

UC Irvine Law

# 15<sup>th</sup> ANNUAL SUPREME COURT TERM IN REVIEW

July 8, 2025

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## Major Supreme Court Cases and Ruling in 2025

The New York Times

*Adam Liptak, Abbie VanSickle, and Alicia Parlapiano*

<https://www.nytimes.com/interactive/2025/05/15/us/supreme-court-major-cases-2025.html>

## Supreme Court Live Update: Trump Hails Ruling to Limit Nationwide Injunctions

The New York Times

<https://www.nytimes.com/live/2025/06/27/us/birthright-citizenship-supreme-court>

## Supreme Court work goes on with 10 cases to decide, including birthright citizenship

Associated Press

*Mark Sherman and Lindsay Whitehurst*

<https://apnews.com/article/supreme-court-birthright-citizenship-undecided-cases-66f330166fa6c2960c30b4725ba414e7>

## The constitutional crisis is real

Los Angeles Times

*Erwin Chemerinsky*

<https://www.latimes.com/opinion/story/2025-04-17/abrego-garcia-el-salvador-donald-trump>

## Supreme Court upholds ban on untraceable 'ghost guns'

Los Angeles Times

*David G. Savage*

<https://www.latimes.com/world-nation/story/2025-03-26/supreme-court-upholds-ban-on-untraceable-ghost-guns-that-are-made-from-parts-kits>

## **John Roberts' Anti-Trans Opinion Is a Garbled Mess. It's Easy to See Why.**

Slate

*Mark Joseph Stern*

<https://slate.com/news-and-politics/2025/06/skrmetti-john-roberts-anti-trans-supreme-court.html>

## **Supreme Court eases rapid deportations to countries where immigrants have no ties**

POLITICO

*Josh Gerstein and Kyle Cheney*

<https://www.politico.com/news/2025/06/23/supreme-court-third-party-country-deporations-00419210>

## **What Is Birthright Citizenship and Could the Supreme Court End It?**

Council on Foreign Relations

*Diana Roy*

<https://www.cfr.org/article/what-birthright-citizenship-and-could-supreme-court-end-it>

## **Supreme Court to hear cases on veterans' benefits, pet food and visas next term**

The Washington Post

*Justin Jouvenal*

<https://www.washingtonpost.com/politics/2024/04/29/supreme-court-cases-next-term/>

# The Major Supreme Court Decisions in 2025

By Adam Liptak, Abbie VanSickle and Alicia Parlapiano Updated June 27, 2025

The court has concluded announcements of its decisions in this term's argued cases. One case, on redistricting, will be reargued next term.

The Supreme Court term that started in October got off to a slow start, with a relatively quiet docket that seemed to leave room for litigation arising from the presidential election. Those challenges never came, and the court's work accelerated.

## Major cases this term

[Birthright Citizenship 6-3](#) ▼

[Religious Charter Schools 4-4](#) ▼

[Opt-Outs From Class Discussion 6-3](#) ▼

[Police Use of Excessive Force 9-0](#) ▼

[Age Verification for Porn Sites 6-3](#) ▼

[Regulation of Flavored Vapes 9-0](#) ▼

[A.C.A. Preventative Care 6-3](#) ▼

[“Ghost Guns” 7-2](#) ▼

[Transition Care for Trans Youths 6-3](#) ▼

[TikTok and National Security 9-0](#) ▼

[Reverse Discrimination 9-0](#) ▼

[Race and Congressional Redistricting](#) ▼

[Gun Makers' Liability 9-0](#) ▼

The justices heard arguments on transgender rights; in three major cases on religion in public life; in two cases on efforts to curb gun violence; and in two others on limiting speech on the internet.

After the election of President Trump, the court was also inundated with emergency applications arising from his scores of executive orders.

In recent years, some of the court's biggest decisions have been out of step with public opinion, while others divided the public along partisan lines. The charts below include data from an April survey conducted by researchers at Harvard, Stanford and the University of Texas that explored whether those gaps persist.

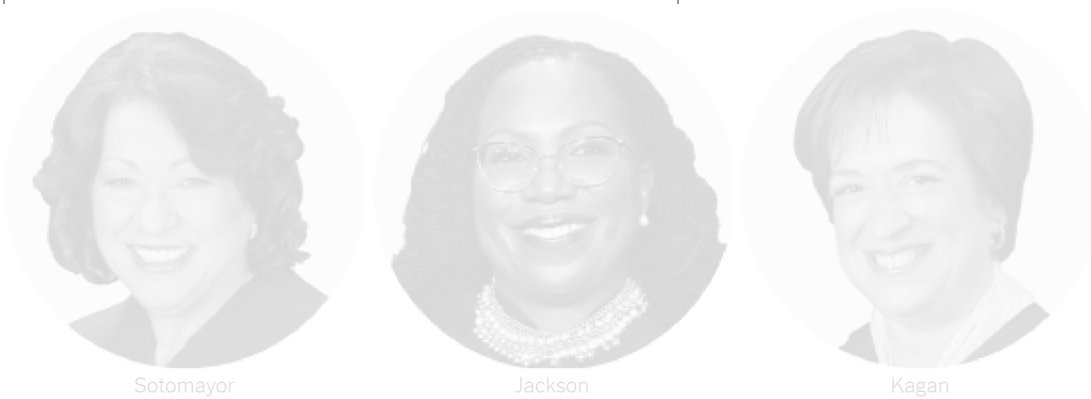
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## Birthright Citizenship

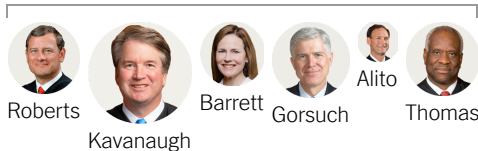
Trump v. CASA

**6-3** ruling on June 27

Liberal bloc



Conservative bloc



The court ruled that federal judges had exceeded their power by issuing temporary pauses on President Trump's executive order ending birthright citizenship. The ruling did not address the constitutionality of the order itself, but it allows President Trump to end birthright citizenship in some parts of the country.

## Are there major precedents or recent related decisions?

The government argues that the temporary pauses on the president's birthright citizenship order, called nationwide injunctions, are unconstitutional. A debate has simmered for years on whether such injunctions are allowed, but the Supreme Court has yet to rule on the issue.

Meanwhile, the court has held that the 14th Amendment guarantees birthright citizenship, which means that anyone born on U.S. soil is a citizen, regardless of the immigration status of the parents. In the landmark case of Wong Kim Ark in 1898, the justices determined that Mr. Wong, who was born in San Francisco to Chinese citizens, was an American citizen because he was born in the United States.

## What did the lower courts say?

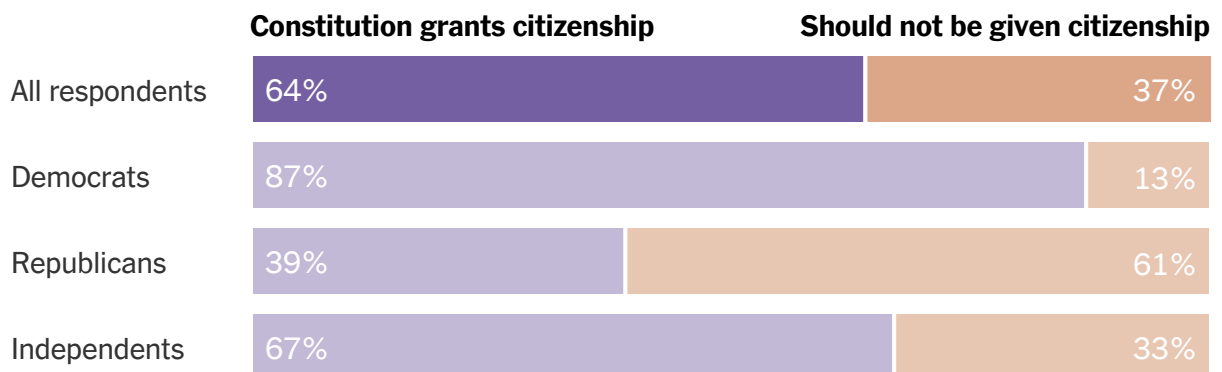
President Trump's order was immediately challenged by immigrant groups, individuals and a number of Democratic-led states. Three lower federal courts in Massachusetts, Maryland and Washington State have issued injunctions on the executive order while the cases proceed through the court system. The federal judge in Washington State, John C. Coughenour, called Mr. Trump's executive order "blatantly unconstitutional."

## What was at stake?

A decision by the justices in favor of the Trump administration could lift the national pause on the order ending birthright citizenship, potentially clearing the way for the policy to go into effect in parts of the country as lawsuits continue.

## Where does the public stand?

On whether the Constitution grants citizenship to people whose parents are in the country unlawfully or temporarily, like everyone else born in the United States



Source: SCOTUSPoll

More on the issue



Trump Moved to Redefine Birthright Citizenship.  
That Could Be Hard.

Dec. 9, 2024



Is Trump’s Plan to End Birthright Citizenship ‘Dred  
Scott II’?

Jan. 27, 2025

Parental Opt-Outs From Classroom Discussion of  
L.G.B.T.Q. Themes

Mahmoud v. Taylor

6-3 ruling on June 27

Liberal bloc



Sotomayor



Jackson



Kagan

Conservative bloc



Roberts



Kavanaugh



Barrett



Gorsuch



Alito



Thomas

The Supreme Court ruled that public schools in Maryland must allow parents to be able to withdraw their children from classes in which storybooks with gay and transgender characters are discussed if they have religious objections to the books.

### **Are there major precedents or recent related decisions?**

In recent cases, the Supreme Court has expanded the role of religion in public life, sometimes at the expense of other values like gay rights.

The court has ruled in favor of a web designer who said she did not want to create sites for same-sex marriages, a high school football coach who said he had a constitutional right to pray at the 50-yard line after his team's games and a Catholic social services agency in Philadelphia that said it could defy city rules and refuse to work with same-sex couples.

### **What did the lower courts say?**

The Fourth Circuit ruled against the parents.

Writing for the majority of a three-judge panel, Judge G. Steven Agee found that there was no evidence that the parents or their children were forced to change their religious beliefs because no opt-out was provided to the lessons. "Simply hearing about other views does not necessarily exert pressure to believe or act differently than one's religious faith requires," he wrote.

In dissent, Judge A. Marvin Quattlebaum Jr. said the parents had made a modest request. "They do not claim the use of the books is itself unconstitutional," he wrote. "And they do not seek to ban them. Instead, they only want to opt their children out of the instruction involving such texts."

### **What was at stake?**

A broad ruling from the Supreme Court could disrupt the ability of public schools to manage their curriculums. In earlier cases, parents unsuccessfully challenged course materials on evolution and the Big Bang theory and storybooks about wizards and giants.

