRANSPORTATION — Aviation. Pilot failed to state claim that statute allowing FAA to revoke airman certificates was unconstitutional.	Aug. 24, 2015	Case		1 6 S.Ct.


Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	220. Emergency Coalition To Defend Educational Travel v. U.S. Dept. of Treasury 498 F.Supp.2d 150, 163 , D.D.C. EDUCATION - Civil Rights. Restrictions on educational programs offered in Cuba did not violate First Amendment.	July 30, 2007	Case		1 S.Ct.
Cited by	221. Shipley v. Orndoff 491 F.Supp.2d 498, 508 , D.Del. CIVIL RIGHTS - Equal Protection. County code enforcement inspector did not violate car owner's equal protection rights.	June 07, 2007	Case		—
Cited by	222. Shipley v. B&F Towing Co. ¶¶ 2006 WL 1652787, *4 , D.Del. Pending before the Court is Defendant B & F Towing Company's Motion For Summary Judgment (D.I.24). For the reasons discussed, the Motion will be granted. On October 15, 2004, New...	June 13, 2006	Case		—
Cited by	223. Gregory v. City of Tarpon Springs ¶¶ 2016 WL 7157554, *4+ , M.D.Fla. This matter comes before the Court in consideration of Defendants City of Tarpon Springs and Officer Steve Gassen's Motion to Dismiss the Third Amended Complaint (Doc. # 55), filed...	Dec. 08, 2016	Case		1 3 6 S.Ct.
Cited by	224. U.S. v. Myers 591 F.Supp.2d 1312, 1345 , S.D.Fla. CRIMINAL JUSTICE - Sex Offenders. SORNA's registration provision exceeded Congress's power under Commerce Clause.	Dec. 09, 2008	Case		1 S.Ct.
Cited by	225. U.S. v. Gonzales 2007 WL 2298004, *8+ , N.D.Fla. Before me is Defendant's Amended Motion to Dismiss Indictment (Doc. 20) to which the government has responded (Doc. 26.) Defendant John Gonzales was convicted of Forcible Sodomy,...	Aug. 09, 2007	Case		1 6 S.Ct.
Cited by	226. Roy v. Board of County Commissioners Walton County 2007 WL 9736174, *8 , N.D.Fla. This case involves the proposed development of a parcel of property in Walton County, Florida, owned by plaintiffs Sony and Raymonde Roy ("the Roys" or "plaintiffs"). Alleging that...	Mar. 20, 2007	Case		1 S.Ct.
Cited by	227. Wilson v. Ake 354 F.Supp.2d 1298, 1309 , M.D.Fla. FAMILY LAW - Marriage. Defense of Marriage Act, and Florida statute withholding recognition to same-sex marriages, were not unconstitutional.	Jan. 19, 2005	Case		12 S.Ct.
Cited by	228. Wilson v. Ake 2004 WL 3142528, *8 , M.D.Fla. THIS CAUSE comes before the Court upon United States Attorney General John Ashcroft's Motion to Dismiss (Dkt.# 31), Memorandum in Support of United States Attorney General...	July 20, 2004	Case		12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	229. Restrepo v. Miami-Dade County 2002 WL 548821, *7 , S.D.Fla. THIS CAUSE is before the Court on the Motion to Dismiss Amended Complaint (D.E.11), filed May 22, 2000, by Defendants. Plaintiffs filed a Memorandum in Opposition on July 18, 2000....	Feb. 26, 2002	Case		12 S.Ct.
Cited by	230. Bailey v. City of Douglasville ¶ 2015 WL 12867012, *7+ , N.D.Ga. This matter is before the Court on motions filed by Plaintiff Derrick Bailey ("Plaintiff") and by Defendant Major Tommy Wheeler ("Defendant Wheeler") in connection with Plaintiff's...	Feb. 04, 2015	Case		1 6 S.Ct.
Cited by	231. Peters v. Caldwell 2012 WL 13020713, *10+ , N.D.Ga. This case is before the Court on Defendants' Motion to Dismiss Plaintiff's Complaint (Docket Entry No. 15 [15]). Federal Rule of Civil Procedure 12(b)(6) allows the Court to...	Sep. 10, 2012	Case		—
Cited by	232. Best v. Cobb County, Ga. ¶ 510 F.Supp.2d 1181, 1187 , N.D.Ga. CIVIL RIGHTS - Municipal Liability. Absence of constitutional violation precluded municipal liability for failure to train police officers.	Feb. 05, 2007	Case		1 S.Ct.
Cited by	233. Carmichael v. Ige ¶ 470 F.Supp.3d 1133, 1145+ , D.Hawai'i HEALTH — Communicable Disease. Hawai'i resident and non-residents were not likely to succeed on merits of their claim that 14-day travel quarantine violated their right to travel.	July 02, 2020	Case		1 6 S.Ct.
Cited by	234. Young v. Hawaii 911 F.Supp.2d 972, 992 , D.Hawai'i CIVIL RIGHTS - Right to Bear Arms. Hawaii Firearm Laws' limitations on carrying weapons in public did not implicate activity protected by Second Amendment.	Nov. 29, 2012	Case		2 4 S.Ct.
Cited by	235. Walsh v. City and County of Honolulu ¶ 423 F.Supp.2d 1094, 1101+ , D.Hawai'i LABOR AND EMPLOYMENT - Public Employment. Hawaii preemployment residency requirement for public employment was preliminarily enjoined.	Feb. 01, 2006	Case		1 6 S.Ct.
Cited by	236. U.S. v. Yip 248 F.Supp.2d 970, 973 , D.Hawai'i CRIMINAL JUSTICE - Limitations. Limitations statute for tax perjury did not violate defendant's right to international travel.	Mar. 04, 2003	Case		—
Cited by	237. Does 1-134 v. Wasden ¶ 2019 WL 1508037, *11 , D.Idaho This represents Plaintiffs, Does 1-134 (hereinafter "Plaintiffs" or "Does"), second attempt to challenge the constitutionality of Idaho's Sexual Offender Registration Notification...	Apr. 05, 2019	Case		1 3 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 238. Latta v. Otter ¶ 19 F.Supp.3d 1054, 1084 , D.Idaho GLBT - Marriage. Idaho's statutes and constitutional provision defining marriage as between opposite-sex couples only were unconstitutional.	May 13, 2014	Case		11 S.Ct.
Cited by	239. Gallagher v. Gentile ¶ 2021 WL 963766, *3 , N.D.Ill. Pro se plaintiff Robert Gallagher brought this action against defendant police officers David Gentile and Jason Boyer and the Village of Lemont, Illinois (the latter, "the...	Mar. 15, 2021	Case		1 3 6 S.Ct.
Cited by	240. Mayo v. LaSalle County ¶ 2019 WL 3202809, *7+ , N.D.Ill. Plaintiffs Nehemiah Mayo and Dakota Burt allege that officers working for an investigative unit formed by former LaSalle County State's Attorney Brian Towne violated their...	July 15, 2019	Case		1 6 S.Ct.
Cited by	 241. Segovia v. Board of Election Commissioners for the City of Chicago ¶ 218 F.Supp.3d 643, 653 , N.D.Ill. GOVERNMENT — Territories. UOCAVA and Illinois MOVE restrictions on territorial residents' voting did not violate former residents' constitutional right to interstate travel.	Oct. 28, 2016	Case		1 3 6 S.Ct.
Cited by	242. Cochran v. Illinois State Toll Highway Authority 2015 WL 1502924, *5+ , N.D.Ill. In December 2013, Jeffrey Cochran, a lifelong Ohio resident, drove to Chicago to visit family. Unfamiliar with Illinois's open-road toll highway system, he inadvertently failed...	Mar. 27, 2015	Case		1 S.Ct.
Cited by	243. Hlinak v. Chicago Transit Authority 2015 WL 361626, *4 , N.D.Ill. Defendant Chicago Transit Authority moves to dismiss Fred Hlinak and Jennifer Jonke's Amended Complaint under Fed.R.Civ.P. 12(b)(6). (Dkt. No. 40). The Amended Complaint (Dkt....	Jan. 28, 2015	Case		1 S.Ct.
Cited by	 244. Hankins v. Burton ¶ 2014 WL 976930, *4+ , C.D.Ill. Before the Court are Defendant Tim Lowe's Motion to Dismiss, ECF No. 79, and Plaintiff Aimee Hankins's Objections, ECF No. 86, to Magistrate Judge John A. Gorman's Order of June 3,...	Mar. 12, 2014	Case		1 3 6 S.Ct.
Cited by	245. Tzirides v. U.S. Dept. of Homeland Sec. 2013 WL 1286675, *5 , N.D.Ill. Petitioner, Arthur Tzirides, a naturalized citizen, claims that the birth date on his United States immigration records is incorrect because of a decades-old clerical error in...	Mar. 27, 2013	Case		—


















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Cited by	246. Yaodi Hu v. City of Chicago 2008 WL 5094157, *2+ , N.D.Ill. This case is before the court on the motion of defendant City of Chicago ("the City") to dismiss the complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). For the...	Nov. 26, 2008	Case		1 S.Ct.
Cited by	247. Idahosa v. Creve Coeur Police Dept. 2007 WL 1188352, *4 , C.D.Ill. Before the Court are the Motion for Summary Judgment filed by Defendants on November 15, 2006 [Doc. 27] and the Motion for Summary Judgment filed by Plaintiff on December 21, 2006...	Apr. 20, 2007	Case		1 S.Ct.
