

INDEX

(Vol. 578 U. S.)

“ARISING UNDER” JURISDICTION. See **Jurisdiction.**

ADMINISTRATIVE PROCEDURE ACT.

Water pollution discharge permits—Army Corps of Engineers’ “approved jurisdictional determination”—Final agency action.—An “approved jurisdictional determination” issued by Corps pursuant to regulations governing Clean Water Act § 404 permits is a final agency action judicially reviewable under APA. *Army Corps of Engineers v. Hawkes Co.*, p. 590.

ADMINISTRATIVE REMEDIES. See **Prison Litigation Reform Act of 1995.**

AGGRAVATED FELONIES. See **Immigration and Nationality Act.**

ANTITERRORISM AND EFFECTIVE DEATH PENALTY ACT OF 1996. See **Habeas Corpus**, 1.

APPORTIONMENT OF LEGISLATURE. See **Constitutional Law**, III, 3.

ARIZONA. See **Constitutional Law**, III, 1.

ARMED CAREER CRIMINAL ACT OF 1984.

Retroactive application of new substantive rule.—New substantive rule announced in *Johnson v. United States*, 576 U. S. 591—that Due Process Clause prohibits imposing an increased prison sentence under Act’s so-called residual clause—has retroactive effect in cases on collateral review. *Welch v. United States*, p. 120.

ARMY CORPS OF ENGINEERS. See **Administrative Procedure Act.**

ARTICLE III STANDING. See **Constitutional Law**, I, 1.

ASSISTANCE OF COUNSEL. See **Habeas Corpus**, 1.

ATTACHMENT OF ASSETS. See **Constitutional Law**, VII.

ATTORNEY’S FEES. See **Civil Rights Act of 1964**, 1.

AUTOMOBILE REPAIR SHOPS. See **Hobbs Act**.

BANKRUPTCY.

Nondischargeable debts—“[A]ctual fraud”—*Fraudulent conveyance schemes*.—For purposes of determining whether a debt is nondischargeable in bankruptcy because it was “obtained by . . . actual fraud,” 11 U. S. C. § 523(a)(2)(A), “actual fraud” encompasses fraudulent conveyance schemes, even when they do not involve a false representation. *Husky Int’l Electronics, Inc. v. Ritz*, p. 355.

BATSON CLAIMS. See **Constitutional Law**, III, 2.

BIRTH CONTROL. See **Constitutional Law**, IV.

CALIFORNIA. See **Constitutional Law**, VI; **Habeas Corpus**, 2.

CAPITAL MURDER. See **Constitutional Law**, II.

CIVIL RIGHTS ACT OF 1871. See **Constitutional Law**, V; **Prison Litigation Reform Act of 1995**.

CIVIL RIGHTS ACT OF 1964.

1. *Title VII attorney’s fees award*—*Prevailing party finding*—*Favorable ruling on merits*.—Favorable ruling on merits is not a necessary predicate to finding that defendant is prevailing party entitled to attorney’s fees pursuant to Title VII. *CRST Van Expedited, Inc. v. EEOC*, p. 419.

2. *Title VII constructive-discharge claim*—*Limitations period*—*Resignation notice*.—Limitations period for federal employee to report alleged constructive-discharge claim under Title VII begins to run when employee gives notice of resignation, not on effective date thereof. *Green v. Brennan*, p. 547.

CLEAN WATER ACT. See **Administrative Procedure Act**.

COLLATERAL REVIEW. See **Habeas Corpus**, 2.

CONGRESSIONAL REDISTRICTING. See **Constitutional Law**, I, 2; III, 1, 3.

CONSPIRACY. See **Hobbs Act**.

CONSTITUTIONAL LAW.

I. Case or controversy.

1. *Article III standing*—*Concreteness requirement*.—Ninth Circuit’s failure to address whether particular procedural violations alleged in this case meet concreteness requirement for Article III standing made its standing analysis incomplete. *Spokeo, Inc. v. Robins*, p. 330.

CONSTITUTIONAL LAW—Continued.

2. *Racial gerrymander—Standing to appeal.*—Appellants—who reside in and represent Virginia Congressional Districts other than district in this racial gerrymandering case—do not have standing to bring an appeal in this case. *Wittman v. Personhuballah*, p. 539.

