

Mostly Bad & Occasionally Good: Review of Immigration 5th Circuit & Supreme Court Cases

UT Law CLE 2024 Conference on Immigration and Nationality Law

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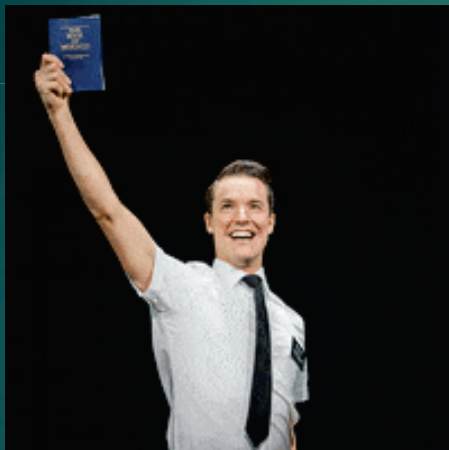
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But Mostly... Baaaaaaad



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Supreme Court & select BIA



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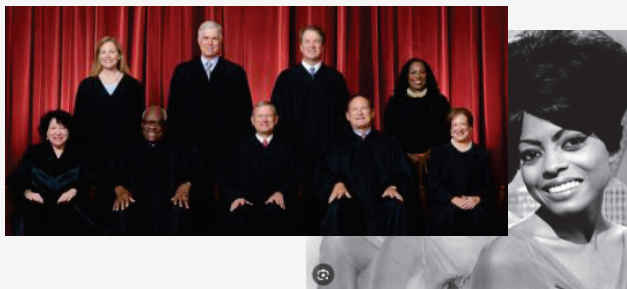
Diana Ross and the Supremes

Wilkinson v. Garland, 601 U.S. 209, 144 S. Ct. 780 (2024)

- jurisdiction; INA § 242(a)(2)(B) & (D); *Guerro-Lasprilla*; mixed question of law and fact; *Patel*

Brown v. United States, 144 S. Ct. 1195 (2024)

- sentence enhancement; ACCA; Pennsylvania marijuana; Florida cocaine; categorical approach point of comparison



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Diana Ross and the Supremes (cont.)

Campos-Chaves v. Garland, 144 S. Ct. 1637 (2024)

- in absentia motion to reopen; deficient NTA; statutory interpretation; Notice of Hearing; INA § 239(a)(2); “change”; “new”; “any”

Department of State v. Munoz, No. 23-334 (U.S. June 21, 2024)

- fundamental right to live with one’s spouse in the United States; due process; doctrine of consular nonreviewability

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Diana Ross and the Supremes (cont.)

Loper Bright Enterprises v. Raimondo, No. 22-451 (U.S. June 28, 2024)

- deference to agencies; APA; Chevron; star decisis



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