Cited by	248. Shaikh v. City of Chicago ¶ 2002 WL 1147739, *6 , N.D.Ill. Plaintiff Shahid Shaikh has sued the City of Chicago, its Commissioner of the Department of Housing, Julia Stasch, and its Deputy Commissioner of the Department of Housing, David...	May 28, 2002	Case		—
Cited by	249. Black v. McGuffage 209 F.Supp.2d 889, 902 , N.D.Ill. GOVERNMENT - Elections. Minority voters in 2000 election stated equal protection, due process, and Voting Rights Act claims.	Mar. 29, 2002	Case		—
Cited by	250. Long v. Ballard ¶ 2013 WL 999600, *3 , S.D.Ind. Presently pending before the Court in this constitutional challenge to a smoking ordinance enacted by the Consolidated City of Indianapolis and Marion County are pro se Plaintiff...	Mar. 13, 2013	Case		2 4 13 S.Ct.
Cited by	251. Minix v. Canarecci ¶ 2007 WL 1662666, *3 , N.D.Ind. Cathy Minix brings suit under 42 U.S.C. § 1983 as the personal representative of the estate of her deceased son Gregory Zick, alleging that the defendants deprived Gregory of...	June 06, 2007	Case		4 S.Ct.
Cited by	252. Blake v. Humphreys 2002 WL 663280, *1 , S.D.Ind. Plaintiff, Stephanie Blake, on her own behalf and on behalf of a class of those similarly situated, brought this action under 42 U.S.C. § 1983, challenging the practice and policy...	Feb. 22, 2002	Case		6 8 12 S.Ct.
Cited by	253. Roberts v. Neace ¶ 457 F.Supp.3d 595, 601+ , E.D.Ky. CIVIL RIGHTS — Injunction. Restrictions on out-of-state travel in executive orders by Kentucky governor in response to COVID-19 were not narrowly tailored to serve compelling state...	May 04, 2020	Case		1 3 6 S.Ct.
Cited by	254. Vincent v. City of Sulphur ¶ 28 F.Supp.3d 626, 649+ , W.D.La. CIVIL RIGHTS - Immunity. City resident's procedural due process rights were violated, for purposes of qualified immunity, when officers banned him from city property.	May 15, 2014	Case		1 S.Ct.

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Cited by	 255. U.S. v. Nam Van Hoang 2008 WL 4610249, *9+ , M.D.La. The defendant's motion to dismiss is denied for the reasons set forth in United States v. May, 535 F.3d 912 (8th Cir.2008), and United States v. Pitts, (CR 07-157-JVP-CN), Middle...	Oct. 16, 2008	Case		1 S.Ct.
Cited by	256. Cantwell v. City of Gretna  2007 WL 4256983, *3 , E.D.La. The court has considered the motions to dismiss, pursuant to Federal Rule of Civil Procedure 12(b) (6), filed by The City of Gretna; Arthur Lawson, the Chief of Police of the City...	Nov. 30, 2007	Case		—
Cited by	257. Ballet v. City of Gretna  2007 WL 9809131, *2 , E.D.La. IT IS HEREBY ORDERED that the motion to dismiss, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, of the City of Gretna and the Gretna Police Department is...	Nov. 30, 2007	Case		1 6 S.Ct.
Cited by	 258. U.S. v. Pitts 2007 WL 3353423, *9+ , M.D.La. This matter is before the court on a motion by defendant, Glen Aubrey Pitts, to dismiss the indictment (doc. 14). Defendant filed a memorandum in support (doc. 17) and the...	Nov. 07, 2007	Case		1 S.Ct.
Cited by	 259. Dickerson v. City of Gretna  2007 WL 1098787, *2 , E.D.La. IT IS ORDERED that defendants' motion to dismiss (Rec.Doc.21) is GRANTED regarding plaintiffs' allegations of intrastate travel; defendants' motion is DENIED as it relates to all...	Mar. 30, 2007	Case		—
Cited by	260. Morgan v. McDonald 2007 WL 1428669, *4 , W.D.La. Before the court is a motion for summary judgment filed by two of the named defendants herein, Greg Emfinger and the City of Mangham, [doc. # 20]. For reasons assigned below, it...	Mar. 27, 2007	Case		12 S.Ct.
Cited by	261. Harper v. Booth 382 F.Supp.3d 124, 128 , D.Mass. CIVIL RIGHTS — State Action. Motorist could not assert that police officer infringed upon his constitutional right to travel by pulling over motorist and towing his vehicle.	May 23, 2019	Case		1 2 6 S.Ct.
Cited by	262. Liviz v. Baker  2019 WL 764796, *2 , D.Mass. For the reasons stated below, the Court allows plaintiff's motions for leave to proceed in forma pauperis, denies plaintiff's motion for injunctive relief, and directs plaintiff to...	Feb. 21, 2019	Case		1 6 13 S.Ct.
Cited by	263. U.S. v. Ramos  591 F.Supp.2d 93, 105 , D.Mass. CRIMINAL JUSTICE - Searches and Seizures. Officers had reasonable suspicion, justifying stop of van parked at transit station.	Aug. 29, 2008	Case		6 S.Ct.










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Cited by	 264. Grant v. John Hancock Mut. Life Ins. Co. ¶ 183 F.Supp.2d 344, 361 , D.Mass. LABOR AND EMPLOYMENT - Workers' Compensation. Intentional infliction of emotional distress claim was not barred by Workers' Compensation Act.	Jan. 08, 2002	Case		1 6 S.Ct.
Cited by	 265. Paradise Point, LLC v. Prince George's County ¶ 2021 WL 2018637, *3 , D.Md. CIVIL RIGHTS — Privileges and Immunities. Statute that excluded nonresidents except veterans and federal employees from eligibility to bid at tax auction violated privileges and...	May 19, 2021	Case		2 13 S.Ct.
Cited by	266. Maryland v. Santos Bey ¶ 2021 WL 307419, *3 , D.Md. Pro-se Defendant Erick Javier Santos Bey was charged with fourteen misdemeanor counts under Maryland state law and attempted to remove his case to this Court. ECF No. 1. Pending...	Jan. 29, 2021	Case		1 3 6 S.Ct.
Cited by	267. El Ali v. Barr 473 F.Supp.3d 479, 507+ , D.Md. TRANSPORTATION — Aviation. Prospective air travelers adequately alleged their status on terrorist watchlist deprived them of Fifth Amendment liberty interests in travel.	July 20, 2020	Case		—
Cited by	268. Brown v. Hovatter 2006 WL 2927547, *5 , D.Md. The Maryland Morticians Act ("the Act" or "the Morticians Act"), Md.Code Ann., Health Occ. §§ 7–101–602 limits the ownership and operation of funeral homes to the following...	Oct. 11, 2006	Case		—
Cited by	269. U.S. v. Stevens ¶ 578 F.Supp.2d 172, 185+ , D.Me. CRIMINAL JUSTICE - Sex Offenders. SORNA did not violate the Ex Post Facto Clause as applied to a sex offender whose conviction predated its enactment.	Sep. 19, 2008	Case		1 6 S.Ct.
Cited by	270. Griffin v. Town of Cutler 2006 WL 2668460, *12 , D.Me. Dale and Michael Griffin appeal from the denial of their applications for permits to moor their fishing vessels in Cutler Harbor. In conjunction with that appeal, they maintain...	Sep. 15, 2006	Case		5 6 S.Ct.
Cited by	271. Lowe v. City of Detroit 2021 WL 2471476, *8 , E.D.Mich. This matter is presently before the Court on plaintiff's motion for a preliminary injunction [docket entry 4]. Defendant has responded and plaintiff has replied. An amicus brief...	June 17, 2021	Case		12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	272. Avery v. Benson 2020 WL 127900, *3 , E.D.Mich. Plaintiffs — David Avery and three corporations he owns — bring this suit under 42 U.S.C. § 1983 and Michigan state law for monetary and injunctive relief against the City of...	Jan. 10, 2020	Case		2 S.Ct.
Cited by	273. Myers v. Johnson ¶ 2017 WL 2021064, *6 , E.D.Mich. On September 8, 2016, Plaintiffs, initially two signatories to a petition to legalize marijuana in Michigan filed by the Michigan Comprehensive Cannabis Law Reform Committee, also...	May 12, 2017	Case		1 3 6 S.Ct.
Cited by	274. Kadura v. Lynch 2017 WL 914249, *6 , E.D.Mich. Plaintiffs Dr. Naji Abduljaber, Mr. Abdus Samad Tootla, Mr. Alaa Saade, and Mr. Ahmed Saleh Abusaleh filed this action based on their alleged inclusion in the Terrorist Screening...	Mar. 08, 2017	Case		—
Cited by	275. Heck v. Village of Romeo 2016 WL 7664223, *3 , E.D.Mich. Plaintiff Shawn R. Van Heck commenced this pro se civil rights action against Defendants Village of Romeo, Officer Dusovic, and Romeo Police Department on December 21, 2015....	Dec. 13, 2016	Case		6 S.Ct.
Cited by	276. John Does 1-4 v. Snyder ¶ 932 F.Supp.2d 803, 815+ , E.D.Mich. CRIMINAL JUSTICE - Sex Offenders. Michigan's Sex Offender Registry Act did not violate the Ex Post Facto Clause	Mar. 18, 2013	Case		1 3 6 S.Ct.
Cited by	277. McGhee v. McCall 2010 WL 2163818, *2 , W.D.Mich. This is a civil action brought by a pro se plaintiff against a lieutenant and other unnamed officers of the Kalamazoo Department of Public Safety. Plaintiff's complaint alleges...	Apr. 19, 2010	Case		1 S.Ct.
Cited by	278. Norris v. Hofbauer ¶ 2008 WL 5188732, *4+ , E.D.Mich. Petitioner Tonny Norris has filed a motion for relief from his state court judgment of sentence. Because the motion seeks the writ of habeas corpus pursuant to 28 U.S.C. § 2241,...	Dec. 08, 2008	Case		9 S.Ct.
