

79 S.Ct. 564
Supreme Court of the United States

PEOPLE OF THE STATE
OF NEW YORK Petitioner,

v.

Joseph C. O'NEILL.

No. 53.

|
Argued Nov. 20, 1958.

|
Decided March 2, 1959.

Synopsis

Proceeding under the Florida 'Uniform Law to Secure the Attendance of Witnesses from Within or Without a State in Criminal Proceedings.' *The Florida Supreme Court*, 100 So.2d 149, affirmed judgment of lower court, which had held statute unconstitutional, and certiorari was granted. The United States Supreme Court, Mr. Justice Frankfurter, held that the statute did not involve discrimination by Florida against citizens of other states, even though the statute could be (as it was sought to be in the instant case) applied to compel a nonresident visiting in Florida to go to third state to give testimony.

Reversed and remanded.

Mr. Justice Douglas and Mr. Justice Black dissented.

Attorneys and Law Firms

****567 *1** Mr. Reeves Bowen, Tallahassee, for petitioner.

Mr. L. J. Cushman, Miami, for respondent.

Opinion

***3** Mr. Justice FRANKFURTER delivered the opinion of the Court.

This case is before us to determine the constitutionality of a Florida statute entitled 'Uniform Law to Secure the Attendance of Witnesses from Within or Without a State in Criminal Proceedings.' *Fla.Stat.1957, ss 942.01—942.06*, F.S.A. Respondent, a citizen of Illinois, had traveled to Florida to attend a convention. In accordance with the Florida

statute, the Circuit Court of Dade County, Florida, responded to a certificate executed by a judge of the Court of General Sessions, New York County (under N.Y.Code Crim.Proc. s 618—a), by summoning respondent before it to determine whether he was to be given into the custody of New York authorities to be transported to New York to testify in a grand jury proceeding in that State. The Circuit Court, ruling that the Florida statute violated the Florida and the United States Constitutions, refused to grant New York's request. 9 Fla.Supp. 153. The Supreme Court of Florida affirmed this decision on the ground that the statute violated the United States Constitution. 100 So.2d 149. We granted certiorari, 365 U.S. 972, 78 S.Ct. 1137, 2 L.Ed.2d 1146, inasmuch as this holding brings into question the constitutionality of a statute now in force in forty-two States and the Commonwealth of Puerto Rico. (Thirty-nine States and Puerto Rico joined in an amici brief in support of the Uniform Act.) The certificate filed with the Circuit Court of Dade County recites that respondent's testimony is desired by a New York County grand jury. That certificate is, under the terms of the statute, 'prima facie *4 evidence of all the facts stated therein.' *Fla.Stat., 1957, s 942.02(2)*, F.S.A. Therefore, on the face of the record, respondent's attendance at a grand jury investigation in New York is required by the certificate filed with the Florida court and not withdrawn from it. Neither party has suggested that this is not a live litigation nor do we find any ground for deeming the case to be moot.

The Uniform Act as enacted by the Florida Legislature in 1941 was formulated by the National Conference of Commissioners on Uniform State Laws in its present form in 1936. See *Handbook of the National Conference of Commissioners on Uniform State Laws* 333 (1936); 9 U.L.A. 91 (1957). The Uniform Act is reciprocal. It is operative only between States which have enacted it or similar legislation for compelling of witnesses to travel to, and testify in, sister States.

The terms of the statute make quite clear the procedures to be followed. The judge of the court of the requesting State files in any court of record in the State in which the witness may be found a certificate stating the necessity of the appearance of such witness in a criminal prosecution or grand jury investigation in the requesting State. The certificate must also state the number of days the witness would be required to attend. Upon receipt of such a certificate a hearing is held by the court in which it is filed. In the hearing, at which under the Florida Act the witness is entitled to counsel, the court which received this certificate is obliged to determine

whether an order to attend the prosecution or grand jury investigation **568 in the requesting State would comply with conditions set forth in the statute: that the witness is material and necessary; that the trip to the requesting State would not involve undue hardship to the witness; that the laws of the requesting State and States through which the witness must travel grant him immunity from arrest and the service of civil and criminal process. Furthermore, *5 the statute provides that the witness must be tendered ten cents a mile for each mile to and from the requesting State and five dollars for each day that he is required to travel and attend as a witness. Under the statute the order of the forwarding State to the witness may take two forms: first, the court may issue a summons directing the witness to attend and testify in the requesting State; second, if the certificate of the requesting State so recommends, and if the recommendation is found to be desirable by the court of the forwarding State, the court may immediately deliver the witness to an officer of the requesting State. Furthermore, if such a recommendation is made by the requesting State, instead of the initial notification of hearing the court of the forwarding State may take the witness into immediate custody. Whether the procedure be by notification and then summons or by apprehension and then delivery, the hearing and the issues to be determined therein are the same.

In [Commonwealth of Kentucky v. Dennison](#), 24 How. 66, 16 L.Ed. 717, Mr. Chief Justice Taney, speaking of the obligation imposed by the Constitution upon the Governor of Ohio to deliver to Kentucky one accused of violation of the criminal laws of Kentucky, called attention 'to the obvious policy and necessity of this provision to preserve harmony between States, and order and law within their respective borders * * *.' 24 How. at page 103. The same 'policy and necessity' underlie the measure adopted by Florida and forty-two other jurisdictions. Unless there is some provision in the United States Constitution which clearly prevents States from accomplishing this end by the means chosen, this Court must sustain the Uniform Act. The absence of a provision in the United States Constitution specifically granting power to the States to legislate respecting interstate rendition of witnesses presents no bar. To argue from the declaratory incorporation *6 in the [Constitution, Art. IV, s 2](#), of the ancient political policy among the Colonies of delivering up fugitives from justice an implied denial of the right to fashion other cooperative arrangements for the effective administration of justice, is to reduce the Constitution to a rigid, detailed and niggardly code. In adjudging the validity of a statute effecting a new form of relationship between States, the search is not for a specific constitutional authorization for it. Rather,

according to the statute the full benefit of the presumption of constitutionality which is the postulate of constitutional adjudication, we must find clear incompatibility with the United States Constitution. The range of state power is not defined and delimited by an enumeration of legislative subject-matter. The Constitution did not purport to exhaust imagination and resourcefulness in devising fruitful interstate relationships. It is not to be construed to limit the variety of arrangements which are possible through the voluntary and cooperative actions of individual States with a view to increasing harmony within the federalism created by the Constitution. Far from being devisive, this legislation is a catalyst of cohesion. It is within the unrestricted area of action left to the States by the Constitution.

The Supreme Court of Florida found that the statute violated the Privileges and Immunities Clauses found in [Art. IV, s 2](#), and in the Fourteenth Amendment. The Privileges and Immunities **569 Clause of [Art. IV, s 2](#), proscribes discrimination by a State against a citizen of another State. [Slaughter-House Cases](#), 16 Wall. 36, 77, 21 L.Ed. 394. There is no such discrimination here. The Florida statute applies to all persons within the boundaries, and therefore subject to the jurisdiction, of Florida. The finding of the Florida Supreme Court that the right to ingress and egress is a privilege of national citizenship protected by the Fourteenth Amendment raises an issue that has more than once been stirred in opinions of this Court. *7 See concurring opinions in [Edwards v. People of State of California](#), 314 U.S. 160, 178 and 184, 62 S.Ct. 164, 169, and 171, 86 L.Ed. 119, in connection with [Crandall v. State of Nevada](#), 6 Wall. 35, 18 L.Ed. 744. However, even if broad scope be given to such a privilege, there is no violation of that privilege by the Florida statute. Florida undoubtedly could have held respondent within Florida if he had been a material witness in a criminal proceeding within that State. And yet this would not have been less of a limitation on his claim of the right of ingress and egress than is an order to attend and testify in New York. There are restrictions on the exercise of the claimed constitutional right. One such restriction derives from the obligation to give testimony. This obligation has been sustained where it necessitated travel across the Atlantic Ocean. [Blackmer v. United States](#), 284 U.S. 421, 52 S.Ct. 252, 76 L.Ed. 375.¹

More fundamentally, this case does not involve freedom of travel in its essential sense. At most it represents a temporary interference with voluntary travel. Particularly is this so in an era of jet transportation when vast distances can be traversed

in a matter of hours. Respondent was perfectly free to return to Florida after testifying in New York. Indeed, New York was obligated to pay his way back to Florida. Or, after testifying, he could return to Illinois or remain in New York. The *8 privilege of ingress and egress among the States which has been urged in opinions is of hardier stuff. The privilege was to prevent the walling off of States, what has been called the Balkanization of the Nation. The requirement which respondent resists conduces, it merits repetition, toward a free-willed collaboration of independent States.

The more relevant challenge to the statute invalidated by the Supreme Court of Florida is that it denies due process of law in violation of the Fourteenth Amendment. Because of the generous protections to be accorded a person brought or summoned before the court of the forwarding State, procedural due process in the hearing itself must be accorded and this is firmly established. The Circuit Court of Dade County ruled that the absence of any provision for bail in the procedure of apprehension and delivery violated due process of law. Since the Supreme Court of Florida expressly refrained from ruling whether the failure of the statute to provide for bail for persons attached and delivered violated either the Florida Constitution, F.S.A.Const. Declaration of Rights, s 9, or the Fourteenth Amendment, and since **570 silence on bail is not tantamount to proscription of bail, the claim that this silence of the statute is a violation of the Fourteenth Amendment is a hypothetical question which need not now be considered. We may add that the sole claim before us, as it was the sole claim dealt with by the Supreme Court of Florida, is that the statute is unconstitutional on its face. No claim is before us that the administration of the statute in the particular circumstances of this case violates due process.

The Supreme Court of Florida held that inasmuch as what was ordered was to be carried on in a foreign jurisdiction, the Florida courts could not constitutionally be given jurisdiction to order it (citing [Pennoyer v. Neff](#), 95 U.S. 714, 24 L.Ed. 565). However, the Florida courts had immediate personal jurisdiction over respondent by virtue of his *9 presence within that State. Insofar as the Fourteenth Amendment is concerned, this gave the Florida courts constitutional jurisdiction to order an act even though that act is to be performed outside of the State. See [Steele v. Bulova Watch Co.](#), 344 U.S. 280, 73 S.Ct. 252, 97 L.Ed. 252; Restatement, Conflict of Laws, s 94.

The primary purpose of this Act is not eleemosynary. It serves a self-protective function for each of the enacting States.

By enacting this law the Florida Legislature authorized and enabled Florida courts to employ the procedures of other jurisdictions for the obtaining of witnesses needed in criminal proceedings in Florida. Today forty-two States and Puerto Rico may facilitate criminal proceedings, otherwise impeded by the unavailability of material witnesses, by utilizing the machinery of this reciprocal legislation to obtain such witnesses from without their boundaries. This is not a merely altruistic, disinterested enactment.

In any event, to yield to an argument that benefiting other States is beyond the power of a State would completely disregard the inherent implications of our federalism within whose framework our organic society lives and moves and has its being—the abundant and complicated interrelationship between national authority and the States, see [Hopkins Federal Savings & Loan Ass'n V. Cleary](#), 296 U.S. 315, 56 S.Ct. 235, 80 L.Ed. 251, and between the States inter sese. To yield to this argument would foreclose to the States virtually all arrangements which increase comity among the States. These extra-constitutional arrangements are designed to solve 'problems created by a constitutional division of powers without disturbance of the federal nature of our government.' Clark, Joint Activity Between Federal and State Officials, 51 Pol.Sci.Q. 230, 269. Reciprocal legislation, such as the Uniform Law to Secure the Attendance of Witnesses from Within or Without a State in Criminal Proceedings and the *10 Acts providing reciprocal periods of grace in the registration of out-of-state automobiles, see [Kane v. State of New Jersey](#), 242 U.S. 160, 37 S.Ct. 30, 61 L.Ed. 222, is one such arrangement. The uniform laws proposed by the National Conference of Commissioners on Uniform State Laws and adopted by individual States have (among other benefits) increased ease of interstate commercial relationships by providing uniformity in commercial laws through uniform Acts governing sales and negotiable instruments. Uniform laws have frequently been concerned with enforcement of criminal laws. Thus, the [Uniform Criminal Extradition Act](#), 9 U.L.A. 263 (1957), provides for rendition of alleged criminals whose conduct does not bring them within the constitutional extradition provision. U.S.Const., Art. IV, s 2; [Hyatt v. People of State of New York ex rel. Corkran](#), 188 U.S. 691, 23 S.Ct. 456, 47 L.Ed. 657. There are numerous cooperative undertakings among States by the formation of agencies which study joint problems and make suggestions for internal management **571 within individual States calculated to increase comity among the several States. Interstate preserves are regulated through the device of fusion of distinct state administrative agencies by means of joint sessions and joint

action. The Federal Government has also acted in aid of States in matters of local concern through auxiliary legislation (in game statutes, for example), through grants-in-aid, and through legislation calling for cooperation between particular state administrative agencies and federal agencies operating within the same general area of regulation. See [Frankfurter and Landis, The Compact Clause of the Constitution—A Study in Interstate Adjustments](#), 34 *Yale L.J.* 685, 688—691. About such instances it has been said that they ‘illustrate extraconstitutional forms of legal invention for the solution of problems touching more than one state. They were neither contemplated nor specifically provided for by the Constitution.’ Frankfurter and Landis, *supra*, at 691.

*11 The manifold arrangements by which the Federal and State Governments collaborate constitute an extensive network of cooperative governmental activities not formulated in the Constitution but not offensive to any of its provisions or prohibitions. See Clark, *supra*. Among the examples of such devices discussed by Dr. Clark are the Selective Service System, Civilian Conservation Corps, deportation law enforcement, administration of the Pure Food and Drugs Act, 21 *U.S.C.A. s 301* et seq. and the federal game statutes, and federal-state contracts for the boarding of federal prisoners in state facilities, 18 *U.S.C.A. ss 4002, 4003*.

To hold that these and other arrangements are beyond the power of the States and Federal Government because there is no specific empowering provision in the United States Constitution would be to take an unwarrantedly constricted view of state and national powers and would hobble the effective functioning of our federalism. Diffusion of power has its corollary of diffusion of responsibilities with its stimulus to cooperative effort in devising ways and means for making the federal system work. That is not a mechanical structure. It is an interplay of living forces of government to meet the evolving needs of a complex society.

