

First Circuit Opinion Summaries by Findlaw

- [First Circuit Opinion Summaries by Findlaw](#) - with links to full-text opinions arranged by month.

Most Recent Summaries

Quezada Caraballo v. Lynch

October 31, 2016

Immigration Law

(United States First Circuit) - In a petition brought by a native and citizen of the Dominican Republic for review of the Board of Immigration Appeals' (BIA) decision affirming an Immigration Judge's (IJ) denial of her application for a good-faith-marriage waiver of the joint-filing requirement for a Petition to Remove Conditions on Residence (Form I-751 waiver), 8 U.S.C. section 1186a(c)(4)(B), the petition is denied where: 1) the IJ was permitted to discredit petitioner's testimony; and 2) nothing petitioner argues on appeal compels reversal of the BIA's reasonable decision.

US v. Castro-Taveras

October 31, 2016

Criminal Law & Procedure

(United States First Circuit) - Denial of a coram nobis petition, argues that defendant's guilty plea entered more than a decade ago should be vacated because of Fifth and Sixth Amendment violations, is vacated and remanded where, while his Fifth Amendment claim against the prosecutor lacks merit, defendant's Sixth Amendment claim is not -- contrary to the conclusion of the district court -- barred by the retroactivity doctrine.

Maine Medical Center v. Burwell

October 28, 2016

Insurance Law, Health Law, Administrative Law

(United States First Circuit) - In a dispute between the Secretary of Health and Human Services and eight Maine hospitals, involving the 'often surreal' Medicare reimbursement regime and the system through which the federal government reimburses hospitals for charity care, so-called disproportionate share payments (DSH payments), 42 U.S.C. section 1395ww(d)(5)(F)(i)(I), the district court's judgment is: 1) reversed in part as to the cost reports for which the Board and the district court found that the notices provided to specific plaintiffs were inadequate and as to the cost reports for providers and years covered by written settlement agreements entered into by individual providers and the intermediary; and 2) affirmed in part as to judgment to the Board for all other plaintiffs and cost years.

US v. Karmue

October 28, 2016

Criminal Law & Procedure

(United States First Circuit) - Sentence and convictions on three federal counts, conspiracy to commit arson, wire fraud, and mail fraud, related to defendant's alleged participation in a scheme to burn down a tenement house that defendant owned so he could collect the insurance proceeds, are affirmed over defendant's contentions that: 1) the District Court erred by conducting a portion of a Daubert hearing in his absence; 2) a correction that the government was allowed to make, post-trial, to a statutory citation that was contained in Count I of the superseding indictment affected his decision not to plead guilty and to proceed to trial; and 3) the District Court erred in its refusal to appoint new counsel at sentencing and instead to give defendant the choice only either of proceeding pro se or of keeping the appointed counsel that he had at the time and with whom he was then allegedly in serious conflict.