

# From 8 to 9..to 8?

## A REVIEW OF THE U.S. SUPREME COURT'S 2016 TERM



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## In Memoriam

- Remember this guy?



## FRCP 60(b)(6) & 28 USC 2253

- *Buck v. Davis*

- Substantively: Did Buck's death sentence involve impermissible use of race? (And could he show ineffective assistance of counsel?)
- Procedurally: Did CA5 err in denying COA? Could Buck show "extraordinary circumstances"?
- 6-2 for Buck (CT/ SAA)



## FRAP 4

- *Manrique v. U.S.*

- If Defendant files NOA from a criminal judgment that defers determination of the restitution amount, does he have to file another NOA after determination of the restitution amount?
- Yes. 6-2 (RBG/ SS)



Also available as part of the eCourse

[Federal Appellate Law Update 2017: Case Law Updates, Jury Charges, Rehearings En Banc, and Advocacy](#)

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