

INDEX

(Vol. 585 U. S.)

ADMINISTRATIVE LAW JUDGES. See **Constitutional Law, I, 1.**

AGENCY FEES. See **Constitutional Law, IV, 3.**

ANTISTEERING CONTACT PROVISIONS. See **Antitrust Law.**

ANTITRUST LAW.

Federal antitrust law—Antisteering provisions.—American Express’ antisteering provisions in its merchant contracts—which prohibit merchants from avoiding fees by discouraging customers’ American Express card use at point of sale—do not violate federal antitrust law. *Ohio v. American Express Co.*, p. 529.

APPOINTMENTS CLAUSE. See **Constitutional Law, I.**

ARTICLE III COURTS. See **Constitutional Law, I.**

ARTICLE III STANDING.

Gerrymandering claim based on statewide injury—Lack of Article III standing.—Plaintiff Wisconsin Democratic voters, who rested their claim of unconstitutional partisan gerrymandering on statewide injury, have failed to demonstrate Article III standing. *Gill v. Whitford*, p. 48.

CALIFORNIA. See **Constitutional Law, IV, 2.**

CELLULAR TELEPHONE RECORDS. See **Constitutional Law, V.**

COMMERCE CLAUSE. See **Constitutional Law, II.**

COMPENSATION. See **Railroad Retirement Tax Act of 1937.**

CONSTITUTIONAL LAW.

I. Appointments Clause.

1. *Administrative Law Judges.*—Securities and Exchange Commission administrative law judges are “Officers of the United States,” subject to Appointments Clause. *Lucia v. SEC*, p. 237.

2. *Court of Appeals of the Armed Forces.*—Military Judge Mitchell’s simultaneous service on an Air Force appeals court and Court of Military

CONSTITUTIONAL LAW—Continued.

Commission Review violated neither 10 U.S.C. § 973(b)(2)(A) nor Appointments Clause. *Ortiz v. United States*, p. 427.

II. Dormant Commerce Clause.

State requirement that non-State corporations collect and pay use tax on sales shipped to State—Overruled precedents.—Quill Corp. v. North Dakota, 504 U.S. 298, and *National Bellas Hess, Inc. v. Department of Revenue of Ill.*, 386 U.S. 753—which held that a State cannot require an out-of-state seller with no physical presence in State to collect and remit sales taxes on goods seller ships to consumers in State—are overruled. *South Dakota v. Wayfair, Inc.*, p. 162.

III. Double Jeopardy.

Consent to severance of charges—Legal acquittal at first trial.—Because Currier consented to a severance of multiple charges against him, his second trial and resulting conviction, following an acquittal at his first trial, did not violate Double Jeopardy Clause. *Currier v. Virginia*, p. 493.

IV. Freedom of Speech.

1. *Ban on political apparel at polling locations.*—Minnesota’s ban on political apparel at polling places violates First Amendment’s Free Speech Clause. *Minnesota Voters Alliance v. Mansky*, p. 1.

2. *California Reproductive Freedom, Accountability, Comprehensive Care, and Transparency Act—Likelihood of success on First Amendment claim.*—Petitioners are likely to succeed on their claim that FACT Act violates First Amendment. *National Institute of Family and Life Advocates v. Becerra*, p. 755.

3. *Overruling of Supreme Court precedent—Nonconsensual extraction of agency fees from public employees.*—State of Illinois’ extraction of agency fees from nonconsenting public-sector employees violates First Amendment; *Abood v. Detroit Bd. of Ed.*, 431 U.S. 209, which concluded otherwise, is overruled. *Janus v. State, County, and Municipal Employees*, p. 878.

V. Searches and Seizures.

Searches and seizures—Access to cell-phone records—Probable cause requirement.—The Government’s acquisition of Carpenter’s cell-site records from his wireless carriers was a Fourth Amendment search; and Government did not obtain a warrant supported by probable cause before acquiring those records. *Carpenter v. United States*, p. 296.

CONTRACTS. See **Antitrust Law.**

CREDIT CARD SURCHARGES. See **Antitrust Law.**

CRIMINAL LAW. See **Constitutional Law; Probable Cause for Arrest.**

CRIMINAL SENTENCING. See **United States Sentencing Guidelines.**

DAMAGES. See **Patent Act.**

DORMANT COMMERCE CLAUSE. See **Constitutional Law, II.**

DOUBLE JEOPARDY. See **Constitutional Law, III.**

EMPLOYEE STOCK OPTIONS. See **Railroad Retirement Tax Act of 1937.**

EQUITABLE RELIEF. See **Preliminary Injunctions.**

ESTABLISHMENT CLAUSE. See **Immigration Law.**

EXTRATERRITORIALITY. See **Patent Act.**

FEDERAL COURTS OF APPEALS. See **Constitutional Law, I, 2; United States Sentencing Guidelines, 2.**

FEDERAL RULES OF CIVIL PROCEDURE.

