

OPEN THREAD: LAST BATCH OF SCOTUS DECISIONS

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

The last batch of decisions will drop shortly – I think. Last week the Supreme Court didn't deliver all of the remaining decisions it had on its plate and pushed them into a new month.

I hope these outstanding cases will be decided today:

NetChoice, LLC v. Paxton and Moody v. NetChoice, LLC (these are both about social media and may come as one or two decisions)

Corner Post, Inc. v. Board of Governors Of The Federal Rsrv. Sys.

Trump v. United States

Decisions released today follow in an update at the bottom of this post.

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First decision: Corner Post, Inc. v. Board of Governors Of The Federal Rsrv. Sys.

Justice Barrett wrote the 6-3 decision; Justice Brown Jackson wrote the dissent joined by Sotomayor and Kagan.

This one could cause a lot of problems forcing reassessment of past rules and decisions by the Fed Reserve's Board based on the dates used – the date an injury occurred due to a new Fed rule versus the date the new rule was first in force.

Second decision: NetChoice, LLC v. Paxton and Moody v. NetChoice, LLC

Justice Kagan wrote the unanimous decision on these consolidated cases, though there are concurrences:

KAGAN, J., delivered the opinion of the Court, in which ROBERTS, C. J., and SOTOMAYOR, KAVANAUGH, and BARRETT, JJ., joined in full, and in which JACKSON, J., joined as to Parts I, II and III–A. BARRETT, J., filed a concurring opinion. JACKSON, J., filed an opinion concurring in part and concurring in the judgment. THOMAS, J., filed an opinion concurring in the judgment. ALITO, J., filed an opinion concurring in the judgment, in which THOMAS and GORSUCH, JJ., joined.

Whew. I don't see the word "dissent" in this, do you? It's another smackdown of the Fifth Circuit as well.

Third decision: Trump v. United States

Justice Roberts wrote the 6-3 court decision; Justice Sotomayor wrote a dissent joined by Kagan and Brown Jackson. Justice Brown Jackson also wrote a dissent.

From SCOTUSBlog's thread:

The court holds that a former president has absolute immunity for his core constitutional powers.

Former presidents are also entitled to at least a presumption of immunity for their official acts.

There is no immunity, the court holds, for unofficial acts.

The core constitutional powers are things like appointing

ambassadors and foreign
governments.

This is not all of the decision – Roberts was still reading his decision at 10:37 a.m. ET. It looks like this is being handed back to lower courts because of the lack of distinction between official and unofficial acts. It also looks like the rightwing of SCOTUS has extended immunity to Trump for his discussions with Department of Justice, which I assume means if he made any false statements to FBI or other DOJ personnel, those charges will be dropped.

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This is an open thread. Any further updates related to these cases will appear at the bottom of this post.