The Constitution of the United States does not preclude resourcefulness of relationships between States on matters as to which there is no grant of power to Congress and as to which the range of authority restricted within an individual State is inadequate. By reciprocal, voluntary legislation the States have invented methods to accomplish fruitful and unprohibited ends. A citizen cannot shirk his duty, no matter how inconvenienced thereby, to testify in criminal proceedings and grand jury investigations in a State where he is found. There is no constitutional provision granting him relief from this obligation to testify even though he must travel to another State to do so. Comity among States, an

end particularly to be *12 cherished when the object is enforcement of internal criminal laws, is not to be defeated by an a priori restrictive view of state power.

The judgment of the Supreme Court of Florida is reversed and the cause is remanded to that court for proceedings not inconsistent with this opinion.

Reversed and remanded.

Mr. Justice DOUGLAS, with whom Mr. Justice BLACK concurs, dissenting.

The right to free ingress and egress within the country and even beyond the borders is a basic constitutional right, though it is not contained in haec verba in the Constitution. It had been included in the Articles of Confederation, Article IV of which provided in part:

‘The better to secure and perpetuate mutual friendship and intercourse among the people of the different States in this Union, the free inhabitants of each of these States, paupers, vagabonds and fugitives **572 from justice excepted, shall be entitled to all the privileges and immunities of free citizens in the several States; and the people of each State shall have free ingress and regress to and from any other State * * *.’

As Chafee, *Three Human Rights in the Constitution* (1956), p. 185, states, the failure to make specific provision for this right in the Constitution must have been on the assumption that it was already included. For it is impossible to think that a right so deeply cherished in the Colonies was rejected outright. ‘The Convention carefully prevented states from passing tariff laws; surely it did not want state immigration laws.’ Chafee, *op. cit.*, *supra*, at 185. The Constitution was designed ‘to secure the freest intercourse between the citizens of the different *13 States,’ said Chief Justice Taney in [Smith v. Turner \(The Passenger Cases\)](#), 7 *How.* 283, 492, 12 *L.Ed.* 702. And he added: ‘For all the great purposes for which the Federal government was formed, we are one people, with one common country. We are all citizens of the United States; and, as members of the same community, must have the right to pass and repass through every part of it without interruption, as freely as in our own States.’ *Id.*, 492. This right of free ingress and egress is one ‘arising out of the nature and essential character of the federal government.’ [Duncan v. State of Missouri](#), 152 *U.S.* 377, 382, 14 *S.Ct.* 570, 572, 38 *L.Ed.* 485; [Twining v. State of New Jersey](#), 211 *U.S.* 78, 97, 29 *S.Ct.* 14, 18, 53 *L.Ed.* 97. As stated by the Court

in [Williams v. Fears](#), 179 U.S. 270, 274, 21 S.Ct. 128, 129, 45 L.Ed. 186:

‘Undoubtedly the right of locomotion, the right to remove from one place to another according to inclination, is an attribute of personal liberty, and the right, ordinarily, of free transit from or through the territory of any state is a right secured by the 14th Amendment and by other provisions of the Constitution.’

It has often been called a right or privilege of national citizenship, [Crandall v. State of Nevada](#), 6 Wall. 35, 44, 49, 18 L.Ed. 744; [Ward v. State of Maryland](#), 12 Wall. 418, 430, 20 L.Ed. 449; [Slaughter House Cases](#), 16 Wall. 36, 79, 21 L.Ed. 394; [Twining v. State of New Jersey](#), *supra*, 211 U.S. at page 97, 29 S.Ct. at page 18; [Edwards v. People of State of California](#), 314 U.S. 160, 178—181, 183, 62 S.Ct. 164, 169—170, 171, 86 L.Ed. 119 (concurring opinions). As such, it is protected against state action by the Privileges and Immunities Clause of the Fourteenth Amendment. [Slaughter House Cases](#), *supra*, 16 Wall. at pages 74—79; [In re Kemmler](#), 136 U.S. 436, 448, 10 S.Ct. 930, 34 L.Ed. 519.

It has at times been considered under the protective care of the Commerce Clause subject to control by Congress but free from stoppage or impairment by the States. [Edwards v. California](#), *supra*.

In [Kent v. Dulles](#), 357 U.S. 116, 78 S.Ct. 1113, 2 L.Ed.2d 1204, we held that this right to travel was a part of the citizen's ‘liberty’ within *14 the meaning of the Due Process Clause of the Fifth Amendment.

‘Freedom of movement across frontiers in either direction, and inside frontiers as well, was a part of our heritage. Travel abroad, like travel within the country, may be necessary for a livelihood. It may be as close to the heart of the individual as the choice of what he eats, or wears, or reads. Freedom of movement is basic in our scheme of values.’ *Id.*, 357 U.S. at page 126, 78 S.Ct. at page 1118.

Whatever may be the sources of this right of free movement—the right to go to any State or stay home as one chooses—it is an incident of national citizenship and occupies a high place in our constitutional values.

This right of national citizenship has been qualified. One qualification was **573 made by the Extradition Clause of [Art. IV, s 2, of the Constitution](#):¹

‘A person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.’

But that limitation on the right of free movement applies only when the citizen is a fugitive from the law.

Yet O'Neill is not a fugitive from justice. He carries no criminal taint. He is wanted as a witness in New York. But there is no provision of the Constitution which provides for the extradition of witnesses by the States. That power is today judicially created. But I find no authority on the part of the States to enlarge and expand the power of extradition specifically restricted by *15 the Constitution to criminals. As stated in [People ex rel. Corkran v. Hyatt](#), 172 N.Y. 176, 182, 64 N.E. 825, 826, 60 L.R.A. 774, affirmed 188 U.S. 691, 23 S.Ct. 456, 47 L.Ed. 657, ‘* * * no person can or should be extradited from one state to another unless the case falls within the constitutional provision, * * * power which independent nations have to surrender criminals to other nations as a matter of favor or comity is not possessed by the states.’ We allow today only what a constitutional amendment could achieve. We in effect amend [Art. IV, s 2](#), by construction to add ‘witnesses’ to the group now embraced in [Art. IV, s 2](#).

This right of freedom of movement even of the innocent may not be absolute. Perhaps a State could stop a migrant at its borders for health inspection. There may be other narrow and limited qualifications to this right of free ingress and egress which a State may impose. But I know of no power on the part of a State to pick a citizen up and forcibly remove him from its boundaries where there is no basis of extradition. [Blackmer v. United States](#), 284 U.S. 421, 52 S.Ct. 19, 76 L.Ed. 371, is of no help here. There the United States was requiring a citizen, resident abroad, to return to this country to testify and penalizing him for his refusal. This was his home, to which he was rooted and where his loyalties lay. The obligation was exacted by the Federal Government as a requirement of national citizenship. Congress has stated this responsibility in an Act, 62 Stat. 755, [18 U.S.C. s 1073](#), [18 U.S.C.A. s 1073](#), which, *inter alia*, makes it a federal crime for a person to move in interstate commerce ‘to avoid giving testimony’ in certain criminal proceedings. And Congress has made explicit provision concerning the State to which the witness may be removed.² I can understand how this regulation of national citizenship can *16 be made by Congress which speaks with

authority in the federal field of interstate commerce.³ I fail to see how a State can regulate any of the incidents of national citizenship. I see no greater power on the part of a State to snatch a law-abiding citizen from his abode and send him to another State than to stop him at the border, as was done in *Edwards v. People of State of California*, supra, because it does not like the cut of his jib. State action was precluded in *Edwards v. People of State of California*, supra, even though Congress had not acted. It is ever more obviously **574 precluded where Congress has acted.⁴

Reciprocal and uniform laws, like interstate compacts, doubtless serve many useful purposes. But a State does not increase its sovereign powers by making an agreement with another State. Whether the right of ingress and egress be bottomed on the Privileges and Immunities Clause of the Fourteenth Amendment, the Commerce Clause, Const. art. 1, s 8, cl. 3, or a basic 'liberty' inherent in national citizenship, I know of no way in which a State may take it from a citizen. To say that there is no interference here because O'Neill will be free to return to Florida later is to trifle with a basic human right. The Court's argument neables the States through reciprocal laws to generate power that they lack acting separately. It speaks of the importance *17 of encouraging 'resourcefulness of relationships between States on matters as to which there is no grant of power to Congress and as to which the range of authority restricted within an individual State is inadequate.' Yet if the power is inadequate for either Florida or New York acting separately (as I am sure it is), I fail to see how it can be made adequate by the pooling of their inadequacies. To make it such is indeed a saltatorial achievement. The fact that a resident of a State can be compelled to testify in that State is no ground for compelling him 'to leave his State and go to some other State to testify viva voce.' In *re Allen*, 49 Pa. Dist. & Co.R. 631, 640. His right to go or stay is an incident of national citizenship, qualified only by an appropriate exercise of federal power.⁵

The power of extradition was an expression of a 'policy of mutual support, in bringing offenders to justice', *Commonwealth of Kentucky v. Dennison*, 24 How. 66, 100, 16 L.Ed. 717; and to substitute a system of law, superior to state authority, for the system of comity prevailing among sovereign nations. *Innes v. Tobin*, 240 U.S. 127, 130—131, 36 S.Ct. 290, 291, 60 L.Ed. 562. The Federal Act governing witnesses who are fugitives is an assertion by Congress of control over our nationals. Any policy of providing compulsory delivery of witnesses from one State to another is in other words a federal policy. If we allow the States to exercise that power as they like, we might as well permit them to sanction compulsory delivery of *18 citizens from one State into another for purposes of being sued. See *Commonwealth of Massachusetts v. Klaus*, 145 App.Div. 798, 130 N.Y.S. 713, 722 (dissenting opinion). If it took Art. IV, s 2, of the Constitution to provide for the compulsory delivery of a person charged with a crime from one **575 State to another, and a Federal Act to require the delivery of witnesses over state lines, it would seem to follow a fortiori that further constitutional provisions would be required to authorize one State to provide for the compulsory delivery of an innocent person to another State. See *In re Allen*, supra.

This is not giving the Constitution a niggardly construction. I urge a liberal construction which will respect the civil rights of the citizens. This right of people to choose such State as they like for their abode, to remain unmolested in their dwellings, and to be protected against being whisked away to another State⁶ has been, until today, zealously guarded. Until now, it has been part and parcel of the cherished freedom of movement protected by the Constitution.

I would affirm the judgment entered by a unanimous vote of the Florida Supreme Court.

All Citations



359 U.S. 1, 79 S.Ct. 564, 3 L.Ed.2d 585

Footnotes

- 1 Compulsion to travel across State boundaries to testify in sister States antedates the United States Constitution. See *Laws of Maryland*, November 1785, Chapter I, An ACT to approve, confirm and ratify, the compact made by the commissioners appointed by the general assembly of the Commonwealth of Virginia, and the commissioners appointed by this state, to regulate and settle the jurisdiction and navigation of Patowmack and Pocomoke rivers, and that part of Chesapeake bay which lieth within the territory of Virginia: 'And in all cases of trial in pursuance of the jurisdiction settled by this compact, citizens of either state shall attend as witnesses in the other, upon a summons from any court or magistrate having jurisdiction, being served by a proper officer of the county where such citizen shall reside.'
- 1 This provision is implemented by an Act of Congress. 18 U.S.C. c. 209, 18 U.S.C.A. s 3181 et seq.

- 2 Section 1073 provides: 'Violations of this section may be prosecuted only in the Federal judicial district in which the original crime was alleged to have been committed or in which the person was held in custody or confinement.'
- 3 See H.R.Rep. No. 1458, 73d Cong., 2d Sess., p. 2; H.R.Rep. No. 1596, 73d Cong., 2d Sess., p. 2; [Hemans v. United States](#), 6 Cir., 163 F.2d 228, 238—239.
- 4 In situations no less impressive than the present we have barred state action where, as here, Congress has acted in the same field. [Charleston & W.C.R. Co. v. Varnville Furniture Co.](#), 237 U.S. 597, 35 S.Ct. 715, 59 L.Ed. 1137; [Hines v. Davidowitz](#), 312 U.S. 52, 61 S.Ct. 399, 85 L.Ed. 581; [Commonwealth of Pennsylvania v. Nelson](#), 350 U.S. 497, 76 S.Ct. 477, 100 L.Ed. 640. In [Charleston & W.C.R. Co. v. Varnville Furniture Co.](#), supra, 237 U.S. at page 604, 35 S.Ct. at page 717, Mr. Justice Holmes speaking for the Court said:
'When Congress has taken the particular subject-matter in hand, coincidence is as ineffective as opposition, and a state law is not to be declared a help because it attempts to go farther than Congress has seen fit to go.'
- 5 The Report of Committee on Securing Compulsory Attendance of Non-Resident Witnesses of the National Conference of Commissioners on Uniform State Laws, as reported in 8 Wigmore on Evidence, s 2195(e), states: 'This character of legislation is not free from constitutional difficulties, and the only case which we have found in which the constitutionality thereof has been directly upheld is the case of [Commonwealth of Massachusetts v. Klaus](#), 145 App.Div. 798, 130 N.Y.S. 713. In the case cited the constitutionality of the New York statutes was upheld in an opinion by Judge Scott, but there is a strong dissenting opinion by Judge Laughlin.'
- 6 The harshness of this procedure is emphasized by a feature of this extradition law on which the Florida Supreme Court has not yet passed. The New York statute (N.Y.Code Crim.Proc. s 618—a; and see [Fla.Stat., 1957, s 942.02](#)) gives the witness who is extradited only \$5 a day for his maintenance in New York, a sum plainly inadequate in light of today's cost of living.

Filings (4)

Title	PDF	Court	Date	Type
1. Brief for Amicus Curiae People of the State of New York v. O'Neill 1958 WL 91649	—	U.S.	Nov. 08, 1958	Brief
2. Respondent's Brief People of the State of New York v. O'Neill 1958 WL 91647		U.S.	Oct. 31, 1958	Brief
3. Brief of Attorney General of Kansas, Amicus Curiae, In Which the Several States Shown on the Appendix Join Through Their Attorneys General. People of the State of New York v. O'Neill 1958 WL 91648		U.S.	Sep. 15, 1958	Brief
4. Brief for the Petitioner People of the State of New York v. O'Neill 1958 WL 91650	—	U.S.	Sep. 10, 1958	Brief

Negative Treatment

Negative Citing References (2)

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	<p>1. State of the Netherlands v. MD Helicopters, Inc. MOST NEGATIVE</p> <p>478 P.3d 230 , Ariz. LITIGATION — Judgment. Foreign jurisprudence could satisfy reciprocity provision of Uniform Foreign-Country Money Judgments Recognition Act.</p>	Dec. 30, 2020	Case		7 S.Ct.
Distinguished by	<p> 2. Codey on Behalf of State of N.J. v. Capital Cities, American Broadcasting Corp., Inc. ”</p> <p>605 N.Y.S.2d 661 , N.Y. Witnesses. Privileged status of evidence is not proper factor for consideration under Uniform Act to secure attendance of witnesses from without a state.</p>	Nov. 22, 1993	Case		18 S.Ct.

