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Martinez-Perez v. Sessions

July 24, 2018

Immigration Law

(United States First Circuit) - Affirmed the denial of an asylum claim in a case where an immigrant claimed mistreatment in Honduras because of her Afro-Honduran race and physical disability caused by polio. The Board of Immigration Appeals rejected her asylum application upon finding that the harassment she endured in Honduras did not rise to the level of persecution. Agreeing with the Board's assessment, the First Circuit denied her petition for judicial review.

Rojas-Buscaglia v. Taburno-Vasarhelyi

July 24, 2018

Contracts

(United States First Circuit) - Affirmed a judgment in a contract dispute between two art dealers who were business partners. Following a bench trial, the district court entered judgment for the defendant on several of her counterclaims against her former business partner, awarded her over \$400,000 in damages, and ordered her to provide him certificates of authenticity for two disputed pieces of artwork. Unsatisfied with this result, the defendant appealed, but the First Circuit found no error in the district court's rationale.

Foley v. Wells Fargo Bank, N.A.

July 24, 2018

Consumer Protection Law, Property Law & Real Estate, Banking Law

(United States First Circuit) - Affirmed summary judgment against a homeowner's claim that Wells Fargo Bank breached the terms of a federal Truth-in-Lending Act class action settlement. The homeowner claimed that the bank was contractually obligated under the settlement to modify his mortgage contract to help him stave off default. However, the First Circuit held that the homeowner did not qualify for the relief provided in the settlement, agreeing with the district court.

US v. Tosi

July 24, 2018

Sentencing, Criminal Law & Procedure

(United States First Circuit) - Affirmed a sentence for possessing a firearm while subject to a qualifying court restraining order. The defendant, who had pleaded guilty, argued that the district court failed to properly consider mitigating factors in sentencing him to 33 months. The First Circuit found no error in his sentence.