### **Where does the public stand?**

On whether schools must give parents who have religious objections the ability to opt out of instruction on gender and sexuality

**Must give the ability**

**Do not need to give the ability**



Source: SCOTUSPoll

More on the issue



Supreme Court Story Time: Justices Consider Children’s Books With L.G.B.T.Q. Themes

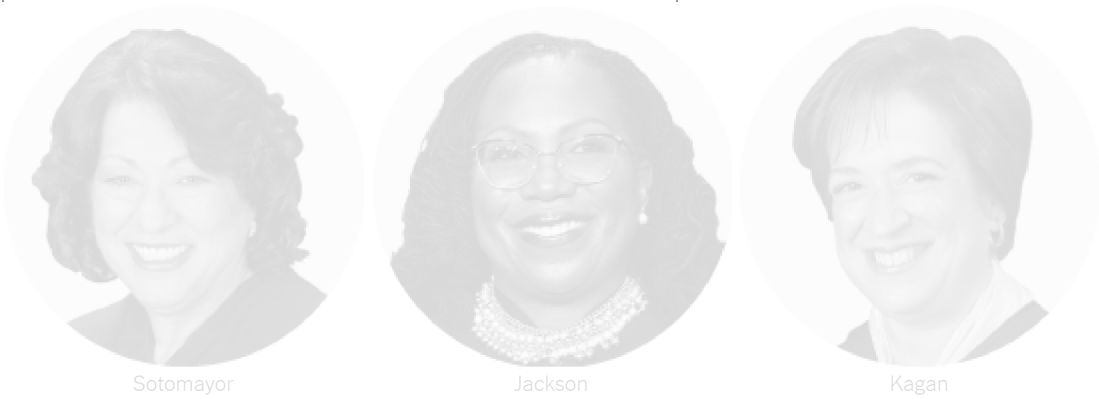
April 21, 2025

Age Verification for Porn Sites

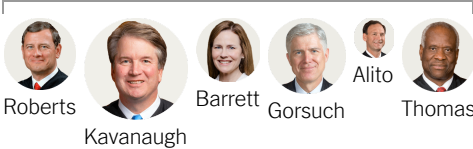
Free Speech Coalition v. Paxton

6-3 ruling on June 27

Liberal bloc



Conservative bloc





The court ruled that a Texas law that seeks to limit minors’ access to sexual materials on the internet by requiring age verification measures survives First Amendment scrutiny.

**Are there major precedents or recent related decisions?**

In 2004, in *Ashcroft v. American Civil Liberties Union*, the justices blocked a federal law quite similar to the one from Texas, applying the most demanding form of judicial review, strict scrutiny, to find that the law impermissibly interfered with adults’ First Amendment rights.

**What did the lower courts say?**

Judge David A. Ezra, of the Federal District Court in Austin, blocked the law, saying it would have a chilling effect on speech protected by the First Amendment.

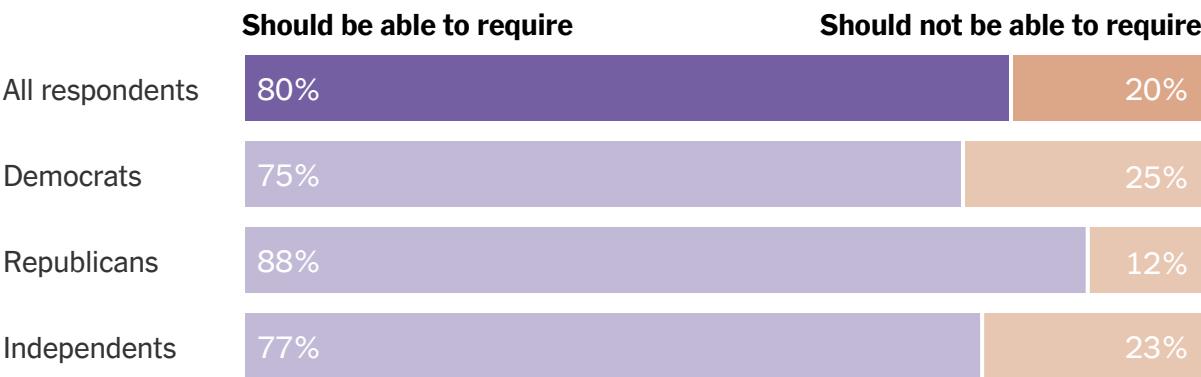
A divided three-judge panel of the U.S. Court of Appeals for the Fifth Circuit disagreed, with Judge Jerry E. Smith writing for the majority that age-verification requirements would promote the government’s “legitimate interest” in preventing minors from having access to pornography. Judge Patrick E. Higginbotham dissented, saying that the law chills free speech rights and could limit adults’ access to popular shows and films like “Game of Thrones,” “The Color Purple” and “The Girl With the Dragon Tattoo.”

**What was at stake?**

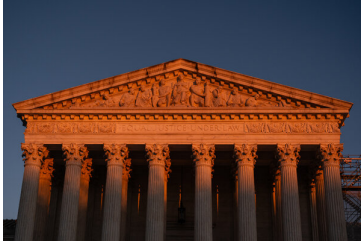
Twenty other states have enacted similar laws. Their supporters say the laws are needed to shield children from graphic, violent and degrading material online. Critics say that there are better ways to do so and that the laws violate the First Amendment rights of adults.

**Where does the public stand?**

On whether states should be able to require websites to verify users’ ages



## More on the issue



### What Would the Founders Have Thought About TikTok and Online Porn?

Dec. 23, 2024

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## Preventive Care Under the Affordable Care Act

Kennedy v. Braidwood Management

**6-3** ruling on June 27

### Liberal bloc



Sotomayor

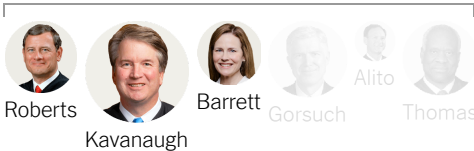


Jackson



Kagan

### Conservative bloc



Roberts

Kavanaugh

Barrett

Gorsuch

Alito

Thomas

The court rejected a challenge to the Affordable Care Act, determining that a task force created as part of the law that determines what types of preventive care insurance companies must offer for free is constitutional.

## **Are there major precedents or recent related decisions?**

The case is the latest in a series of lawsuits targeting the Affordable Care Act, President Barack Obama's central legislative achievement.

The law has survived three previous major challenges at the Supreme Court, including cases in 2012, 2015 and 2021. Chief Justice John G. Roberts Jr. cast the decisive vote to save the law in 2012, a crucial milestone where the justices upheld the law's core mandate that most employers provide health insurance for their workers.

## **What did the lower courts say?**

A federal trial judge agreed with the challengers, ruling that members of the task force had been unconstitutionally appointed.

The U.S. Court of Appeals for the Fifth Circuit somewhat narrowed the lower court's ruling but concluded that the task force did indeed have "unreviewable power" to issue preventive-care recommendations that insurers must cover. That independence from supervision by the Health and Human Services secretary, the court found, rendered them "principal officers" who have not been "validly appointed" under the Constitution.

## **What was at stake?**

The decision could determine coverage for tens of millions of Americans who receive some free health care services, including cancer and diabetes screenings, medications to reduce heart disease and strokes, and eye ointment for newborns to prevent infections causing blindness.

## **More on the issue**



### **Supreme Court Wrestles With Challenge to Affordable Care Act Over Free Preventive Care**

April 21, 2025



LET'S CRUISE

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## Transition Care for Transgender Youths

United States v. Skrmetti

**6-3** ruling on June 18

Liberal bloc

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Sotomayor

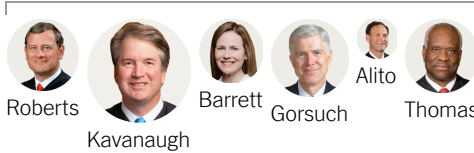


Jackson



Kagan

#### Conservative bloc



The court upheld a Tennessee law that prohibits medical providers from prescribing puberty-delaying medication and providing hormone therapy to transgender minors, ruling that it does not violate equal protection principles.

### **Are there major precedents or recent related decisions?**

In 2020, in *Bostock v. Clayton County*, the Supreme Court ruled that a 1964 federal civil rights law prohibiting workplace discrimination “because of sex” protected transgender employees. The Tennessee case concerns the equal protection clause of the 14th Amendment, which is written in general terms, rather than a statute that mentions sex. The Biden administration challenged the Tennessee statute, with the government’s lawyers writing that “exactly the same thing is true under the equal protection clause” as was the case under *Bostock*.

### **What did the lower courts say?**

A divided three-judge panel of the U.S. Court of Appeals for the Sixth Circuit, in Cincinnati, reversed that decision. Tennessee’s law, Judge Jeffrey S. Sutton wrote for the majority, was a reasonable legislative response to contested medical evidence. “The unsettled, developing, in truth still experimental, nature of treatments in this area surely permits more than one policy approach,” he wrote, “and the Constitution does not favor one over the other.”

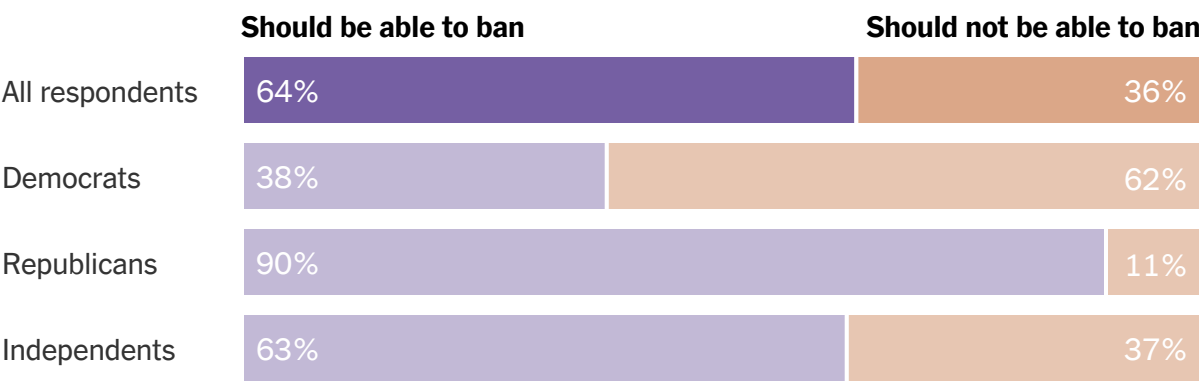
### **What was at stake?**

Transgender rights have become a ferocious battleground in the culture wars, and initiatives over health care, bathrooms, sports and pronouns have played a prominent role in President Trump’s agenda during the early months of his second

term. The ruling could affect more than 20 other states that have laws similar to the one in Tennessee.

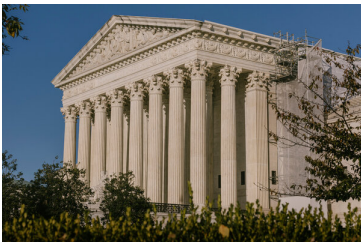
**Where does the public stand?**

On whether states should be able to ban transgender minors from obtaining certain treatments



Source: SCOTUSPoll

**More on the issue**



**Supreme Court Inclined to Uphold Tennessee Law on Transgender Care**

Dec. 4, 2024



**For Families of Transgender Children, Tennessee’s Ban Forces Hard Choices**

Dec. 4, 2024



**‘The Protocol’: The Story Behind Medical Care for Transgender Kids**

June 6, 2025

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# Reverse Discrimination

Ames v. Ohio Department of Youth Services

**9-0** ruling on June 5

Liberal bloc



Sotomayor



Jackson



Kagan

Conservative bloc



Roberts



Kavanaugh



Barrett



Gorsuch



Alito



Thomas

The Supreme Court ruled that members of majority groups do not need to meet a heightened burden to prove discrimination. The case involved a straight woman who said her employer had discriminated against her in favor of gay colleagues.

## Are there major precedents or recent related decisions?

In 2023, the Supreme Court struck down race-conscious admissions programs in higher education.

