

First Circuit Opinion Summaries by Findlaw

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

Most Recent Summaries

Penn. Pub. Util. Commission v. Jenkins

October 17, 2017

Public Utilities, Remedies, Judgement Enforcement

(United States First Circuit) - In a judgment enforcement action, the district court's order approving a sale recommended by the receiver as part of wrapping of a fifteen year case stemming from a \$58 million judgment is affirmed where the sale appeal is not equitably moot and the district court's orders approving the sale details was not an abuse of discretion.

US v. Cortez-Vergara

October 17, 2017

Sentencing, Admiralty, International Law

(United States First Circuit) - Conviction for maritime drug and conspiracy offenses following the Coast Guard's apprehension of a three-person drug smuggling boat subject to U.S. maritime jurisdiction is affirmed where the sentencing court did not err in refusing to grant defendant a minor role adjustment under U.S.S.G. section 3B1.2(b).

Quality Health Services of P.R., Inc. v. NLRB

October 16, 2017

Labor & Employment Law, Health Law, Administrative Law

(United States First Circuit) - In a labor case concerning a dispute between a hospital and its union over the subcontracting of its respiratory therapy technicians, the NLRB's order in favor of the union is affirmed where: 1) the court lacks jurisdiction to consider the hospital's claim on the validity of the NLRB's decision, since it wasn't raised before the Board; and 2) the Board's determinations are supported by substantial evidence.

Hunter v. US

October 16, 2017

Sentencing, Criminal Law & Procedure

(United States First Circuit) - Consecutive sentences arising out of bank robbery counts and use of a firearm during a crime of violence are affirmed where federal bank robbery is a crime of violence under the force clause of 18 U.S.C. section 924(c)(3).

US v. Bain

October 13, 2017

Criminal Law & Procedure

(United States First Circuit) - Conviction for heroin distribution and possession, and possessing a firearm and ammunition, is affirmed where, despite the police officer's use of a key found in

defendants pocket to check for a matching apartment lock in a building, the officers relied in good faith on the intervening warrant.

Reenstierna v. Currier

October 13, 2017

Property Law & Real Estate, Injury & Tort Law, Administrative Law

(United States First Circuit) - In a defamation action, arising out of defendant's report to the New Hampshire Real Estate Appraisal Board's disciplinary hearing concerning a grievance charge against plaintiff, a real estate appraiser, the district court's grant of summary judgment to defendant is affirmed where defendant's statements in his report are shielded from this suit by New Hampshire's absolute witness immunity doctrine.

US v. Orth

October 13, 2017

Criminal Law & Procedure

(United States First Circuit) - Conviction for possessing a firearm and possessing heroin with intent to distribute is affirmed where the officer's stop, extended detention, pat search, and search of the vehicle wherein defendant was a passenger were reasonable under the Fourth Amendment.

US v. Ortiz-Torres

October 13, 2017

Sentencing, Criminal Law & Procedure

(United States First Circuit) - Forty-six year sentence for brandishing and discharging firearms during a crime of violence, resulting in the death of two Puerto Rico Department of Natural Resources officers, is affirmed where: 1) the government did not breach the plea agreement in arguing that defendant had not accepted responsibility for the crime; and 2) the district court's sentence was not substantively unreasonable.