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2. *New rule of criminal procedure.*—Holding of *Crawford v. Washington*, 541 U.S. 36, 59—that "testimonial statements of witnesses absent from trial" are admissible "only where the declarant is unavailable, and . . . the defendant has had a prior opportunity to cross-examine [the witness]"—is a new rule of criminal procedure that does not fall within *Teague v. Lane*, 489 U.S. 288, exception for watershed rules applying retroactively to cases on collateral review. *Whorton v. Bockting*, p. 406.

3. *Second or successive petition—Jurisdiction.*—Because Burton did not seek or obtain an order from Court of Appeals authorizing him to file a "second or successive" habeas petition, as required by 28 U.S.C. §2244(b)(3), District Court never had jurisdiction to consider his petition challenging his sentence's constitutionality. *Burton v. Stewart*, p. 147.

4. *Statute of limitations—Tolling.*—Title 28 U.S.C. §2244(d)(2) does not toll 1-year statute of limitations for seeking federal habeas relief from a state-court judgment during pendency of a certiorari petition in this Court; Lawrence falls far short of showing "extraordinary circumstances" necessary to support equitable tolling of his otherwise untimely claims. *Lawrence v. Florida*, p. 327.

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tion and Nationality Act purposes, and thus does not disqualify a deported alien from eligibility for discretionary cancellation of removal by Attorney General. *Lopez v. Gonzales*, p. 47.

2. *Removal—Theft offense*.—Title 8 U.S.C. § 1101(a)(43)(G)’s term “theft offense,” conviction of which warrants an alien’s removal from United States, includes crime of “aiding and abetting” a theft offense. *Gonzales v. Duenas-Alvarez*, p. 183.

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PRISON LITIGATION REFORM ACT OF 1995.

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Federal official acting within scope of employment—Removal to federal court.—Under Act—which accords federal employees absolute immunity from tort claims arising out of acts undertaken in course of their official duties—once Attorney General certifies that a federal official sued in a state court was acting in scope of his employment, United States is substituted as defendant, and case is removed to federal court, exclusive competence to adjudicate case resides in that court, and it may not remand suit to state court; Westfall Act certification is proper when a federal officer charged with misconduct asserts, and Attorney General determines, that incident or episode in suit never occurred. *Osborn v. Haley*, p. 225.

WORDS AND PHRASES.

1. “*Aggregate tax valuation of the property in Guam.*” 48 U. S. C. § 1423a. *Limtiaco v. Camacho*, p. 483.

2. “*Air pollutant.*” Clean Air Act, 42 U. S. C. § 7602(g). *Massachusetts v. EPA*, p. 497.

3. “*An original source of the information.*” False Claims Act, 31 U. S. C. § 3730(e)(4)(A). *Rockwell Int’l Corp. v. United States*, p. 457.

4. “*Felony punishable under the Controlled Substances Act.*” Immigration and Nationality Act, 8 U. S. C. § 1101(a)(43)(B). *Lopez v. Gonzales*, p. 47.

5. “*Theft offense.*” Immigration and Nationality Act, 8 U. S. C. § 1101(a)(43)(G). *Gonzales v. Duenas-Alvarez*, p. 183.