Cited by	279. Zervan v. Maday Const., Inc. Employees Profit-Sharing Plan 396 F.Supp.2d 819, 829 , E.D.Mich. LABOR AND EMPLOYMENT - Benefit Plans. Decision to change date on which participants' benefit would be calculated under profit sharing plan was arbitrary.	Oct. 31, 2005	Case		—
Cited by	280. Lewis v. Walz ¶ 491 F.Supp.3d 464, 469+ , D.Minn. GOVERNMENT — Emergency. Candidate and campaign committee failed to sufficiently allege that executive orders issued during COVID-19 pandemic violated Equal Protection Clause.	Sep. 30, 2020	Case		1 3 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	281. Travers v. Nielsen 2018 WL 4211992, *3 , D.Minn. The above-captioned case comes before the undersigned on Desreen A. Travers ("Travers") Petition for Writ of Habeas Corpus (the "Petition") [Doc. No. 2] and Kirstjen Nielsen, Ron...	Aug. 16, 2018	Case		—
Cited by	282. Triemert v. Washington County 2013 WL 6729260, *8+ , D.Minn. This matter is before the Court on the objection of plaintiff David B. Triemert to the November 18, 2013 Report and Recommendation ("R & R") of Magistrate Judge Janie S. Mayeron....	Dec. 19, 2013	Case		1 3 6 S.Ct.
Cited by	283. U.S. v. Holthusen 2013 WL 5913843, *4 , D.Minn. Before the Court are Defendant Holthusen's Objections to the August 30, 2013 Report and Recommendation of Magistrate Judge Leo I. Brisbois. Judge Brisbois has recommended that...	Oct. 31, 2013	Case		—
Cited by	284. U.S. v. Sumner 2013 WL 5923084, *5 , D.Minn. Before the Court are Defendant Sumner's Objections to the August 30, 2013 Report and Recommendation of Magistrate Judge Leo I. Brisbois. Judge Brisbois has recommended (1) the...	Oct. 31, 2013	Case		—
Cited by	285. U.S. v. Good 2013 WL 6175206, *4 , D.Minn. This matter came before the undersigned United States Magistrate Judge upon Defendant's Motion to Dismiss the Indictment, [Docket No. 32]; his Motion to Dismiss the Indictment Due...	Aug. 14, 2013	Case		—
Cited by	286. United States v. Harwell 2021 WL 1565918, *2+ , E.D.Mo. This matter was referred to the undersigned United States Magistrate Judge pursuant to 28 U.S.C. § 636(b). On December 29, 2020, defendant filed his Motion to Suppress Evidence and...	Apr. 01, 2021	Case		1 S.Ct.
Cited by	287. Wright v. Family Support Division of Missouri Department of Social Services 458 F.Supp.3d 1098, 1110+ , E.D.Mo. CIVIL RIGHTS — Equal Protection. System for suspending driver's licenses of non-custodial parents who were unable to pay child support was rationally related to State's interest.	May 01, 2020	Case		1 3 6 S.Ct.
Cited by	288. Watson v. City of Maplewood, Missouri 2017 WL 4758960, *6+ , E.D.Mo. This matter is before the Court on the City of Maplewood Missouri's Motion to Dismiss Plaintiff's Complaint for Failure to State a Claim, filed June 19, 2017. (ECF No. 21). The...	Oct. 20, 2017	Case		1 3 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	289. Bacon v. Neer  2009 WL 3807093, *4+ , E.D.Mo. CIVIL RIGHTS - Injunction. Preliminary injunction was not warranted as there was no likelihood of success on the merits as SORNA was constitutional.	Nov. 12, 2009	Case		1 6 S.Ct.
Cited by	 290. Doe v. Neer 649 F.Supp.2d 952, 955+ , E.D.Mo. CRIMINAL JUSTICE - Sex Offenders. Registration under Sex Offender Registration Act (SORA) was rationally related to legitimate state interest.	Aug. 20, 2009	Case		1 6 S.Ct.
Cited by	 291. Doe v. Neer 2008 WL 342095, *4+ , E.D.Mo. This matter is before me on Defendant James Keathley's Motion to Dismiss for failure to state a claim [# 36] pursuant to Federal Rules of Civil Procedure Rule 12(b)(6). In his...	Feb. 05, 2008	Case		1 6 S.Ct.
Cited by	 292. U.S. v. Waybright 561 F.Supp.2d 1154, 1169+ , D.Mont. CRIMINAL JUSTICE - Sex Offenders. Statute requiring all sex offenders to register was not a valid exercise of Congress's power under the Commerce Clause.	June 11, 2008	Case		1 S.Ct.
Cited by	293. Latray v. Donath 2007 WL 2071806, *4 , D.Mont. On June 18, 2007, United States Magistrate Judge Keith Strong entered Findings and Recommendation in this matter. Plaintiff did not file objections. No review is required of...	July 16, 2007	Case		12 S.Ct.
Cited by	 294. Blackburn v. Dare County 486 F.Supp.3d 988, 1000 , E.D.N.C. REAL PROPERTY — Eminent Domain. County's declaration to address COVID-19 that temporarily prohibited non-resident property owners from entering county did not constitute a taking.	Sep. 15, 2020	Case		—
Cited by	295. Moorish Holy Temple of Science of the World v. Terry  2012 WL 2576782, *2+ , E.D.N.C. This matter is before the Court on the motions to proceed in forma pauperis filed by Plaintiffs Asaru Alim Nu Tu'pak El-Bey ("Asaru El-Bey") and Khadirah Ma'at Tu'pak El-Bey...	May 11, 2012	Case		1 3 6 S.Ct.
Cited by	 296. McFadyen v. Duke University  786 F.Supp.2d 887, 950 , M.D.N.C. EDUCATION - Civil Rights. Former member of Duke University lacrosse team adequately stated Fourth Amendment claim.	Mar. 31, 2011	Case		2 4 13 S.Ct.
Cited by	297. Minnesota ex rel. Hatch v. Hoeven 370 F.Supp.2d 960, 964+ , D.N.D. GOVERNMENT - Licensing. Regulation of non-resident hunters did not violate Commerce Clause.	June 08, 2005	Case		2 8 12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	298. Minnesota, ex rel. Hatch v. Hoeven 331 F.Supp.2d 1074, 1081+ , D.N.D. LITIGATION - Parties. Minnesota had parens patriae standing to challenge North Dakota hunting regulations.	Aug. 17, 2004	Case		12 S.Ct.
Cited by	299. Doe I v. Peterson ¶ 2021 WL 1102976, *7+ , D.Neb. CRIMINAL JUSTICE — Sex Offenders. Registration requirements of Nebraska's Sex Offender Registration Act (SORA) did not violate plaintiffs' rights to equal protection.	Mar. 23, 2021	Case		1 2 13 S.Ct.
Cited by	300. Reed v. Hovey 2021 WL 949612, *4 , D.Neb. This matter is before the Court on the defendants' motion to dismiss pursuant to Fed. R. Civ. P. 12(b) (6) (filing 9), which the Court treats as a motion for summary judgment...	Mar. 12, 2021	Case		—
Cited by	301. Doe v. Peterson ¶ 2018 WL 5255179, *3+ , D.Neb. On October 15, 2018, a hearing was held on Plaintiff's request for a preliminary injunction (Filing 2). After carefully considering the evidence adduced and arguments presented at...	Oct. 22, 2018	Case		1 6 S.Ct.
Cited by	302. A.W. v. Nebraska 2015 WL 4249845, *5 , D.Neb. Defendants have filed a motion to dismiss portions of Plaintiffs' amended complaint pursuant to Federal Rules of Civil Procedure 12(b)(1) and (6), for lack of subject matter...	July 13, 2015	Case		1 S.Ct.
Cited by	303. U.S. v. Partida-Ortiz 2013 WL 6118412, *15 , D.Neb. This matter is before the court on the defendant's objections, Filing Nos. 78 and 81, to the magistrate judge's Findings and Recommendation ("F & R"), Filing No. 77, denying...	Nov. 21, 2013	Case		—
Cited by	304. Doe v. Nebraska ¶ 734 F.Supp.2d 882, 929+ , D.Neb. CRIMINAL JUSTICE - Sex Offenders. Consent to search and Internet monitoring provisions of Nebraska's Sex Offender Registration Act violated Fourth Amendment.	Aug. 16, 2010	Case		1 6 S.Ct.
Cited by	305. Jones v. Gale 405 F.Supp.2d 1066, 1083 , D.Neb. AGRICULTURE - Farming. Constitutional amendment prohibiting farming by corporations violated dormant Commerce Clause.	Dec. 15, 2005	Case		—
Cited by	306. Poor Bear v. Nesbitt ¶ 300 F.Supp.2d 904, 918+ , D.Neb. CIVIL RIGHTS - Equal Protection. Allegations of minimal law enforcement when crime victims were Indians, were dismissed.	Jan. 29, 2004	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 307. Calvary Chapel Lone Mountain v. Sisolak 466 F.Supp.3d 1120, 1126 , D.Nev. CIVIL RIGHTS — Religion. Church did not have valid equal protection claim related to emergency directive in response to COVID-19 pandemic limiting people at in-person services.	June 11, 2020	Case		1 3 6 S.Ct.
Cited by	308. Stilwell v. Clark County ¶¶ 2016 WL 4033959, *9+ , D.Nev. This matter is before the Court on several motions to dismiss filed by Defendants, who are various Nevada municipalities, law enforcement agencies, and law enforcement officers. In...	July 26, 2016	Case		1 3 6 S.Ct.
Cited by	309. Nevada v. Matlean ¶¶ 2009 WL 1810759, *2+ , D.Nev. Before the Court is defendant David Matlean's ("defendant") Application to Proceed Without Prepayment of Fees and Affidavit (# 1) and Notice of Removal (# 1–2) filed on September...	June 24, 2009	Case		1 6 S.Ct.