Interpretation of foreign law—Foreign government's statements not binding on federal courts.—A federal court determining foreign law under Federal Rule of Civil Procedure 44.1 should accord respectful consideration to a foreign government's submission, but court is not bound to accord conclusive effect to foreign government's statements. *Animal Science Products, Inc. v. Hebei Welcome Pharmaceutical Co*, p. 33.

FEDERAL RULES OF CRIMINAL PROCEDURE. See **United States Sentencing Guidelines.**

FEDERAL SENTENCING GUIDELINES. See **United States Sentencing Guidelines.**

FIFTH AMENDMENT. See **Constitutional Law, III.**

FIRST AMENDMENT. See **Constitutional Law, IV; Probable Cause to Arrest.**

FLORIDA. See **Interstate Apportionment of Water.**

FOREIGN GOVERNMENTS. See **Federal Rules of Civil Procedure.**

FOREIGN LAW. See **Federal Rules of Civil Procedure.**

FOURTH AMENDMENT. See **Constitutional Law, V.**

FREEDOM OF SPEECH. See **Constitutional Law, IV.**

GEORGIA. See **Interstate Apportionment of Water.**

GERRYMANDERING. See **Article III Standing; Preliminary Injunctions.**

HABEAS CORPUS.

Federal habeas relief—Ineffective-assistance-of-counsel claim.—Ninth Circuit erred in reversing a denial of federal habeas relief on the ground that state court had unreasonably rejected respondent's ineffective-assistance-of-counsel claim. *Sexton v. Beaudreaux*, p. 961.

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

IMMIGRATION LAW.

Presidential discretion in immigration matters—Presidential proclamation suspending entry of aliens.—President has lawfully exercised broad discretion granted to him under 8 U. S. C. § 1182(f) to suspend entry of aliens into the United States; respondents have not demonstrated a likelihood of success on merits of their claim that Presidential Proclamation No. 9645 violates Establishment Clause. *Trump v. Hawaii*, p. 667.

INEFFECTIVE ASSISTANCE OF COUNSEL. See **Habeas Corpus.**

INTERNATIONAL TRAVEL RESTRICTIONS. See **Immigration Law.**

INTERSTATE APPORTIONMENT OF WATER.

Apportionment of water—Legally sufficient showing of effective remedial decree.—Florida has made a legally sufficient showing as to possibility of fashioning an effective remedial decree equitably apportioning water from an interstate river basin. *Florida v. Georgia*, p. 803.

JUDICIAL DISCRETION. See **United States Sentencing Guidelines, 1.**

LEGAL NOTICE. See **Immigration Law.**

LOST PROFITS. See **Patent Act.**

MARYLAND. See **Preliminary Injunctions.**

MINNESOTA. See **Constitutional Law, IV, 1.**

NONPERMANENT RESIDENTS. See **Immigration Law.**

NORTH CAROLINA. See **Racial Gerrymandering.**

PATENT ACT.

Domestic application of the law—Damages in a patent action.—The focus of Patent Act's general damages provision, 35 U. S. C. § 284, in a case involving infringement under § 271(f)(2) is on act of exporting components from United States; therefore, *WesternGeco's* award for lost profits was

PATENT ACT—Continued.

a permissible domestic application of §284, not an extraterritorial one. *WesternGeco LLC v. ION Geophysical Corp.*, p. 407.

POLICE OFFICERS. See **Qualified Immunity From Suit.**

POLITICAL SPEECH. See **Constitutional Law, IV, 1.**

PRELIMINARY INJUNCTIONS.

Motion for preliminary injunction in gerrymandering case—Political retaliation.—Because balance of equities and public interest tilt against preliminary injunction motion of plaintiffs claiming that a Maryland congressional district was gerrymandered to retaliate against them for their political views, District Court did not abuse its discretion in denying motion. *Benisek v. Lamone*, p. 155.

PRESIDENTIAL PROCLAMATIONS. See **Immigration Law.**

PROBABLE CAUSE REQUIREMENT. See **Constitutional Law, V.**

PROBABLE CAUSE TO ARREST.

