

TABLE 9.1

Recent Decisions of the U.S. Supreme Court

CASE	TOPIC	DESCRIPTION
<i>District of Columbia v. Heller</i> (2011)	Second Amendment gun rights	Dick Heller was a licensed special police officer for the District of Columbia. For his job, Heller carried a gun in federal office buildings but was not allowed to have one in his home. The U.S. Supreme Court held in a 5–4 decision that the Second Amendment to the U.S. Constitution protects an individual's right to possess a firearm for traditionally lawful purposes, such as self-defense within the home and within federal enclaves. It was the first Supreme Court case in U.S. history to decide whether the Second Amendment protects an individual's right to keep and bear arms for self-defense.
<i>Trevino v. Thaler</i> (2013)	Effective counsel	Carlos Trevino was convicted of capital murder in Texas state court and sentenced to death after the jury found insufficient mitigating circumstances to warrant a life sentence. Neither new counsel appointed for his direct appeal nor new counsel appointed for state collateral review raised the claim that Trevino's trial counsel provided ineffective assistance during the penalty phase by failing to adequately investigate and present mitigating circumstances. The U.S. Supreme Court held that death row inmates in Texas can raise claims of ineffectiveness of counsel for the first time in federal court if they did not have a meaningful chance to raise the claims in state appeals.
<i>Dan's City Used Cars, Inc. v. Pelkey</i> (2013)	Federal Aviation Administration Authorization Act	Robert Pelkey's car was towed from his apartment complex for failure to move it during a snowstorm. At the time, Mr. Pelkey was quite ill and eventually was sent to the hospital to have his left foot amputated. When he returned home and was made aware that his car was towed, Pelkey sued for violations of the Consumer Protection Act, a statute concerning liens, and a negligence claim based on the common law duty of a bailee. The trial court granted summary judgment in favor of Dan's, holding that the Federal Aviation Administration Authorization Act of 1994 (the Act) preempted Pelkey's claims. The U.S. Supreme Court held that the Federal Aviation Administration Act of 1994 does not preempt the state law because the claims are not "related to" the transportation of property. That phrase limits the scope of the preemption solely to transportation, rather than the disposal of property that occurs after the transportation, with which Pelkey's claim was concerned.
<i>Thomas More Law Center v. Barack H. Obama, President of the United States</i>	Affordable Health Care Act	In 2010, Congress enacted the Patient Protection and Affordable Care Act in order to increase the number of Americans covered by health insurance and decrease the cost of health care. One key provision is the individual mandate, which requires most Americans to maintain minimum essential health insurance coverage. For individuals who are not exempt, and who do not receive health insurance through an employer or government program, the means of satisfying the requirement is to purchase insurance from a private company. The case was heard by the Sixth Circuit Court of Appeals. The panel of three judges ruled that the individual mandate was a "Constitutional exercise" of the power of the federal government. This decision marked the first appellate court ruling on the Affordable Care Act.