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erecting symbolic tent cities—so as to prevent demonstrators from sleeping in tents did not violate First Amendment. *Clark v. Community for Creative Non-Violence*, p. 288.

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1. *Draft registration—Prerequisite for student loan.*—Section 12(f) of Military Selective Service Act, which denies federal financial assistance under Title IV of Higher Education Act of 1965 to male students between certain ages who fail to register for draft, and which requires applicants for Title IV assistance to file a statement with their educational institution attesting to their compliance with Military Selective Service Act and implementing regulations, does not violate privilege against self-incrimination of students who did not register for draft. *Selective Service System v. Minnesota Public Interest Research Group*, p. 841.

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VIII. Right to Jury Trial.

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IX. Searches and Seizures.

1. *Exclusionary rule—Good-faith exception.*—Fourth Amendment exclusionary rule should not be applied to bar prosecution's use of evidence obtained by officers acting in reasonable reliance on a search warrant issued by a detached and neutral magistrate but ultimately found to be invalid; record established that officers' reliance on state-court judge's determination of probable cause in issuing a facially valid search warrant was objectively reasonable, and thus trial court in federal prosecution should not have applied exclusionary rule even though it concluded that affidavit on which warrant was based was insufficient to establish probable cause. *United States v. Leon*, p. 897.

2. *Exclusionary rule—Good-faith exception.*—Where (1) officer's affidavit to support an application for a search warrant in connection with a homicide investigation described items involved, (2) a warrant application form could not be located, so officer made changes on a form previously used with regard to a search for controlled substances, (3) a judge concluded that affidavit established probable cause and made some changes in application form, but did not change portion authorizing a search for controlled substances, (4) judge then signed warrant and told officer that it was sufficient to authorize search, and (5) ensuing search was limited to items listed in affidavit and resulted in seizure of incriminating evidence, federal exclusionary rule did not require exclusion of evidence at state-court murder prosecution. *Massachusetts v. Sheppard*, p. 981.

3. *House search—Monitoring beeper—Validity of search warrant.*—Where (1) after learning from informant that certain respondents had ordered ether for extracting cocaine from imported clothing, Government obtained a warrant authorizing installation of a beeper in one of cans of ether, which was then done with informant's consent, (2) by surveillance and by monitoring beeper, Government agents tracked movements of ether to certain houses, then to lockers in commercial storage facilities rented by certain respondents, and finally to a house rented by certain respondents, (3) officers obtained a warrant to search last house based in part on information derived through use of beeper, and cocaine was then seized, and (4) trial court suppressed seized evidence at respondents' trial on federal drug charges because initial warrant to install beeper was invalid, respondents' Fourth Amendment rights were not infringed by beeper's installation, which was validated by informant's consent; although use of a beeper, without a valid warrant, to obtain information that otherwise could not be obtained from outside a private residence violates Fourth Amend-

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ment, evidence should not have been suppressed here since search warrant affidavit, after striking facts about monitoring beeper while it was in searched house, was sufficient to furnish probable cause for issuance of search warrant. *United States v. Karo*, p. 705.

4. *Prison-cell searches—Destruction of prisoner's property.*—A prisoner has no reasonable expectation of privacy in his prison cell entitling him to protection of Fourth Amendment against unreasonable searches, and a state prison officer's allegedly intentional destruction of a prisoner's noncontraband personal property during a "shakedown" cell search did not constitute an unreasonable "seizure" of such property. *Hudson v. Palmer*, p. 517.

5. *Unlawful arrest of alien—Effect in deportation proceedings.*—Respondent alien's contention that his allegedly unlawful arrest by an Immigration and Naturalization Service agent precluded his being summoned to his deportation proceeding was without merit since "body" or identity of a defendant in a criminal or civil proceeding is never itself suppressible as fruit of an unlawful arrest; Fourth Amendment exclusionary rule does not apply in a civil deportation proceeding, and thus second respondent alien's admission of illegal entry, made after his allegedly unlawful arrest by an INS agent, was not required to be excluded at his deportation hearing. *INS v. Lopez-Mendoza*, p. 1032.

6. *Warrant to search apartment—Effect of earlier security check.*—Where (1) agents, acting on information that petitioners probably were trafficking in cocaine from their apartment, maintained a surveillance and ultimately were authorized by an Assistant United States Attorney to arrest petitioners and were advised to secure premises until a search warrant could be obtained, (2) one petitioner was arrested in apartment building lobby and was taken to apartment, where other petitioner admitted agents, who conducted a security check of apartment, observed drug paraphernalia in plain view, and arrested other petitioner, (3) after a search warrant was issued, agents discovered and seized other pertinent evidence, and (4) petitioners were convicted of federal drug offenses, evidence seized during second search was properly admitted since there was an independent source for information on which warrant was based, wholly unconnected with initial entry whether it was illegal or not. *Segura v. United States*, p. 796.

CONVICTION AS BARRING SUBSEQUENT PROSECUTION FOR LESSER INCLUDED OFFENSE. See *Constitutional Law*, III, 2.

COUNTERFEITING. See *Constitutional Law*, VI, 2.