II. Due process.

Future dangerousness jury instruction.—Because future dangerousness was at issue during Lynch's capital sentencing proceeding, he had right to inform jury that he is parole ineligible. *Lynch v. Arizona*, p. 613.

III. Equal protection of the laws.

1. *State legislative district reapportionment.*—Three-judge District Court did not err in upholding Arizona's legislative redistricting plan. *Harris v. Arizona Independent Redistricting Comm'n*, p. 253.

2. *Striking of black prospective jurors—Race-based motivations.*—Georgia courts clearly erred in determining that Foster failed to show that prosecutors in his murder trial were motivated in substantial part by race in striking black prospective jurors, in violation of *Batson v. Kentucky*, 476 U. S. 79. *Foster v. Chatman*, p. 488.

3. *Total-population-based legislative district reapportionment.*—As constitutional history, precedent, and practice demonstrate, a State or locality may draw its legislative districts based on total-population numbers. *Evenwel v. Abbott*, p. 54.

IV. Establishment of religion.

Contraceptive coverage through health insurance plans—Religious objection.—Judgments are vacated and cases are remanded to give parties opportunity to arrive at approach that accommodates petitioners' religious exercise while also ensuring that women covered by petitioners' health plans receive full and equal coverage, including contraceptive coverage. *Zubik v. Burwell*, p. 403.

V. Freedom of association.

Government employee—Protected political activity.—A government employee demoted for engaging in protected political activity is entitled to challenge employer's action as unlawful under First Amendment and 42 U. S. C. §1983 even if employer was mistaken in believing that employee was engaged in protected activity. *Heffernan v. City of Paterson*, p. 266.

VI. Full faith and credit.

Nevada damages action against California agencies—State sovereign immunity.—Full Faith and Credit Clause does not permit Nevada to apply a rule that awards damages against California that are greater than

CONSTITUTIONAL LAW—Continued.

it could award against Nevada in similar circumstances. *Franchise Tax Bd. of Cal. v. Hyatt*, p. 171.

VII. Right to counsel.

Criminal defendant prohibited from using untainted assets to retain counsel.—Eleventh Circuit's judgment—that a pretrial injunction prohibiting use of untainted assets to retain counsel of choice in criminal case did not violate Sixth Amendment—is vacated and case is remanded. *Luis v. United States*, p. 5.

VIII. Right to speedy trial.

Inapplicable following conviction or guilty plea.—Sixth Amendment's speedy trial guarantee does not apply once defendant has been found guilty at trial or has pleaded guilty to criminal charges. *Betterman v. Montana*, p. 437.

IX. Separation of powers.

Attachment of bank assets to pay terrorism victims—Specific postjudgment enforcement proceeding.—A provision of Iran Threat Reduction and Syria Human Rights Act of 2012, 22 U.S.C. § 8772—which makes certain assets that were subject of a specific postjudgment enforcement proceeding available to satisfy respondents' underlying terrorism-related judgments against Iran—does not violate separation of powers. *Bank Markazi v. Peterson*, p. 212.

CONSTRUCTIVE DISCHARGE. See **Civil Rights Act of 1964**, 2.

CONSUMER CREDIT REPORTS. See **Constitutional Law**, I, 1.

CONSUMER DEBTS. See **Fair Debt Collection Practices Act**.

CONTRACEPTIVES. See **Constitutional Law**, IV.

CRIMINAL LAW. See **Constitutional Law**, II; III, 2: VII; VIII; **Hobbs Act**; **Sex Offender Registration and Notification Act**; **Immigration and Nationality Act**.

DAMAGES AWARDS. See **Constitutional Law**, VI.

DAMAGES. See **Federal Tort Claims Act**.

DEATH PENALTY. See **Constitutional Law**, II.

DEBT COLLECTORS. See **Fair Debt Collection Practices Act**.

DEBT DISCHARGE. See **Bankruptcy**.

DEFERENTIAL REVIEW STANDARD. See **Habeas Corpus**, 1, 3.

DEPORTATION. See **Immigration and Nationality Act**.