## What did the lower courts say?

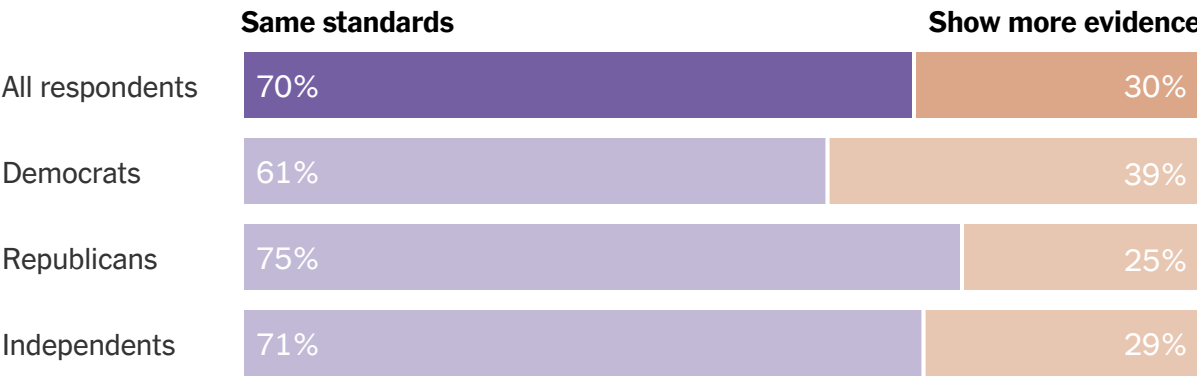
The federal civil rights law at issue in the case does not draw distinctions based on whether the person claiming discrimination is a member of a minority or majority group. But the Sixth Circuit required the plaintiff to prove an additional element if she lacked direct evidence of discrimination: “background circumstances that support the suspicion that the defendant is that unusual employer who discriminates against the majority.”

What was at stake?

The case comes amid the Trump administration’s fierce efforts to root out programs that promote diversity.

Where does the public stand?

On whether people claiming reverse discrimination should have to meet the same standards as minorities claiming discrimination or should have to show more evidence



Source: SCOTUSPoll

More on the issue



Supreme Court Poised to Rule for Straight Woman in Discrimination Case

Feb. 26, 2025

Gun Makers’ Liability

Smith & Wesson Brands v. Estados Unidos Mexicanos

9-0 ruling on June 5

Liberal bloc





Sotomayor



Jackson



Kagan

#### Conservative bloc



The Supreme Court ruled the Mexican government may not sue U.S. gun makers over claims that they share the blame for violence by drug cartels.

#### **Are there major precedents or recent related decisions?**

Lawyers for the gun industry argue that gun makers are specifically insulated against such lawsuits by a 2005 law, the Protection of Lawful Commerce in Arms Act. The law, which was passed after an increasing number of lawsuits sought to hold the gun industry liable in domestic mass shootings, gives gun makers broad immunity.

#### **What did the lower courts say?**

A federal trial judge in Boston, Judge F. Dennis Saylor IV, dismissed Mexico's lawsuit, concluding it was prohibited by the 2005 federal law. The judge wrote that the law "bars exactly this type of action from being brought in federal and state courts."

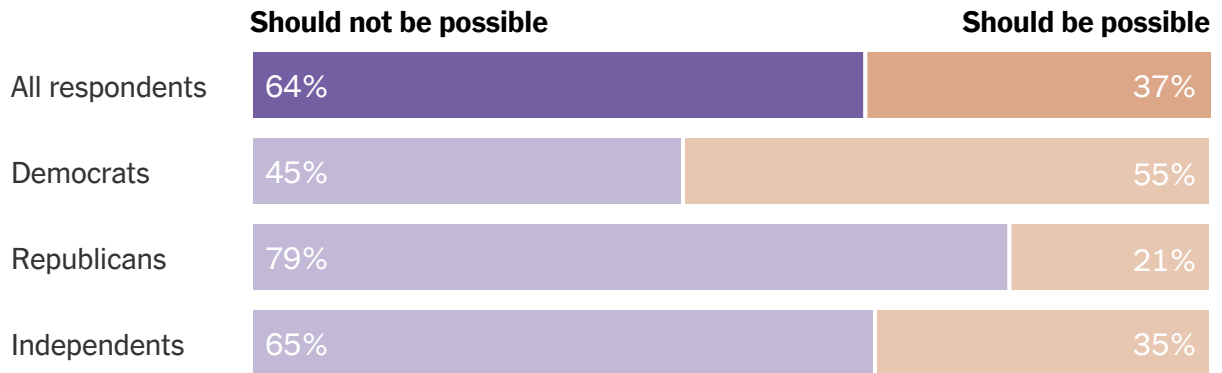
But a unanimous three-judge panel of the U.S. Court of Appeals for the First Circuit, in Boston, had revived the suit, finding that it qualified under an exception in the law that authorizes claims for knowing violations of firearms laws that are a direct cause of a plaintiff's injuries.

#### **What was at stake?**

The lawsuit by the Mexican government seeks billions of dollars in damages.

## Where does the public stand?

On whether it should be possible to hold U.S. gun makers financially responsible for crimes committed by Mexican cartels



Source: SCOTUSPoll

## More on the issue



### Supreme Court Appears Skeptical of Mexico's Lawsuit Against U.S. Gun Makers

March 4, 2025

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## Religious Charter Schools

Oklahoma Statewide Charter School Board v. Drummond

**4-4** ruling on May 22

The Supreme Court split 4-4 over whether Oklahoma may use government money to run the nation's first religious charter school, which would have taught a curriculum infused by Catholic doctrine. An earlier ruling by the Oklahoma Supreme Court blocking the school will be allowed to stand.

Justice Amy Coney Barrett recused herself from the case, and the decision did not include a tally of how each justice voted.

## Are there major precedents or recent related decisions?

In earlier cases from Maine and Montana, the court ruled that states that decide to create programs to help parents pay for private schools must allow them to choose religious ones. In the case from Maine, Chief Justice John G. Roberts Jr., writing for the majority, distinguished government payment to public schools, saying that “Maine may provide a strictly secular education in its public schools.”

## What did the lower courts say?

The Oklahoma Supreme Court ruled against the school, with the majority saying it would “create a slippery slope” that could lead to “the destruction of Oklahomans’ freedom to practice religion without fear of governmental intervention.”

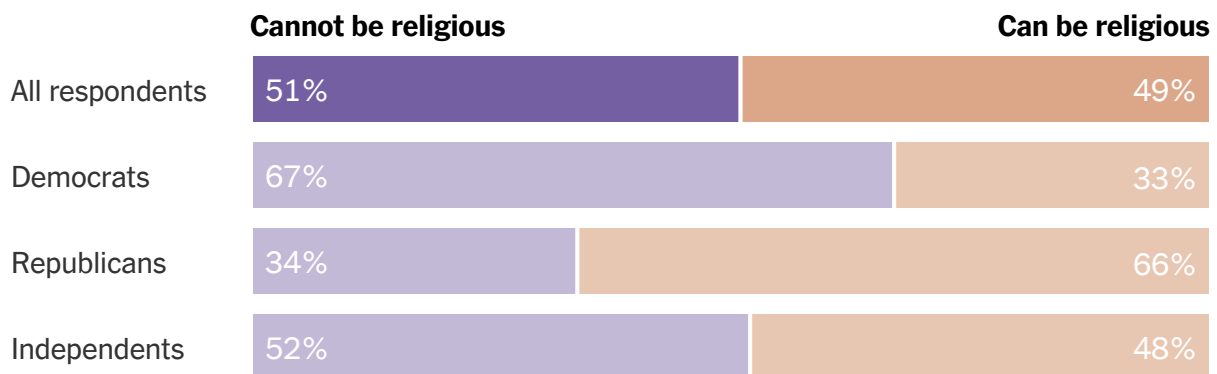
“St. Isidore is a public charter school,” the majority said, noting that the state law allowing such schools requires them to be nonsectarian. “Under both state and federal law,” the majority ruled, “the state is not authorized to establish or fund St. Isidore.”

## What was at stake?

A decision endorsing religious charter schools would have spurred their spread, extended religion’s extraordinary winning streak at the Supreme Court and further lowered the wall separating church and state.

## Where does the public stand?

On whether public charter schools can be religious



Source: SCOTUSPoll

More on the issue



Oklahoma Approves First Religious Charter School in the U.S.

June 5, 2023



Will Religion’s Remarkable Winning Streak at the Supreme Court Continue?

March 30, 2025

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Police Use of Excessive Force

Barnes v. Felix

9-0 ruling on May 15

Liberal bloc



Sotomayor



Jackson



Kagan



The Supreme Court ruled that judges must consider all the relevant circumstances in their scrutiny of challenges to police shootings, not just “the moment of threat.” The case concerns Roberto Felix Jr., a police officer in Texas, who shot and killed Ashtian Barnes, a motorist he had pulled over for unpaid tolls, after jumping on Mr. Barnes’s car as he tried to pull away.

### **Are there major precedents or recent related decisions?**

In a 2020 decision, the Fifth Circuit ruled that only “the moment of threat” should be examined to determine if police officers engaged in excessive force, adding that “any of the officers’ actions leading up to the shooting are not relevant for the purposes of an excessive force inquiry.”

### **What did the lower courts say?**

Saying it was bound by the 2020 decision, a unanimous three-judge panel of the Fifth Circuit ruled last year in favor of Officer Felix on what it said was a narrow question. “We may only ask whether Officer Felix was in danger ‘at the moment of the threat’ that caused him to use deadly force against Barnes,” Judge Patrick E. Higginbotham wrote for the panel.

Still, Judge Higginbotham bemoaned the finding, writing in a concurring opinion: “A routine traffic stop has again ended in the death of an unarmed Black man, and again we cloak a police officer with qualified immunity, shielding his liability.”

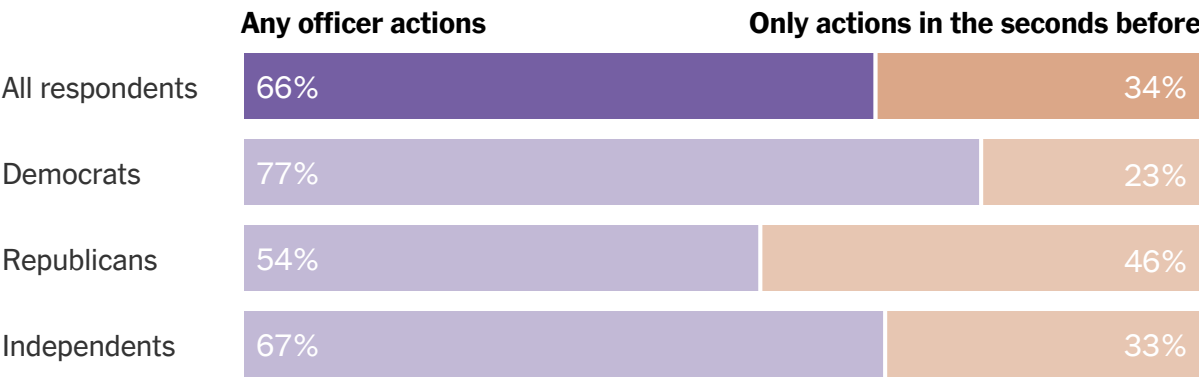
### **What was at stake?**

Qualified immunity is a powerful legal shield that requires victims of violence by police officers and prison guards to prove that the officials had violated a clearly established constitutional right. The doctrine has been the subject of scathing criticism across the ideological spectrum. The case could broaden the circumstances in which people who have been subject to violence by police can sue.