History (4)


Direct History (4)

1. [Application of People of State of N.Y.](#)
100 So.2d 149 , Fla. , Jan. 22, 1958

Certiorari Granted by

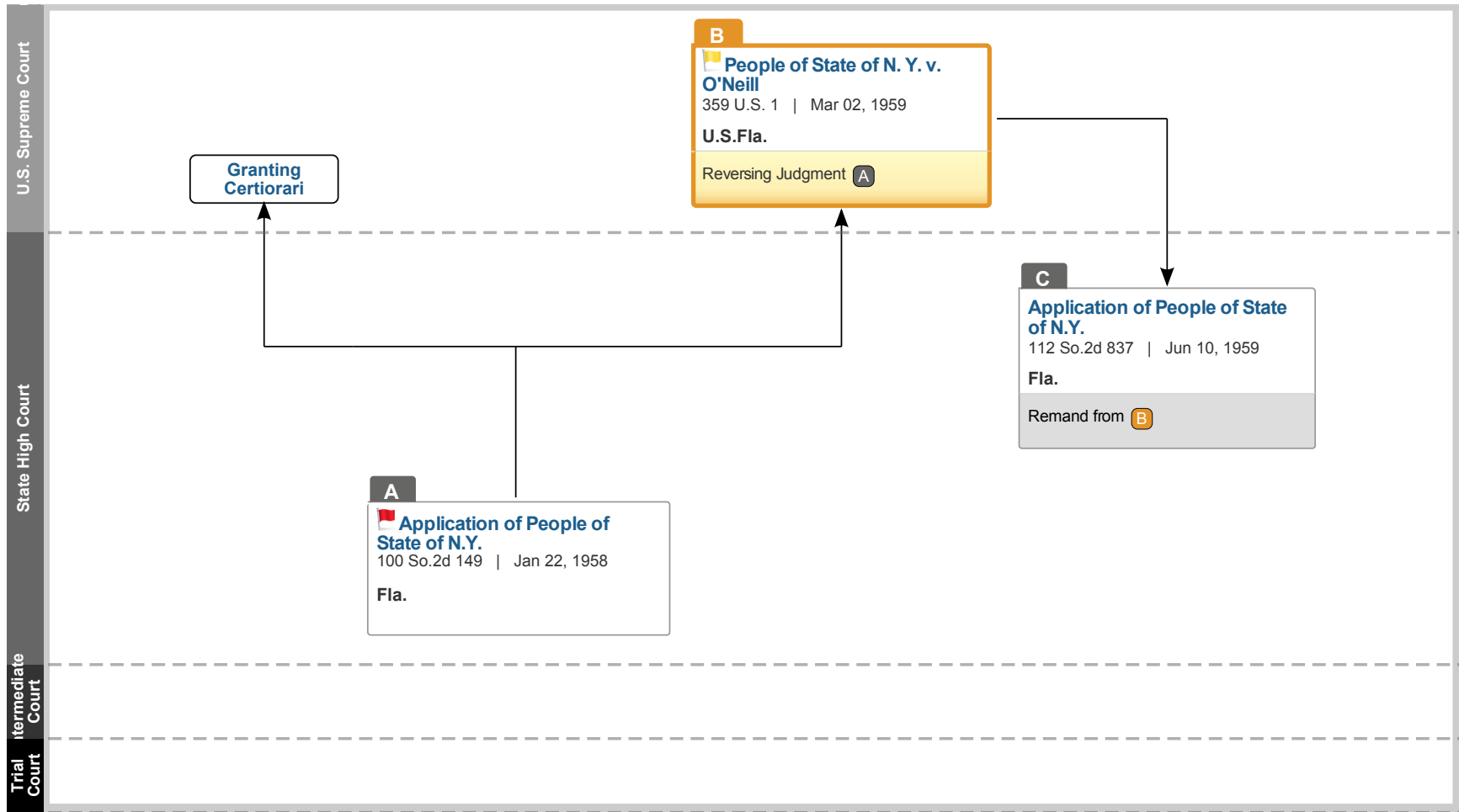
2. [People of State of New York v. O'Neill](#)
356 U.S. 972 , U.S.Fla. , June 02, 1958

AND Judgment Reversed by













3. [People of State of N. Y. v. O'Neill](#) 
359 U.S. 1 , U.S.Fla. , Mar. 02, 1959














On Remand to

4. [Application of People of State of N.Y.](#)
112 So.2d 837 , Fla. , June 10, 1959





Citing References (217)

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	<p> 1. U. S. Steel Corp. v. Multistate Tax Commission ¶¶ 98 S.Ct. 799, 811+ , U.S.N.Y.</p> <p>Class action was brought by multistate corporate taxpayers seeking declaration that Multistate Tax Compact was invalid and a permanent injunction barring its operation. The...</p>	Feb. 21, 1978	Case		<p>6</p> <p>S.Ct.</p>
Discussed by	<p> 2. U.S. v. Awadallah ¶¶ 349 F.3d 42, 56+ , 2nd Cir.(N.Y.)</p> <p>CRIMINAL JUSTICE - Grand Jury. Material witness statute authorized detention of grand jury witness</p>	Nov. 07, 2003	Case		<p>9</p> <p>12</p> <p>18</p> <p>S.Ct.</p>
Discussed by	<p>3. Huddleston v. Costa ¶¶ 314 F.Supp. 278, 280+ , W.D.Pa.</p> <p>Complaint seeking to enjoin plaintiff's impending extradition from Ohio to Pennsylvania. The District Court, Gourley, J., held that plaintiff seeking relief from proposed...</p>	June 26, 1970	Case		<p>4</p> <p>12</p> <p>S.Ct.</p>
Discussed by	<p>4. Edwards v. Bowles ¶¶ 2004 WL 308036, *11+ , N.D.Tex.</p> <p>Pursuant to the provisions of 28 U.S.C. § 636(b) and an Order of the Court in implementation thereof, subject cause has previously been referred to the United States Magistrate...</p>	Feb. 18, 2004	Case		<p>3</p> <p>S.Ct.</p>
Discussed by	<p>5. Kerpen v. Metropolitan Washington Airports Authority ¶¶ 260 F.Supp.3d 567, 576+ , E.D.Va.</p> <p>TRANSPORTATION — Aviation. Metropolitan Washington Airport Authority created by interstate agreement between Virginia and District of Columbia does not violate Compact Clause.</p>	May 30, 2017	Case		<p>6</p> <p>S.Ct.</p>
Discussed by	<p> 6. Vannier v. Superior Court 185 Cal.Rptr. 427, 430+ , Cal.</p> <p>Writ of prohibition and mandate was sought to compel Superior Court to vacate order directing petitioners to appear as witnesses before grand jury in Florida. The Supreme Court,...</p>	Aug. 26, 1982	Case		<p>18</p> <p>S.Ct.</p>
Discussed by	<p> 7. Matter of Rhode Island Grand Jury Subpoena ¶¶ 605 N.E.2d 840, 848+ , Mass.</p> <p>WITNESSES - Out-of-State Subpoena. Target of Rhode Island grand jury investigation had no standing to intervene to move to quash subpoena served on his accountant, who was a...</p>	Jan. 08, 1993	Case		<p>11</p> <p>12</p> <p>18</p> <p>S.Ct.</p>
Discussed by	<p>8. Application of Grand Jury of State of N. Y. ¶¶ 397 N.E.2d 686, 689+ , Mass.App.Ct.</p> <p>New York district attorney filed application pursuant to Uniform Act to Secure the Attendance of Witnesses from Without a State in Criminal Proceedings for a subpoena requiring...</p>	Dec. 03, 1979	Case		<p>2</p> <p>S.Ct.</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	<p> 9. Koterba v. Com., Dept. of Transp., Bureau of Driver Licensing ¶¶ 736 A.2d 761, 765+ , Pa.Cmwlt.</p> <p>TRANSPORTATION - Motor Vehicles. Driver's license compact does not require congressional approval under compact clause.</p>	Aug. 26, 1999	Case		17 S.Ct.
Discussed by	<p>10. Ex parte Armes ¶¶ 582 S.W.2d 434, 437+ , Tex.Crim.App.</p> <p>Petition for writ of habeas corpus was filed to obtain relief from a summons directing petitioner to appear as a witness in California. The 205th Judicial District Court, El Paso...</p>	Apr. 18, 1979	Case		19 S.Ct.
Declined to Extend by NEGATIVE	<p>11. State of the Netherlands v. MD Helicopters, Inc. 478 P.3d 230, 233+ , Ariz.</p> <p>LITIGATION — Judgment. Foreign jurisprudence could satisfy reciprocity provision of Uniform Foreign-Country Money Judgments Recognition Act.</p>	Dec. 30, 2020	Case		7 S.Ct.
Distinguished by NEGATIVE	<p> 12. Codey on Behalf of State of N.J. v. Capital Cities, American Broadcasting Corp., Inc. ¶¶ 605 N.Y.S.2d 661, 664+ , N.Y.</p> <p>Witnesses. Privileged status of evidence is not proper factor for consideration under Uniform Act to secure attendance of witnesses from without a state.</p>	Nov. 22, 1993	Case		18 S.Ct.
Cited by	<p> 13. Cuyler v. Adams 101 S.Ct. 703, 714 , U.S.Pa.</p> <p>Pennsylvania state prisoner brought civil rights action based on alleged constitutional violation occasioned by transfer of prisoners from Pennsylvania to New Jersey pursuant to...</p>	Jan. 21, 1981	Case		3 S.Ct.
Cited by	<p> 14. Evansville-Vanderburgh Airport Authority Dist. v. Delta Airlines, Inc. 92 S.Ct. 1349, 1359 , U.S.Ind.</p> <p>Actions by airlines challenging constitutionality of charges of one dollar levied by a state and by a municipality on persons enplaning a scheduled commercial airliner to help...</p>	Apr. 19, 1972	Case		—
Cited by	<p> 15. Reilly v. City of Atlantic City ¶¶ 532 F.3d 216, 228 , 3rd Cir.(N.J.)</p> <p>CIVIL RIGHTS - Free Speech. Police officer's truthful testimony in court concerning internal affairs investigation was protected speech.</p>	July 01, 2008	Case		18 S.Ct.
Cited by	<p>16. U. S. ex rel. Grano v. Anderson 446 F.2d 272, 278+ , 3rd Cir.(Del.)</p> <p>Proceeding on petition for habeas corpus. The United States District Court for the District of Delaware, Caleb R. Layton, III, J., 318 F.Supp. 263, denied writ, and petitioner...</p>	July 09, 1971	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	17. Miller v. Decker 411 F.2d 302, 306 , 5th Cir.(Tex.) Accused brought habeas corpus proceeding against sheriff in Texas to assert invalidity of proceeding to extradite accused from Texas to California. The United States District...	May 02, 1969	Case		4 S.Ct.
Cited by	18. Behr v. Ramsey 230 F.3d 268, 270 , 7th Cir.(Ill.) CRIMINAL JUSTICE - Extradition and Detainers. Habeas petitioner could not raise jurisdictional defense to charges in extraditing state.	Oct. 02, 2000	Case		—
Cited by	19. Armstrong v. Kemna 534 F.3d 857, 860 , 8th Cir.(Mo.) CRIMINAL JUSTICE - Counsel. Trial counsel did not exercise reasonable diligence in investigating ability to secure attendance of out-of-state witnesses.	July 24, 2008	Case		—
Cited by	20. al-Kidd v. Ashcroft 580 F.3d 949, 966 , 9th Cir.(Idaho) CIVIL RIGHTS - Immunity. Former Attorney General was not entitled to absolute immunity in detainee's Bivens action.	Sep. 04, 2009	Case		9 S.Ct.
Cited by	21. Kirkland v. Preston 385 F.2d 670, 677+ , D.C.Cir. Habeas corpus proceeding brought to challenge confinement under extradition arrest. The United States District Court for the District of Columbia, Alexander Holtzoff, J.,...	Jan. 19, 1967	Case		18 S.Ct.
Cited by	22. Buffkin v. Alum-Co Nat., Inc. 331 F.2d 96, 98 , D.C.Cir. Action wherein defendants moved to quash service. The United States District Court for the District of Columbia, Edward Mr. Curran, J., granted the motion, and plaintiff appealed....	Feb. 28, 1963	Case		—
Cited by	23. Thompson v. Shapiro 270 F.Supp. 331, 334+ , D.Conn. Action was brought in three-judge federal District Court for a declaration that Connecticut statute violates the Federal Constitution, and for an injunction against its enforcement...	June 19, 1967	Case		8 S.Ct.
Cited by	24. U. S. ex rel. Grano v. Anderson 318 F.Supp. 263, 268 , D.Del. Petition for habeas corpus. The District Court, Layton, J., held that even if fingerprint expert requested by habeas corpus petitioner had been made available to testify in...	Sep. 10, 1970	Case		8 S.Ct.
Cited by	25. Miccosukee Tribe of Indians of Fla. v. U.S. 2000 WL 35623105, *11+ , S.D.Fla. This matter is before the Court on Plaintiff Miccosukee Tribe of Indians of Florida's Emergency Motion for Preliminary Injunction, For Protective Order, and to Quash Subpoenas. For...	Dec. 15, 2000	Case		7 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	26. Campbell v. City of Chicago, Illinois ¶¶ 2017 WL 878730, *3, N.D.Ill. This case involves a dispute between Plaintiff Martrice Campbell ("Plaintiff") and Defendants Scott Ando ("Defendant Ando") and the City of Chicago ("the City"). Plaintiff brings...	Mar. 06, 2017	Case		18 S.Ct.
Cited by	27. Ledet v. Fischer 548 F.Supp. 775, 788, M.D.La. Disabled widow and recipient of supplemental security income, who was in need of eyeglasses, challenged state regulations limiting provision of free eyeglasses, and she moved for...	Aug. 18, 1982	Case		—
Cited by	28. Brown v. Breslin 2003 WL 22952841, *7, E.D.N.Y. CRIMINAL JUSTICE - Drugs. Prosecution produced sufficient evidence to disprove agency defense in drug prosecution.	Nov. 26, 2003	Case		—
Cited by	29. Kramer v. Union Free School Dist. No. 15 259 F.Supp. 164, 167, E.D.N.Y. Action challenging validity of provision of New York Education Law establishing qualification of voters at school district meetings. On defendant's motion to dismiss the District...	May 10, 1966	Case		5 S.Ct.
Cited by	30. Whelan v. Noelle ¶¶ 966 F.Supp. 992, 997, D.Or. Petitioner sought writ of habeas corpus, challenging his confinement as result of extradition proceedings originating in Puerto Rico. The District Court, Redden, J., held that...	Feb. 13, 1997	Case		—
Cited by	31. Thomas v. Levi 422 F.Supp. 1027, 1030, E.D.Pa. Habeas corpus action was brought alleging that petitioner could not be turned over to New Jersey pursuant to Interstate Agreement on Detainers Act unless governor's warrant was...	Nov. 15, 1976	Case		—
Cited by	32. Marshall v. Nolichecky Sand Co., Inc. 490 F.Supp. 1041, 1045, E.D.Tenn. Secretary of Labor sought injunction prohibiting sand company and its agents and employees from interfering with warrantless entry onto the mine premises to conduct safety and...	Dec. 14, 1978	Case		5 S.Ct.
Cited by	33. Kilgarlin v. Martin 252 F.Supp. 404, 417, S.D.Tex. Action attacking validity of 1965 Texas reapportionment statute. The United States District Court for the Southern District of Texas, Houston Division, sitting as a three-judge...	Feb. 02, 1966	Case		5 S.Ct.
Cited by	34. Moser v. Zaborac 514 P.2d 12, 14, Alaska Petition for habeas corpus seeking to prevent extradition of petitioner to Minnesota under a governor's warrant of extradition. The Superior Court, Third Judicial District, C. J....	Sep. 12, 1973	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 35. Tracy v. Superior Court of Maricopa County ¶¶ 810 P.2d 1030, 1042+ , Ariz. Petitioner brought special action challenging jurisdiction of the Superior Court of Maricopa County to issue orders compelling attendance of witness in criminal trial before...	Apr. 23, 1991	Case		2 14 S.Ct.
Cited by	36. State ex rel. Montgomery v. Mroz 2014 WL 1516585, *2 , Ariz.App. Div. 1 ¶ 1 This special action came on regularly for conference on the 9th day of April, 2014, before Presiding Judge Peter B. Swann, and Judges Jon W. Thompson and Patricia K. Norris. ¶...	Apr. 17, 2014	Case		—
Cited by	 37. State of South Dakota v. Brown 144 Cal.Rptr. 758, 762 , Cal. The State of South Dakota applied for a writ of mandate to compel extradition of a fugitive. The Supreme Court, Richardson, J., held that: (1) while the Federal Constitution...	Mar. 20, 1978	Case		3 S.Ct.
Cited by	 38. People v. Cavanaugh 70 Cal.Rptr. 438, 440 , Cal. Criminal prosecution in which the Superior Court, Los Angeles County, Leopoldo G. Sanchez, J., entered a judgment of conviction on three counts of armed robbery and the defendant...	Aug. 19, 1968	Case		12 S.Ct.
Cited by	 39. In re Patterson 49 Cal.Rptr. 801, 805 , Cal. Habeas corpus case. The Supreme Court, Mosk, J., held that one who was convicted of robbery in Texas and who served part of his sentence there and who was released on parole and...	Mar. 17, 1966	Case		3 S.Ct.
Cited by	40. In re Cooper 3 Cal.Rptr. 140, 141+ , Cal. Habeas corpus proceedings challenging validity of proceedings to extradite petitioners to Pennsylvania to stand trial for the distribution of obscene literature. The Supreme...	Mar. 04, 1960	Case		6 7 S.Ct.
Cited by	 41. In re Francisco M. 103 Cal.Rptr.2d 794, 802 , Cal.App. 2 Dist. CRIMINAL JUSTICE - Witnesses. Remand was required to determine whether minors, material witnesses to murder, should be detained.	Jan. 31, 2001	Case		12 S.Ct.
Cited by	 42. State of South Dakota v. Brown 138 Cal.Rptr. 14, 16 , Cal.App. 3 Dist. On application by a foreign state for writ of mandate to compel issuance of a warrant of rendition for a fugitive under the Uniform Criminal Extradition Act, the Court of Appeal,...	Apr. 25, 1977	Case		3 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	<p> 43. Hill v. Blake 441 A.2d 841, 844 , Conn.</p> <p>Accused whose extradition was sought by New Jersey filed petition for writ of habeas corpus. The Superior Court, Waterbury, Henebry, J., dismissed and accused appealed. The...</p>	Mar. 09, 1982	Case		—
Cited by	<p>44. State v. Doe </p> <p>178 A.2d 271, 275 , Conn.</p> <p>Action for declaratory judgment determining constitutionality of statute under which state proposed to remove defendant, who was receiving welfare assistance, to another state. ...</p>	Feb. 06, 1962	Case		<p>6 S.Ct.</p>
Cited by	<p>45. Hickey v. Commissioner of Correction </p> <p>842 A.2d 606, 615+ , Conn.App.</p> <p>CRIMINAL JUSTICE - Habeas Corpus. Court lacked jurisdiction over habeas claim, absent detainer to return petitioner to Connecticut.</p>	Mar. 16, 2004	Case		<p>19 S.Ct.</p>
Cited by	<p>46. Dickerson v. Cheap Auto Rental, LLC 2010 WL 2573808, *3 , Conn.Super.</p> <p>TRANSPORTATION - Motor Vehicles. Vehicle rental company was not liable for damages to the driver of the other vehicle in a collision.</p>	May 18, 2010	Case		—
Cited by	<p>47. Halligan v. Town of Wallingford 2008 WL 1948020, *2 , Conn.Super.</p> <p>Background: Driver of vehicle involved in accident with undercover officer brought negligence action against police officer, town, and rental car company which leased vehicle to...</p>	Apr. 22, 2008	Case		<p>5 S.Ct.</p>
Cited by	<p> 48. Beckwith v. Beckwith 355 A.2d 537, 540 , D.C.</p> <p>In action for absolute divorce on grounds of adultery brought by husband who alleged that child was born to his wife as result of commission of act charged in complaint, wife filed...</p>	Apr. 01, 1976	Case		<p>13 S.Ct.</p>
Cited by	<p>49. Murray Co. v. National Mortg. Corp. </p> <p>299 A.2d 147, 149 , D.C.</p> <p>Action by borrower against lender seeking cancellation of note and deed of trust or, in the alternative, revision of the note and trust. Plaintiff appealed from an order of the...</p>	Jan. 08, 1973	Case		<p>5 S.Ct.</p>
Cited by	<p> 50. Ulloa v. CMI, Inc. </p> <p>133 So.3d 914, 921+ , Fla.</p> <p>CRIMINAL JUSTICE - Discovery. Uniform Law procedures for subpoena of out-of-state witness applied to subpoena duces tecum for out-of-state documents.</p>	Nov. 07, 2013	Case		<p>7 11 14 S.Ct.</p>
Cited by	<p>51. Garrett v. Garrett 668 So.2d 991, 994 , Fla.</p> <p>Divorce. Husband was not subject to forum state's jurisdiction in divorce proceeding under "prior residence" provision of long-arm statute.</p>	Feb. 29, 1996	Case		<p>13 S.Ct.</p>