- DEREGULATION OF ENERGY MARKETS.** See **Pre-emption.**
- DISCRIMINATION IN EMPLOYMENT.** See **Civil Rights Act of 1964.**
- DISCRIMINATION ON BASIS OF RACE.** See **Civil Rights Act of 1964; Constitutional Law, I, 2; III, 2.**
- DUE PROCESS.** See **Armed Career Criminal Act of 1984; Constitutional Law, II.**
- ELECTION DISTRICTS.** See **Constitutional Law, I, 2; III, 1, 3.**
- ELECTRICITY RATES.** See **Pre-emption.**
- ELEMENTS OF A CRIME.** See **Immigration and Nationality Act.**
- EMPLOYMENT DISCRIMINATION.** See **Civil Rights Act of 1964, 2.**
- EQUAL PROTECTION OF THE LAWS.** See **Constitutional Law, III.**
- ESTABLISHMENT OF RELIGION.** See **Constitutional Law, IV.**
- EXHAUSTION OF ADMINISTRATIVE REMEDIES.** See **Prison Litigation Reform Act of 1995.**
- EXTORTION.** See **Hobbs Act.**
- FAIR CREDIT REPORTING ACT OF 1970.** See **Constitutional Law, I, 1.**
- FAIR DEBT COLLECTION PRACTICES ACT.**
Debts owed state-owned agencies—Special counsel's use of state attorney general's letterhead.—Special counsel's use of Ohio attorney general's letterhead at attorney general's direction to collect debts owed to state institutions does not offend Act's general prohibition against "false . . . or misleading representation[s] . . . in connection with the collection of any debt," 15 U. S. C. § 1692e. *Sheriff v. Gillie*, p. 317.
- FALSE REPRESENTATIONS.** See **Bankruptcy.**
- FEDERAL COURTS.** See **Jurisdiction.**
- FEDERAL EMPLOYEES.** See **Civil Rights Act of 1964, 2; Federal Tort Claims Act.**
- FEDERAL ENERGY REGULATORY COMMISSION.** See **Pre-emption.**
- FEDERAL PRISONERS.** See **Federal Tort Claims Act.**
- FEDERAL RULES OF APPELLATE PROCEDURE.**
Amendments to Rules, p. 1031.

FEDERAL RULES OF BANKRUPTCY PROCEDURE.

Amendments to Rules, p. 1051.

FEDERAL RULES OF CIVIL PROCEDURE.

Amendments to Rules, p. 1061.

FEDERAL RULES OF CRIMINAL PROCEDURE.

Amendments to Rules, p. 1067.

FEDERAL SENTENCING GUIDELINES. See **United States Sentencing Commission Guidelines.****FEDERAL TORT CLAIMS ACT.**

Act's "Exceptions" section—Judgment bar provision.—Act's Chapter 171 judgment bar provision does not apply to tort claims against federal employees that are dismissed as falling within Act's "Exceptions" section, 28 U.S.C. §2680. *Simmons v. Himmelreich*, p. 621.

FEDERAL-STATE RELATIONS. See **Pre-emption.****FEE-SHIFTING STATUTES.** See **Civil Rights Act of 1964**, 1.**FINAL AGENCY ACTION.** See **Administrative Procedure Act.****FIRST AMENDMENT.** See **Constitutional Law**, IV; V.**FOREIGN COMMERCE.** See **Immigration and Nationality Act.****FORFEITURE OF ASSETS.** See **Constitutional Law**, VII.**FOURTEENTH AMENDMENT.** See **Constitutional Law**, III.**FRAUDULENT CONVEYANCES.** See **Bankruptcy.****FREEDOM OF ASSOCIATION.** See **Constitutional Law**, V.**FULL FAITH AND CREDIT.** See **Constitutional Law**, VI.**FUTURE DANGEROUSNESS.** See **Constitutional Law**, II.**GEORGIA.** See **Constitutional Law**, VIII.**GOVERNMENT EMPLOYER AND EMPLOYEES.** See **Constitutional Law**, V.**GUILTY PLEAS.** See **Constitutional Law**, VIII.**HABEAS CORPUS.**

1. *Antiterrorism and Effective Death Penalty Act of 1996—Deferential standard of review—Ineffectiveness of counsel.*—Sixth Circuit erred in determining, under Act's deferential standard of review, that no fair-minded jurist could conclude anything but that respondent's appellate counsel had been constitutionally ineffective. *Woods v. Etherton*, p. 113.

