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U.S. 1st Circuit Case Summaries

US v. Acevedo-Hernandez

August 6, 2018

Criminal Law & Procedure, Judges & Judiciary, White Collar Crime

(United States First Circuit) - Affirmed the conviction and sentence of a former Puerto Rico superior court judge for receiving bribes and participating in a conspiracy to bribe an agent of an organization receiving federal funds. On appeal, the former judge cited a number of alleged trial and sentencing errors, including the upholding of a witness's invocation of his Fifth Amendment privilege. However, the First Circuit found no reversible error and affirmed.

US v. Sirois

August 6, 2018

Sentencing, Criminal Law & Procedure

(United States First Circuit) - Affirmed that a defendant who had violated the conditions of his supervised release by possessing illegal drugs could be re-imprisoned notwithstanding his argument that his drug addiction was a disease. According to the defendant, sentencing him to a new term of imprisonment for manifesting a condition of his disease constituted cruel and unusual punishment in violation of the Eighth Amendment. However, the First Circuit found no support in its precedent for his argument, emphasizing that he had violated the terms of his supervised release by failing three drug tests and being convicted of a state law charge of felony drug possession.

Del Grosso v. Surface Transportation Board

August 6, 2018

Transportation, Property Law & Real Estate

(United States First Circuit) - Rejected a petition for review of a decision of the federal Surface Transportation Board (STB). The basic issue here was whether a local government could regulate certain activities at a rail-to-truck transloading facility. The petitioners, who lived near the facility, argued that the STB did not have exclusive jurisdiction and thus local regulation was permitted. Finding no basis to reverse the STB's ruling regarding the scope of its exclusive jurisdiction, the First Circuit rejected the petition for review.