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Cited by	 52. CMI, Inc. v. Landrum 64 So.3d 693, 694 , Fla.App. 2 Dist. CRIMINAL JUSTICE - Discovery. Uniform Law to Secure the Attendance of Witnesses did not apply to document subpoena directed to registered agent.	June 18, 2010	Case		—
Cited by	53. Durkee v. Durkee 906 So.2d 1176, 1177 , Fla.App. 4 Dist. FAMILY LAW - Jurisdiction. Trial court had personal jurisdiction over former husband in action by former wife, even if husband no longer lived in state.	June 29, 2005	Case		13 S.Ct.
Cited by	54. 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		18 S.Ct.
Cited by	55. People ex rel. Brenner v. Sain 193 N.E.2d 767, 769 , Ill. Habeas corpus proceeding filed by petitioner arrested under extradition warrant. The Criminal Court, Cook County, Joseph J. Drucker, J., quashed writ and petitioner appealed. The...	Sep. 27, 1963	Case		—
Cited by	 56. State v. Tyler 353 P.2d 801, 803 , Kan. Defendant was convicted of stealing two sewing machines from store. The Johnson District Court, Division No. 3, Raymond H. Carr, J., entered judgment of conviction, and defendant...	July 02, 1960	Case		12 S.Ct.
Cited by	57. Appel v. State 220 A.2d 301, 302+ , Md. Proceeding under Uniform Act to Secure Attendance of Witnesses from without a State in Criminal Proceedings to procure attendance of Maryland witness to testify before grand jury...	May 26, 1966	Case		11 S.Ct.
Cited by	58. State v. Sykes 611 S.W.2d 278, 280 , Mo.App. E.D. Defendant was convicted in the Circuit Court, City of St. Louis, George A. Adolf, J., of robbery first degree and armed criminal action, and he appealed. The Court of Appeals,...	Dec. 09, 1980	Case		2 S.Ct.
Cited by	59. State v. Ivory  609 S.W.2d 217, 220 , Mo.App. E.D. Defendant was convicted before the Circuit Court, City of St. Louis, Charles D. Kitchin, J., of first-degree robbery and armed criminal action, and he appealed. The Court of...	Nov. 05, 1980	Case		14 S.Ct.
Cited by	 60. State v. Tindall 242 S.E.2d 806, 812 , N.C. Defendant was convicted in Superior Court, New Hanover County, John Webb, J., of first-degree murder, and he appealed. The Supreme Court, Huskins, J., held, inter alia, that...	Apr. 17, 1978	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	<p> 61. Sheriff, Clark County v. Thompson ¶¶ 452 P.2d 911, 914+ , Nev.</p> <p>Habeas corpus proceeding. The Eighth Judicial District Court, Clark County, Clarence Sundean, J., granted writ, and appeal was taken. The Supreme Court, Zenoff, J., held that...</p>	Apr. 08, 1969	Case		<p>19</p> <p>S.Ct.</p>
Cited by	<p>62. In re Schuler ¶¶ 293 A.2d 404, 406+ , N.J.Super.A.D.</p> <p>Defendant's motion to vacate and set aside arrest on a charge of contempt for failure to comply with an order of the Essex County Juvenile and Domestic Relations Court was denied...</p>	July 13, 1972	Case		<p>11</p> <p>S.Ct.</p>
Cited by	<p> 63. People v. McCartney 381 N.Y.S.2d 855, 856+ , N.Y.</p> <p>Defendant was convicted in the Chemung County Court, Donald H. Monroe, J., of robbery in second degree and he appealed. The Supreme Court, Appellate Division, Third Judicial...</p>	Feb. 24, 1976	Case		—
Cited by	<p>64. People v. Carter 371 N.Y.S.2d 905, 910 , N.Y.</p> <p>Defendant was convicted in the Supreme Court, Queens County, Francis X. Smith, J., of the criminal sale of a dangerous drug in the third degree. The Supreme Court, Appellate...</p>	July 02, 1975	Case		—
Cited by	<p> 65. Brennick v. Hynes 414 N.Y.S.2d 777, 778 , N.Y.A.D. 3 Dept.</p> <p>A nursing home owner appealed from an order of the Supreme Court, Albany County, Aaron E. Klein, J., denying an application for an order quashing subpoenas duces tecum. The...</p>	Mar. 15, 1979	Case		—
Cited by	<p>66. In re Stanley 926 N.Y.S.2d 886, 890 , N.Y.Sup.</p> <p>CRIMINAL JUSTICE - Discovery. Interests of justice supported unsealing of victim's arrest records for use in Georgia murder trial.</p>	July 01, 2011	Case		<p>11</p> <p>S.Ct.</p>
Cited by	<p>67. In re Material Held in Custody of New York State Police 2002 WL 31163135, *2+ , N.Y.City Ct.</p> <p>LITIGATION - Jurisdiction. Court lacked jurisdiction to order transfer of material seized under search warrant.</p>	Aug. 30, 2002	Case		<p>11</p> <p>S.Ct.</p>
Cited by	<p> 68. In re Rowe 423 N.E.2d 167, 171 , Ohio</p> <p>State appealed decisions of the Court of Common Pleas, Lucas County, granting writ of habeas corpus contesting extradition to North Carolina to face criminal charges, which the...</p>	July 08, 1981	Case		—
Cited by	<p>69. Goree v. Cunningham 1984 WL 6470, *4 , Ohio App. 11 Dist.</p> <p>REQUEST FOR DISCHARGE AND OTHER RELIEF DENIED.</p>	Dec. 14, 1984	Case		<p>4</p> <p>S.Ct.</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	70. In re Williams 234 A.2d 37, 41 , Pa.Super. The County Court, Nos. 135483 and 136162, Philadelphia County, Frank J. Montemuro, Jr., J., committed two boys as defective delinquent juveniles to state correctional institution,...	Sep. 15, 1967	Case		5 S.Ct.
Cited by	71. Com. v. Daniels 232 A.2d 247, 250+ , Pa.Super. Defendant appealed from her sentence imposed by the County Court of Philadelphia, Criminal Division, as of 1966 Sessions, No. 2280, James L. Stern, J., for the crime of robbery. ...	June 16, 1967	Case		12 S.Ct.
Cited by	72. Davis v. State ¶ 321 S.W.2d 873, 876 , Tex.Crim.App. Prosecution for robbery and for burglary, along with allegations of two prior convictions of felonies less than capital. The 34th Judicial District Court, El Paso County, William...	Mar. 18, 1959	Case		—
Cited by	73. Ashby v. State 646 S.W.2d 641, 643 , Tex.App.-Fort Worth Defendant was convicted before the Criminal District Court # 3 of Tarrant County, Randell C. Riley, J., of murder, and he appealed. The Court of Appeals, Burdock, J., held that:...	Feb. 16, 1983	Case		—
Cited by	74. State v. Emrick 282 A.2d 821, 824 , Vt. Defendant was convicted before the District Court, Unit No. 5, Washington County, Connarn, J., of breaking and entering, and he appealed. The Supreme Court, Smith, J., held that...	Oct. 05, 1971	Case		11 S.Ct.
Cited by	75. Vetsch v. Sheriff of Spokane County 546 P.2d 927, 928 , Wash.App. Div. 3 A petition was filed for writ of habeas corpus to review petitioner's extradition to Idaho as a nonfugitive. The Superior Court, Spokane County, William H. Williams, J., entered...	Mar. 01, 1976	Case		—
Cited by	76. APPLICABILITY OF SECTION 410 OF THE AMTRAK REFORM AND ACCOUNTABILITY ACT OF 1997 TO THE GATEWAY DEVELOPMENT COMMISSION ¶ 2020 WL 1182299 (O.L.C.), *8 You have asked whether the interstate compact provision in the Amtrak Reform and Accountability Act of 1997, Pub. L. No. 105-134, § 410, 111 Stat. 2570, 2587-88 ("Amtrak Reform...	Feb. 13, 2020	Administrative Decision		17 S.Ct.
Cited by	77. APPLICABILITY OF SECTION 410 OF THE AMTRAK REFORM AND ACCOUNTABILITY ACT OF 1997 TO THE GATEWAY DEVELOPMENT COMMISSION ¶ 2020 WL 2788318 (O.L.C.), *8 You have asked whether the interstate compact provision in the Amtrak Reform and Accountability Act of 1997, Pub. L. No. 105-134, § 410, 111 Stat. 2570, 2587-88 ("Amtrak Reform...	Feb. 13, 2020	Administrative Decision		17 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	78. The Honorable Charles R. Hastings Ariz. Op. Atty. Gen. No. I87-006 Pursuant to A.R.S. § 15-253(B), we decline to review the opinions expressed in your November 12, 1986 letter to Dr. Glenn Treadaway, Principal of Prescott High School regarding the...	Jan. 12, 1987	Administrative Decision		5 S.Ct.
Cited by	79. The Honorable Daniel Shue Ark. Op. Atty. Gen. No. 2015-093, 2015-093 This is in response to your request for an opinion regarding the Uniform Act to Secure the Attendance of Witnesses from Without the State in Criminal Cases (Uniform Act), codified...	Dec. 11, 2015	Administrative Decision		—
Cited by	80. Hon. Howard F. Miller 1978 N.Y. Op. Atty. Gen. 7, 7 There is a legal presumption that section 4118 of the Education Law is constitutional. Until and unless Education Law, § 4118, is declared by a court to be unconstitutional, such...	Dec. 11, 1978	Administrative Decision		5 S.Ct.
Cited by	81. Colonel W. O. Oyler 1982 Wyo. Op. Atty. Gen. 84 What is the jurisdiction of state and county law enforcement officers on roads and highways within lands belonging to the federal government? See discussion. May state and local...	Oct. 14, 1982	Administrative Decision		5 S.Ct.
Mentioned by	82. U.S. v. Guest 86 S.Ct. 1170, 1178+ , U.S.Ga. Prosecution for alleged conspiracy against rights of citizens. The United States District Court for the Middle District of Georgia, Athens Division, sustained defendants' motions...	Mar. 28, 1966	Case		10 S.Ct.
Mentioned by	83. Grand Jury Proceedings (Williams) v. U.S. 995 F.2d 1013, 1016 , 11th Cir.(Ga.) Government appealed from order of the United States District Court for the Northern District of Georgia, No. 1:87-cv-665-HTW, Horace T. Ward, J., which quashed grand jury subpoena...	June 29, 1993	Case		18 S.Ct.
Mentioned by	84. Beckinger v. Township of Elizabeth 697 F.Supp.2d 610, 628 , W.D.Pa. CIVIL RIGHTS - Free Speech. Defendants were entitled to qualified immunity, in police officers' §1983 First Amendment action.	Mar. 17, 2010	Case		—
Mentioned by	85. U.S. v. Burgess 2003 WL 22068691, *15 , N.M.Ct.Crim.App. A military judge, sitting as a special court-martial, convicted the appellant, pursuant to his pleas, of conspiracy to wrongfully distribute marijuana, wrongfully possessing...	Aug. 29, 2003	Case		—
Mentioned by	86. Collins v. State 548 S.W.2d 106, 110 , Ark. Defendant was convicted before the Circuit Court, Washington County, Maupin Cummings, J., of capital felony, murder, and was sentenced by jury to death by electrocution, and he...	Mar. 07, 1977	Case		5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	87. Mastrapa v. South Florida Money Laundering Strike Force 928 So.2d 421, 422 , Fla.App. 3 Dist. CRIMINAL JUSTICE - Discovery. Money laundering task force was not required to produce documents relating to its operating procedures.	Apr. 26, 2006	Case		13 S.Ct.
Mentioned by	88. General Motors Corp. v. State 357 So.2d 1045, 1047 , Fla.App. 3 Dist. Incident to criminal investigation, state attorney served subpoena duces tecum on registered agent of corporation registered and doing business within State. Corporation filed...	Apr. 11, 1978	Case		13 S.Ct.
Mentioned by	89. Epstein v. People of State of N. Y. 157 So.2d 705, 707 , Fla.App. 3 Dist. Proceeding to compel attendance of Florida resident under Uniform Law to Secure the Attendance of Witnesses from Within or Without a State in Criminal Proceedings for purpose of...	Nov. 12, 1963	Case		—
Mentioned by	90. Strode v. Esmark, Inc. 1980 WL 1905, *10 , Ky.Cir.Ct. This matter came before the Court for trial on January 15, 1980, and after hearing the evidence and considering the record, the Court makes the following findings of fact and...	May 13, 1980	Case		2 S.Ct.
Mentioned by	91. Dutton v. Tawes 171 A.2d 688, 696 , Md. Action by taxpayers who earned their livelihood by fishing in the Potomac River for a declaration regarding validity of compact between Maryland and Virginia relating to the...	June 12, 1961	Case		—
Mentioned by	92. Wayne County Prosecutor v. Recorder's Court Judge 280 N.W.2d 793, 798+ , Mich. One defendant was convicted in the Recorder's Court of Detroit, Robert L. Evans, J., of second-degree murder and possession of a firearm during the commission of a felony and she...	June 25, 1979	Case		2 S.Ct.
Mentioned by	93. Matter of Subpoena Duces Tecum Served on Custodian of Records of Institutional Management Corp. 348 A.2d 792, 795 , N.J.Super.A.D. A nonresident corporation acted as a management arm of a resident nursing home and was designated in the report of a firm accountant as the 'Home Office' of the nursing home. In...	Nov. 03, 1975	Case		—
Mentioned by	94. Flushing Nat. Bank v. Municipal Assistance Corp. for City of New York 390 N.Y.S.2d 22, 31 , N.Y. Holders of short-term anticipation notes issued by City of New York brought action challenging constitutionality of New York City Emergency Moratorium Act. The Supreme Court, New...	Nov. 19, 1976	Case		5 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	<p>95. Simon v. City of New York 197 N.Y.S.2d 288, 293 , N.Y.Sup.</p> <p>Proceedings on plaintiff's motion for judgment declaring Local Law of New York City unconstitutional and permanently restraining defendants from imposing and collecting taxicab...</p>	Jan. 05, 1960	Case		<p>9 10</p> <p>S.Ct.</p>
Mentioned by	<p>96. People v. A & C Trucking Co. 390 N.Y.S.2d 987, 991 , N.Y.City Ct.</p> <p>Informations were filed charging refuse collectors with violating provision of city ordinance requiring that all refuse collected in the town be delivered for disposal to specified...</p>	Jan. 17, 1977	Case		<p>5</p> <p>S.Ct.</p>
—	<p> 97. Uniform Act to secure attendance of witnesses from without a state in criminal proceedings 44 A.L.R.2d 732</p> <p>In the absence of a statute, a state court cannot require the attendance of a witness who is a nonresident of and is absent from the state. This rule applies to criminal...</p>	1955	ALR	—	<p>7</p> <p>S.Ct.</p>
—	<p>98. Constitutionality, construction, and application of compacts and statutes involving co-operation between states 134 A.L.R. 1411</p> <p>The reported case for this annotation is Parker v. Riley, 18 Cal. 2d 83, 113 P.2d 873, 134 A.L.R. 1405 (1941).</p>	1941	ALR	—	<p>3</p> <p>S.Ct.</p>
—	<p>99. Complete Manual of Criminal Forms 3d s 7:51, § 7:51. Defendant's motion for speedy probable cause hearing/dismissal—State—Massachusetts</p> <p>The defendant was arrested on [date]; The defendant was arraigned on [date]; The defendant posted substantial bail in the amount of no less than [amount] (\$X,000.00) cash; On...</p>	2020	Other Secondary Source	—	—
—	<p>100. Complete Manual of Criminal Forms 3d s 36:12, § 36:12. Petition for interstate rendition of material witness made in state of residence of witness—State</p> <p>Pursuant to [State Statute], Petitioner, , hereby requests that any Sheriff's deputy be ordered to find and bring to the Court one , a material witness residing in the State of ;...</p>	2020	Other Secondary Source	—	—
—	<p>101. Criminal Procedure in New York s 41:13, § 41:13. Out-of-state witnesses</p> <p>In 1936 the legislature substantially adopted the Uniform Act to Secure Attendance of Out-of-State Witnesses in Criminal Cases. This statute has been adopted in 48 states, and 3...</p>	2020	Other Secondary Source	—	—