Cited by	310. U.S. v. Burkey 2009 WL 1616564, *28 , D.Nev. CRIMINAL JUSTICE - Sex Offenders. Prosecuting sex offender for failure to comply with federal registration requirements did not violate due process because knowledge of state...	June 08, 2009	Case		8 12 S.Ct.
Cited by	311. U.S. v. Benevento 633 F.Supp.2d 1170, 1186+ , D.Nev. CRIMINAL JUSTICE - Sex Offenders. SORNA was facially constitutional.	Apr. 21, 2009	Case		4 8 12 S.Ct.
Cited by	312. U.S. v. Morris 2009 WL 753989, *25 , D.Nev. Currently before the Court is Defendant's Motion to Dismiss Indictment (# 18), filed November 24, 2008. The Government filed a Response (# 20), on December 5, 2008, to which...	Mar. 18, 2009	Case		8 12 S.Ct.
Cited by	313. Johnson v. Town of Weare ¶¶ 2012 WL 2450599, *9+ , D.N.H. Before the court for preliminary review is pro se plaintiff David Johnson's complaint, with four exhibits attached thereto that the court considers part of the complaint (doc. no....	June 04, 2012	Case		1 4 6 S.Ct.
Cited by	 314. Johnson v. Murphy 2021 WL 1085744, *14+ , D.N.J. CIVIL RIGHTS — Contracts. COVID-19-related executive order did not substantially impair residential landlords' contract rights, and thus did not violate Contracts Clause.	Mar. 22, 2021	Case		2 4 S.Ct.
Cited by	315. B.K. v. Grewal ¶¶ 2020 WL 5627231, *5+ , D.N.J. In this action, plaintiffs B.K. and Emily Doe ("Plaintiffs") have filed separate civil complaints, in which they challenge the constitutionality of the registration scheme in...	Sep. 21, 2020	Case		1 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	316. Abdullah v. New Jersey 2012 WL 2916738, *9+ , D.N.J. IT APPEARING THAT: 1. This matter comes before the Court upon the Clerk's receipt of a set of submissions made by the individual designating herself as "Fatimah Bint Abdullah" ...	July 16, 2012	Case		1 S.Ct.
Cited by	317. Kreimer v. City of Newark ¶¶ 2011 WL 1322265, *6 , D.N.J. Before the Court are Defendants', New Jersey Transit employees ("NJT Defendants") and City of Newark, motions for summary judgment pursuant to Federal Rule of Civil Procedure 56...	Mar. 30, 2011	Case		1 3 6 S.Ct.
Cited by	318. Callaway v. Samson ¶¶ 193 F.Supp.2d 783, 786 , D.N.J. CIVIL RIGHTS - Voting Rights. Durational residency requirement violated candidate's right to travel.	Apr. 05, 2002	Case		6 S.Ct.
Cited by	319. City of Camden v. Beretta U.S.A. Corp. ¶¶ 81 F.Supp.2d 541, 549 , D.N.J. LITIGATION - Removal. State law claims against firearms manufacturers were not completely preempted.	Jan. 27, 2000	Case		11 S.Ct.
Cited by	320. Wellington v. Foland ¶¶ 2019 WL 3315181, *6 , N.D.N.Y. The Clerk has sent this pro se complaint together with an application to proceed in forma pauperis filed by Kennard D. Wellington ("Plaintiff") to the Court for review. (Dkt. Nos....	July 24, 2019	Case		1 3 6 S.Ct.
Cited by	321. Washington v. Sessions ¶¶ 2018 WL 1114758, *9 , S.D.N.Y. Plaintiffs Marvin Washington, Dean Bortell, Alexis Bortell, Jose Belen, Sebastien Cotte, Jagger Cotte, and the Cannabis Cultural Association, Inc. ("Plaintiffs") filed this action...	Feb. 26, 2018	Case		1 S.Ct.
Cited by	322. Wood v. Mutual Redevelopment Houses, Inc. ¶¶ 2016 WL 11720460, *10 , S.D.N.Y. Plaintiffs pro se bring this action alleging claims against Defendants arising from a dispute over Plaintiffs' application to purchase a Mitchell-Lama apartment in New York City...	Mar. 31, 2016	Case		1 6 12 S.Ct.
Cited by	323. Frasco v. Mastic Beach Property Owners' Ass'n ¶¶ 2014 WL 3735870, *6 , E.D.N.Y. Plaintiffs Frank Frasco ("Frasco"), Frank Fugarino ("F.Fugarino"), Donna Boble ("Boble"), Paul Breschard ("Breschard"), Nicholas Busa ("Busa"), Anthony D'Amico ("D'Amico"), Clement...	July 29, 2014	Case		1 6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 324. Weisshaus v. Port Authority of New York and New Jersey 2011 WL 13175959, *2, S.D.N.Y. Plaintiff filed this Complaint pro se challenging toll increases on bridges and tunnels between New York and New Jersey. Plaintiff is granted leave to proceed in forma pauperis....	Oct. 24, 2011	Case		13 S.Ct.
Cited by	325. Joseph v. Hyman 2010 WL 3528854, *4, S.D.N.Y. Motorists who purchase parking services from a garage or surface lot in Manhattan pay a composite state and city sales tax of more than eighteen percent. (Am.Compl. ¶¶ 1, 30.) Since...	Aug. 30, 2010	Case		—
Cited by	 326. U.S. v. Van Buren, Jr. 2008 WL 3414012, *16+, N.D.N.Y. Defendant is charged in a one-count Indictment with failing to register as a sex offender in violation of 18 U.S.C. § 2250(a). Currently before the Court is Defendant's motion...	Aug. 08, 2008	Case		1 6 S.Ct.
Cited by	327. Colandrea v. Town of Orangetown 490 F.Supp.2d 342, 349, S.D.N.Y. CIVIL RIGHTS - Free Speech. Playing recordings of personal phone calls at police officer's disciplinary hearing did not violate First Amendment.	May 18, 2007	Case		—
Cited by	 328. Five Borough Bicycle Club v. City of New York  483 F.Supp.2d 351, 362, S.D.N.Y. CIVIL RIGHTS - Free Speech. City's limitation on mass bicycle riding did not violate First Amendment.	Apr. 17, 2007	Case		1 S.Ct.
Cited by	 329. Selevan v. New York Thruway Authority  470 F.Supp.2d 158, 175, N.D.N.Y. LITIGATION - Standing. Motorists lacked prudential standing to bring § 1983 Commerce Clause claim against New York Thruway Authority.	Jan. 18, 2007	Case		1 S.Ct.
Cited by	 330. Francarl Realty Corp. v. Town of East Hampton 2006 WL 4449577, *8+, E.D.N.Y. This action was commenced by Francarl Realty Corporation ("Francarl"), Viking Star, Inc., Viking Starship, Inc., Viking Quest, Inc., Viking Good Times, Inc. (collectively,...	Sep. 14, 2006	Case		1 12 S.Ct.
Cited by	 331. Town of Southold v. Town of East Hampton 406 F.Supp.2d 227, 241+, E.D.N.Y. GOVERNMENT - Ferries. Town law restricting vehicular and high-speed ferry service was valid exercise of police power.	Dec. 21, 2005	Case		12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	332. Fastag v. Kelly 2005 WL 1705529, *8+ , S.D.N.Y. Abraham Fastag, proceeding pro se, commenced this action pursuant to 42 U.S.C. § 1983 ("section 1983") against defendants Raymond Kelly, Thomas M. Prasso, and the New York City...	July 19, 2005	Case		—
Cited by	333. Bach v. Pataki ¶ 289 F.Supp.2d 217, 226 , N.D.N.Y. CIVIL RIGHTS - Right to Bear Arms. Nonresidency portion of New York conceal and carry law did not violate Second or Fourteenth Amendments.	Sep. 23, 2003	Case		1 S.Ct.
Cited by	334. Swedenburg v. Kelly 2000 WL 1264285, *11+ , S.D.N.Y. On February 3, 2000, Plaintiffs Juanita Swedenburg ("Swedenburg") and David Lucas ("Lucas"), proprietors of two out-of-state wineries, and Patrick Fitzgerald ("Fitzgerald"),...	Sep. 05, 2000	Case		4 S.Ct.
Cited by	335. KEVIN REMILLARD, Petitioner, v. WARDEN, Noble Correctional Institution, Respondent. 2021 WL 3700699, *6+ , S.D.Ohio This habeas corpus case is before the Court on Objections by Respondent (ECF No. 15) and Petitioner (ECF No. 16) to the Magistrate Judge's Report and Recommendations ("Report," ECF...	Aug. 20, 2021	Case		7 S.Ct.
Cited by	336. State v. Yellen 2021 WL 1903908, *4 , S.D.Ohio GOVERNMENT — United States. Issuance of preliminary injunction was not warranted in state's action challenging American Rescue Plan Act's (ARPA) tax mandate.	May 12, 2021	Case		—
Cited by	337. Profit v. City of Shaker Heights 2019 WL 315092, *4 , N.D.Ohio This matter is before the Court on the Complaint of Plaintiff Brandon N. Profit ("Plaintiff") against defendants City of Shaker Heights, K. Montgomery (Magistrate, Shaker Heights...	Jan. 23, 2019	Case		—
Cited by	338. Smith-Utley v. City of Toledo 2018 WL 1535204, *3+ , N.D.Ohio Pro se Plaintiff Darnell A. Smith-Utley filed this action under 42 U.S.C. § 1983 against the City of Toledo, Toledo Police Chief George Kral, Toledo Police Officers John Does #1...	Mar. 29, 2018	Case		1 S.Ct.