### **Where does the public stand?**

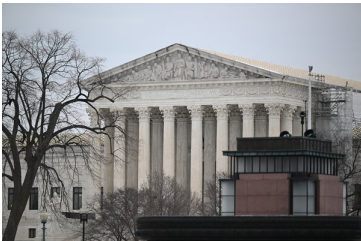
On whether courts should consider any officer actions that may have unnecessarily increased the danger they faced or consider only actions in the seconds before

safety was threatened



Source: SCOTUSPoll

More on the issue



Supreme Court Seems Ready to Reject Limit on Excessive-Force Suits

Jan. 22, 2025

Regulation of Flavored Vapes

Food and Drug Administration v. Wages and White Lion Investments

9-0 ruling on April 2

Liberal bloc



Sotomayor



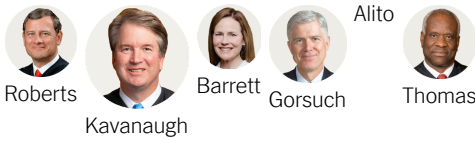
Jackson



Kagan

Conservative bloc





A unanimous Supreme Court ruled that the Food and Drug Administration had acted lawfully in rejecting applications from two manufacturers of flavored liquids used in e-cigarettes with names like Suicide Bunny Mother’s Milk and Cookies. The court returned one aspect of the case to a lower court for further consideration.

**Are there major precedents or recent related decisions?**

In a separate case, the Fourth Circuit ruled that the agency had properly rejected a similar application and agreed that the products “posed a serious risk to youth without enough offsetting benefits to adults.”

**What did the lower courts say?**

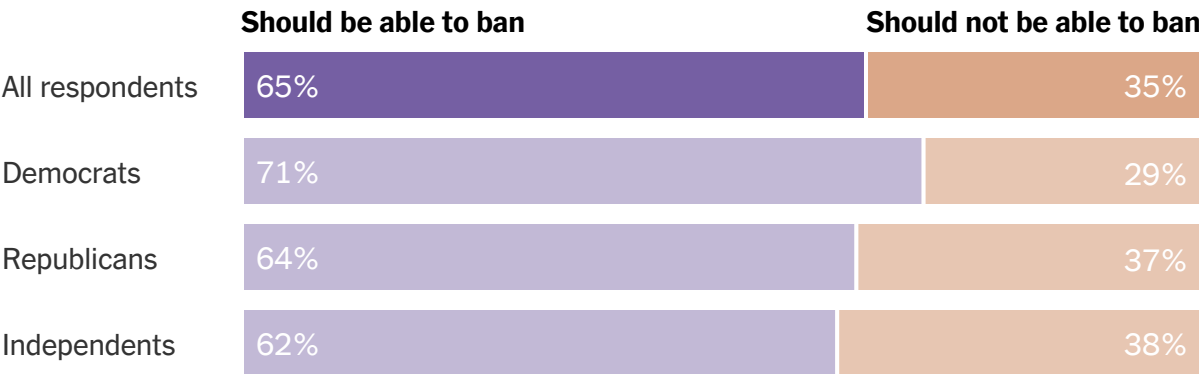
The Fifth Circuit ruled in 2024 that the agency had changed the rules in the middle of the application process, accusing it of “regulatory switcheroos” that sent the companies “on a wild-goose chase.” More formally, the court said the agency’s actions had been arbitrary and capricious.

**What was at stake?**

The government said that if the court sided with the Fifth Circuit, it would have “far reaching consequences for public health” and frustrate the goal of preventing young Americans from becoming addicted to nicotine and tobacco products.

**Where does the public stand?**

On whether the F.D.A. should be able to ban flavored e-cigarettes



Source: SCOTUSPoll



More on the issue



Illicit E-Cigarettes Flood Stores as F.D.A. Struggles to Combat Imports

Oct. 10, 2023



Top Senators Urge Stores to Stop Selling Illicit Vapes

March 7, 2024

“Ghost Guns”

Garland v. VanDerStok

7-2 ruling on March 26

Liberal bloc



Sotomayor



Jackson



Kagan

Conservative bloc



Roberts



Kavanaugh



Barrett



Gorsuch



Alito



Thomas

The Supreme Court, in a 7-to-2 decision, with a majority opinion written by Justice Neil M. Gorsuch, upheld the Biden administration’s rules tightening access to so-



called “ghost guns,” weapons kits that can be easily assembled into nearly untraceable firearms.

**Are there major precedents or recent related decisions?**

Under the Gun Control Act of 1968, courts agreed the government could impose some regulations on weapons that met the definition of a firearm. In 2022, under the Biden administration, the Bureau of Alcohol, Tobacco, Firearms and Explosives issued regulations that broadened the bureau’s interpretation of the definition of firearm to include homemade guns assembled from the kits.

**What did the lower courts say?**

A federal district judge in Texas, Judge Reed O’Connor, had sided with the challengers and struck down the regulation in 2024, finding that “a weapon parts kit is not a firearm.”

A three-judge panel of the U.S. Court of Appeals for the Fifth Circuit, in New Orleans, affirmed Judge O’Connor’s ruling. President Trump appointed all three panel members.

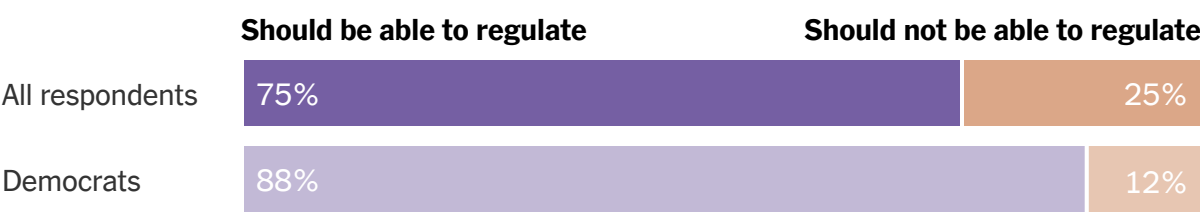
**What was at stake?**

The Biden administration had urged the Supreme Court to hear the case after law enforcement agencies reported that ghost guns were increasingly popular and being used to commit crimes. Solicitor General Elizabeth B. Prelogar had argued that the lower court’s ruling would produce “a flood of untraceable ghost guns into our nation’s communities, endangering the public and thwarting law-enforcement efforts to solve violent crimes.”

The regulation did not ban the sale or possession of kits and components that can be assembled to make guns, but it did require manufacturers and sellers to obtain licenses, mark their products with serial numbers and conduct background checks.

**Where does the public stand?**

On whether the government should be able to regulate homemade firearm kits





Source: SCOTUSPoll

## More on the issue



### **‘Ghost Guns’ Case Before Supreme Court Has Major Implications for Industry in Flux**

Oct. 7, 2024



### **Easy-to-Assemble Ghost Guns Have Been a Major Issue in Gun Control**

Dec. 9, 2024

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LET'S GO

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## TikTok, the First Amendment and National Security

TikTok v. Garland

**9-0** ruling on Jan. 17

Liberal bloc

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Sotomayor



Jackson



Kagan

#### Conservative bloc



The Supreme Court unanimously upheld a law that sought to ban the wildly popular app TikTok in the United States unless it were sold. President Trump has so far disregarded the ruling, allowing the app to continue operating while it pursues a deal that would satisfy the administration.

#### **Are there major precedents or recent related decisions?**

In 1965, during the Cold War, the court unanimously struck down a law requiring people who wanted to receive foreign mail that the government had deemed “Communist political propaganda” to file a request with the Post Office, saying the law violated the First Amendment.

A few years later, the Supreme Court again rejected the invocation of national security to justify limiting speech, ruling in 1971 that the Nixon administration could not stop The New York Times and The Washington Post from publishing the Pentagon Papers, a secret history of the Vietnam War. The court did so despite government warnings that publishing would imperil intelligence agents and peace talks.

#### **What did the lower courts say?**

A three-judge panel of the U.S. Court of Appeals for the District of Columbia Circuit in December rejected a challenge to the TikTok law, ruling that it was justified by national security concerns.

“The First Amendment exists to protect free speech in the United States,” Judge Douglas H. Ginsburg wrote for the majority, joined by Judge Neomi J. Rao. “Here the government acted solely to protect that freedom from a foreign adversary nation

and to limit that adversary’s ability to gather data on people in the United States.”

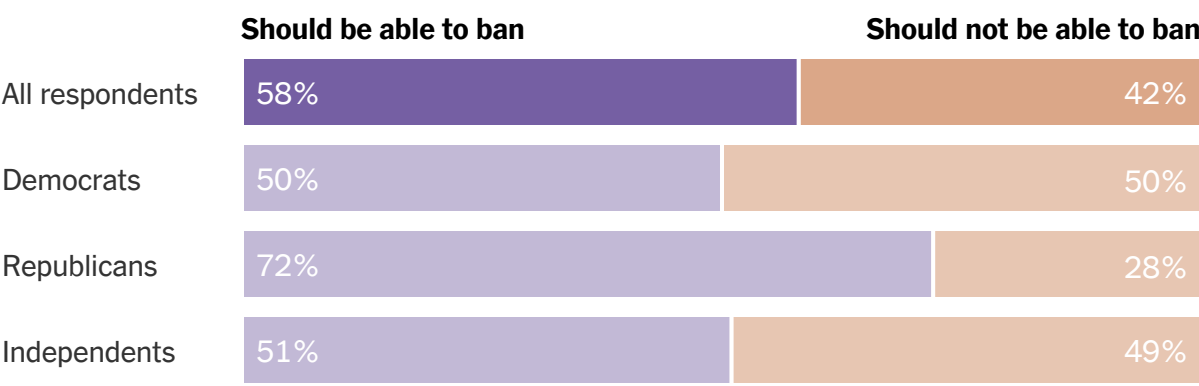
In a concurring opinion, Chief Judge Sri Srinivasan acknowledged that the law could result in some Americans losing a means of expression but said Congress had acted to address “grave national security threats it perceived” and not to suppress any particular message.

**What was at stake?**

The decision stands for two propositions: that national security concerns can overcome the Supreme Court’s general commitment to free speech and that Mr. Trump is prepared to sidestep a law passed with lopsided bipartisan majorities and upheld by a unanimous Supreme Court.

**Where does the public stand?**

On whether the government should be able to ban social media platforms controlled by foreign adversaries



Source: SCOTUSPoll

**More on the issue**



**TikTok, Facing a U.S. Ban, Tells Advertisers: We’re Here and Confident**

May 6, 2025

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**Race and Congressional Redistricting**

Louisiana v. Callais

The court announced that the case would be reargued next term.

The justices will decide whether to allow Louisiana to continue to use a congressional voting map that includes two majority-Black districts in the state. At issue is whether the Republican-drawn map violates the Constitution's equal protection clause.

### **Are there major precedents or recent related decisions?**

The case has echoes of another voting rights challenge that the justices ruled on just two years ago, a dispute over Alabama's congressional map. In that case, *Allen v. Milligan*, the Supreme Court ruled that Alabama had diluted the power of Black voters with its map, upholding the Voting Rights Act, which prohibits any voting procedure that "results in a denial or abridgment of the right of any citizen of the United States to vote on account of race."

In other decisions, the Supreme Court has effectively gutted Section 5 of the Voting Rights Act, which had required federal approval of changes to state and local voting laws in parts of the country with a history of racial discrimination, and curtailed Section 2 of the law, limiting the ability of minority groups to challenge voting restrictions.

### **What did the lower courts say?**

A divided panel of federal judges had sided with the challengers, temporarily blocking the state from using the new map. The panel said the new map most likely violated the Constitution because race had been the State Legislature's predominant consideration.