Treatment	Title	Date	Type	Depth	Headnote(s)
—	102. Federal Banking Law Reporter 441245, FLUSHING NATIONAL BANK, ON BEHALF OF ITSELF AND ALL OTHER HOLDERS OF NOTES OF THE CITY OF NEW YORK MATURING ON OR BEFORE JUNE 30, 1976, APPELLANT, V. MUNICIPAL ASSISTANCE CORPORATION FOR THE CITY OF NEW YORK ET AL., RESP Federal Banking Law Reporter 390 N.Y.S.2d 22, 358 N.E.2d 848 FLUSHING NATIONAL BANK, on Behalf of Itself and All Other Holders of Notes of the City of New York Maturing on or before June 30, 1976, Appellant,...	1976	Other Secondary Source	—	5 S.Ct.
—	103. Florida Pleading and Practice Forms s 95:69, § 95:69. State's response to application for certificate to secure attendance of out-of-state witness The Florida "Uniform Law to Secure the Attendance of Witnesses from Within or Without a State in Criminal Proceedings" (§§ 942.01 to 942.06, Fla. Stat.) was within the...	2021	Other Secondary Source	—	7 8 9 S.Ct.
—	104. Georgia Criminal Trial Practice s 15:96, § 15:96. Uniform Act to secure the attendance of witnesses from without the state In the absence of a statute, a state court cannot require the attendance of a witness who is a non-resident of and is absent from the state. To remedy this situation, Georgia...	2020	Other Secondary Source	—	7 11 14 S.Ct.
—	105. 4A Iowa Practice Series s 14:2, § 14:2. Witnesses outside the state The attendance of witnesses not located within the state of Iowa may be secured through the provisions of the state's version of the Uniform Act to Secure Witnesses from Without...	2021	Other Secondary Source	—	12 S.Ct.
—	106. Louisiana Civil Appellate Procedure s 13:7, § 13:7. Grounds for writ—Erroneous interpretation or application of constitution or laws A court of appeal's erroneous interpretation or application of the constitution or a law of Louisiana (or the United States) in a setting in which the decision will cause material...	2020	Other Secondary Source	—	—
—	107. 30A Mass. Prac. Series s 29:11, § 29:11. Summoning of out-of-state witnesses Mass. Prac. Series The Legislature has adopted the Uniform Act to Secure the Attendance of Witnesses from Without a State in Criminal Proceedings. The United States Supreme Court has held that the...	2021	Other Secondary Source	—	11 S.Ct.
—	108. Modern Constitutional Law s 19:12, § 19:12. The right to travel In 1868, just prior to the ratification of the Fourteenth Amendment, the Supreme Court ruled that the right of travel throughout the United States was a right, privilege, or...	2020	Other Secondary Source	—	9 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
—	109. RIA All States Tax Guide 951, UNITED STATES STEEL CORPORATION, et al., Appellants v. MULTISTATE TAX COMMISSION, et al. RIA All States Tax Guide U.S. Supreme Court 76-635 Argued October 11, 1977. 434 US 452 98 S Ct 799 54 L Ed 2d 682 Validity of Multistate Tax Compact.—Under the rule (which says that Congressional consent,...	1978	Other Secondary Source	—	—
—	110. Tenn. Prac., Criminal Practice & Proc. s 23:14, § 23:14. Generally A subpoena issued by a court in Tennessee is valid "any place within the state." Witnesses present in other states may be compelled to attend a criminal proceeding in Tennessee...	2020	Other Secondary Source	—	14 S.Ct.
—	111. Treatise on Constitutional Law s 12.7(d) (vii), § 12.7(d)(vii). Access to the Courts The right to have access to the courts in each state is protected by the clause as well as rights deemed to be "fundamental" because they are expressly protected by the United...	2021	Other Secondary Source	—	—
—	112. 13 Wash. Prac. Series s 3809, § 3809. Out-of-state witness Wash. Prac. Series A method of compelling the attendance of a nonresident witness in a criminal case is set forth in RCWA 10.55. The Uniform Act to Secure the Attendance of Witnesses from Without a...	2020	Other Secondary Source	—	9 S.Ct.
—	113. Witkin, California Evidence 5th Witnesses s 9, Nature of Act. Witkin, California Evidence 5th Witnesses (1) In General. Under the Uniform Act to Secure the Attendance of Witnesses from Without the State in Criminal Cases (P.C. 1334 et seq.; 11 U.L.A. (Master Ed.), p. 1 et seq.), if a...	2021	Other Secondary Source	—	—
—	114. Witkin, California Procedure 5th Jurisdiction s 242, Order To Do Act. Witkin, California Procedure 5th Jurisdiction A court with personal jurisdiction may compel the defendant to go outside the boundaries of the state and do some act elsewhere if it can legally be done there. This type of order...	2020	Other Secondary Source	—	11 S.Ct.
—	115. Witkin, California Summary 10th Constitutional Law s 78, Interstate Compacts and Reciprocal Agreements. Witkin, California Summary 10th Constitutional Law (1) In General. The Compact Clause of the U.S. Constitution (Art. I, § 10, cl. 3) recognizes the authority of states, with the approval of Congress, to enter into compacts with...	2021	Other Secondary Source	—	17 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>116. Am. Jur. 2d Constitutional Law s 118, § 118. Refusal to decide abstract, academic, or hypothetical constitutional questions Am. Jur. 2d Constitutional Law</p> <p>The constitutionality of a statute will not be considered and determined by the courts as a hypothetical question, because constitutional questions are not to be dealt with...</p>	2021	Other Secondary Source	—	—
—	<p>117. Am. Jur. 2d Constitutional Law s 165, § 165. Presumption of constitutionality of legislation Am. Jur. 2d Constitutional Law</p> <p>The postulate or basic principle of constitutional adjudication is the presumption of constitutionality—the strong presumption that all regularly enacted statutes are...</p>	2021	Other Secondary Source	—	<p>5 S.Ct.</p>
—	<p>118. Am. Jur. 2d Constitutional Law s 191, § 191. Quantum of proof in constitutional challenge to legislation; proof showing "clear," "palpable," or "manifest" violation of constitution Am. Jur. 2d Constitutional Law</p> <p>Generally speaking, it is the duty of the courts to uphold any statute enacted in the ordinary exercise of the legislative power, if it is possible to do so without disregarding...</p>	2021	Other Secondary Source	—	—
—	<p>119. Am. Jur. 2d Constitutional Law s 225, § 225. Cooperative federalism between state and federal governments Am. Jur. 2d Constitutional Law</p> <p>Despite the basic rule of noninterference, the Federal Constitution is not to be construed so as to limit the variety of arrangements which are possible through the voluntary and...</p>	2021	Other Secondary Source	—	<p>6 S.Ct.</p>
—	<p>120. Am. Jur. 2d Constitutional Law s 623, § 623. Right to travel for purposes of liberty interest of Due Process Clause Am. Jur. 2d Constitutional Law</p> <p>The constitutional freedom to travel includes the freedom to enter and abide in any state in the Union. However, the means or mode of traveling may be subjected to reasonable...</p>	2021	Other Secondary Source	—	<p>9 S.Ct.</p>
—	<p>121. Am. Jur. 2d Constitutional Law s 662, § 662. Limitation or restriction on right to travel, generally Am. Jur. 2d Constitutional Law</p> <p>The constitutional right of interstate travel is not an absolute right, and it is subject to reasonable restriction. Laws which burden the right to travel or migrate must be shown...</p>	2021	Other Secondary Source	—	—
—	<p>122. Am. Jur. 2d Constitutional Law s 663, § 663. Particular governmental action as violating right to travel Am. Jur. 2d Constitutional Law</p> <p>The constitutional right of interstate travel has been relied upon as a basis for upholding the validity of federal legislation prohibiting states from disqualifying persons from...</p>	2021	Other Secondary Source	—	—