Cited by	339. Brock v. Attorney General of The State of Ohio, Mike Dewine ¶ 2015 WL 9478195, *2 , S.D.Ohio This matter is before the Court for the initial screen of the Complaint, ECF No. 6, pursuant to 28 U.S.C. §§ 1915(e), 1915A. For the reasons that follow, the Court concludes that...	Dec. 29, 2015	Case		2 13 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 340. Henry v. Himes 14 F.Supp.3d 1036, 1060+ , S.D.Ohio GLBT - Marriage. Ohio's interest in "preserving the traditional definition of marriage" was not a legitimate justification.	Apr. 14, 2014	Case		—
Cited by	341. Bey v. Ohio 2011 WL 5024188, *4+ , N.D.Ohio Pro se Plaintiff Amaru Mura Hassan Bey filed the above-captioned action under the Zodiac Constitution, the Universal Declaration of Human Rights, the United States Constitution,...	Oct. 19, 2011	Case		1 6 S.Ct.
Cited by	342. Burman v. Streeval 2011 WL 3562999, *3+ , N.D.Ohio Pro se Plaintiff Allah Burman filed this Bivens action against Elkton Federal Correctional Institution ("FCI-Elkton") Unit Manager Jason Streeval, Special Housing Unit ("SHU")...	Aug. 11, 2011	Case		1 6 13 S.Ct.
Cited by	343. Wilson v. Karnes 2007 WL 4207154, *6 , S.D.Ohio Plaintiff Pearly L. Wilson ("Plaintiff"), appearing pro se, filed this 42 U.S.C. § 1983 claim against Defendant Jim Karnes, Franklin County Sheriff, both in his individual and...	Nov. 26, 2007	Case		—
Cited by	344. Luckey v. Butler County 2006 WL 91592, *1 , S.D.Ohio Before the Court are Plaintiff Eugene Luckey's Motion for Voluntary Dismissal Without Prejudice (doc. # 9) and two Motions for Judgment on the Pleadings by Defendants Butler...	Jan. 13, 2006	Case		12 S.Ct.
Cited by	 345. McGuire v. Ameritech Services, Inc. 253 F.Supp.2d 988, 1000+ , S.D.Ohio ENERGY AND UTILITIES - Telecommunications. Recipients of collect calls from state and county inmates challenged legality of high rates.	Jan. 15, 2003	Case		12 S.Ct.
Cited by	346. West v. Duncan 179 F.Supp.2d 794, 803 , N.D.Ohio CIVIL RIGHTS - Searches and Seizures. Family was not entitled to recover on § 1983 claim based on traffic stop.	Dec. 14, 2001	Case		12 S.Ct.
Cited by	 347. Bishop v. Oklahoma ex rel. Edmondson 447 F.Supp.2d 1239, 1257 , N.D.Okla. FAMILY LAW - Marriage. Defense of Marriage Act did not violate full Faith and Credit Clause.	Aug. 16, 2006	Case		12 S.Ct.
Cited by	 348. Finstuen v. Edmondson  497 F.Supp.2d 1295, 1315 , W.D.Okla. FAMILY LAW - Adoption. Statute barring recognition of status of both parents in adoptions by same-sex couples violated Full Faith and Credit Clause.	May 19, 2006	Case		1 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	349. Callaghan v. City of Cannon Beach ¶¶ 2016 WL 5853722, *3+ , D.Or. Pro se Plaintiff Michael O'Callaghan brings this action against Defendants City of Cannon Beach, Cannon Beach Police Department, Cannon Beach Police Officer Bowman , and Laura...	Oct. 05, 2016	Case		1 3 6 S.Ct.
Cited by	350. Fikre v. F.B.I. ¶¶ 23 F.Supp.3d 1268, 1280 , D.Or. CIVIL RIGHTS - Due Process. Passenger failed to state procedural due process claim arising from his placement on no-fly list.	May 29, 2014	Case		7 9 13 S.Ct.
Cited by	351. Tarhuni v. Holder 8 F.Supp.3d 1253, 1279 , D.Or. CIVIL RIGHTS - Due Process. Placement passenger on no-fly list implicated his substantive due process right to international travel.	Mar. 26, 2014	Case		7 9 13 S.Ct.
Cited by	352. Speed's Auto Services Group, Inc. v. City of Portland, Or. ¶¶ 2013 WL 1826141, *8+ , D.Or. The sole remaining defendant in this action, City of Portland ("City"), moves to dismiss all three claims asserted by plaintiffs Speed's Auto Services Group, Inc., ("Speeds") and...	Apr. 30, 2013	Case		2 4 7 S.Ct.
Cited by	353. Slockish v. U.S. Federal Highway Admin. ¶¶ 2011 WL 7167042, *5 , D.Or. This case involves the U.S. Highway 26 Wildwood-Wemme highway widening project ("Project") near Mt. Hood, Oregon, which was substantially completed in 2008. Plaintiffs consist of...	Sep. 21, 2011	Case		1 3 6 S.Ct.
Cited by	354. Haliburton v. City of Albany Police Dept. ¶¶ 2005 WL 2655416, *4 , D.Or. Plaintiff Michael W. Haliburton II alleges state and federal constitutional claims against the City of Albany Police Department and several of its officers. Haliburton alleges he...	Oct. 18, 2005	Case		1 S.Ct.
Cited by	355. Turner v. Hallberg ¶¶ 2005 WL 2104999, *7 , D.Or. Plaintiff Dana Turner alleges that defendant David Hallberg, an employee of the City of Portland's ("City") Bureau of Development Services, targeted her home for numerous...	Aug. 30, 2005	Case		6 S.Ct.
Cited by	356. Byrd v. City of Philadelphia 2014 WL 5780825, *13 , E.D.Pa. Dorothy Byrd, Edward Chew, Patricia Bryant, and Wanda Davis sued the City of Philadelphia (the "City") and one-time Acting Sheriff Barbara A. Deeley for discriminatorily...	Nov. 06, 2014	Case		2 S.Ct.
Cited by	357. Ickes v. Grassmeyer 30 F.Supp.3d 375, 385+ , W.D.Pa. CIVIL RIGHTS - Excessive Force. Excessive force claims were not precluded by state convictions.	July 02, 2014	Case		2 4 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 358. Lord v. Erie County 2011 WL 13228118, *4 , W.D.Pa. It is respectfully recommended that the motion for summary judgment filed by Defendant [ECF No. 36] be denied. On July 25, 2008, this case was removed from the Court of Common...	June 30, 2011	Case		—
Cited by	359. Gagliardi v. Equifax Information Services, LLC 2011 WL 337331, *16+ , W.D.Pa. TORTS - RICO. A single act of alleged mail fraud was insufficient to establish that credit reporting agency had violated the RICO Act.	Feb. 03, 2011	Case		2 S.Ct.
Cited by	360. Lord v. Erie County 2010 WL 56095, *4 , W.D.Pa. This civil rights action was received by the Clerk of Court on July 25, 2008, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation...	Jan. 05, 2010	Case		—
Cited by	361. Mills v. City of Harrisburg 589 F.Supp.2d 544, 554 , M.D.Pa. CIVIL RIGHTS - Arrest and Detention. Officers had probable cause to make arrest for patronizing a prostitute, precluding false arrest claim.	Dec. 02, 2008	Case		—
Cited by	 362. U.S. v. Shenandoah ¶¶ 572 F.Supp.2d 566, 585+ , M.D.Pa. CRIMINAL JUSTICE - Sex Offenders. Prosecution of defendants under the criminal provision of SORNA did not violate due process.	Aug. 20, 2008	Case		1 6 S.Ct.
Cited by	363. Rivers v. McConnell 2008 WL 859025, *10 , W.D.Pa. This matter has been referred to United States Magistrate Judge Susan Paradise Baxter in accordance with the Magistrates Act, 28 U.S .C. §§ 636(b)(1)(A) and (B), and Rules 72.1.3...	Mar. 31, 2008	Case		1 S.Ct.
Cited by	364. Orleski v. Bowers 2007 WL 2597711, *6+ , W.D.Pa. This matter is before the Court upon a Motion for Summary Judgment filed by Defendants' Charles Bowers, Timothy Stucke, and the City of Erie. In January, 2005, the City of Erie...	Sep. 05, 2007	Case		1 S.Ct.
Cited by	 365. Trunzo v. Allstate Ins. Co. 2006 WL 2773468, *9 , W.D.Pa. The instant action arises out of an automobile accident involving Micaela DeSouza ("Micaela") in which Pamela Trunzo, one of the plaintiffs, was injured. Pending before the court...	Sep. 25, 2006	Case		5 S.Ct.
Cited by	366. Doe v. McVey 381 F.Supp.2d 443, 450+ , E.D.Pa. CRIMINAL JUSTICE - Sex Offenders. Application of Pennsylvania community notification requirements violated sex offender's equal protection rights.	Aug. 09, 2005	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	367. Roman v. City Of Reading 257 F.Supp.2d 799, 803 , E.D.Pa. CIVIL RIGHTS - Equal Protection. Victim stated claim for violation of his equal protection rights.	Apr. 21, 2003	Case		1 S.Ct.
Cited by	368. Cohen v. Rhode Island Turnpike and Bridge Authority 775 F.Supp.2d 439, 451 , D.R.I. GOVERNMENT - Highways and Roads. State bridge authority's policy granting discounted bridge toll rates only to resident motorists did not violate Commerce Clause.	Apr. 07, 2011	Case		12 S.Ct.
Cited by	369. United States v. Chatman 2017 WL 3704832, *1 , D.S.C. This is a civil action filed by a pro se litigant requesting to proceed in forma pauperis. Pursuant to 28 U.S.C. § 636(b)(1), and Local Civil Rule 73.02(B)(2)(e) (D.S.C.), this...	July 28, 2017	Case		—
Cited by	370. Payne v. Johnson ¶¶ 2015 WL 11438144, *2 , D.S.C. The plaintiff, Leo Lionel Payne, a self-represented litigant, brings this action pursuant to 42 U.S.C. § 1983 alleging a violation of his civil rights. This matter is before the...	Aug. 13, 2015	Case		1 3 6 S.Ct.