HABEAS CORPUS—Continued.

2. *California bar to state collateral claims not raised on appeal—Adequacy to bar federal habeas review.*—California’s so-called “*Dixon bar*”—where a defendant procedurally defaults a claim raised for first time on state collateral review if he could have raised it earlier on direct appeal—is adequate to bar federal habeas review, as it is longstanding, oft-cited, and shared by habeas courts nationwide. *Johnson v. Lee*, p. 605.

3. *Summary denial of state habeas petition—Deferential-review provisions.*—Because California Supreme Court’s summary denial of Hinojosa’s state habeas petition was on merits, Antiterrorism and Effective Death Penalty Act of 1996’s deferential-review provisions provide proper standard to use in reviewing Hinojosa’s federal habeas petition. *Kernan v. Hinojas*, p. 412.

HEALTH INSURANCE. See **Constitutional Law**, IV.

HOBBS ACT.

Conspiracy to violate Act—Agreement to obtain property.—Conviction for conspiring to violate Hobbs Act—which prohibits obtaining property from another with his consent and under color of official right—may be based on an agreement between defendant and property owner that *some conspirator* would commit each element of substantive offense. *Ocasio v. United States*, p. 282.

IMMIGRATION AND NATIONALITY ACT.

State crimes mirroring federal crimes—Jurisdictional elements in criminal statutes.—A state offense counts as an “aggravated felony” for deportation purposes, see 8 U.S.C. § 1101(a)(43), when it has every element of a listed federal crime except one requiring connection to interstate or foreign commerce. *Luna Torres v. Lynch*, p. 452

INJUNCTIONS. See **Constitutional Law**, VII.

INJURY IN FACT. See **Constitutional Law**, I, 1.

INTERSTATE COMMERCE. See **Immigration and Nationality Act**.

IRAN THREAT REDUCTION AND SYRIA HUMAN RIGHTS ACT OF 2012. See **Constitutional Law**, IX.

JUDICIAL REVIEW OF ADMINISTRATIVE DECISIONS. See **Administrative Procedure Act**.

JURISDICTION.

Securities Exchange Act of 1934’s § 27 jurisdictional test—Same as federal “arising under” test.—Act’s jurisdictional test—which grants federal district courts exclusive jurisdiction “of all suits in equity and actions at

JURISDICTION—Continued.

law brought to enforce any liability or duty created by [the Act] or the rules or regulations thereunder,” 15 U.S.C. §78aa(a)—is same as 28 U.S.C. §1331’s test for deciding if a case “arises under” a federal law. *Merrill Lynch, Pierce, Fenner & Smith Inc. v. Manning*, p. 374.

JURY INSTRUCTIONS. See **Constitutional Law**, II.

JURY SELECTION. See **Constitutional Law**, III, 2.

KANSAS. See **Sex Offender Registration and Notification Act**.

LAWYERS. See **Fair Debt Collection Practices Act**.

LIMITATIONS PERIODS. See **Civil Rights Act of 1964**, 2.

MARYLAND. See **Pre-emption**.

MISLEADING REPRESENTATIONS. See **Fair Debt Collection Practices Act**.

NEVADA. See **Constitutional Law**, VI.

NONDISCHARGEABLE DEBTS. See **Bankruptcy**.

ONE-PERSON, ONE-VOTE PRINCIPLE. See **Constitutional Law**, III, 1, 3.

PAROLE ELIGIBILITY. See **Constitutional Law**, II.

PHILIPPINES. See **Sex Offender Registration and Notification Act**.

POLITICAL BELIEFS AND ASSOCIATIONS. See **Constitutional Law**, V.

POPULATION VARIANCES. See **Constitutional Law**, III, 1, 3.

PRE-EMPTION.

State regulatory program—Wholesale electricity sales in interstate market.—Maryland electricity regulatory program is preempted because it disregards an interstate wholesale rate required by Federal Energy Regulatory Commission. *Hughes v. Talen Energy Marketing, LLC*, p. 150.

PREVAILING PARTIES. See **Civil Rights Act of 1964**, 1.