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>123. Am. Jur. 2d Constitutional Law s 1005, § 1005. Right to confront and cross-examine witnesses under due process requirements Am. Jur. 2d Constitutional Law</p> <p>The right to confront and cross-examine witnesses is a fundamental aspect of procedural due process. In almost every setting where important decisions turn on questions of fact,...</p>	2021	Other Secondary Source	—	<p>11 S.Ct.</p>
—	<p>124. Am. Jur. 2d Criminal Law s 1033, § 1033. Compulsory process, generally Am. Jur. 2d Criminal Law</p> <p>A defendant has a right to compulsory process in order to call witnesses to testify on his or her behalf. "Compulsory process" within the meaning of the Sixth Amendment right to...</p>	2021	Other Secondary Source	—	<p>7 11 14 S.Ct.</p>
—	<p>125. Am. Jur. 2d States, Territories, and Dependencies s 4, § 4. Sovereignty—Authority over citizens or residents when outside state Am. Jur. 2d States, Territories, and Dependencies</p> <p>The authority of a state over its citizens is not terminated by the mere fact of their absence from the state. Thus, certain police power measures, such as the regulation of...</p>	2021	Other Secondary Source	—	<p>13 S.Ct.</p>
—	<p>126. Am. Jur. 2d States, Territories, and Dependencies s 7, § 7. Generally Am. Jur. 2d States, Territories, and Dependencies</p> <p>Specific constitutional authorization is not required for arrangements among the states; they must be upheld unless clearly incompatible with the U.S. Constitution. Thus, states...</p>	2021	Other Secondary Source	—	<p>5 S.Ct.</p>
—	<p>127. Am. Jur. 2d Witnesses s 35, § 35. Constitutionality of Uniform Act and related statutes Am. Jur. 2d Witnesses</p> <p>The Uniform Act to Secure Attendance of Witnesses from Without a State in Criminal Proceedings does not violate the Privileges and Immunities and Due Process Clauses of the United...</p>	2021	Other Secondary Source	—	—
—	<p>128. CJS Constitutional Law s 1920, § 1920. Applicability of due process to special or summary proceedings, generally CJS Constitutional Law</p> <p>A remedy otherwise affording due process of law is not rendered invalid by reason of the special or summary character of the proceeding. Summary procedure without an opportunity to...</p>	2021	Other Secondary Source	—	<p>11 S.Ct.</p>
—	<p>129. CJS Grand Juries s 131, § 131. Compelling witnesses from without state to testify before grand jury CJS Grand Juries</p> <p>There is no federal constitutional provision granting a person relief from the obligation to testify in a grand jury proceeding even though he or she must travel to another state...</p>	2021	Other Secondary Source	—	<p>18 S.Ct.</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>130. Fla. Jur. 2d Courts and Judges s 46, § 46. Territorial extent of jurisdiction, generally Fla. Jur. 2d Courts and Judges</p> <p>A court's jurisdiction is limited to the territory belonging to the sovereignty on behalf of which it functions. Thus, no state can issue process to be made effective beyond its...</p>	2021	Other Secondary Source	—	<p>13 S.Ct.</p>
—	<p>131. Fla. Jur. 2d State of Florida s 15, § 15. Cooperative arrangements between state and federal government Fla. Jur. 2d State of Florida</p> <p>In addition to the statutory power to enter into contracts with the federal government for the acquisition of surplus federal property, some state statutes provide for cooperation...</p>	2021	Other Secondary Source	—	<p>15 16 S.Ct.</p>
—	<p>132. Fla. Jur. 2d State of Florida s 60, § 60. Challenges to constitutionality of statutes— Intervention; appearance on appeal Fla. Jur. 2d State of Florida</p> <p>The Attorney General may intervene in civil suits of a private nature involving the constitutionality of a statute or where the result to be reached in the suit may affect not only...</p>	2021	Other Secondary Source	—	<p>12 S.Ct.</p>
—	<p>133. N.Y. Jur. 2d Constitutional Law s 65, § 65. Generally N.Y. Jur. 2d Constitutional Law</p> <p>The basic principle that underlies the entire field of legal concepts pertaining to the validity of legislation is that by the enactment of legislation, a constitutional measure is...</p>	2021	Other Secondary Source	—	<p>5 S.Ct.</p>
—	<p>134. N.Y. Jur. 2d Criminal Law: Procedure s 2475, § 2475. Uniform Act to secure attendance of out-of-state witnesses, generally N.Y. Jur. 2d Criminal Law: Procedure</p> <p>New York adopted its version of the Uniform Act to Secure Attendance of Witnesses From Without the State in Criminal Cases in 1970. Reciprocal legislation has now been adopted by...</p>	2021	Other Secondary Source	—	<p>7 11 14 S.Ct.</p>
—	<p>135. NORTHEAST BANCORP, INC. v. BOARD OF GOVERNORS: GREEN LIGHT FOR REGIONAL INTERSTATE BANKING 35 Am. U. L. Rev. 387 , 427+</p> <p>Banks play such an integral role in the financial well being of individuals, corporations, and governments that Congress has established gradually a complex system of banking rules...</p>	1986	Law Review	—	<p>6 S.Ct.</p>
—	<p>136. THE CONSTITUTIONALITY OF THE NEW ENGLAND INTERSTATE BANKING EXPERIMENT 4 Ann. Rev. Banking L. 213 , 235+</p> <p>Once prohibited by almost every state in the nation, interstate banking has recently gained a growing acceptance. At least seventeen states that once barred entry by out-of-state...</p>	1985	Law Review	—	—

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>137. FREEDOM OF MOVEMENT FOR INDIGENTS: A COMPARATIVE ANALYSIS OF AMERICAN CONSTITUTIONAL LAW AND EUROPEAN COMMUNITY LAW 19 Ariz. J. Int'l & Comp. L. 803 , 861</p> <p>Generally, persons in need of welfare, social assistance, or other types of minimum subsistence benefits do not have the right to establish residence in other countries. One of the...</p>	2002	Law Review	—	<p>10 S.Ct.</p>
—	<p>138. 17 NO. 24 Criminal Practice Report 3, New Source of Clients-Detained Grand Jury Witnesses</p> <p>Grandma said to be careful of whose company one keeps, and the United States Court of Appeals for the Second Circuit vehemently agrees. Past friends and acquaintances may come back...</p>	2003	Law Review	—	<p>18 S.Ct.</p>
—	<p>139. CITY OF MESQUITE v. ALADDIN'S CASTLE: THE INTERMEDIATE STANDARD OF REVIEW IN AN EQUAL PROTECTION ANALYSIS 34 Baylor L. Rev. 515 , 524</p> <p>'No State shall make or enforce any law which shall . . . deny to any person within its jurisdiction the equal protection of the laws.' On July 21, 1868, the above provision...</p>	1981	Law Review	—	—
—	<p>140. BACK FROM A LONG VACATION: THE PRIVILEGES OR IMMUNITIES CLAUSE OF THE FOURTEENTH AMENDMENT IN SAENZ V. ROE 29 Cap. U. L. Rev. 481 , 512</p> <p>Most lawyers practicing today have learned that in many contexts, the Privileges or Immunities Clause of the Fourteenth Amendment sounds like an excellent argument. Unfortunately...</p>	2001	Law Review	—	<p>10 S.Ct.</p>
—	<p>141. NINE-HEADED CAESAR: THE SUPREME COURT'S THUMBS-UP APPROACH TO THE RIGHT TO TRAVEL 51 Case W. Res. L. Rev. 297 , 352</p> <p>The requirement that (the Court's holdings make sense) is the only thing that prevents this Court from being some sort of nine-headed Caesar, giving thumbs-up or thumbs-down to...</p>	2000	Law Review	—	<p>10 S.Ct.</p>
—	<p>142. THE NATIONAL POPULAR VOTE COMPACT: HORIZONTAL FEDERALISM AND THE PROPER ROLE OF CONGRESS UNDER THE COMPACT CLAUSE 16 Chap. L. Rev. 211 , 239+</p> <p>On August 8, 2011, California became the ninth United States jurisdiction to pass the "Agreement Among the States to Elect the President by National Popular Vote" (NPV...</p>	2012	Law Review	—	<p>6 15 17 S.Ct.</p>
—	<p>143. A REASONABLE DETENTION? RETHINKING THE MATERIAL WITNESS STATUTE'S PROBABLE CAUSE STANDARD AFTER AL-KIDD 44 Colum. Hum. Rts. L. Rev. 537 , 576</p> <p>Imagine that, just as you are about to leave the country on vacation, you happen to witness a crime. Imagine that federal officials arrive at your house and, based on these facts,...</p>	2013	Law Review	—	—

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>144. FEDERALISM, SEPARATION OF POWERS, AND THE ROLE OF STATE ATTORNEYS GENERAL IN MULTISTATE LITIGATION 101 Colum. L. Rev. 1998 , 2032</p> <p>Large, wealthy, and well lawyered corporations often have far greater financial and legal personnel resources than even a large state attorney general's office. Faced with the...</p>	2001	Law Review	—	<p>6 S.Ct.</p>
—	<p>145. RETAINING OUT-OF-STATE COUNSEL: THE EVOLUTION OF A FEDERAL RIGHT 67 Colum. L. Rev. 731 , 751</p> <p>The American bar has traditionally been a decentralized institution. The practicing attorney must obtain admission to the bar of some state in order to be able to engage in his...</p>	1967	Law Review	—	<p>9 S.Ct.</p>
—	<p>146. THE NEBULOUS RIGHT TO TRAVEL AS A POSSIBLE LIMITATION ON "CHILD SAFETY ZONES": THE GREENWICH SEX OFFENDER ORDINANCE 10 Conn. Pub. Int. L.J. 441 , 476+</p> <p>A proposed ordinance in Greenwich, Connecticut, (hereinafter "Greenwich Ordinance" or "Ordinance") involving sex offenders has caused some debate. The purpose of this Note is...</p>	2011	Law Review	—	<p>18 S.Ct.</p>
—	<p>147. THE UNIFORM WITNESS ACT: A WAY AROUND THE REPORTER'S PRIVILEGE? 21-SUM Comm. Law. 15 , 17</p> <p>ABC News recently found itself in the uncomfortable position of being compelled to turn over confidential outtakes from reporters' interviews without ever having the chance to...</p>	2003	Law Review	—	<p>12 S.Ct.</p>
—	<p>148. THE ECONOMICS OF ACTUAL MALICE: A PROPOSAL FOR LEGISLATIVE CHANGE TO THE RULE OF NEW YORK TIMES V. SULLIVAN 32 Cumb. L. Rev. 519 , 571</p> <p>Many Americans believe that the United States Supreme Court has the last word on all matters of State and federal law. In fact, its reach is not nearly so broad. The Court's...</p>	2002	Law Review	—	<p>5 S.Ct.</p>
—	<p>149. PREVENTIVE DETENTION IN AMERICAN THEORY AND PRACTICE 2 Harv. Nat'l Sec. J. 85 , 191+</p> <p>It is something of an article of faith in public and academic discourse that preventive detention runs counter to American values and law. This meme has become standard fare among...</p>	2011	Law Review	—	<p>12 S.Ct.</p>
—	<p>150. TOWARDS A NEW FORM OF LOCAL GOVERNMENT: THE URBAN COMMON MARKET 7 DePaul Bus. L.J. 253 , 299</p> <p>Introduction. 255 I. The Role of the American Legal System. 258 A. Supreme Court Review. 260 B. What Is To Be Done?. 266 II. Local Governments - National Headaches. 267 A. The...</p>	1995	Law Review	—	<p>6 S.Ct.</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>151. ACID RAIN COMPLIANCE: COORDINATION OF STATE AND FEDERAL REGULATION 13 Energy L.J. 341 , 357</p> <p>The Clean Air Act (CAA) Amendments of 1990 impose new controls on emissions by electric utilities of the two major precursors of acid rain: sulfur dioxide (SO 2) and oxides of...</p>	1992	Law Review	—	—
—	<p>152. TESTING NEW FORMS OF RIVER BASIN GOVERNANCE: IMPLICATION OF THE SEATTLE MASTER BUILDERS CASE 17 Env'tl. L. 835 , 862+</p> <p>The Northwest Power Act proceeds from the assumption that sound planning will enable the Pacific Northwest to satisfy energy needs and at the same time accommodate fish, wildlife,...</p>	1987	Law Review	—	6 S.Ct.
—	<p>153. SEATTLE MASTER BUILDERS ASSOCIATION v. PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL: THE CONSTITUTIONALITY OF THE NORTHWEST EXPERIMENT IN "COOPERATIVE FEDERALISM" 17 Env'tl. L. 971 , 999+</p> <p>Congress' intervention in the Pacific Northwest's energy problems began in 1977 and led to passage of the Northwest Power Act in 1980. In response to demands of the region's...</p>	1987	Law Review	—	6 S.Ct.
—	<p>154. INTERSTATE COMPACTS IN A DEMOCRATIC SOCIETY: THE PROBLEM OF PERMANENCY 49 Fla. L. Rev. 1 , 47</p> <p>I. REEVALUATING CONGRESSIONAL CONSENT AND DISPROPORTIONATE BINDINGNESS. 11 II. STATES IN COMPACT NEGOTIATION. 18 III. THE POWER COMPACT AGENCIES EXERCISE. 22 IV. WHEN AND HOW...</p>	1997	Law Review	—	—
—	<p>155. ENVIRONMENTAL SELF-AUDIT PRIVILEGE: THE STRAW THAT BREAKS THE BACK OF CRIMINAL PROSECUTIONS 7 Fordham Env'tl. L.J. 635 , 677</p> <p>The past three years have seen a precipitous surge of state legislation creating a "limited" or "qualified" environmental self-audit privilege. These adjectives are...</p>	1996	Law Review	—	—
—	<p>156. MATERIAL WITNESS DETENTION IN A POST-9/11 WORLD: MISSION CREEP OR FRESH START? 18 Geo. Mason L. Rev. 1 , 41</p> <p>Suppose you are a high-ranking official in the United States Department of Justice ("DOJ"). Your quiet world was shattered yesterday, like that of all Americans, by news that...</p>	2010	Law Review	—	18 S.Ct.
—	<p>157. MARBURY V. MADISON AND THE MADISONIAN VISION 72 Geo. Wash. L. Rev. 197 , 252</p> <p>In Marbury v. Madison's most quoted line, the Supreme Court declared it "emphatically the province and duty of the judicial department to say what the law is." The Court...</p>	2003	Law Review	—	—