Cited by	371. Price v. Town of Atlantic Beach ¶¶ 2013 WL 5945724, *9 , D.S.C. Before this court is Defendants Town of Atlantic Beach ("Town"), Councilwoman Charlene Taylor, Councilwoman Josephine Isom, Councilman Jake Evans's (collectively "Defendants")...	Nov. 06, 2013	Case		1 6 S.Ct.
Cited by	372. Fitchett v. Wilson ¶¶ 2013 WL 5468343, *5 , D.S.C. Plaintiffs, who are proceeding pro se in this matter, challenge the constitutionality of South Carolina's motor vehicle registration statutes, S.C.Code Ann. § 56-3-150(B)(2) and §...	Aug. 23, 2013	Case		1 S.Ct.
Cited by	373. Fitchett v. County of Horry, S.C. ¶¶ 2011 WL 4435756, *5+ , D.S.C. Plaintiffs, who are proceeding pro se, filed this 42 U.S.C. § 1983 action alleging that S.C.Code Ann. § 56-3-150(B) and § 56-3-160 (statutes at issue) are unconstitutional, both...	Aug. 10, 2011	Case		1 S.Ct.
Cited by	374. Price v. Town of Atlantic Beach ¶¶ 2010 WL 1433121, *4+ , D.S.C. The plaintiff filed this action on October 17, 2009, alleging twelve causes of action. (Doc. # 1). This matter is now before the Court for consideration of the defendants' motion...	Apr. 08, 2010	Case		1 6 S.Ct.
Cited by	375. Merrival v. Jackley ¶¶ 2018 WL 6308693, *5 , D.S.D. Plaintiff Micheal Merrival, Jr., an inmate at the Pennington County Jail in Rapid City, South Dakota, filed a second amended complaint against the defendants. (Docket 6). Mr....	Dec. 03, 2018	Case		2 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	376. Rosenbrahn v. Daugaard ¶¶ 61 F.Supp.3d 845, 861 , D.S.D. GLBT - Marriage. Same-sex couples stated plausible equal protection claim based on alleged deprivation of fundamental right to marriage.	Nov. 14, 2014	Case		1 3 6 S.Ct.
Cited by	377. UNITED STATES OF AMERICA, Plaintiff, v. LEESHAWN HOWARD, Defendant. , E.D.Tenn.	Sep. 09, 2021	Case		—
Cited by	378. United States v. Mize 2021 WL 3891062, *4 , E.D.Tenn. This matter is before the Court on defendant's pro se motion for compassionate release [Doc. 208]. The United States has filed a response [Doc. 215], defense counsel has filed a...	Aug. 31, 2021	Case		—
Cited by	379. United States v. Rogers 2021 WL 3423552, *3 , E.D.Tenn. This matter is before the Court on defendant's pro se motions for compassionate release [Case No. 3:11-CR-52, Doc. 51; Case No. 3:17-CR-37, Doc. 670] and motion to appoint counsel...	Aug. 05, 2021	Case		—
Cited by	380. United States v. Walker 2021 WL 3276593, *2 , E.D.Tenn. This matter is before the Court on defendant's pro se motion for compassionate release [Doc. 737], supplement to the motion [Doc. 758], and motion to appoint counsel [Doc. 727]....	July 30, 2021	Case		—
Cited by	381. United States v. Williams 2021 WL 3085316, *3+ , E.D.Tenn. This matter is before the Court on defendant's pro se Motion for Compassionate Release [Doc. 1344]. The Federal Defender Services of Eastern Tennessee, Inc. has filed a...	July 21, 2021	Case		—
Cited by	382. United States v. Stripling 2021 WL 1614799, *2 , E.D.Tenn. This matter is before the Court on defendant's pro se motion for home confinement [Doc. 406] and the motion for compassionate release filed on defendant's behalf by Federal...	Apr. 26, 2021	Case		—
Cited by	383. United States v. Caudill 2021 WL 1535337, *4 , E.D.Tenn. This matter is before the Court on defendant's motion for compassionate release filed on defendant's behalf by counsel [Doc. 44]. The United States has filed a response [Doc. 47],...	Apr. 19, 2021	Case		—
Cited by	384. United States v. Nix 2021 WL 1518632, *3 , E.D.Tenn. This matter is before the Court on defendant's supplemental motion for compassionate release [Doc. 113]. The United States has filed a response [Doc. 114], and defendant has filed...	Apr. 16, 2021	Case		—












Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	385. United States v. Bost 2021 WL 354411, *3+ , E.D.Tenn. This matter is before the Court on defendant's motions for compassionate release [Docs. 66, 67]. Federal Defender Services have filed supplements to defendant's pro se motions...	Feb. 02, 2021	Case		—
Cited by	386. United States v. Bolze 2020 WL 6151561, *14 , E.D.Tenn. Defendant believes himself entitled to compassionate release under 18 U.S.C. § 3582(c) (1)(A) [Doc. 177]. The government essentially waives the threshold question of exhaustion...	Oct. 20, 2020	Case		—
Cited by	387. Hale/Camacho v. Department of Safety and Homeland Security 2019 WL 5199239, *4 , W.D.Tenn. On August 7, 2019, the plaintiff, Kathy S. Hale/ Camacho ("Camacho"), filed a pro se "Complaint for Rule 5.1 Constitutional Challenge to a Statute." (Compl., EFC No. 1.) Camacho...	Aug. 30, 2019	Case		—
Cited by	 388. Robinson v. Purkey 2018 WL 5023330, *5+ , M.D.Tenn. Fred Robinson, Ashley Sprague, and Johnny Gibbs have filed a Motion for Preliminary Injunction (Docket No. 25), to which Tennessee Department of Safety and Homeland Security...	Oct. 16, 2018	Case		—
Cited by	389. U.S. v. Stock 2009 WL 2905929, *12 , E.D.Tenn. This criminal matter is before the Court to consider the Report and Recommendation of the United States Magistrate Judge dated August 4, 2009. [Doc. 30]. The Magistrate Judge...	Sep. 02, 2009	Case		1 S.Ct.
Cited by	 390. League of United Latin American Citizens (LULAC) v. Bredesen 2004 WL 3048724, *4 , M.D.Tenn. Pending before the Court is Plaintiffs' Motion For Preliminary Injunction (Docket No. 4). The Court held a hearing on the Motion on September 23, 2004. For the reasons set forth...	Sep. 28, 2004	Case		—
Cited by	 391. Craigmiles v. Giles 110 F.Supp.2d 658, 666+ , E.D.Tenn. CIVIL RIGHTS - Due Process. Licensing requirements on funeral merchandise stores violated due process and equal protection.	Aug. 21, 2000	Case		12 S.Ct.
Cited by	 392. Manley v. Texas Southern University  107 F.Supp.3d 712, 728+ , S.D.Tex. EDUCATION - Admission. Law school applicant failed to state claim for equal protection violations.	May 12, 2015	Case		1 2 13 S.Ct.
Cited by	393. Serafine v. Branaman 2012 WL 12850251, *8 , W.D.Tex. Before the court in the above styled and numbered cause of action are Defendants' Motion to Dismiss, filed January 28, 2012 (Clerk's Doc. No. 18), Plaintiff's Response in...	June 26, 2012	Case		2 S.Ct.











Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	394. United States v. Garrett Allard ¶ 2011 WL 13185794, *5, W.D.Tex. On this day, the Court considered Defendant Andrew Garrett Allard's "Motion to Dismiss," filed in the above-captioned cause on September 28, 2011. On September 28, 2011, the...	Oct. 05, 2011	Case		1 3 6 S.Ct.
Cited by	395. United States v. Miller ¶ 2010 WL 11542082, *1+, W.D.Tex. Defendant is charged in a one-count indictment with failure to register as a sex offender, a violation of 18 U.S.C. § 2250(a). He moves to dismiss the indictment, asserting that...	Aug. 11, 2010	Case		1 3 6 S.Ct.
Cited by	396. Verizon Employee Benefits Committee v. Frawley 2006 WL 3438614, *7, N.D.Tex. Now before the Court is Third-Party Defendants' Motion to Dismiss Third-Party Plaintiff's First Amended Complaint Under Federal Rule of Civil Procedure 12(b)(6) ("Third-Party...	Nov. 15, 2006	Case		—
Cited by	397. Mitchell v. Beaumont Independent School Dist. 2006 WL 2092585, *15, E.D.Tex. Pending before the court is Defendants Beaumont Independent School District ("BISD"), Dr. Carrol A. Thomas ("Dr.Thomas"), Megan Cobb ("Ms.Cobb"), and Officer Kenneth Marvin...	July 25, 2006	Case		12 S.Ct.
Cited by	398. Grayeyes v. Nielson 2018 WL 4442263, *4, D.Utah Defendant San Juan County Clerk John Nielson, and former defendants San Juan County Sheriff Deputy Colby Turk and San Juan County Attorney Kendall Laws filed a motion to dismiss...	Sep. 16, 2018	Case		1 6 S.Ct.
Cited by	399. United States v. Mayville ¶ 2018 WL 1224464, *6+, D.Utah After the court denied defendant John Elisha Mayville's first motion to suppress evidence, he filed a second motion to suppress. In his second motion, he argues that the drug and...	Mar. 07, 2018	Case		1 6 S.Ct.
Cited by	400. Mohamed v. Holder ¶ 2015 WL 4394958, *5, E.D.Va. Plaintiff Gulet Mohamed (Plaintiff or "Mohamed") has challenged his alleged placement on the No Fly List. The No Fly List is a list of persons who are precluded from flying on...	July 16, 2015	Case		1 6 S.Ct.