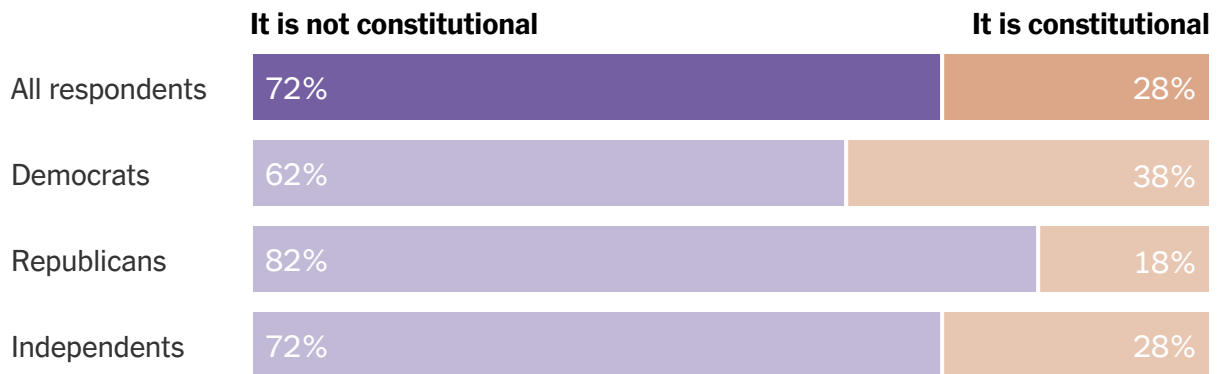
A divided Supreme Court had paused the lower-court decision, temporarily reinstating the congressional map that included the second majority-Black district.

### **What is at stake?**

Changes to the congressional map in Louisiana could have national implications. The case could not only shift the boundaries of majority-Black districts in Louisiana but also help determine the balance of power in the House of Representatives in the coming years, when political control of the chamber has frequently rested on razor-thin margins. Voting rights advocates have raised concerns that the court could also further undermine the Voting Rights Act, a central legislative achievement of the civil rights movement.

## Where does the public stand?

On whether using race in redistricting is constitutional



Source: SCOTUSPoll

## More on the issue



### Democrats Pick Up Seat in Newly Drawn Louisiana District

Nov. 11, 2024



### Justices Seem Likely to Uphold Louisiana Map With 2 Majority-Black Districts

March 24, 2025

Polling data is based on a survey conducted online by YouGov from April 10 to 16 using a representative sample of 2,201 American adults. It comes from the SCOTUSPoll project by Stephen Jessee, University of Texas at Austin; Neil Malhotra, Stanford University; and Maya Sen, Harvard University. Numbers may not add to 100 percent because of rounding.

### **Correction:** May 15, 2025

Because of a programming error, an earlier version of this article provided the wrong polling figures for the police use of force case. The numbers have been corrected.

## Supreme Court Live Updates: Trump Hails Ruling to Limit Nationwide Injunctions

In a major victory for President Trump, the court restricted the ability of federal judges to block his executive orders. The decision may reshape the way U.S. citizenship is granted, even temporarily.

**June 27, 2025, 1:32 p.m.**

[Abbie VanSickle](#)

[Here's the latest.](#)

The Supreme Court on Friday limited the ability of federal judges to temporarily pause President Trump's executive orders, a major victory for the administration. But the justices made no ruling on the constitutionality of his move to end birthright citizenship, and they stopped his order from taking effect for 30 days.

The [6-to-3 decision](#), written by Justice Amy Coney Barrett and split along ideological lines, may dramatically reshape how citizenship is granted in the United States, even temporarily. The ruling means that the practice of giving citizenship automatically to the U.S.-born children of undocumented immigrants and some temporary residents and visitors would end in the 28 states that have not challenged the order.

[The court's decision](#) appeared to upend the ability of single federal judges to freeze policies across the country, a powerful tool that has been used to block policies from Democratic and Republican administrations. The majority offered a different path to challenging Mr. Trump's orders on a nationwide basis: class action lawsuits.

Mr. Trump praised the ruling, calling it "giant," in a news conference at the White House. "Our country should be very proud of the Supreme Court today," he said.

In a blistering dissent, Justice Sonia Sotomayor called the majority's decision "a travesty for the rule of law." Progressive Democrats, legal advocates and civil and immigrant rights groups called it a major blow to long-settled constitutional law, and said it would [create a dangerous patchwork of rights](#) across the nation.

The majority stressed that it was not addressing the merits of Trump's attempt to end automatic citizenship for babies born on U.S. soil. Challenges to the citizenship order are pending in appeals courts, and the administration has told the Supreme Court that it would seek review before the justices should it lose. But there is no pending case on the merits of Mr. Trump's executive order at the Supreme Court.

It is likely but hardly certain, then, that the court will decide the issue in the term that starts in October, as Attorney General Pam Bondi repeatedly promised in Mr. Trump's news conference.

Here's what else to know:

- The Supreme Court's opinion will lead to [a drastic reduction](#) in the federal courts' ability to check the White House on policies, including orders halting the firing of civil servants, the defunding of foreign aid and the relocation of transgender women in federal prisons to men's housing.
- The case decided by the justices on Friday arose from [an executive order](#) signed by Mr. Trump on the first day of his second term to reinterpret the principle known as birthright citizenship, which has been part of the Constitution for more than 150 years.



- The ability of federal judges to pause rulings for the whole country, known as a nationwide injunction, is a [controversial judicial tool](#). They have been used to block Democratic and Republican policies, and presidents who preceded Mr. Trump.
- In other rulings on Friday, the Court [upheld the constitutionality](#) of a task force that recommends which preventative care services health insurers must cover under the Affordable Care Act; rejected a challenge to a Texas law that seeks to [limit minors' access to online pornography](#); and ordered public schools in Maryland to allow parents with religious objections to withdraw their children from classes in which [books with L.G.B.T.Q. themes](#) are discussed.

**June 27, 2025, 1:29 p.m.**

[Jazmine Ulloa](#)

### **[Civil rights groups warn that the decision involving birthright citizenship will create chaos.](#)**

Progressive Democrats, legal advocates and civil and immigrant rights groups on Friday delivered a full-throated rebuke of the Supreme Court's decision in [a case involving birthright citizenship](#), calling it a major blow to long-settled constitutional law that would create chaos and create a dangerous patchwork of rights across the nation.

In the 6-3 ruling, the justices did not rule on the constitutionality of President Trump's executive order seeking to end the right to birthright citizenship itself. But in limiting the authority of lower court judges to temporarily pause his actions, it effectively allowed his order to soon go into effect in 28 states that have not challenged the order.

Krish O'Mara Vignarajah, president and chief executive of Global Refuge, an organization that supports refugees and migrants, called the result "a deeply troubling moment not only for immigrant families, but for the legal uniformity that underpins our Constitution."

Julián Castro, the one-time Democratic presidential candidate and former federal housing secretary, said the decision hampered the judiciary at a time when the Trump administration was endangering the constitutional rights of all Americans.

"The ruling hands more power to a president that is determined to usurp as much authority as he can and flout the law constantly," said Mr. Castro, who now heads the Latino Community Foundation, a network of Latino philanthropists.

When the 14th Amendment was ratified in 1868, it granted citizenship to almost everyone born inside the country. The United States and Canada are currently the only two nations among 20 of the most developed countries in the world to allocate citizenship using the legal principle of jus soli, the right of soil.

Efforts to curb that right for the children of unauthorized immigrants date back more than four decades, but Mr. Trump's return to the White House has presented one of the most substantial challenges [in the amendment's 157-year history](#).

The California attorney general, Rob Bonta, a Democrat, cautioned against reading too much into the Supreme Court's ruling, expressing hope that the 30-day delay the court ordered before it takes effect would give plaintiffs and lower courts time to consolidate a more workable judicial response. "The fight is

far from over, and we will continue working to ensure this unlawful, anti-democratic executive order never has the chance to be implemented,” Mr. Bonta said in a statement.

But Latino leaders, legal advocacy groups and immigrant rights organizations warned that the ruling was another step forward in what they said was a systematic rollback of rights for Black, Latino and Asian immigrant communities.

“Since its creation, immigrants and their children have strengthened the social, economic, and cultural fabric of the United States,” said María Teresa Kumar, president and co-founder of Voto Latino, which works to mobilize young Latino voters. “Denying their U.S.-born children the right to citizenship is a cruel and unjust act that undermines our future.”

Progressive House Democrats warned that all basic rights could now be under attack.

“Birthright citizenship was added to the Constitution at the end of the Civil War,” said Representative Greg Casar of Texas, the chairman of the Congressional Progressive Caucus. “It’s a basic idea: When you’re born in America, you’re an American. That’s what Trump is trying to take away. By failing to protect this basic constitutional right, the Supreme Court is declaring open season on all our rights.”

Legal advocacy groups that have been active in fighting the Trump administration’s most sweeping policies vowed to find workarounds, including class action lawsuits and parallel challenges across multiple federal districts, if necessary.

Juan Proaño, chief executive of the League of United Latin American Citizens, or LULAC, whose organization was one of the first to challenge the birthright citizenship executive order in court, said the group would press ahead with litigation.

“We will support the use of class actions or other legal tools to ensure that relief, when granted, protects everyone who is impacted — because nothing less would achieve true justice,” he said.

*Glenn Thrush, Annie Karni and Zach Montague contributed reporting.*

**June 27, 2025, 12:57 p.m.**

[Adam Liptak](#)

### **[The birthright citizenship case has some unusual quirks.](#)**

The birthright citizenship case is unusual, and not only because it is not really about birthright citizenship. [At the case’s argument in May](#), the justices mostly focused on whether injunctions entered by three federal trial judges blocking President Trump’s plan to end the practice were too broad.

But when the court set this case down for argument, it did not grant review of a petition. That meant it was hard to know the precise question before the court.

That’s because the case lacked the “question presented” that must appear on the first page of petitions seeking Supreme Court review. When the justices agree to hear a case, they do so [to resolve the question](#) on the petition.

But in this case, the court did something quite unusual: It agreed to hear arguments on three emergency applications seeking partial stays of the injunctions. Such emergency applications do not typically include a “question presented” page, and the three at issue in the birthright citizenship cases did not.

Such applications, moreover, are all but uniformly handled by the justices based only on written filings, without oral argument. Not this time.

The case was unusual in another way. The justices scheduled arguments at a special session of the court, in May, about two weeks after the last day for argument noted on the court's [annual calendar](#).

Hearing arguments on days other than those on the court's calendar is rare, though there have been scattered exceptions. The court added a day last year in April, for instance, to consider the [case on presidential immunity](#).

Hearing arguments after April is especially uncommon. There were arguments in May 2020, as the coronavirus was raging and the justices questioned lawyers by phone. But even those arguments concluded on May 13.

Indeed, it has not been since 2010 that the court heard an argument so late in the term, which as a formal matter lasts from the first Monday in October until the day before the following one. That year, the justices scheduled a special session in September to hear a second argument in the Citizens United campaign finance case, acting fast because the law at issue required the court "to expedite to the greatest possible extent" any challenges.

**June 27, 2025, 12:32 p.m.**

[Annie Karni](#)

Senator Chuck Schumer, Democrat of New York and the minority leader, in a dire statement warned that the Supreme Court's decision to limit courts' authority to block illegal executive actions marked a "terrifying step towards authoritarianism."

He said that Congress had to check the unimpeded power of an out-of-control executive branch. "Republican members must stand up for core American democratic values and not for unchecked presidential power of the kind that our founders most deeply feared."

**June 27, 2025, 12:28 p.m. ET2 hours ago**

[Glenn Thrush](#)

An astonishing tableau that captured Trump's obliteration of barriers between the White House and federal law enforcement: A Trump-friendly reporter asks why the Justice Department is not investigating those who investigated Trump. The president laughed, and agreed.