Existence of probable cause—Claim of retaliatory arrest.—The existence of probable cause for Lozman's arrest for disrupting a city council meeting does not bar his First Amendment retaliatory arrest claim under circumstances of this case. *Lozman v. Riviera Beach*, p. 87.

PUBLIC-SECTOR EMPLOYEES. See **Constitutional Law, IV, 3.**

QUALIFIED IMMUNITY FROM SUIT.

Qualified immunity of police officers—Insufficient grounds for holding officers entitled to relief—Legitimate law enforcement interests.—Tenth Circuit erred in holding that police officers were entitled to qualified immunity without considering ground on which officers were present in petitioner's home and nature of any legitimate law enforcement interests that might have justified their order that petitioner stop praying at specific time in question. *Sause v. Bauer*, p. 957.

RACE DISCRIMINATION. See **Racial Gerrymandering.**

RACIAL GERRYMANDERING.

1. *Presumption of legislative good faith in redistricting context—Impermissible racial gerrymander found.*—District Court disregarded presumption of legislative good faith and improperly reversed burden of proof when it required State to show a lack of discriminatory intent in adopting new districting plans; one of challenged State House districts is an impermissible racial gerrymander. *Abbott v. Perez*, p. 579.

2. *Redrawing of legislative districts—Remedy fashioned by court.*—District Court's order is affirmed insofar as it provided a court-drawn

RACIAL GERRYMANDERING—Continued.

remedy for Senate Districts 21 and 28 and House Districts 21 and 57 and reversed as to court's actions concerning legislature's redrawing of House districts in Wake and Mecklenburg Counties. *North Carolina v. Covington*, p. 969.

RAILROAD RETIREMENT TAX ACT OF 1937.

Taxability of employee stock options.—Employee stock options are not taxable “compensation” under Railroad Retirement Tax Act of 1937. *Wisconsin Central Ltd. v. United States*, p. 274.

RATIONAL BASIS TEST. See **United States Sentencing Guidelines, 1.**

REDISTRICTING PLANS. See **Racial Gerrymandering.**

REMOVAL PROCEEDINGS. See **Immigration Law.**

Removal proceedings—Defective notice to appear—Calculation of continuous residence.—A putative notice sent to a nonpermanent resident to appear at a removal proceeding that fails to designate a specific time or place for that proceeding does not end continuous residence period calculation necessary for possible cancellation of individual's removal. *Pereira v. Sessions*, p. 198.

REPRODUCTIVE HEALTH. See **Constitutional Law, IV, 2.**

RETALIATION ACTIONS. See **Preliminary Injunctions; Probable Cause to Arrest.**

RIPARIAN RIGHTS. See **Interstate Apportionment of Water.**

SALES AND USE TAXES. See **Constitutional Law, II.**

SEARCHES AND SEIZURES. See **Constitutional Law, V.**

SECURITIES AND EXCHANGE COMMISSION. See **Constitutional Law, I, 1.**

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

STANDING. See **Article III Standing.**

TAX COLLECTION. See **Constitutional Law, II.**

TAXABLE INCOME. See **Railroad Retirement Tax Act of 1937.**

UNITED STATES SENTENCING GUIDELINES.

1. *Sentence reduction—Demonstration of rational basis.*—Because record in this case demonstrates that judge had a reasoned basis for his decision, judge's explanation for reducing, under 18 U. S. C. § 3582(c)(2), petitioner's sentence to middle rather than bottom of amended Federal Guidelines range was adequate. *Chavez-Meza v. United States*, p. 109.

UNITED STATES SENTENCING GUIDELINES—Continued.

2. *Vacation of criminal sentence—Miscalculation of sentencing guidelines.*—A miscalculation of a Federal Guidelines sentencing range that has been determined to be plain and to affect a defendant's substantial rights calls for a court of appeals to exercise its discretion under Federal Rule of Criminal Procedure 52(b) to vacate defendant's sentence in ordinary case. *Rosales-Mireles v. United States*, p. 129.

VIRGINIA. See **Constitutional Law, III.**

WATER RIGHTS. See **Interstate Apportionment of Water.**

WISCONSIN. See **Article III Standing.**

WORDS AND PHRASES.

1. Taxable "compensation." Railroad Retirement Tax Act of 1937, 26 U. S. C. § 3231(e)(1). *Wisconsin Central Ltd. v. United States*, p. 274.

2. "Officers of the United States." U. S. Const., Art. II, § 2, cl. 2. *Lucia v. SEC*, p. 237.