Cited by	401. Brewer v. Hashim 2017 WL 2787622, *12, D.Vt. Plaintiff Robert Brewer, proceeding pro se, brings this action against Defendant Nader Hashim, a Vermont State Police (VSP) trooper. (Doc. 1.) Brewer's claims arise from an April...	June 27, 2017	Case		2 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	402. Potter v. City of Lacey 517 F.Supp.3d 1152, 1163+ , W.D.Wash. GOVERNMENT — Municipalities. Mobile home owner failed to establish in his § 1983 action that ordinance prohibiting longterm parking without a permit violated the Fourth Amendment.	Feb. 05, 2021	Case		1 S.Ct.
Cited by	403. Courtney v. Goltz 868 F.Supp.2d 1143, 1150 , E.D.Wash. TRANSPORTATION - Carriers. Prospective operators did not have Fourteenth Amendment right to operate a commercial ferry open to the public on a lake.	Apr. 17, 2012	Case		—
Cited by	404. Smith v. Legal Helpers Debt Resolution, LLC 2011 WL 5166494, *8+ , W.D.Wash. This matter comes before the Court on Defendants Legal Helpers Debt Resolution, LLC's ("Legal Helpers") Renewed Motion to Dismiss Class Action Complaint (Dkt.56) and JEM Group,...	Oct. 31, 2011	Case		2 13 S.Ct.
Cited by	405. Lewis v. Price 2009 WL 2634597, *2 , E.D.Wash. BEFORE THE COURT is Plaintiff's Objection (Ct.Rec.18) to the Report and Recommendation to Dismiss this action (Ct.Rec.17). Plaintiff, a prisoner at the Airway Heights Corrections...	Aug. 20, 2009	Case		4 12 S.Ct.
Cited by	406. Rodriguez v. City of Moses Lake 2008 WL 5205947, *5+ , E.D.Wash. CIVIL RIGHTS - Wrongful Prosecution. Hispanic homeowner, charged with filing a false insurance claim after her house was destroyed by a fire, failed to allege specific facts...	Dec. 11, 2008	Case		8 12 S.Ct.
Cited by	407. Green v. Transportation Security Admin. 351 F.Supp.2d 1119, 1130 , W.D.Wash. TRANSPORTATION - Aviation. District court lacked jurisdiction to review Transportation Security Administration security directives.	Jan. 07, 2005	Case		—
Cited by	408. Brodzki v. Wisonsin 2011 WL 1576388, *1+ , W.D.Wis. Pro se plaintiff Anthony J. Brodzki, a resident of Texas, has filed a proposed complaint under 42 U.S.C. § 1983. Because he is proceeding in forma pauperis under 28 U.S.C. § 1915,...	Apr. 26, 2011	Case		—
Cited by	409. Schanzenbach v. Town of La Barge 2012 WL 12894847, *8 , D.Wyo. The Plaintiff's Motion for Partial Summary Judgment (Docket Entry 36) and the Defendants' Motion for Summary Judgment (Docket Entry 33), and the parties' responses in opposition...	Jan. 25, 2012	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	410. Frank v. Government of Virgin Islands 2012 WL 611373, *11+ , D.Virgin Islands Before the Court are the motions of Ira Frank ("Frank"), the Government of the Virgin Islands and Bernadette Williams, Acting Tax Assessor ("Williams") (collectively, the...	Feb. 23, 2012	Case		1 12 S.Ct.
Cited by	411. Autoridad de los Puertos, Inc. v. Hermandad Empleados Oficina, Comercio y Ramas Anexas de Puerto Rico ¶¶ 2010 WL 11545978, *3 , D.Puerto Rico Pending before the Court are: (a) Motion To Dismiss Under Rule 12(b)(1) And 12(b)(6) ("Motion to Dismiss") filed by the Hermandad Empleados de Oficina, Comercio y Ramas Anexas de...	Oct. 04, 2010	Case		1 2 S.Ct.
Cited by	412. In re Robedee 367 B.R. 901, 906 , Bkrtcy.S.D.Fla. BANKRUPTCY - Avoidance. Trustee failed to show fraudulent intent in connection with transfer of funds.	Apr. 12, 2007	Case		1 6 S.Ct.
Cited by	413. In re Wilson ¶¶ 258 B.R. 303, 310+ , Bkrtcy.S.D.Ga. BANKRUPTCY - Jurisdiction. Bankruptcy statute purporting to waive state's sovereign immunity is upheld.	Jan. 19, 2001	Case		4 12 S.Ct.
Cited by	414. Odow v. U.S. ¶¶ 51 Fed.Cl. 425, 434+ , Fed.Cl. GOVERNMENT - United States. Japanese American claimant eligible for restitution under the Civil Liberties Act.	Dec. 04, 2001	Case		8 S.Ct.
Cited by	415. Cousins v. State, Dept. of Revenue, Permanent Fund Dividend Div. 2001 WL 34818200, *3 , Alaska The Cousins family challenges the constitutionality of the denial of their 1997 Permanent Fund Dividend applications. Because the state did not abridge the Cousinses' right to...	May 09, 2001	Case		1 S.Ct.
Cited by	416. Schikora v. State, Dept. of Revenue 7 P.3d 938, 946+ , Alaska GOVERNMENT - States. Resident did not have allowable absences was not entitled to permanent fund dividends.	Aug. 25, 2000	Case		12 S.Ct.
Cited by	417. State v. Lowery ¶¶ 287 P.3d 830, 835 , Ariz.App. Div. 2 CRIMINAL JUSTICE - Sex Offenses. Sex offender registration statute did not violate foreign state sex offender's right to equal protection.	Oct. 31, 2012	Case		1 6 S.Ct.
Cited by	418. Ganey v. Kawasaki Motors Corp., U.S.A. 234 S.W.3d 838, 848 , Ark. PRODUCTS LIABILITY - Limitations. Louisiana had a more significant relationship to ATV rider and manufacturer such that its statute of limitations applied.	May 04, 2006	Case		1 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	419. Stow v. Montgomery 601 S.W.3d 146, 155 , Ark.App.	May 13, 2020	Case		1 S.Ct.
Cited by	420. In re D.E. ¶¶ 2012 WL 6004154, *10+ , Cal.App. 6 Dist. In this delinquency proceeding (see Welf. & Inst.Code, § 602), the court declared D.E. a ward of the court and placed him on probation for a period of 24 months on certain terms...	Nov. 30, 2012	Case		1 3 6 S.Ct.
Cited by	421. People v. Bito ¶¶ 2012 WL 5333414, *8+ , Cal.App. 6 Dist. This matter has been transferred here from the Supreme Court (S202529) with directions to vacate our previous decision (People v. Bito (Apr. 5, 2012) H036375 [nonpub. opn.]) and...	Oct. 30, 2012	Case		1 6 S.Ct.
Cited by	422. Halajian v. D & B Towing 146 Cal.Rptr.3d 646, 652 , Cal.App. 5 Dist. CRIMINAL JUSTICE - Driving After Revocation. Towing and impounding truck upon arrest for license and registration violations did not violate Fourth Amendment.	Sep. 04, 2012	Case		—
Cited by	423. People v. Bito ¶¶ 2012 WL 1136606, *7+ , Cal.App. 6 Dist. In this case we are asked to decide if several sentencing errors occurred with respect to the judgment entered following appellant's conviction by plea in Monterey County Superior...	Apr. 05, 2012	Case		1 6 S.Ct.
Cited by	424. People v. Arreola ¶¶ 2012 WL 160091, *5+ , Cal.App. 6 Dist. Defendant Juan Jose Arreola pleaded no contest to possessing brass knuckles and committing misdemeanor street terrorism. The trial court suspended imposition of sentence and placed...	Jan. 19, 2012	Case		1 6 S.Ct.
Cited by	425. In re D.G. ¶¶ 2011 WL 3241789, *6+ , Cal.App. 6 Dist. On May 17, 2010, the Santa Clara County District Attorney filed a wardship petition under Welfare and Institutions Code section 602, subdivision (a) alleging that D.G. illegally...	July 29, 2011	Case		1 3 6 S.Ct.
Cited by	426. People v. Stockdale ¶¶ 2011 WL 1585070, *3 , Cal.App. 6 Dist. In this appeal, appellant Mark Stockdale challenges as overbroad a condition of probation that requires him to “ remain 200 yards from all Safeway stores.” For reasons that...	Apr. 27, 2011	Case		1 S.Ct.
Cited by	427. In re J.B. ¶¶ 2010 WL 4740308, *4+ , Cal.App. 6 Dist. Delinquency proceedings (Welf. & Inst.Code, § 602, subd. (a)) were commenced against J.B. after he committed sexual offenses against his four-year-old nephew. He was declared a...	Nov. 23, 2010	Case		1 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 428. People v. Pina ¶¶ 2010 WL 2691612, *3+ , Cal.App. 6 Dist. Defendant Olivo Perez Pina appeals from an order granting him formal probation under specified conditions following his plea of no contest to infliction of corporal injury on a...	July 08, 2010	Case		1 S.Ct.
Cited by	 429. People v. Negron ¶¶ 2010 WL 1329829, *7+ , Cal.App. 6 Dist. Defendant Anthony Joe Negron, Jr. appeals from a judgment entered after he pleaded guilty to carrying a dirk or dagger and unlawful participation in a criminal street gang....	Apr. 06, 2010	Case		1 S.Ct.
Cited by	 430. People v. Flores ¶¶ 2009 WL 4882656, *6+ , Cal.App. 6 Dist. Luis Manuel Flores pleaded no contest to receiving stolen property (Pen.Code, § 496, subd. (a)) as part of a negotiated plea providing for dismissal of another count and a grant...	Dec. 18, 2009	Case		1 S.Ct.
Cited by	 431. People v. Garcia ¶¶ 2009 WL 1178553, *8 , Cal.App. 6 Dist. Mario Garcia appeals from the order granting him formal probation under specified conditions following his plea of no contest to charges of attempting to dissuade a witness/victim...	May 04, 2009	Case		1 S.Ct.