Bondi and Blanche, the department's two top officials and who have not commented on prior calls for investigations, laughed awkwardly and stayed mum.

**June 27, 2025, 12:16 p.m.**

[Annie Karni](#)

Progressive House Democrats on Friday denounced the Supreme Court's decision on birthright citizenship and warned that all basic rights were now under attack.

"Birthright citizenship was added to the Constitution at the end of the Civil War," said Representative Greg Casar of Texas, the chairman of the Congressional Progressive Caucus. "It's a basic idea: When

you're born in America, you're an American. That's what Trump is trying to take away. By failing to protect this basic constitutional right, the Supreme Court is declaring open season on all our rights."

**June 27, 2025, 12:15 p.m.**

[Glenn Thrush](#)

Bondi, her voice rising to a shout, dodged the question of whether the government will prioritize enforcement of restrictions on birthright citizenship by telling reporters that they should feel "safer" because of increased border enforcement.

**June 27, 2025, 12:12 p.m.**

[Adam Liptak](#)

Challenges to the birthright citizenship order are pending in appeals courts, and the Trump administration has told the Supreme Court that it would seek review before the justices should it lose. But there is no pending case on the merits of Trump's executive order at the Supreme Court.

It is likely but hardly certain, then, that the court will decide the issue in the term that starts in October, as Bondi has repeatedly promised in this news conference.

**June 27, 2025, 12:07 p.m.**

[Glenn Thrush](#)

While Bondi and Blanche promoted the ruling as a denunciation of lower court judges, current and former Justice Department officials have accused the White House and political appointees at the department of pressuring them to defy federal court orders and push the limits of the law to maximize deportations.

**June 27, 2025, 12:06 p.m.**

[Mattathias Schwartz](#)

Mattathias Schwartz covers the federal courts.

[\*\*Here's how the Supreme Court's ruling on birthright citizenship could revive some contested Trump policies.\*\*](#)

The Supreme Court's opinion setting new limits on the power of district-court judges to use one of their most potent tools — nationwide injunctions — marks the beginning of a profound shift in the way the federal courts do business.

Before, more than 1,000 judges had the power to issue nationwide orders that could stop the federal government in its tracks.

Now, those judges' rulings can only apply to the actual plaintiffs in the case.

Friday's opinion could affect any case, on any issue, where a federal judge makes a ruling that extends beyond the party or parties that actually brought the lawsuit. It left open the possibility that judges could still block government actions nationwide, but only in situations where there was no narrower approach available that would protect the actual plaintiffs whom the court is seeking to benefit.

Friday's ruling will lead to a drastic reduction in the federal courts' ability to check the White House, according to Judith Resnik, a professor at Yale Law School. Nationwide injunctions give courts "the capacity to tell the key nationwide actor, the executive branch, to behave lawfully," she said.

District-court judges have repeatedly used nationwide injunctions to block Trump administration policies, including to halt the firing of civil servants, the defunding of foreign aid and the relocation of transgender women in federal prisons to men's housing. Some of those injunctions have been lifted by higher courts; many, including those detailed below, remain in place, at least for now.

While some scholars trace the origins of nationwide injunctions, also known as "universal" injunctions, back to the early 20th century, their widespread use as a check on presidential power is relatively new and has been wielded against presidents of both parties.

The Trump White House has argued that lower-court judges are relying on nationwide injunctions to interfere with the president's agenda in ways that overstep the courts' constitutional role; his critics say that the rise in nationwide injunctions is driven by what they perceive to be the administration's willingness to flout the law in the pursuit of his policy goals.

As of mid-May there were more than two dozen nationwide injunctions in place blocking Mr. Trump's policies, according to a report by the Congressional Research Service.

Still, the Supreme Court's ruling doesn't mean they will instantly evaporate. Experts say the next step is for individual courts to apply the new precedent in their own cases. In some instances, the Justice Department will likely challenge existing nationwide injunctions to see if they need to be pared back under the Supreme Court's new precedent.

### **Impact on Existing Trump Policies**

Here are some of the policies that the Trump administration has tried to bring into effect, only to be blocked by nationwide injunctions that remain in force, for now:

- A White House effort to require more stringent [voter ID](#) at the polls, including proof of citizenship, was blocked by judges in Washington, D.C., and Massachusetts, who found that it was likely to violate laws against disenfranchisement. The requirements were imposed by a Trump administration executive order in March. One of the judges also blocked a new requirement that would require all mail-in ballots to be received by Election Day in order to be counted. The plaintiffs in the two cases are 19 states, and the League of United Latin American Citizens along with two other organizations, raising the possibility that the administration's proposed voting requirements could apply in some states but not others.
- The Trump administration's [attempt to freeze](#) as much as \$3 trillion in federal funding to the states so it could be reviewed for alignment with administration policies was blocked by judges in Washington and Rhode Island. The government has appealed both rulings. The plaintiffs in the two cases are 23 states and four nonprofits.
- Judges in New Hampshire, Maryland and Washington all blocked an effort by the Education Department that [demanded that public schools](#) either eliminate programs promoting diversity and equity, or risk losing their share of roughly \$75 billion in federal funding. The plaintiffs in the cases include the N.A.A.C.P. and the American Federation of Teachers.

- Nearly \$2 billion in congressionally appropriated foreign aid flowing through the State Department and U.S.A.I.D. was frozen by the Trump administration until a judge in Washington [ordered the payments](#) to continue. More than 2,000 payments for work already performed are still outstanding. The plaintiffs in the case include nonprofits that fight infectious diseases around the world. The judge's existing order requires payments to a number of nonplaintiff organizations as well.
- More than 25,000 children who face deportation could have entered immigration proceedings without lawyers, had a judge in California not blocked the administration's attempt to [cut off a contract](#) that pays for their legal representation. The government has appealed the injunction. The plaintiffs in the case are a group of nonprofits that serve immigrants and migrants.

Nationwide injunctions aren't set in stone. Often, they are preliminary orders. The judge can change them or remove them completely later on in a lawsuit. They can also be stayed or overturned by higher courts, on appeal.

President Trump's second term had already seen a number of cases where higher courts, including the Supreme Court, intervened to lift broad injunctions imposed on the administration by district-court judges. Among the policies that higher courts reinstated, at least temporarily, are the revocation of legal status for nearly 350,000 Venezuelans, Mr. Trump's unilateral imposition of tariffs on China and the Department of Government Efficiency's accessing records of the Social Security Administration.

### **What This Means for the Courts**

Even without nationwide injunctions, plaintiffs have a second mechanism through which they can attempt to stop the federal government in its tracks — class-action lawsuits. The justices cited class-action lawsuits as an avenue plaintiffs can still use to obtain broad rulings blocking potentially unlawful executive actions.

In class actions, a small number of plaintiffs ask a judge to make a ruling that would apply not only to them, but to others — potentially thousands — facing similar circumstances.

Class actions have succeeded in winning some broad rulings against the Trump administration in the district courts. Judges have used class-action rulings to stop the administration from moving certain I.C.E. detainees out of their districts; from publicly releasing information about F.B.I. agents who investigated the Jan. 6, 2021, attack on the Capitol; and from deporting undocumented immigrants to countries they have no connection to without extensive due process. The last ruling was in place for a month before being paused by the Supreme Court.

But class actions have limitations.

Judges must “certify” the class, using special rules that assess the group's number and similarity of its members to one another, a sometimes high bar.

And even if they do so, other members of the class do not automatically benefit in the same way that they would from a nationwide injunction, which immediately blocks a government policy. Instead, they may have to find a lawyer and go before the judge and claim their due as a member of the class to receive its benefit.

*Zach Montague, Dana Goldstein and Seamus Hughes contributed reporting.*

**June 27, 2025, 11:56 a.m.**

[Jonathan Swan](#)

Pam Bondi, the attorney general, echoed Trump's rhetoric to attack judges who have issued nationwide injunctions. "No longer will we have rogue judges striking down President Trump's policies across the entire nation," she said.

**June 27, 2025, 11:55 a.m.**

[Zolan Kanno-Youngs](#)

Bondi criticized what she called the "lawless injunctions."

"They turned district courts into the imperial judiciary," she said.

**June 27, 2025, 11:54 a.m.**

[Jonathan Swan](#)

President Trump thanked the Supreme Court justices for limiting the ability of federal judges to temporarily pause his executive orders. "Our country should be very proud of the Supreme Court today," he said.

This morning, the Supreme Court has delivered a monumental victory for the Constitution, the separation of powers and the rule of law in striking down the excessive use of nationwide injunctions to interfere with the normal functioning of the executive branch. Radical-left judges effectively tried to overrule the rightful powers of the president, to stop the American people from getting the policies that they voted for in record numbers. So thanks to this decision, we can now promptly file to proceed with these numerous policies and those that have been wrongly enjoined on a nationwide basis, including birthright citizenship; ending sanctuary city funding, suspending refugee resettlement, freezing unnecessary funding, stopping federal taxpayers from paying for transgender surgeries and numerous other priorities of the American people. Our country should be very proud of the Supreme Court today.

**June 27, 2025, 11:54 a.m.**

[Glenn Thrush](#)

It is unusual for a deputy attorney general to stand alongside the president and the attorney general for a major appearance at the White House. But the presence of Todd Blanche, Trump's former defense lawyer, standing with Pam Bondi next to Trump is a reminder of the enormous influence he wields — comparable, and at times exceeding, that of Bondi.

**June 27, 2025, 11:53 a.m.**

[Zolan Kanno-Youngs](#)

Trump has taken the lectern in the White House press briefing room. He is flanked by his Attorney General Pam Bondi and Todd Blanche, the deputy attorney general. To his right is his Treasury Secretary Scott Bessent. Trump immediately celebrates the Supreme Court case against nationwide injunctions. He said his administration will move to implement policies that were blocked by nationwide injunctions, including his birthright citizenship policy. Trump calls it a "giant" decision from the Supreme Court.

**June 27, 2025, 11:49 a.m.**



[Glenn Thrush](#)

Trump's win in the high court might clear the way to implement a policy that is, as of now, a political loser for the White House and Republicans. Only 28 percent of Americans support denying the children of immigrants citizenship — and slightly more than half oppose it, [according to an NPR/Ipsos poll taken last month](#).

**June 27, 2025, 11:38 a.m.**

[Glenn Thrush](#)

Attorney General Rob Bonta of California, a Democrat, cautioned against reading too much into the court's ruling, expressing hope that the 30-day period before it goes into effect gives lower courts time to put together a response. "The fight is far from over, and we will continue working to ensure this unlawful, anti-democratic executive order never has the chance to be implemented," he said in a statement.

**June 27, 2025, 11:29 a.m.**

[Zach Montague](#)

Legal advocacy groups that have been active in fighting the Trump administration's most sweeping policies vowed to find workarounds, including class action lawsuits and parallel challenges across multiple federal districts, if necessary.

"A number of pathways remain for individuals to obtain relief from the courts," Skye Perryman, the president of Democracy Forward, said in a statement. She called the ruling "disappointing and yet another obstacle" to protect constitutional rights.

**June 27, 2025, 11:21 a.m.**

[Jazmine Ulloa](#)

Civil and immigrant rights activists, advocates and lawyers on Friday denounced the Supreme Court decision on birthright citizenship as a major blow to long-settled constitutional law, saying it would create chaos and a dangerous patchwork of rights across the nation.

