

OPEN THREAD: SCOTUS DECISIONS [UPDATE-2]

[NB: check the byline, thanks. /~Rayne]

With the end of the Supreme Court's term just ahead, SCOTUS will dump clusters of decisions each week. The next batch drops at 10:00 a.m. this morning.

Decisions released today to follow in an update and will appear at the bottom of this post.

~ ~ ~

Time killing observations:

1 – from Nicole Sandler via Mastodon:

Laffy
@GottaLaff@mastodon.social
#dreading

Via Elie Mystal:

Welp, 15 minutes to Supreme Court decisions. Last Thursday was a dud. This Thursday, they're adding a decision day Friday. Today could be impactful, OR deck clearing for tomorrow.

#SCOTUS
Jun 13, 2024, 09:49 AM

I guess I'd better draft and schedule a post for tomorrow, thanks for the heads up.

2 – Outrageous outrage about “fake outrage”

OPINION > JUDICIARY

THE VIEWS EXPRESSED BY CONTRIBUTORS ARE THEIR OWN AND NOT THE VIEW OF THE HILL

Capitol vapors: the laughably fake outrage over Justice Alito

BY JONATHAN TURLEY, OPINION CONTRIBUTOR - 06/13/24 7:45 AM ET

Of course Turley has to complain about complaints about SCOTUS' lack of ethics evident in Alito's gross arrogance and lack of respect for separation of church and state. It's

Turley's schtick.

3 – I am shocked, SHOCKED...

The New York Times

OPINION
GUEST ESSAY

What Exactly Did Justice Alito Say That Was Wrong?

June 13, 2024, 5:04 a.m. ET



Justice Samuel Alito. Brooks Kraft LLC/Corbis via Getty Images

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By Marc O. DeGirolami

Mr. DeGirolami is a law professor at the Catholic University of America who specializes in law and religion.

...that a Catholic University professor would get a hardcore Catholic SCOTUS jurist's back like this. At least DeGirolami has outed himself as being of the same ilk as Jonathan Turley.

~ ~ ~

UPDATE-1 – 10:10 AM. –

First decision addresses FDA-approved abortifacient mifepristone – FDA v. Alliance for Hippocratic Medicine – and it's surprisingly unanimous though the devil may be in the details.

From Associated Press:

WASHINGTON (AP) – The Supreme Court on Thursday unanimously preserved access to a medication that was used in nearly two-thirds of all abortions in the U.S.

last year, in the court's first abortion decision since conservative justices overturned Roe v. Wade two years ago.

The justices ruled that abortion opponents lacked the legal right to sue over the federal Food and Drug Administration's approval of the medication, mifepristone, and the FDA's subsequent actions to ease access to it.

~ ~ ~

Second decision relates to trademarks and free speech, Vidal v. Elster, and the decision was written by Thomas with multiple opinions.

At the heart of this case is an anti-Trump logo. (I will come back and flesh this out after reading more about the case.)

~ ~ ~

Third decision was also written by Thomas in Starbucks Corp. v. McKinney.

Starbucks in Memphis TN fired workers after a unionization effort began. The union filed suit against Starbucks for unfair labor practices after the Memphis workers voted to join the union.

sigh Starbucks won this one. (McKinney is Regional Director, Region 15 of NLRB.)

Ketanji Brown Jackson wrote a partial dissent in this case.

~ ~ ~

Still nothing on Trump's presidential immunity.

Treat this as an open thread with preference for these and remaining cases before SCOTUS this term.

~ ~ ~

UPDATE-2 – FRIDAY 14-JUN-2024 – 10:00 AM –

This is the t-shirt at the heart of the dispute

in Vidal v. Elster:



For those who can't read the text on the t-shirt here's the alt-text:

Image includes front and back of t-shirt colored Hawaiian blue with "Trump too small" on front with graphic outline of a hand making a too-small pinching gesture, and back of shirt with text reading,
"Trump's package is too small
small on the environment
small on civil rights
small on immigrant rights
small on LGBTQ rights
small on workers' rights
small on voting rights
small on affordable health care for all"

Trademark law prohibits trademarking the name of living persons, which means the Trump Too Small organization can't trademark this shirt and license it for profit.

However, the organization could surely print untrademarked t-shirts anyhow – and perhaps some organizations might even want to buy these shirts in volume to be worn at various campaign related events. Heh.