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(United States First Circuit) - Denying a petition for rehearing because the record of the district court's denial of testimony on the voluntariness of a confession was not unreasonable emphasizing that the defendant's failure to commit to cross-examination on the statements that were contested rendered an examination of the credibility of the allegations problematic.

Groden v. N&D Transportation Co., Inc.

August 2, 2017

ERISA, Civil Procedure

(United States First Circuit) - Vacating and remanding an ERISA case where the district court dismissed the case and denied a motion for post-judgment relief because subject matter jurisdiction exists for such matters.

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(United States First Circuit) - Reversing the decision in a declaratory judgment action between two Jewish congregations in which the court had found that one congregation owned a synagogue, while the other owned the rimonim, valuable torah accoutrements, because the parties' own agreements regarding property rights meant that the only reasonable conclusion was that the defendant owned both.

US v. Ellison

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Sentencing, Constitutional Law, Criminal Law & Procedure

(United States First Circuit) - Affirming the ten year prison sentence because the conviction for robbery by force, violence, or intimidation qualified as a crime of violence and the enhancement statute was not unconstitutionally vague.

US v. Vega-Rivera

August 2, 2017

Sentencing, Criminal Law & Procedure

(United States First Circuit) - Affirming the district court's decision to decline to follow a plea agreement's recommendations and instead impose a term of imprisonment on the high end of the

guidelines and a two-level penalty enhancement, because the sentence was substantively reasonable.

US v. DiDonna

August 2, 2017

Criminal Law & Procedure

(United States First Circuit) - Affirming a conviction for extortion because the evidence was sufficient, but reversing a conviction for attempting to collect an extension of credit by extortionate means because the evidence was insufficient to find that the defendant made an extension of credit.