PRISON LITIGATION REFORM ACT OF 1995.

Fourth Circuit’s “special circumstances” exception—Exhaustion of administrative remedies requirement.—Fourth Circuit’s “special circumstances” exception to Act’s exhaustion requirement is inconsistent with Act’s unambiguous mandate that an inmate exhaust all administrative

PRISON LITIGATION REFORM ACT OF 1995—Continued.

remedies before filing suit, 42 U. S. C. § 1997e(a); but respondent's contention that his prison's grievance process was not in fact available to him warrants further consideration below. *Ross v. Blake*, p. 632.

PRISONERS LAWSUITS. See **Federal Tort Claims Act; Prison Litigation Reform Act of 1995.**

PROCEDURAL DEFAULT. See **Habeas Corpus**, 2.

RACE-BASED PEREMPTORY CHALLENGES. See **Constitutional Law**, III, 2.

RACIAL DISCRIMINATION. See **Civil Rights Act of 1964**, 2; **Constitutional Law**, I, 2; III, 2.

RACIAL GERRYMANDERING. See **Constitutional Law**, I, 2.

REAPPORTIONMENT OF LEGISLATURE. See **Constitutional Law**, III, 1, 3.

REGISTRATION OF SEX OFFENDERS. See **Sex Offender Registration and Notification Act.**

RELIGIOUS FREEDOM RESTORATION ACT OF 1993. See **Constitutional Law**, IV.

REMOVAL OF DEPORTABLE ALIENS. See **Immigration and Nationality Act.**

RETROACTIVE APPLICATION OF SUPREME COURT DECISIONS. See **Armed Career Criminal Act of 1984.**

RIGHT TO COUNSEL. See **Constitutional Law**, VII

RIGHT TO SPEEDY TRIAL. See **Constitutional Law**, VIII.

SEARCH ENGINES. See **Constitutional Law**, I, 1.

SECURITIES EXCHANGE ACT OF 1934. See **Jurisdiction.**

SENTENCING. See **Armed Career Criminal Act of 1984; United States Sentencing Commission Guidelines.**

SEPARATION OF POWERS. See **Constitutional Law**, IX.

SEX OFFENDER REGISTRATION AND NOTIFICATION ACT.

Registration update requirement—Move to non-SORNA jurisdiction.—SORNA did not require petitioner to update his registration in Kansas when he left State for Philippines. *Nichols v. United States*, p. 104.

SIXTH AMENDMENT. See **Constitutional Law**, VII; VIII.

STANDARD OF REVIEW. See **Habeas Corpus**, 1, 3; **United States Sentencing Commission Guidelines**.

STANDING TO SUE. See **Constitutional Law**, I, 1.

STATE POSTCONVICTION PROCEEDINGS. See **Constitutional Law**, VIII.

STATE SOVEREIGN IMMUNITY. See **Constitutional Law**, VI.

STATUTES OF LIMITATIONS. See **Civil Rights Act of 1964**, 2.

SUPREME COURT.

1. Amendments to Federal Rules of Appellate Procedure, p. 1031.
2. Amendments to Federal Rules of Bankruptcy Procedure, p. 1051.
3. Amendments to Federal Rules of Civil Procedure, p. 1061.
4. Amendments to Federal Rules of Criminal Procedure, p. 1067.

TAXES. See **Constitutional Law**, VI.

TERRORISM. See **Constitutional Law**, IX.

TEXAS. See **Constitutional Law**, III, 3.

TITLE VII. See **Civil Rights Act of 1964**.

UNITED STATES SENTENCING COMMISSION GUIDELINES.

Guidelines errors—“*Additional evidence*” rule.—Courts reviewing Guidelines errors cannot apply categorical “additional evidence” rule in cases where district court applies incorrect Guidelines range but sentences defendant within correct range. *Molina-Martinez v. United States*, p. 189.

VIRGINIA. See **Constitutional Law**, I, 2.

WATER POLLUTION. See **Administrative Procedure Act**.

WORDS AND PHRASES.

“*[A]ctual fraud.*” Bankruptcy Code, 11 U. S. C. § 523(a)(2)(A). *Husky Int’l Electronics, Inc. v. Ritz*, p. 355.