Krish O'Mara Vignarajah, president and chief executive of Global Refuge, called it "a deeply troubling moment not only for immigrant families, but for the legal uniformity that underpins our Constitution."

Julián Castro, the one-time Democratic presidential candidate and former federal housing secretary, said the decision hampered the judiciary at a time when the Trump administration was endangering the constitutional rights of all Americans. "The ruling hands more power to a president that is determined to usurp as much authority as he can and flout the law constantly," said Castro, who now heads the Latino Community Foundation.

**June 27, 2025, 11:05 a.m.**

[Tyler Pager](#)

President Trump will hold a news conference at 11:30 in the White House briefing room to respond to the Supreme Court's ruling, which he praised on social media as a "GIANT WIN." He will be joined by Attorney General Pam Bondi and other Justice Department officials.

**June 27, 2025, 11:05 a.m.**



[Michael Gold](#)

Senator Charles E. Grassley of Iowa, the Republican chairman of the Judiciary Committee, applauded the court's decision.

"I'm heartened to hear a supermajority of the Supreme Court echo what I've said repeatedly: judges' constitutional authority is limited to deciding cases and controversies," he said in a statement.

Grassley has been pushing for a bill that would limit the scope of federal court orders to prevent universal injunctions, and he said he would continue to do so.

**June 27, 2025, 10:54 a.m.**

[Charlie Savage](#)

In a concurring opinion, Alito warns lower court judges against responding to the Supreme Court's decision by making it too easy to grant nationwide class certifications or to allow states to bring cases on behalf of all their residents. Lax enforcement of limits on those ways of getting orders to cover many people at once could allow universal injunctions to "return from the grave," he wrote.

Justice Alito's concurring opinion

Putting the kibosh on universal injunctions does nothing to disrupt Rule 23's requirements. Of course, Rule 23 may permit the certification of nationwide classes in some discrete scenarios. But district courts should not view today's decision as an invitation to certify nationwide classes without scrupulous adherence to the rigors of Rule 23. Otherwise, the universal injunction will return from the grave under the guise of "nationwide class relief," and today's decision will be of little more than minor academic interest.

**June 27, 2025, 10:39 a.m.**

[Adam Liptak](#)

In a concurring opinion in the birthright citizenship case, Justice Kavanaugh said another way to challenge the executive order exists. Challengers can "ask a court to award preliminary classwide relief that may, for example, be statewide, regionwide or even nationwide."

**June 27, 2025, 10:31 a.m.**

[Charlie Savage](#)

In a separate dissent for herself alone, Justice Jackson says she agrees with Justice Sotomayor but wants to emphasize that the majority's decision permits the executive branch to violate the Constitution with respect to anyone who has not yet sued, and thus is "an existential threat to the rule of law." She says the technical arguments about what judicial authority in the 18th Century are a "smokescreen" to give the president "the go-ahead to sometimes wield the kind of unchecked, arbitrary power the Founders crafted our Constitution to eradicate."

Justice Jackson's dissent

To hear the majority tell it, this suit raises a mind-numbingly technical query: Are universal injunctions "sufficiently 'analogous' to the relief issued 'by the High Court of Chancery in England at the time of the adoption of the Constitution and the enactment of the original Judiciary Act'" to fall within the equitable authority Congress granted federal courts in the Judiciary Act of 1789? ... But that legalese is a

smokescreen. It obscures a far more basic question of enormous legal and practical significance: May a federal court in the United States of America order the Executive to follow the law?

**June 27, 2025, 10:29 a.m.**

[Charlie Savage](#)

In her dissent, joined by the other two liberal justices, Sotomayor accuses the majority of allowing the government to play games with constitutional rights. She writes:

Liberal justices' dissent

No right is safe in the new legal regime the Court creates. Today, the threat is to birthright citizenship. Tomorrow, a different administration may try to seize firearms from lawabiding citizens or prevent people of certain faiths from gathering to worship. The majority holds that, absent cumbersome class-action litigation, courts cannot completely enjoin even such plainly unlawful policies unless doing so is necessary to afford the formal parties complete relief. That holding renders constitutional guarantees meaningful in name only for any individuals who are not parties to a lawsuit. Because I will not be complicit in so grave an attack on our system of law, I dissent.

**June 27, 2025, 10:29 a.m.**

[Adam Liptak](#)

From the bench, Justice Sotomayor calls the decision “a travesty for the rule of law.”

**June 27, 2025, 10:27 a.m.**

[Charlie Savage](#)

The essence of the court's holding today is that Congress, in creating the lower federal courts in the Judiciary Act of 1789, did not give district court judges the power to issue nationwide or universal injunctions that prohibit the enforcement of a (likely illegal) government policy against anyone. Rather district court judges may only grant relief to specific plaintiffs. But in a concurring opinion, Justice Kavanaugh notes that broader orders will still be permissible when there is a class action lawsuit, or if a plaintiff is asking a judge to set aside a new agency rule under the Administrative Procedures Act.

Justice Kavanaugh's concurring opinion

But importantly, today's decision will require district courts to follow proper legal procedures when awarding such relief. Most significantly, district courts can no longer award preliminary nationwide or classwide relief except when such relief is legally authorized. And that salutary development will help bring substantially more order and discipline to the ubiquitous preliminary litigation over new federal statutes and executive actions.

**June 27, 2025, 10:24 a.m. ET4 hours ago**

[Abbie VanSickle](#)

Reporting from Washington

[\*\*The 6-3 decision may allow the way citizenship is granted in the United States to be reshaped, even temporarily.\*\*](#)

Protesters in favor of birthright citizenship outside the Supreme Court in May.Credit...Haiyun Jiang for The New York Times

The Supreme Court agreed on Friday to allow President Trump to end birthright citizenship in some parts of the country, even as legal challenges to the constitutionality of the move proceed in other regions.

The 6-to-3 [decision](#), which was written by Justice Amy Coney Barrett and split along ideological lines, is a major victory for Mr. Trump, and may allow how citizenship is granted in the United States to be reshaped, even temporarily.

The order will not go into effect for 30 days, the justices said in their opinion, allowing its legality to be contested further. The justices also did not address the underlying constitutionality of the president's order to curtail birthright citizenship, potentially leaving that issue for another day.

The court's ruling also appeared to upend the ability of single federal judges to freeze policies across the country, a powerful tool that has been used frequently in recent years to block policies instituted by Democratic and Republican administrations.

Justices across the ideological spectrum [had been critical](#) of these so-called nationwide injunctions, arguing that they encouraged judge-shopping and improperly circumvented the political process by allowing one judge to halt a policy nationwide.

The surprise decision means that an executive order signed by Mr. Trump ending the practice of extending citizenship to the children of undocumented immigrants born in the United States would be set to take effect in 30 days in the 28 states that have not challenged the measure.

The details of how the policy would be implemented were not immediately clear.

The ability of a single federal judge in one part of the country to pause a policy nationwide has been a major stumbling block for Mr. Trump. These so-called nationwide injunctions are [controversial judicial tools](#), and have prompted intense debate over their legality. They have been used to block Democratic and Republican policies.

Federal trial judges have consistently ruled against the Trump administration, stymieing efforts to withhold funds from schools with diversity programs, to relocate transgender women in federal prisons and to remove deportation protections from hundreds of thousands of Venezuelan migrants.

The case before the justices arose from [an executive order](#) signed by Mr. Trump on Jan. 20, the first day of his second term, that appeared to upend the principle known as birthright citizenship, which has been part of the Constitution for more than 150 years.

The announcement prompted immediate legal challenges from 22 Democratic-led states and immigrant advocacy organizations and pregnant women concerned that their children might not automatically be granted citizenship. Within days, a federal judge in Seattle, John C. Coughenour, temporarily blocked the executive order. In a standing-room-only proceeding, the judge [interrupted](#) a Justice Department lawyer to castigate him.

"I've been on the bench for four decades. I can't remember another case where the question presented is as clear as this one is," Judge Coughenour said, calling Mr. Trump's order "[blatantly unconstitutional](#)."

Federal judges in Maryland and Massachusetts also issued orders pausing the policy. All three judges extended their orders to the entire country, even to states that had not brought legal challenges.

On March 13, the Trump administration filed [an emergency application](#) asking the justices to weigh whether such nationwide injunctions were legal.

The Supreme Court has never issued a ruling that squarely addresses nationwide injunctions. But justices across the ideological spectrum have expressed skepticism over them.

In an unusual move, the justices announced that they would hear oral arguments on the emergency application, blocking the executive order from being implemented in the meantime. Emergency requests are generally decided without a hearing.

At a May 15 argument in the case, the Supreme Court wrangled over the Trump administration's claims that the lower court judges had exceeded their power.

The justices had two main concerns. Several appeared skeptical that federal judges should be able to freeze executive actions for the entire country, rather than just for parties directly involved in the litigation — the core issue of the case.

But many of the justices also seemed troubled by the practical consequences of allowing the executive order to go into effect, even temporarily and only in some parts of the country. Some of the justices questioned how they might quickly weigh in on the legality of the executive order, which the administration had not asked them to review.

"How would you get the merits of this case to us promptly?" Justice Neil M. Gorsuch asked a lawyer for the attorney general's office in New Jersey, one of 22 Democratic-led states that sued over the order.

The underlying question — the legality of birthright citizenship — is a core constitutional one. The practice of automatically granting citizenship to children born on American soil, even if their parents are not citizens, has long been considered a tenet of immigration law. The 14th Amendment, ratified after the Civil War, declared that "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside."

In 1898, the Supreme Court affirmed that right in a landmark case, [United States v. Wong Kim Ark](#). For more than a century, courts have upheld that interpretation.

**June 27, 2025, 10:19 a.m.**

[Adam Liptak](#)

Justice Sonia Sotomayor is summarizing her dissent from the bench, a rare move indicating profound disagreement.

In her written dissent, she wrote:

Liberal justices' dissent

The rule of law is not a given in this Nation, nor any other. It is a precept of our democracy that will endure only if those brave enough in every branch fight for its survival. Today, the Court abdicates its vital role in that effort.

**June 27, 2025, 10:15 a.m.**

[Adam Liptak](#)

Justice Barrett, writing for the majority, says the executive order on birthright citizenship “shall not take effect until 30 days after the date of this opinion.”

The delay in the effective date of the court’s ruling gives time for another way to challenge the orders: class actions.

**June 27, 2025, 10:12 a.m.**

[Charlie Savage](#)

The majority opinion in the case was written by Justice Amy Coney Barrett. She concludes:

Main opinion

Some say that the universal injunction “give[s] the Judiciary a powerful tool to check the Executive Branch.” ... But federal courts do not exercise general oversight of the Executive Branch; they resolve cases and controversies consistent with the authority Congress has given them. When a court concludes that the Executive Branch has acted unlawfully, the answer is not for the court to exceed its power, too.

**June 27, 2025, 10:09 a.m.**

[Charlie Savage](#)

In the citizenship case, the justices voted 6-3, with the liberals in dissent, to limit the lower-courts’ preliminary injunctions to each plaintiff with standing to sue. The majority stressed that it is not addressing the merits of Trump’s attempt to end automatic citizenship for babies born on U.S. soil to undocumented migrants and foreign visitors without green cards.

**June 27, 2025, 10:08 a.m.**

[Abbie VanSickle](#)

Reporting from Washington

[Here’s how the birthright citizenship and nationwide injunctions case began.](#)

John Eastman, a law professor involved in the attempts to overturn the 2020 election.Credit...Jason Andrew for The New York Times

In mid-May, the Supreme Court took the bench for [a rare emergency oral argument](#), which had been tacked on to the end of the term.

