I. Criminal cases

A. Fourth Amendment

Mitchell v. Wisconsin, 139 S.Ct. ___ (2019). There are almost always exigent circumstances that justify the police taking blood from an unconscious motorist without a warrant.

B. Double jeopardy

Gamble v. United States, 139 S.Ct. ___ (2019). The “separate sovereigns” exception to the double jeopardy clause is reaffirmed.

C. Eighth Amendment

Bucklew v. Precythe, 139 S.Ct. 1112 (2019). Baze v. Rees and Glossip v. Gross govern all Eighth Amendment challenges alleging that a method of execution inflicts unconstitutionally cruel pain; Russell Bucklew’s as-applied challenge to Missouri’s single-drug execution protocol -- that it would cause him severe pain because of his particular medical condition -- fails to satisfy the Baze-Glossip test.

D. Due process

Flowers v. Mississippi, 139 S.Ct. ___ (2019). Batson v. Kentucky was violated when the same prosecutor struck 41 of 42 African-American jurors over six trials involving the same defendant.

II. First Amendment

A. Speech

Iancu v. Brunetti, 139 S.Ct. ___ (2019). Section 2(a) of the Lanham Act’s prohibition on the federal registration of “immoral” or “scandalous” marks is facially invalid under the free speech clause of the First Amendment.

B. Religion


III. Voting rights


IV. Federalism

**Timbs v. Indiana**, 139 S.Ct. 682 (2019). The Eighth Amendment’s excessive fines clause is incorporated against the states under the Fourteenth Amendment.

**Franchise Tax Board of California v. Hyatt**, 139 S.Ct. 1485 (2019). *Nevada v. Hall*, which permitted a sovereign state to be haled into another state’s courts without its consent, is overruled.


V. Administrative law

**Gundy v. United States**, 139 S.Ct. ___ (2019). The federal Sex Offender Registration and Notification Act’s delegation of authority to the attorney general to issue regulations under 42 U.S.C. § 16913 does not violate the nondelegation doctrine.


**Department of Commerce v. New York**, 139 S.Ct. ___ (2019). The secretary of the Department of Commerce did not violate the enumeration clause or the Census Act in deciding to reinstate a citizenship question on the 2020 census questionnaire, but the district court was warranted in remanding the case back to the agency where the evidence tells a story that does not match the secretary’s explanation for his decision.