

Sixth Circuit Update 10.31.14

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Evidentiary Issues

US v. Abdulmutallab 739 F.3d 891 – right to a competency hearing

US v. Tragas 727 F.3d 610 - dramatic reading of transcripts at trial

US v. Moore 733 F.3d 171 – necessity defense in weapons possession

US v. Willoughby 742 F.3d 229 – use of prior sexual history

US v. Walker 734 F.3d 451 – reasonable suspicion taking off seatbelt

US v. Shepard 739 F.3d 286 – jury impartiality – child porn

US v. Toviave 761 F.3d 623 – parental discipline or federal offense?

Constitutional Issues

US v. Noble 762 F.3d 509 – lack of reasonable suspicion that D is armed and dangerous

US v. Mathis 738 F.3d 719 – open fields doctrine

US v. Hinojosa 534 Fed Appx. 468 - consensual encounter

US v. LaDeau 734 F.3d 561 – vindictive prosecution

US v. McMullin 739 F.3d 943 – reasonable suspicion robbery case

US v. Hockenberry 730 F.3d 645 – inventory search

US v. Jefferson 730 F.3d 537 - Brady material

US v. Miller 767 F.3d 585 – Amish beard cutting

US v. Farah 766 F.3d 599 – Double Jeopardy obstruction of justice

Kennedy v. US, 756 F.3d 492 – right to counsel pre-indictment

Gunner v. Welch 749 F.3d 551 – informing state client of right to post conviction

Sentencing Issues

US v. Johnson 737 F.3d 444 - maintaining premises for drug distribution

US v. Kilgore 749 F.3d 463 – double counting theft of firearm

US v. Snelling — F.3d — amount of loss Ponzi scheme

US v. Seymour 739 F.3d 923 - fortress theory

US v. Reichert 747 F.3d 445 - sophisticated means

US v. Kumar 750 F.3d 563 - restitution

US v. Kamper 748 F.3d 728 - obstruction of justice