Cited by	 432. In re Alex L. 2005 WL 980607, *2 , Cal.App. 2 Dist. Alex L. appeals from the order placing him on probation on certain terms and conditions and in a camp community placement program for 90 days after the juvenile court declared him...	Apr. 28, 2005	Case		—
Cited by	433. City & County of San Francisco v. Flying Dutchman Park 18 Cal.Rptr.3d 532, 542 , Cal.App. 1 Dist. GOVERNMENT - Municipalities. City parking tax was valid.	Sep. 09, 2004	Case		12 S.Ct.
Cited by	 434. Peck v. Driscoll ¶¶ 2002 WL 77743, *13 , Cal.App. 4 Dist. LITIGATION - Trial. New trial was justified to correct errors in the original judgment.	Jan. 18, 2002	Case		1 2 S.Ct.
Cited by	 435. Baltayan v. Estate of Getemyan 110 Cal.Rptr.2d 72, 86+ , Cal.App. 2 Dist. LITIGATION - Dismissal. Dismissal for failure to post undertaking created manifest miscarriage of justice.	July 30, 2001	Case		—
Cited by	 436. In re Marriage of McSoud 131 P.3d 1208, 1217 , Colo.App. FAMILY LAW - Visitation. Order conditioning parent's taking child to church on support of other parent's religion violated free exercise rights.	Feb. 09, 2006	Case		12 S.Ct.












Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	437. LaPaglia v. Connecticut Valley Hospital  2018 WL 5099732, *6+ , Conn.Super. On October 10, 2017, the plaintiff, John Angelo LaPaglia, who is self-represented, commenced this action by service of writ, summons and complaint against the defendants, the...	Oct. 02, 2018	Case		1 6 12 S.Ct.
Cited by	 438. Hong Pham v. Starkowski  2009 WL 5698062, *16 , Conn.Super. CIVIL RIGHTS - Equal Protection. Under strict scrutiny review, state legislative action terminating public assistance in the form of medical benefits to legal noncitizens violated...	Dec. 18, 2009	Case		11 S.Ct.
Cited by	439. Plemmons v. Newton  2003 WL 125480, *12 , Conn.Super. The defendant, Aaron Damar Newton, filed a motion for genetic testing, in a pending action instituted by plaintiff, the state of Connecticut Commissioner of Social Services,...	Jan. 08, 2003	Case		—
Cited by	440. McDaniel v. McDaniel 2001 WL 1132148, *9+ , Conn.Super. By complaint dated October 29, 1999, the plaintiff wife, Robin J. McDaniel, commenced this action seeking a dissolution of marriage on the ground of irretrievable breakdown,...	Aug. 16, 2001	Case		12 S.Ct.
Cited by	 441. State v. J.P. 907 So.2d 1101, 1112+ , Fla. FAMILY LAW - Juvenile Justice. Juvenile curfew ordinances violated juveniles' constitutional rights to privacy and to travel.	Nov. 18, 2004	Case		12 S.Ct.
Cited by	442. Fredman v. Fredman  960 So.2d 52, 57 , Fla.App. 2 Dist. FAMILY LAW - Child Custody. Relocation statute did not violate mother's fundamental right to travel by requiring her to obtain court permission to relocate children.	June 20, 2007	Case		12 S.Ct.
Cited by	443. Reinish v. Clark  765 So.2d 197, 210 , Fla.App. 1 Dist. TAXATION - Real Property. State homestead tax exemption did not violate commerce clause.	July 20, 2000	Case		1 S.Ct.
Cited by	444. Bartosz v. Jones 197 P.3d 310, 322 , Idaho FAMILY LAW - Child Custody. Magistrate did not apply presumption against relocation when it denied request of mother to move out of state.	Oct. 16, 2008	Case		1 6 S.Ct.
Cited by	445. State v. Wilder 67 P.3d 839, 841+ , Idaho App. TRANSPORTATION - Motor Vehicles. Requirement of applicant's social security number to obtain license did not violate right to travel.	Mar. 31, 2003	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	446. Gutraj v. Department of Financial and Professional Regulation ¶¶ 2013 WL 5777170, *6, Ill.App. 4 Dist. ¶ 1 Held: The appellate court held (1) pursuant to section 20.01(e) of the Illinois Public Accounting Act (225 ILCS 450/20.01(e) (West 2012)) a hearing was not required before the...	Oct. 24, 2013	Case		1 S.Ct.
Cited by	447. Humphreys v. Clinic for Women, Inc. 796 N.E.2d 247, 269+, Ind. SOCIAL SECURITY - Medicaid. Indiana's Medicaid program was too restrictive in funding abortions.	Sep. 24, 2003	Case		—
Cited by	448. King v. State 818 N.W.2d 1, 22, Iowa EDUCATION - Civil Rights. State's system for setting educational standards was supported by legitimate government interests.	Apr. 20, 2012	Case		4 S.Ct.
Cited by	449. Carmicle v. Commonwealth ¶¶ 2017 WL 4570581, *4, Ky.App. Gary Carmicle appeals from a criminal judgment entered by the McCracken Circuit Court convicting him of failure to comply with sex offender registration, second or greater offense;...	Oct. 13, 2017	Case		1 S.Ct.
Cited by	450. Smith v. Com. ¶¶ 2014 WL 4521235, *4, Ky.App. These consolidated appeals are brought by Michael D. Smith from judgments entered by the McCracken Circuit Court on September 19, 2012, and Marshall Circuit Court on February 5,...	Sep. 12, 2014	Case		—
Cited by	451. Com. v. Weston W. ¶¶ 913 N.E.2d 832, 839+, Mass. CRIMINAL JUSTICE - Curfews. Six-hour curfew on persons under seventeen years of age was unconstitutional in part.	Sep. 25, 2009	Case		1 S.Ct.
Cited by	452. Mason v. Coleman 850 N.E.2d 513, 521, Mass. FAMILY LAW - Child Custody. Denial of a mother's motion to relocate children out of state was not an abuse of discretion.	July 10, 2006	Case		—
Cited by	453. Doe v. Commissioner of Transitional Assistance 773 N.E.2d 404, 411, Mass. IMMIGRATION - Public Benefits. Six-month residency requirement for state public assistance did not violate equal protection.	Aug. 15, 2002	Case		—
Cited by	454. Com. v. Becker 879 N.E.2d 691, 701, Mass.App.Ct. CRIMINAL JUSTICE - Sex Offenders. Evidence was sufficient to support a conviction for failing to register as a sex offender.	Jan. 25, 2008	Case		1 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 455. Kelen v. Massachusetts Turnpike Authority 2007 WL 1418510, *2, Mass.Super. The plaintiffs, Edgar Kelen ("Kelen") and Christopher Pachus ("Pachus"), have filed a class action complaint challenging the constitutionality of a toll discount program ("toll...	May 03, 2007	Case		1 S.Ct.
Cited by	 456. State v. Sullivan 966 A.2d 919, 923, Md. CRIMINAL JUSTICE - Driving After Revocation. Defendant did not have a "privilege to drive" that could be "revoked," and thus he could not be convicted of driving while his...	Mar. 09, 2009	Case		—
Cited by	 457. Ehrlich v. Perez  908 A.2d 1220, 1240, Md. HEALTH - Medical Assistance. Resident aliens were likely to prevail on equal protection claim regarding Medical Assistance for children and pregnant women.	Oct. 12, 2006	Case		11 S.Ct.
Cited by	458. Neff v. Neff 2017 WL 1534889, *16+, Md.App. Nicole S. Neff ("Mother"), the appellant, appeals from a custody order and an amended custody order entered by the Circuit Court for Montgomery County during the pendency of her...	Apr. 28, 2017	Case		1 S.Ct.
Cited by	459. State v. Salisbury 173 A.3d 146, 146, Me. [¶1] Neil D. Salisbury appeals from a judgment of conviction of operating after suspension (Class E), 29-A M.R.S. § 2412-A(1-A)(A) (2016), operating without a license (Class E),...	Nov. 14, 2017	Case		—
Cited by	460. Scheffler v. Commissioner of Public Safety 2016 WL 22355, *4, Minn.App. Appellant challenges the district court's order granting respondent's motion to dismiss. He argues that respondent commissioner of public safety improperly reported the...	Jan. 04, 2016	Case		—
Cited by	461. Peters v. Johns 489 S.W.3d 262, 286, Mo. CIVIL RIGHTS — Free Speech. Failure of putative state representative candidate to register to vote did not qualify as symbolic speech, as required for First Amendment protection.	May 20, 2016	Case		—
Cited by	 462. Standley v. Town of Woodfin 661 S.E.2d 728, 730, N.C. GOVERNMENT - Public Safety. Ordinance prohibiting sex offenders from knowingly entering any public park owned, operated, or maintained by town did not violate right to intrastate...	June 12, 2008	Case		1 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	463. State v. Manning 727 S.E.2d 380, 382 , N.C.App. CRIMINAL JUSTICE - Sex Offenders. Notice sent to convicted sex offender of hearing on satellite based monitoring satisfied due process.	June 05, 2012	Case		12 S.Ct.
Cited by	464. State v. Pait 698 S.E.2d 202, 202 , N.C.App. CRIMINAL JUSTICE - Appeals. Defendant failed to preserve for appellate review his claim that satellite-based monitoring program violated his right to privacy.	July 20, 2010	Case		3 S.Ct.
Cited by	465. State v. Vogt 685 S.E.2d 23, 30+ , N.C.App. CRIMINAL JUSTICE - Sex Offenders. Retroactive application to defendant of statutory provisions requiring certain offenders to submit to lifetime satellite-based monitoring did not...	Nov. 03, 2009	Case		—
Cited by	466. State v. Harris 817 N.W.2d 258, 275 , Neb. CRIMINAL JUSTICE - Sex Offenders. Transient sex offender registration statute's increased reporting requirements did not violate equal protection rights.	July 27, 2012	Case		1 3 S.Ct.
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