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Most Recent Summaries

Delgado-Echevarria v. AstraZeneca Pharmaceuticals LP

May 2, 2017

Civil Rights, Labor & Employment Law

(United States First Circuit) - In an employment action alleging violations of the Americans with Disabilities Act (ADA), 42 U.S.C. sections 12101-12213, by discriminating against plaintiff on account of her disability, failing to reasonably accommodate that disability, failing to engage in an interactive process to discuss reasonable accommodations, and retaliating against her for engaging in protected activity under the ADA, and violations of Puerto Rico law, including Law 44, Article 1802, and Law, the district court's grant of summary judgment to employer is affirmed where, although plaintiff labors mightily to demonstrate the existence of a litany of genuine disputes of material fact, her inability to do so with respect to each of the essential elements of her claims compels the Court to affirm.

US v. Soto-Soto

May 1, 2017

Sentencing, Criminal Law & Procedure

(United States First Circuit) - Sentence imposed following the revocation of a term of supervised release, after serving a sentence for being a felon in possession of a firearm, 18 U.S.C. section 922(g)(1), is affirmed over defendant's claims that the district court erred both in stating that it had granted him 'two previous opportunities' to reform his ways and in fashioning a substantively unreasonable sentence.

McDonough v. City of Portland

May 1, 2017

Transportation, Constitutional Law

(United States First Circuit) - In a suit challenging the system by which the City of Portland distributes permits for taxis to pick up passengers at the Portland International Jetport, alleging the City unconstitutionally denied plaintiff the opportunity to apply for a permit on the basis of his race and national origin, the district court's grant of summary judgment is affirmed where plaintiff did not have standing to bring his constitutional challenge.

Hearts With Haiti, Inc. v. Kendrick

May 1, 2017

Civil Rights, Injury & Tort Law

(United States First Circuit) - In a suit alleging defamation, false light invasion of privacy, and tortious interference with business relations, based on defendant's public accusations that plaintiff sexually abused boys in an orphanage he personally operated in Haiti and that the abuse was

enabled by Hearts With Haiti, a North Carolina corporation that raised funds for the orphanage, the district court's dismissal of the action for lack of diversity jurisdiction is affirmed where subject-matter jurisdiction is lacking.

US v. Nieves-Borrero

May 1, 2017

Sentencing, Criminal Law & Procedure

(United States First Circuit) - Sentence for guilty plea to aiding and abetting a convicted felon in the possession of a firearm, in violation of 18 U.S.C. sections 922(g)(1), 924(a)(2) and 2, is affirmed where defendant has not shown plain error that: 1) his conviction for fourth-degree aggravated battery under Article 122 of the Puerto Rico Penal Code was considered a 'crime of violence' under U.S.S.G. § 2K2.1(a)(1)(B), as defined in U.S.S.G. section 4B1.2; 2) the district court erred by finding that his other prior felony conviction qualified as a predicate offense under section 2K2.1(a)(1)(B); and 3) that the District Court erred by failing to give sufficient weight to mitigating factors, as required by 18 U.S.C. section 3553(a).

US v. Fuentes-Echevarria

May 1, 2017

Sentencing, Criminal Law & Procedure

(United States First Circuit) - Sentence for guilty plea to illegal possession of a machine gun is affirmed over defendant's challenge to the procedural reasonableness of a forty-eight-month sentence and his claim of ineffective assistance of counsel.