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>158. THE EQUAL RIGHTS AMENDMENT EXTENSION: A CRITICAL ANALYSIS 2 Harv. J.L. & Pub. Pol'y 19 , 56</p> <p>On March 22, 1979, the original deadline for state ratification of the Equal Rights Amendment passed. Prior to that time, however, Congress voted to extend the ratification period...</p>	1979	Law Review	—	<p>5 S.Ct.</p>
—	<p>159. THE COMPACT CLAUSE AND THE REGIONAL GREENHOUSE GAS INITIATIVE 120 Harv. L. Rev. 1958 , 1979+</p> <p>The twentieth century witnessed an unprecedented amount of cooperation between states, much of it taking creative new forms. Given that the language of the Constitution's Compact...</p>	2007	Law Review	—	<p>6 S.Ct.</p>
—	<p>160. 2. DETERMINATION OF ELIGIBILITY FOR RESIDENT TUITION RATES AT STATE UNIVERSITIES. 87 Harv. L. Rev. 67 , 75</p> <p>In Vlandis v. Kline the Court struck down a durational residence requirement conditioning eligibility for "instate" university tuition rates on prior state citizenship. In May...</p>	1973	Law Review	—	—
—	<p>161. STRIKES - REPLACEMENTS - NEW JERSEY STATUTE PROHIBITS IMPORTATION OF REPLACEMENTS FOR STRIKERS, OR RECRUITMENT OF REPLACEMENTS BY PERSONS NOT INVOLVED IN THE STRIKE. 77 Harv. L. Rev. 377 , 381</p> <p>N.J. Rev. Stat. §§ 34:13C-1 to -6 (Supp. 1960). One of the weapons available to an employer facing an "economic" strike is that of hiring permanent replacements for striking...</p>	1963	Law Review	—	—
—	<p>162. COMPLEX LITIGATION AND THE STATE COURTS: CONSTITUTIONAL AND PRACTICAL ADVANTAGES OF THE STATE FORUM OVER THE FEDERAL FORUM IN MASS TORT CASES 21 Hastings Const. L.Q. 215 , 274</p> <p>C1-3Table of Contents Introduction. 216 I. Federal Consolidation of Mass Torts. 220 A. Proposals for Federal Consolidation. 221 B. Erie Doctrine Problems of Federal Transfer and...</p>	1994	Law Review	—	—
—	<p>163. FULL FAITH AND CREDIT, CHOICE OF LAWS, AND EXTRATERRITORIAL REGULATION OF CORPORATE TRANSACTIONS 18 Hastings Const. L.Q. 325 , 369</p> <p>In a federal system in which each state may enact laws providing for the chartering and governance of corporations and in which corporations can and do conduct business in more...</p>	1991	Law Review	—	<p>13 S.Ct.</p>
—	<p>164. A LISTENER'S FREE SPEECH, A READER'S COPYRIGHT 35 Hofstra L. Rev. 1457 , 1487+</p> <p>[T]he First Amendment . . . is much more than an order to Congress not to cross the boundary which marks the extreme limits of lawful suppression. It is also an exhortation and a...</p>	2007	Law Review	—	—

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>165. BURNHAM v. SUPERIOR COURT AND THE (PARTIAL) VINDICATION OF TRANSIENT JURISDICTION 28 Hous. L. Rev. 899 , 915</p> <p>C1-4Table of Contents I. INTRODUCTION . 899 II. BACKGROUND . 903 III. ANALYSIS . 905 A.. The Power Rationale—Pennoyer v. Neff. 906 B.. The Fairness Rationale—International Shoe's...</p>	1991	Law Review	—	<p>13 S.Ct.</p>
—	<p>166. AL-KIDD V. ASHCROFT: CLEARLY ESTABLISHED CONFUSION 96 Iowa L. Rev. 331 , 355</p> <p>ABSTRACT: In the aftermath of September 11, 2001, Attorney General John Ashcroft authorized the U.S. government to use material-witness arrest warrants to detain and investigate...</p>	2010	Law Review	—	—
—	<p>167. BANKING LAW-REGIONAL BANKING AGREEMENTS AND THE RESURRECTION OF INTERSTATE RIVALRIES: NORTHEAST BANCORP, INC. v. BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM 11 J. Corp. L. 477 , 493</p> <p>The Bank Holding Company Act of 1956 (the Act) requires bank holding companies to obtain the approval of the Federal Reserve Board (Board) before they may acquire any bank. The...</p>	1986	Law Review	—	—
—	<p>168. CAMRETA AND AL-KIDD: THE SUPREME COURT, THE FOURTH AMENDMENT, AND WITNESSES 102 J. Crim. L. & Criminology 283 , 328</p> <p>Although few noticed the link between them, two Supreme Court cases decided in the same week during the 2010 Term, Ashcroft v. al-Kidd and Camreta v. Greene, both involved the...</p>	2012	Law Review	—	—
—	<p>169. REGIONAL COMMON LAW 45 J. Legal Prof. 151 , 181</p> <p>Drawing on two hand-collected data sets of 10,466 state supreme court cases from 2019 and 7,354 state supreme court cases from 2003, this study examines patterns of citations to...</p>	2021	Law Review	—	—
—	<p>170. INTERNATIONAL SHOE GETS THE BOOT: BURNHAM v. SUPERIOR COURT RESURRECTS THE PHYSICAL POWER THEORY 24 Loy. L.A. L. Rev. 851 , 903+</p> <p>A court's assertion of jurisdiction must not deprive a defendant of life, liberty or property without due process of law. This idea has dominated the area of personal jurisdiction...</p>	1991	Law Review	—	<p>13 S.Ct.</p>
—	<p>171. GEORGIA'S TELEMEDICINE LAWS AND REGULATIONS: PROTECTING AGAINST HEALTH CARE ACCESS 68 Mercer L. Rev. 489 , 520+</p> <p>Georgia currently ranks 44th in the nation in terms of patient access to physicians. Roughly 52% of Georgia's physicians are located in five areas that serve just 38% of the...</p>	2017	Law Review	—	—

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—	172. HORIZONTAL FEDERALISM 93 Minn. L. Rev. 493 , 584 I. The Contours of Horizontal Federalism. 498 A. Definition and Scope of Horizontal Federalism. 498 B. Intersections Between Horizontal and Vertical Federalism. 504 C....	2008	Law Review	—	—
—	173. THE SUBPOENA POWER: PENNOYER'S LAST VESTIGE 74 Minn. L. Rev. 37 , 101+ Introduction I. The Subpoena Power in Historical Perspective A. Origins of the Subpoena ad Testificandum B. Territorial Reach of the Subpoena ad Testificandum C. Territorial Reach...	1989	Law Review	—	9 18 S.Ct.
—	174. CONSTITUTIONAL LAW-ARREST AND DETENTION UNDER THE MATERIAL WITNESS STATUTE-OBJECTIVELY REASONABLE ARREST DID NOT VIOLATE FOURTH AMENDMENT 81 Miss. L.J. 621 , 639 I. Facts. 621 II. Related Law. 623 A. The Fourth Amendment on Seizures and Reasonableness. 623 B. The Material-Witness Statute. 625 C. City of Indianapolis v. Edmond....	2012	Law Review	—	—
—	175. THE DETENTION OF MATERIAL WITNESSES AND THE FOURTH AMENDMENT 76 Miss. L.J. 585 , 622+ In June 2005, Human Rights Watch and the American Civil Liberties Union published a lengthy report entitled Witness to Abuse: Human Rights Abuses Under the Material Witness Law...	2006	Law Review	—	12 S.Ct.
—	176. COMPACTS, CARTELS, AND CONGRESSIONAL CONSENT 68 Mo. L. Rev. 285 , 387+ The Compact Clause (Art. I, Sec. 10 U.S. Constitution) requires congressional approval for "any agreement or compact" among the states. In the teeth of this wording, the Supreme...	2003	Law Review	—	6 S.Ct.
—	177. A VIEW FROM ITALY ON JUDICIAL COOPERATION BETWEEN ITALY AND THE UNITED STATES: THE 1982 MUTUAL ASSISTANCE TREATY AND THE 1983 EXTRADITION TREATY 18 N.Y.U. J. Int'l L. & Pol. 813 , 831 The prosecution of criminal cases involving international narcotics trafficking often requires the cooperation of different national judicial systems. Professor Mengozzi examines...	1986	Law Review	—	—
—	178. THE LAW OF CHOICE AND CHOICE OF LAW: ABORTION, THE RIGHT TO TRAVEL, AND EXTRATERRITORIAL REGULATION IN AMERICAN FEDERALISM 67 N.Y.U. L. Rev. 451 , 519 In American federalism, states differ among themselves in regulating morally contested issues such as abortion, sexual activity, and the right to die. Because of these...	1992	Law Review	—	—

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—	<p>179. TOWARD A CONSTITUTIONAL ANALYSIS OF THE RIGHT TO INTRASTATE TRAVEL 86 Nw. U. L. Rev. 820 , 857</p> <p>The right to travel enjoys a long jurisprudential history. Indeed, the American experience is replete with examples of the importance of travel to the establishment of Western...</p>	1992	Law Review	—	—
—	<p>180. TRUTHFUL TESTIMONY AS THE "QUINTESSENTIAL EXAMPLE OF SPEECH AS A CITIZEN": WHY LANE V. FRANKS LAYS THE GROUNDWORK FOR PROTECTING PUBLIC EMPLOYEE TRUTHFUL TESTIMONY 46 Seton Hall L. Rev. 565 , 597+</p> <p>In 2006, a divided United States Supreme Court decided Garcetti v. Ceballos, declaring that "when public employees make statements pursuant to their official duties, the employees...</p>	2016	Law Review	—	<p>18 S.Ct.</p>
—	<p>181. "OUR FEDERALISM," NOT THEIRS: JUDICIAL COMPARATIVE FEDERALISM IN THE U.S. 40 S. Tex. L. Rev. 541 , 554+</p> <p>The exercise of comparing one federal system to another is useful in a number of contexts, including constitution-making, as shown by Alan Tarr's paper on creating Russian...</p>	1999	Law Review	—	<p>12 S.Ct.</p>
—	<p>182. DELIVERING INDIGENTS' RIGHT TO COUNSEL WHILE RESPECTING LAWYERS' RIGHT TO THEIR PROFESSION: A SYSTEM "BETWEEN A ROCK AND A HARD PLACE" 13 St. John's J. Legal Comment. 491 , 526</p> <p>In this article, Professor Byers sets the stage for discussion by juxtaposing indigents' right to counsel with lawyers' right to the fruits of their labor. Following, Professor...</p>	1999	Law Review	—	<p>18 S.Ct.</p>
—	<p>183. FEDERALISM REVISITED: THE SUPREME COURT RESURRECTS THE NOTION OF ENUMERATED POWERS BY LIMITING CONGRESS'S ATTEMPT TO FEDERALIZE CRIME 27 St. Mary's L.J. 151 , 191+</p> <p>I. Introduction. 152 II. The History of Commerce Clause Jurisprudence. 157 A. Early Interpretations of Congress's Power Under the Commerce Clause. 160 B. Industrialism and the...</p>	1995	Law Review	—	<p>6 17 S.Ct.</p>
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—	<p>185. NOTE: LIMITATIONS ON CONGRESSIONAL POWER TO ESTABLISH INTERSTATE MECHANISMS OF GOVERNANCE: THE UNCONSTITUTIONALITY OF THE OZONE TRANSPORT REGION CREATED UNDER SECTION 184 OF THE CLEAN AIR ACT 11 J.L. & Pol. 381 , 410</p> <p>With the passage of the Clean Air Act Amendments of 1990, Congress created two innovative schemes for dealing with the problem of interstate air pollution. In section 176A,...</p>	1995	Law Review	—	<p>6 S.Ct.</p>
—	<p>186. THROUGH-RUNNING AND REGIONAL TRANSIT IN NEW YORK: AN ANALYSIS OF LEGAL STRUCTURES AND APPROACHES 49 Urb. Law. 109 , 147</p> <p>On an average weekday in New York City, approximately 114,000 Long Island Rail Road ("LIRR") customers stream into Pennsylvania Station ("Penn Station") on their way to work or...</p>	2017	Law Review	—	<p>15 17 S.Ct.</p>
—	<p>187. AN ODE TO THE CATEGORICAL APPROACH 67 UCLA L. Rev. Discourse 132 , 152</p> <p>In United States v. Davis, a narrow majority of the U.S. Supreme Court adhered to the "categorical approach" for determining which criminal convictions trigger additional federal...</p>	2019	Law Review	—	<p>17 S.Ct.</p>
—	<p>188. INTERNATIONAL TRAVEL AND THE CONSTITUTION 56 UCLA L. Rev. 271 , 350</p> <p>This Article makes the case for the fundamental right of U.S. citizens to leave their country and return home again. Surprisingly, Americans do not enjoy such a fundamental right....</p>	2008	Law Review	—	—
—	<p>189. DOES THE FIRST AMENDMENT PROTECT TESTIMONY BY PUBLIC EMPLOYEES? 77 U. Chi. L. Rev. 1473 , 1502</p> <p>The First Amendment represents a national commitment to the idea that public discussion is a fundamental principle of American government and citizenship that must be protected by...</p>	2010	Law Review	—	<p>18 S.Ct.</p>
—	<p>190. THE WAR POWERS AND THE POLITICAL QUESTION DOCTRINE 49 U. Colo. L. Rev. 65 , 101+</p> <p>A fundamental and potentially healthy tension exists between democratic government, under which the majority ordinarily prevails, and judicial review, by which the judiciary may...</p>	1977	Law Review	—	—
—	<p>191. THE CONSTITUTIONALITY OF STATE AND LOCAL "NORM SUSTAINING" ACTIONS ON GLOBAL CLIMATE CHANGE: THE FOREIGN AFFAIRS FEDERALISM GREY ZONE 5 U. Pa. J.L. & Pub. Aff. 447 , 531</p> <p>States and cities have long been leaders on global climate change by participating in international meetings, forming cross-border alliances, entering into bilateral memoranda of...</p>	2020	Law Review	—	<p>6 S.Ct.</p>

