

# Case Law Updates: The Good, the Bad, ... and the Ugly

The University of Texas School of Law  
2023 Conference on Immigration and Nationality Law  
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1

# Supreme Court & select BIA

2

# Diana Ross and the Supremes

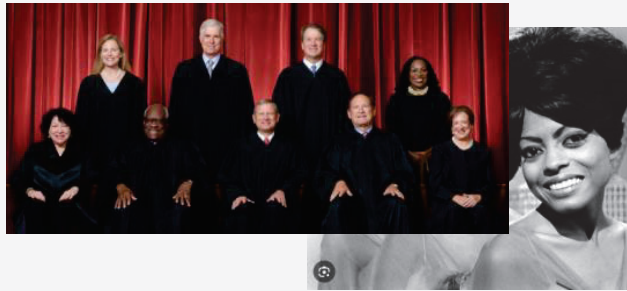
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## *Santos-Zacaria v. Garland*, 143 S. Ct. 1103 (2023)

- exhaustion of administrative remedies; INA § 242(d)(1); jurisdiction; statutory scheme as a whole; Congressional language in the INA; claims processing rule; remedy of right

## *Dubin v. United States*, 143 S. Ct. 1557 (2023)

- identity theft; definition of use; in relation to; statutory titles; importance of the word “aggravated”; statutory interpretation; presumption against over including criminal conduct



# Diana Ross and the Supremes (cont.)

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## *Pugin v. Garland*, 143 S. Ct. 1833 (2023)

- relating to obstruction of justice; INA § 101(a)(43)(S); aggravated felony; relating to; dictionaries; Congressional intent

## *United States v. Texas*, 143 S. Ct. 1964 (2023)

- State standing; prosecutorial discretion; redressability; historical analysis; humanity

## *United States v. Hansen*, 143 S. Ct. 1932 (2023)

- 8 U.S.C. § 1324(a)(1)(A)(iv); First Amendment; freedom of speech; facial challenge; criminal solicitation; criminal facilitation

## Diana Ross and the .... BIA?

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### *Matter of C-G-T-*, 28 I&N Dec. 740 (BIA 2023)

- one-year deadline; gay men in the Dominican Republic; reasonableness of reporting harm to police; reporting harm as child; sexual identity as immutable; statement of persecutor

### *Matter of Garcia*, 28 I&N Dec. 693 (BIA 2023)

- venue; forum; choice of law; regulatory interpretation; INA § 242(b)(2); 8 C.F.R. § 1003.14(a); 8 C.F.R. § 1003.20(a); comparing hardship case to other cases

5

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## Diana Ross and the .... BIA?

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### *Matter of Morales-Morales*, 28 I&N Dec. 714 (BIA 2023)

- 8 C.F.R. § 1003.38(c); *Matter of Liadov*; untimely notice of appeal; claims processing rule; equitable tolling

### *Matter of Chen*, 28 I&N Dec. 676 (BIA 2023)

- deficient NTA; plain language; stop-time rule; final order of removal; prima facie showing; fundamental change in law – Niz Chavez

6

6

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