

First Circuit Opinion Summaries by FindLaw

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

Most Recent Summaries

U.S. 1st Circuit Case Summaries

B.P. v. Regional School Unit 75

March 26, 2018

Civil Procedure, Civil Rights, Education Law

(United States First Circuit) - Affirming judgment for the district in the case of a disabled teen who cannot communicate what happens at school to his parents and who wanted him to carry a recording device, because the administrative tribunal found that carrying the device would have no demonstrable benefit to him meaning that the plaintiffs were precluded from proving an element necessary to prevail in their Americans with Disabilities Act claim.

US v. Delima

March 26, 2018

Evidence, Sentencing, Criminal Law & Procedure

(United States First Circuit) - Affirming the conviction of a man for conspiring to commit access-device fraud after court approved wiretaps, authorized in a separate Vermont drug trafficking investigation, exposed a scheme to produce and make purchases with fraudulent credit cards, because the taps were valid for their intended purpose.

US v. Casanova

March 26, 2018

Sentencing, Criminal Law & Procedure

(United States First Circuit) - Affirming a conviction for witness tampering in a case where a man attempted to kill a witness and a conviction of making false statements to a federal agent because criminal defendants don't have the right to an individual voir dire of every prospective juror as to potential racial bias.

Flores v. OneWest Bank

March 23, 2018

Banking Law, Property Law & Real Estate, Civil Procedure

(United States First Circuit) - Affirming a district court order dismissing all claims in a suit challenging the lawfulness of the foreclosure of a Massachusetts home alleging that various banks and mortgage associations engaged in unfair and predatory mortgage lending and loan servicing practices rendering the foreclosure sale void because the claims were untimely.

US v. Padilla Galarza

March 23, 2018

Evidence, Sentencing, Criminal Law & Procedure

(United States First Circuit) - Affirming convictions for possession of a controlled substance with intent to distribute and possession of ammunition, rejecting arguments against the various complaints relating to these convictions, but striking an order of criminal forfeiture of property used in association with child pornography because there was no factual foundation for the order on the record and the government agreed it had been entered in error.

Barchock v. CVS Health Corporation

March 23, 2018

Civil Procedure, ERISA

(United States First Circuit) - Affirming the district court dismissal of a complaint for failure to state a claim under ERISA in a suit where plaintiffs complained of breach of fiduciary duties of prudence by an employer sponsored retirement plan as they felt it was too heavily invested in cash because no harm was alleged that was cognizable under ERISA and the complaint failed to state a plausible claim.

US v. George

March 23, 2018

Sentencing, Criminal Law & Procedure

(United States First Circuit) - Affirming an order by the district court that a former politician's conviction on corruption charges forfeits the proceeds of his criminal activity because the decision did not abridge the defendant's procedural rights and applied the correct yardstick in determining the proceeds to be forfeited.

US v. Favreau

March 23, 2018

Sentencing, Constitutional Law, Criminal Law & Procedure

(United States First Circuit) - Affirming the district court's denial of a motion to suppress drug evidence the defense claimed resulted from a search that was unlawful under the Fourth Amendment because the check of the license following a stop for a highway driving offense and the introduction of a drug dog because the interview during the initial period of detention was clearly lawful and incidentally disclosed further reasons to suspect a drug crime.

US v. Rondon Garcia

March 23, 2018

Criminal Law & Procedure, Sentencing

(United States First Circuit) - Affirming the sentence of a man to eighteen months on drug related charges because the defendant pled guilty and did not challenge the factual background and the sentence was reasonable and not an abuse of discretion.