CRIMINAL LAW. See also *Constitutional Law*, III; IV; VI, 2; VII, 2; VIII; IX, 1-4, 6; *Habeas Corpus*; *Stays*, 4, 5.

1. *False statements—Matters within federal agency's jurisdiction—Knowledge.*—Under 18 U. S. C. § 1001, which provides that "[w]hoever,

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in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully . . . makes any false, fictitious or fraudulent statements . . . shall be fined," proof of actual knowledge of federal agency jurisdiction is not required to obtain a conviction. *United States v. Yermian*, p. 63.

2. *First-degree murder prosecution—Instructions on lesser included offenses.*—In state-court trial resulting in petitioner's conviction of first-degree murder, trial judge did not err in refusing to instruct jury on lesser included offenses since petitioner refused to waive statute of limitations, which had expired as to those offenses. *Spaziano v. Florida*, p. 447.

3. *Second conviction after retrial—Greater sentence—Vindictiveness of judge.*—After retrial and second conviction following a defendant's successful appeal, a sentencing authority may justify an increased sentence by affirmatively identifying either relevant *conduct* or relevant *events* that occurred subsequent to original sentencing proceedings; District Judge's explanation that he imposed a greater sentence after petitioner's retrial and second conviction following his successful appeal from his first conviction of a passport offense because of petitioner's intervening conviction of another unrelated federal offense rebutted any presumption of vindictiveness on judge's part that would violate due process. *Wasman v. United States*, p. 559.

CUBA. See *Trading with the Enemy Act*.

CUSTODIAL INTERROGATION BY POLICE. See *Constitutional Law*, VII, 2.

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DRAFT REGISTRATION AS PREREQUISITE FOR STUDENT LOAN. See *Constitutional Law*, I; VII, 1.

DUE PROCESS. See *Attorney's Fees*; *Civil Rights Act of 1871*; *Constitutional Law*, IV; V; *Criminal Law*, 3; *Habeas Corpus*; *Trading with the Enemy Act*.

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"Related services"—Catheterization of handicapped child.—For purposes of Act's provisions that require a school district receiving federal funding to provide a handicapped child with a free appropriate public education, including "related services," a procedure of catheterization that was prescribed to be performed every few hours on respondents' daughter, and that could be performed in a few minutes by a layperson with less than an hour's training, was a "related service" that petitioner School District was required to provide; however, since relief was available to respondents under Act, they were not entitled to any relief, including recovery of attorney's fees, under § 504 of Rehabilitation Act of 1973. Irving Independent School Dist. v. Tatro, p. 883.

EIGHTH AMENDMENT. See Constitutional Law, VIII.

ELECTIONS. See Stays, 3.

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EMPLOYER AND EMPLOYEES. See Civil Rights Act of 1871; Statutes of Limitations.

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FEDERAL-STATE RELATIONS. See Attorney's Fees; Constitutional Law, II; Education of the Handicapped Act; National Labor Relations Act.

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Segregated private schools—Tax-exempt status—Suit against Government officials.—Respondents, parents of black children attending public schools in school districts undergoing desegregation, did not have standing to bring a nationwide class action against Government officials, alleging that Internal Revenue Service had not adopted sufficient standards and procedures to fulfill its obligation to deny tax-exempt status to racially discriminatory private schools, and that unlawful tax exemptions had been granted to racially segregated private schools. *Allen v. Wright*, p. 737.
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STAYS.

1. *Aid to Families with Dependent Children statute.*—Application to stay, pending review by this Court, enforcement of District Court's permanent injunction—which requires state and local officials, in determining eligibility and benefits under Aid to Families with Dependent Children statute, to deduct statutory standard work expense disregard after deducting such items as federal, state, and local taxes—is granted prospectively from effective date of statute's amendment, which occurred after grant of certiorari. *Heckler v. Turner* (REHNQUIST, J., in chambers), p. 1305.

2. *Attorney's fees—Veterans' claims.*—Application to stay District Court's injunction prohibiting enforcement of 38 U. S. C. §§ 3404 and 3405—which forbid payment of a fee of more than \$10 by a veteran to an agent or attorney in connection with a claim for monetary benefits under laws administered by Veterans Administration—is granted pending filing and disposition of a jurisdictional statement. *Walters v. National Assn. of Radiation Survivors* (REHNQUIST, J., in chambers), p. 1323.

3. *Primary election ballots.*—Application to stay enforcement of Federal District Court orders directing that New York City Board of Elections accept respondents' designating petitions and place their names on ballot for imminent party primary election, is denied. *Montgomery v. Jefferson* (MARSHALL, J., in chambers), p. 1313.

4. *Retrial of state prisoner.*—Application to stay District Court's order (as directed by Court of Appeals in habeas corpus proceedings) for retrial of respondent state prisoner prior to start of this Court's October 1984 Term is granted pending disposition of petition for certiorari to review Court of Appeals' judgment. *Garrison v. Hudson* (BURGER, C. J., in chambers), p. 1301.

