

# SCOTUSblog

SUPREME COURT OF THE UNITED STATES BLOG

Conor McEvily *Round up*

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## Wednesday round-up

While anticipation continues to build for tomorrow's expected ruling on the challenges to the Affordable Care Act, the flurry of opinions and orders released by the Court on Monday also continues to provide ample material for those covering and commenting on the Court.

Monday's opinion in *Arizona v. United States* – in which the Court struck down three of the four provisions of Arizona's controversial immigration law, S.B. 1070, but allowed the fourth, so-called “show me your papers” provision to go into effect – generated much of yesterday's press. Continuing coverage of the case comes from [The New York Times](#), the [Associated Press](#), [Time](#), and PBS (via the [Blog of the Legal Times](#) (video)). Commentators also weighed in on the case. At this blog's [online symposium on the Arizona decision](#), [Andrew Pincus](#) characterized the decision as a win for the federal government and the Solicitor General, while other commentary comes from Eric Posner at [Slate](#), Margaret Hu at [ACSBlog](#), and Keiron Jackman at [APLEblog.com](#). In particular, Justice Scalia's dissent in the case drew commentary from Walter Dellinger at [Slate](#), Nan Aron at the [Huffington Post](#), Jeremy Leaming of [ACSBlog](#), and Jeffrey Toobin at the [New Yorker's](#) “Daily Comment” blog. Also garnering more coverage yesterday was the Court's [opinion in \*Miller v. Alabama\*](#) and [\*Jackson v. Hobbs\*](#), in which the Court held that the Eighth Amendment prohibits mandatory sentences of life in prison without the possibility of parole for juvenile homicide offenders. The [New York Times](#), the Associated Press (via [The Washington Post](#)), and [Reuters](#) provide continuing coverage, while commentary comes from Andrew Cohen of the [Atlantic](#), Douglas A. Berman at [Sentencing Law and Policy](#) ([here](#) and [here](#)), Ilya Shapiro at [Cato@Liberty](#), the editorial board of the [Christian Science Monitor](#), and James Alan Fox at the [Boston Globe](#). At [Slate](#), Judge Richard A. Posner writes that although he “doesn't object to the result . . . the case is a good illustration of how unmoored constitutional law has become.” Monday's summary reversal in *American Tradition Partnership, Inc. v. Bullock*, in which the Court held that “there can be no serious doubt” that its 2010 decision in *Citizens United v. FEC* renders unconstitutional a Montana law prohibiting corporations from state political expenditures, also continues to generate commentary. Trevor Burrus at [Cato@Liberty](#), Walter Dellinger at [Slate](#), and Steve Vladeck at [PrawfsBlawg](#) all comment on the per curiam opinion, while Brian Wolfman

at Public Citizen's [Consumer Law & Policy Blog](#) examines ways "to amend the Constitution to overrule *Citizens United*" – a topic that Sam Favate also discusses at the [Wall Street Journal Law Blog](#).

Finally, the anticipation of Thursday's expected decision in the cases challenging the Affordable Care Act (ACA) continues apace. At [this blog](#), Lyle Denniston summarizes the issues before the Court and examines the possible outcomes; other coverage comes from Joan Biskupic at [Reuters](#) and Robert Barnes of [The Washington Post](#). Meanwhile, Jonathan H. Adler at the [Volokh Conspiracy](#) and Charles Lane at the [Washington Post](#) both examine the academic response to the challenges to the ACA, while Laurence Tribe predicts that the Court will uphold the ACA (and also discusses the Court's opinion in *Arizona*) in an appearance on [MSNBC](#) (video).

Briefly:

- At his [Jost on Justice](#) blog, Ken Jost examines last week's [Knox v. Service Employees International Union](#), which he describes as a "precedent-bending decision on one of the most politically contentious issues of the past year: the political influence of public employee unions."
- At this blog, [Lyle Denniston](#) profiles Christine Fallon, the Court's Reporter of Decisions.
- Joe Palazzolo of the Wall Street Journal [Law Blog](#) discusses a recent study that analyzed "video footage of each [J]ustice to see how their facial muscles moved."
- Stephanie Gaskell of [Politico](#) previews one of the other merits cases that the Court is likely to decide tomorrow: [United States v. Alvarez](#), which presents the question whether the Stolen Valor Act – which makes it a crime to falsely represent that you have received military honors – violates the First Amendment.
- The blog [92Y](#) (video) has posted footage of Justice Breyer's discussion of the judicial decision making process from earlier this Term.