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U.S. 1ST CIRCUIT COURT OF APPEALS

Administrative Law, Civil Procedure, Constitutional Law

Massachusetts Delivery Association v. Coakley, No. 13-2307

District court's holding that section 148B(a)(2) of the Massachusetts Independent Contractor Statute escapes Federal Aviation Administration Authorization Act (FAAA) preemption is reversed and remanded, where: 1) the district court did not sufficiently credit the broad language and legislative history of the FAAA's express preemption provision; and 2) the FAAA expressly preempts state laws that "relate to" the prices, routes, or services of a motor carrier "with respect to the transportation of property."

Criminal Law & Procedure

Capozzi v. US, No. 13-1993

Motion for reconsideration of an order denying petitioner's request for an expanded certificate of appealability (COA) on his Sixth Amendment right to counsel claim is denied, where: 1) the limitation period in 28 U.S.C. section 2255(f) should be applied on a claim-by-claim basis; and 2) under the claim-by-claim approach, petitioner's Sixth Amendment claim is clearly time-barred, and there is no arguable claim to the contrary.