5. *Selection of trial jury.*—California's application to stay, pending disposition of its petition for certiorari, California Supreme Court's judgment reversing respondent's murder conviction and holding that trial jury, which was empaneled by use of a voter registration list, was not drawn

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from a fair cross section of community, is denied. *California v. Harris* (REHNQUIST, J., in chambers), p. 1303.

6. *State initiative for Constitutional Convention.*—Application to stay California Supreme Court's mandate prohibiting placement on ballot of an initiative that would require California Legislature or California Secretary of State to request Congress to call a Constitutional Convention to amend Federal Constitution so as to require a balanced federal budget, is denied. *Uhler v. AFL-CIO* (REHNQUIST, J., in chambers), p. 1310.

7. *Tribal-court jurisdiction.*—On application to stay Court of Appeals' mandate, which reversed District Court's judgment enjoining respondent Crow Tribe from executing on Crow Tribal Court's default judgment against School District—District Court having held that Tribal Court lacked subject-matter jurisdiction of an action brought against School District by respondent schoolchild (a Crow Indian) for personal injuries sustained on School District's land located within Crow Indian Reservation—a temporary stay that was granted earlier by Circuit Justice is continued pending disposition of a petition for certiorari; this Court's Rule governing supersedeas bonds is not applicable since federal-court proceedings did not seek direct review of Tribal Court judgment. *National Farmers Union Ins. Cos. v. Crow Tribe* (REHNQUIST, J., in chambers), p. 1315.

STUDENT LOANS. See *Constitutional Law*, I; VII, 1.

SUPERSEDEAS BONDS. See *Stays*, 7.

SUPREMACY CLAUSE. See *National Labor Relations Act*.

SUPREME COURT. See also *Stays*, 7.

1. Amendments to Rules of the Supreme Court, p. 1253.
2. Term statistics, p. 1325.

TAXES. See *Constitutional Law*, II; *Standing to Sue*.

TAX-EXEMPT STATUS OF SEGREGATED PRIVATE SCHOOLS.
See *Standing to Sue*.

TELEVISION COLLEGE FOOTBALL GAMES. See *Antitrust Acts*.

TELEVISION STATIONS' RIGHT TO EDITORIALIZE. See *Constitutional Law*, VI, 3.

TENT CITIES. See *Constitutional Law*, VI, 1.

TRADING WITH THE ENEMY ACT.

Restrictions on travel to Cuba—Right to travel.—Grandfathered authorities of §5(b) of Act provided an adequate statutory basis for 1982 amendment of a Treasury Department Regulation so as to prohibit general

TRADING WITH THE ENEMY ACT—Continued.

tourist and business travel to Cuba, and such restrictions on travel-related transactions with Cuba do not violate freedom to travel protected by Due Process Clause of Fifth Amendment. *Regan v. Wald*, p. 222.

TRAFFIC OFFENSES. See *Constitutional Law*, VII, 2.

TRAVEL RIGHTS. See *Trading with the Enemy Act*.

TRIBAL-COURT JURISDICTION. See *Stays*, 7.

TWENTY-FIRST AMENDMENT. See *Constitutional Law*, II.

UNION OFFICERS. See *National Labor Relations Act*.

UNITED STATES OBLIGATIONS OR SECURITIES. See *Constitutional Law*, VI, 2.

UNIVERSITY FOOTBALL GAME TELECASTS. See *Antitrust Acts*.

VAGUENESS OF STATUTES. See *Constitutional Law*, V.

VETERANS' CLAIMS FOR MONETARY BENEFITS. See *Stays*, 2.

VINDICTIVENESS OF JUDGE OR PROSECUTOR. See *Constitutional Law*, IV, 4; *Criminal Law*, 3.

VIRGINIA. See *Constitutional Law*, IV, 3.

VISITATION RIGHTS OF PRETRIAL DETAINEES. See *Constitutional Law*, IV, 2.

VOTER REGISTRATION LISTS AS BASIS FOR JURY SELECTION. See *Stays*, 5.

WAIVER OF STATUTE OF LIMITATIONS. See *Criminal Law*, 2.

WARRANT TO SEARCH HOUSE OR APARTMENT. See *Constitutional Law*, IX, 3, 6.

WELFARE BENEFITS. See *Stays*, 1.

WORDS AND PHRASES.

1. "*Closely related to banking.*" § 4(c)(8), Bank Holding Company Act of 1956, 12 U. S. C. § 1843(c)(8). *Securities Industry Assn. v. Board of Governors*, FRS, p. 207.

2. "*Knowingly and willfully.*" 18 U. S. C. § 1001. *United States v. Yermian*, p. 63.

3. "*Public sale.*" § 20, Glass-Steagall Act, 12 U. S. C. § 377. *Securities Industry Assn. v. Board of Governors*, FRS, p. 207.

4. "*Related services.*" Education of the Handicapped Act, 20 U. S. C. § 1401(18). *Irving Independent School Dist. v. Tatro*, p. 883.

5. "*Securities.*" §§ 16, 21, Banking Act of 1933, 12 U. S. C. §§ 24 Seventh, 378(a)(1). *Securities Industry Assn. v. Board of Governors*, FRS, p. 137.