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—	<p>195. THE UNCONSTITUTIONALITY OF "HOLD UNTIL CLEARED": REEXAMINING MATERIAL WITNESS DETENTIONS IN THE WAKE OF THE SEPTEMBER 11TH DRAGNET 58 Vand. L. Rev. 677 , 736+</p> <p>I. Introduction: "The F.B.I. Messes Up" . 678 II. "Material Witness" Arrests in the September 11th Dragnet. 682 III. Criticism of the Secret "Material Witness" Detentions....</p>	2005	Law Review	—	<p>9 12</p> <p>S.Ct.</p>
—	<p>196. INTERSTATE COMPACTS IN COMMERCE AND INDUSTRY: A PROPOSAL FOR "COMMON MARKETS AMONG STATES" 23 Vt. L. Rev. 133 , 155</p> <p>At a time when barriers to the free movement of goods and capital are falling worldwide, the states of the United States continue to maintain barriers to commerce and industry....</p>	1998	Law Review	—	<p>6</p> <p>S.Ct.</p>
—	<p>197. INTERSTATE TESTIMONY BY CHILD PROTECTIVE AGENCY WORKERS IN THE CHILD CUSTODY CONTEXT 21 Vt. L. Rev. 633 , 675+</p> <p>In the United States, a child under the age of five is murdered every fourteen hours. The overwhelming majority die at the hands of the very caretakers they depend upon for...</p>	1996	Law Review	—	<p>11</p> <p>S.Ct.</p>
—	<p>198. COMPULSORY PROCESS IN A GLOBALIZED ERA: DEFENDANT ACCESS TO MUTUAL LEGAL ASSISTANCE TREATIES 47 Va. J. Int'l L. 261 , 293</p> <p>Abstract. 262 I. Introduction. 262 II. Courts and the Compulsory Process Clause. 265 A. Procedural Requirements Imposed on Courts. 265 B. Substantive Obligations of Courts...</p>	2006	Law Review	—	—










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—	<p>199. THE RELIGIOUS FREEDOM RESTORATION ACT AND SMITH: DUELING LEVELS OF CONSTITUTIONAL SCRUTINY 64 Wash. & Lee L. Rev. 1701 , 1732+</p> <p>In Cantwell v. Connecticut, the Supreme Court stated: The First Amendment declares that Congress shall make no law respecting an establishment of religion or prohibiting the free...</p>	2007	Law Review	—	<p>6 S.Ct.</p>
—	<p>200. CONSTITUTIONAL LAW-THE REAL ID ACT : VIOLATING MASSACHUSETTS RESIDENTS' RIGHT TO TRAVEL AND THE TENTH AMENDMENT 38 W. New Eng. L. Rev. 127 , 161</p> <p>The Real ID Act establishes minimum federal standards for the production and issuance of state-issued driver's licenses. The Department of Homeland Security is implementing the...</p>	2016	Law Review	—	<p>8 S.Ct.</p>
—	<p>201. A SHOWDOWN BETWEEN SHAPIRO AND THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT: INFRINGEMENT OF THE RIGHT TO TRAVEL 20 Whittier L. Rev. 449 , 483</p> <p>(S)ome went to the relief offices, and they came sadly back to their own people. They's rules--you got to be here a year before you can git relief. They say the gov'ment is gonna...</p>	1998	Law Review	—	<p>10 S.Ct.</p>
—	<p>202. FORENSIC CONSTITUTIONAL INTERPRETATION 41 Wm. & Mary L. Rev. 1247 , 1302+</p> <p>The gist of constitutional interpretation should be an amenability to competing and even complementary schools of hermeneutic endeavor. This ideal collides with an intellectual...</p>	2000	Law Review	—	<p>2 6 S.Ct.</p>
—	<p>203. IS ELECTROCUTION AN UNCONSTITUTIONAL METHOD OF EXECUTION? THE ENGINEERING OF DEATH OVER THE CENTURY 35 Wm. & Mary L. Rev. 551 , 692+</p> <p>Introduction I. Kemmler's Historical Foundations A. The Eighth Amendment's Concept of "Cruel and Unusual" B. New York's Anti-Capital Punishment Movement C. The Electrocution Act...</p>	1994	Law Review	—	<p>9 10 S.Ct.</p>
—	<p>204. AFTERWORD: FEDERALISM'S OPTIONS 14 Yale J. on Reg. 465 , 503</p> <p>I. The Fixtures of United States' Legal Federalism. 465 II. Alternative Conceptions: The Permeable Boundaries of Judicial Federalism. 479 III. Federalism and Physicality: The...</p>	1996	Law Review	—	<p>6 S.Ct.</p>
—	<p>205. DEVELOPMENTS IN LAW AND POLICY: THE COSTS OF POST-9/11 NATIONAL SECURITY STRATEGY 22 Yale L. & Pol'y Rev. 197 , 233+</p> <p>The American legal system has always attached special significance to national security issues. It is not an anomaly that treason is the only crime actually defined in the...</p>	2004	Law Review	—	<p>11 12 18 S.Ct.</p>

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—	206. AFTERWORD: FEDERALISM'S OPTIONS 14 Yale L. & Pol'y Rev. 465 , 503 I. The Fixtures of United States' Legal Federalism. 465 II. Alternative Conceptions: The Permeable Boundaries of Judicial Federalism. 479 III. Federalism and Physicality: The...	1996	Law Review	—	6 S.Ct.
—	207. EQUAL PROTECTION BY LAW: FEDERAL ANTIDISCRIMINATION LEGISLATION AFTER MORRISON AND KIMEL 110 Yale L.J. 441 , 526 Last Term, the Supreme Court sent ominous signals about the future of federal antidiscrimination law. The Court twice ruled that Congress lacked power under Section 5 of the...	2000	Law Review	—	5 S.Ct.
—	208. TOWARD A CONSTITUTIONAL THEORY OF INDIVIDUALITY: THE PRIVACY OPINIONS OF JUSTICE DOUGLAS 87 Yale L.J. 1579 , 1600+ The principle of privacy was first applied in the law either as a subcategory of property or as a breach of trust, but it has developed during this century into a widely...	1978	Law Review	—	—
—	209. P 71,539 JAMES C. STRODE, AS DIRECTOR OF THE DIVISION OF SECURITIES DEPARTMENT OF BANKING AND SECURITIES OF THE COMMONWEALTH OF KENTUCKY, AND RELIANCE UNIVERSAL, INC. V. ESMARK, INC., FRANKLIN CIRCUIT COURT, DIVISION I. James C. Strode, as Director of the Division of Securities Department of Banking and Securities of the Commonwealth of Kentucky, and Reliance Universal, Inc. v. Esmark, Inc.,...	1980	Other Secondary Source	—	—
—	210. 40 NO 6 Criminal Law Bulletin ART 4, Detention of Material Witnesses, Exigency, and the Rule of Law Professor of Law, Roger Williams University. I thank Wayne Logan for comments on a previous draft.	2010	Other Secondary Source	—	18 S.Ct.
—	211. 80 CCH DEC., FSLR P 97,538, STRODE, ET AL. V. ESMARK, INC. Federal Securities Cases Archive Circuit Court, 48th Circuit (Kentucky), Franklin County, No. 79-CI-1590, May 13, 1980 Opinion in full text. Wachtell, Lipton, Rosen & Katz, New York, N.Y. and Tarrant, Combs and...	1980	Other Secondary Source	—	—
—	212. 24 International Legal Materials 1509, Documents Concerning the Achille Lauro Affair and Cooperation in Combatting Int'l Terrorism International Legal Materials	1985	Other Secondary Source	—	11 S.Ct.

















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—	<p>213. P 155,704 ROBERT REILLY V. CITY OF ATLANTIC CITY; ROBERT FLIPPING; JOSEPH B. MCCULLOUGH; ARTHUR SNELLBAKER ROBERT FLIPPING, APPELLANT Labor & Employment Law</p> <p>PRECEDENTIALU.S. Court of Appeals, Third CircuitNo. 06-2591 ROBERT REILLY v. CITY OF ATLANTIC CITY; ROBERT FLIPPING; JOSEPH B. MCCULLOUGH; ARTHUR SNELLBAKER Robert Flipping,...</p>	2008	Other Secondary Source	—	<p>18 S.Ct.</p>
—	<p>214. MED-GUIDE 1983-1 MED-GUIDE-TB P 32,442, LOUISIANA-COVERAGE OF EYEGASSES-LIMITATION ON COVERAGE--RUBY ROSE LEDET ET AL. V. GEORGE FISCHER. Medicare and Medicaid Guide</p> <p>U.S. District Court, Middle District of Louisiana., Aug. 18, 1982. 548 FSupp 775 548 F.Supp. 775. Louisiana--Medical care and service--Coverage of eyeglasses--Applicability of...</p>	1982	Other Secondary Source	—	—
—	<p>215. "EQUAL ACCESS" FOR VOLUNTARY STUDENT PRAYER GROUPS: A LEGAL DILEMMA</p> <p>A legal dilemma arose for many school districts when, on August 11, 1984, President Reagan signed the Equal Access Act, an Act that had been supported by Secretary of Education...</p>	1985	Other Secondary Source	—	<p>5 S.Ct.</p>
—	<p>216. 32 Whited, Drinking/Driving Law Letter 3, Procedures of the Uniform Law to Secure the Attendance of Witnesses from Within or Without a State in Criminal Proceedings are not limited only to a subpoena requiring a witness to testify, but also apply to a subpoena d</p> <p>Several defendants charged with DUI in Florida and tested by the Intoxilyzer 8000 moved to suppress the test result. They served CMI Inc. with subpoena duces tecum to obtain the...</p>	2013	Other Secondary Source	—	<p>14 S.Ct.</p>
—	<p>217. Horizontal and vertical assumptions within the Commonwealth Constitution (2001) 12 PLR 113 , 113</p> <p>One of the problems with operating within a relatively closed system is that those so operating often fail to identify the mutual assumptions they make. This need not be a matter...</p>	—	Law Review	—	—

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Cited	<p> 24. People ex rel. Corkran v. Hyatt</p> <p>64 N.E. 825, N.Y., 1902</p> <p>Appeal from supreme court, appellate division, Third department. Application by the people, on the relation of Charles E. Corkran, for a writ of habeas corpus against James L....</p>	Case			573
Mentioned	<p>25. People of State of New York v. O'Neill</p> <p>78 S.Ct. 1137, U.S.Fla., 1958</p> <p>Facts and opinion, Application of People of State of N. Y., 100 So.2d 149.</p>	Case			567
Cited	<p> 26. Slaughter-House Cases</p> <p>1872 WL 15386, U.S.La., 1872</p> <p>ERROR to the Supreme Court of Louisiana. The three cases—the parties to which as plaintiffs and defendants in error, are given specifically as a subtitle, at the head of this...</p>	Case			569+
Cited	<p>27. Smith v. Turner</p> <p>1849 WL 6405, U.S.N.Y., 1849</p> <p>THESE were kindred cases, and were argued together. They were both brought up to this court by writs of error issued under the twenty-fifth section of the Judiciary Act; the case...</p>	Case			572+
Cited	<p> 28. Steele v. Bulova Watch Co.</p> <p>73 S.Ct. 252, U.S.Tex., 1952</p> <p>Suit by an American watch company to enjoin United States citizen residing in Texas from using company's trade-mark, registered under United States law, in Mexico on watches...</p>	Case			570
Mentioned	<p> 29. Twining v. State of N.J. </p> <p>29 S.Ct. 14, U.S.N.J., 1908</p> <p>IN ERROR to the Court of Errors and Appeals of the State of New Jersey to review a judgment which affirmed a judgment of the Supreme Court of that state, affirming a conviction in...</p>	Case			572+
Mentioned	<p> 30. Ward v. State</p> <p>1870 WL 12887, U.S.Md., 1870</p> <p>ERROR to the Court of Appeals of the State of Maryland; the case being this: The Constitution of the United States, in one place, thus ordains: 'ARTICLE IV. Sec. 2. The citizens of...</p>	Case			572
Cited	<p> 31. Williams v. Fears</p> <p>21 S.Ct. 128, U.S.Ga., 1900</p> <p>IN ERROR to the Supreme Court of the State of Georgia to review a decision affirming a judgment sustaining a license tax on emigrant agents. Affirmed. See same case below, 35 S....</p>	Case			572