The case focused on whether a single federal judge had the power to freeze a federal policy for the entire country, [a long-simmering debate](#).

Despite the dry-sounding legal issue, the case involved something urgent: an [executive order](#) signed by President Trump on his first day back in office. In fewer than 800 words, and with a signature scrawled in thick Sharpie, the president declared an end to birthright citizenship, the principle that children born in the United States are citizens.

Birthright citizenship is rooted in English common law. It was enshrined in the U.S. Constitution in 1868 in [the 14th Amendment](#), which reads: “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside.”

In one of its [most notorious cases](#), [Dred Scott](#), the Supreme Court in 1857 denied citizenship to the descendants of slaves, helping prompt the Civil War. The 14th Amendment erased that finding and expanded citizenship to almost anyone born in the United States.

In 1898, the justices again considered birthright citizenship in the case of [Wong Kim Ark](#). Mr. Wong was born in San Francisco's Chinatown, the child of parents who were part of a wave of Chinese laborers who came to the United States in the mid-1800s. Officials argued that birthright citizenship did not apply to him because he and his parents were not "subject to the jurisdiction" of the United States when he was born. The Supreme Court disagreed.

Since then, courts have maintained an expansive view of citizenship. The few legislative efforts launched over the years aimed at denying the status to children whose parents were not legal residents floundered.

Mr. Trump has long been critical of the guarantee of birthright citizenship, and raised the idea of ending it during his first presidential campaign in 2015.

Mr. Trump's views have been considered on the legal fringe, largely pushed by scholars connected to the Claremont Institute, a conservative think tank. One of them is John Eastman, a former law clerk of Justice Clarence Thomas and a legal architect of Mr. Trump's efforts to overturn the 2020 election. But the president's interest has [helped bring](#) the idea to the center of the Republican Party.

Even though he did not move to end birthright citizenship during his first term, Mr. Trump made it a priority in his second term, despite certain legal challenges.

After he signed the executive order, a coalition of 22 Democratic-led states, immigrant advocacy groups and pregnant women concerned that their children might not automatically be granted citizenship sued to block the order. One federal judge in Seattle, John C. Coughenour, issued a nationwide block on Mr. Trump's executive order, calling it "[blatantly unconstitutional](#)." Other federal judges in Maryland and Massachusetts issued similar pauses.

The Trump administration [asked](#) the Supreme Court to weigh in. But it did not ask the justices to consider whether the executive order was lawful. Instead, the administration made what it called a "modest" request to allow the executive order to be implemented in states that had not challenged it.

**June 27, 2025, 10:03 a.m.**

[Charlie Savage](#)

The Supreme Court has handed down its [opinion](#) in the birthright citizenship case, which is really a case about nationwide (or "universal") injunctions.

**June 27, 2025, 10:02 a.m.**

[Amy Qin](#)

**[The original case that established birthright citizenship was decided in 1898.](#)**

In August 1895, a young cook named Wong Kim Ark was about to disembark from the S.S. Coptic after a long journey home to San Francisco from China, when U.S. customs officials denied him re-entry.

He was not a U.S. citizen, they said. Never mind that Mr. Wong had been born in San Francisco's Chinatown, not far from the port where he was now being held. The 14th Amendment's provision for

automatic citizenship for all people born on U.S. soil did not apply to him, officials later argued, because he and his parents were not “subject to the jurisdiction” of the United States at the time he was born.

Rather than back down, Mr. Wong took his case to the courts — and won.

In Mr. Wong’s case, the Supreme Court affirmed in 1898 the constitutional guarantee of automatic citizenship for nearly all children born in the United States, a right that has deep roots in common law. That expansive understanding of birthright citizenship has been the law of the land since.

The case decided by the Supreme Court was sparked by President Trump’s effort to roll back the Wong Kim Ark ruling as part of its crackdown on immigration.

On his first day back in office, Mr. Trump signed an [executive order](#) declaring that the government would stop treating U.S.-born children of parents who are undocumented or are in the country temporarily as U.S. citizens.

The Trump administration’s view was based on a reinterpretation of the 1898 decision, drawing on ideas from a small group of legal scholars like John Eastman, a lawyer known for drafting a plan to block congressional certification of the 2020 presidential election.

Mr. Wong’s case arose during a similar moment of heightened national anxiety around immigration. His parents were part of a wave of Chinese laborers who flocked to the United States starting in the mid-1800s in search of economic opportunities. Mr. Wong’s father ran a grocery store in San Francisco’s Chinatown neighborhood, and in an apartment above that store, his son Kim Ark was born in 1870.

The growing numbers of Chinese workers on the West Coast soon gave rise to economic competition and virulent racism. Vigilante mobs regularly terrorized and at times even lynched these immigrants, who were often portrayed as unassimilable, inferior and disease-ridden.

Federal laws reflected that bias as well, like the Chinese Exclusion Act of 1882, which barred most Chinese people from entering the country and banned them all from becoming naturalized citizens.

Mr. Wong became a test case pitting the Chinese Exclusion Act against the 14th Amendment, which was adopted in 1868, two years before his birth. It states that “all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.”



# Supreme Court work goes on with 10 cases to decide, including birthright citizenship

By [MARK SHERMAN](#) and [LINDSAY WHITEHURST](#), AP News

Updated 7:46 AM PDT, June 20, 2025

WASHINGTON (AP) — The [Supreme Court](#) is in the homestretch of a term that has lately been dominated by the Trump administration's [emergency appeals](#) of lower court orders seeking to slow President Donald Trump's efforts to remake the federal government.

But the justices also have 10 cases to resolve that were argued between December and mid-May. One of the argued cases was an emergency appeal, the administration's bid to be allowed to enforce Trump's executive order denying [birthright citizenship](#) to U.S.-born children of parents who are in the country illegally.

The court typically aims to finish its work by the end of June. On Wednesday it decided one of its most closely watched cases, handing down an opinion [that upheld a Tennessee ban](#) on some healthcare for transgender minors.

Here are some of the biggest remaining cases:

## **Trump's birthright citizenship order has been blocked by lower courts**

The court rarely hears arguments over emergency appeals, but it took up the administration's plea to narrow orders that have prevented the citizenship changes from taking effect anywhere in the U.S.

The issue before the justices is whether to limit the authority of judges to issue nationwide injunctions, which have plagued both Republican and Democratic administrations in the past 10 years.

These nationwide court orders have emerged as an important check on Trump's efforts and a source of mounting frustration to the Republican president and his allies.

At arguments last month, the court seemed intent on keeping a block on the citizenship restrictions while still looking for a way to scale back nationwide court orders. It was not clear what such a decision might look like, but a majority of the court expressed concerns about what would happen if the administration were allowed, even temporarily, to deny citizenship to children born to parents who are in the country illegally.

Democratic-led states, immigrants and rights groups who sued over Trump's executive order argued that it would upset the settled understanding of birthright citizenship that has existed for more than 125 years.

## **The court seems likely to side with Maryland parents in a religious rights case over LGBTQ storybooks in public schools**

Parents in the Montgomery County school system, in suburban Washington, want to be able to pull their children out of lessons that use the storybooks, which the county added to the curriculum to better reflect the district's diversity.

The school system at one point allowed parents to remove their children from those lessons, but then reversed course because it found the opt-out policy to be disruptive. Sex education is the only area of instruction with an opt-out provision in the county's schools.



The school district introduced the storybooks in 2022, with such titles as “Prince and Knight” and “Uncle Bobby’s Wedding.”

The case is one of several religious rights cases at the court this term. The justices have repeatedly [endorsed claims of religious discrimination](#) in recent years. The decision also comes amid increases in recent years in books being banned from public school and public libraries.

### **A three-year battle over congressional districts in Louisiana is making its second trip to the Supreme Court**

Lower courts have struck down two Louisiana congressional maps since 2022 and the justices are weighing whether to send state lawmakers back to the map-drawing board for a third time.

The case involves the interplay between race and politics in drawing political boundaries in front of a conservative-led court that has been skeptical of considerations of race in public life.

At arguments in March, several of the court’s conservative justices suggested they could vote to throw out the map and make it harder, if not impossible, to bring redistricting lawsuits under [the Voting Rights Act](#).

Before the court now is a map that created a second Black majority congressional district among Louisiana’s six seats in the House of Representatives. The district elected a Black Democrat in 2024.

A three-judge court found that the state relied too heavily on race in drawing the district, rejecting Louisiana’s arguments that politics predominated, specifically the preservation of the seats of influential members of Congress, including Speaker Mike Johnson. The Supreme Court ordered the challenged map to be used last year while the case went on.

Lawmakers only drew that map after civil rights advocates won a court ruling that a map with one Black majority district likely violated the landmark voting rights law.

### **The justices are weighing a Texas law aimed at blocking kids from seeing online pornography**

Texas is among more than [a dozen states](#) with age verification laws. The states argue the laws are necessary as smartphones have made access to online porn, including hardcore obscene material, almost instantaneous.

The question for the court is whether the measure infringes on the constitutional rights of adults as well. The Free Speech Coalition, an adult-entertainment industry trade group, agrees that children shouldn’t be seeing pornography. But it says the Texas law is written too broadly and wrongly affects adults by requiring them to submit personal identifying information online that is vulnerable to hacking or tracking.

The justices appeared open to upholding the law, though they also could return it to a lower court for additional work. Some justices worried the lower court hadn’t applied a strict enough legal standard in determining whether the Texas law and others like that could run afoul of the First Amendment.

# The constitutional crisis is real

By Erwin Chemerinsky, Contributing writer, *Los Angeles Times*

April 17, 2025 11:28 AM PT

Is the U.S. facing a constitutional crisis? The answer, unequivocally and emphatically, is yes. But it also could get much worse.

In less than 100 days, President Trump has taken an astounding array of unconstitutional actions to consolidate power and to stifle dissent. He has asserted the [ability to eliminate federal agencies](#) created by statute and to refuse to spend federal funds allocated by federal law. He has claimed the power to fire anyone who works in the executive branch, notwithstanding federal laws limiting removal. He has attempted to override the Constitution by [eliminating birthright citizenship](#). He has [withheld money from universities](#) without following procedures mandated by law and without legal justification. He has violated the 1st amendment by revoking visas solely because of the views the visa holders expressed.

These illegal acts don't just harm the individuals on the receiving end; they harm us all. Significant layoffs in the Social Security Administration will mean many people who are eligible for benefits won't get them, at least not in a timely manner. Cutting off funds for international aid [will cause people in other countries to die](#) from lack of medical care and food. Cuts in medical, scientific and university research will reverberate for years, with devastating consequences for basic science, innovation and finding cures for diseases.

But of all Trump's illegal executive orders and other actions, none is more inimical to our Constitution and the republic than its claim that it has the power to put human beings in a maximum-security prison in El Salvador with no court in the United States having the power to provide recourse. The president [has clearly said this could include U.S. citizens](#) and not just the immigrants he has subjected to extrajudicial "disappearance" so far.

To be clear, the government has no authority to put anyone, noncitizens or citizens, in a maximum-security prison in El Salvador. And it has no authority to imprison anyone period, or to deport them, without due process. [The federal courts must have the power to stop illegal incarceration](#) and to ensure the return of anyone illegally imprisoned in order that due process can occur. Otherwise, we exist under a dictatorship, not a democracy under the rule of law.

That is why two matters now pending in the federal courts are so important. It is not hyperbole to say that the future of our constitutional democracy may turn on these cases.

One involves the Alien Enemies Act of 1798, which the administration has invoked to send alleged members of a Venezuelan gang to a maximum-security prison in El Salvador. This is blatantly illegal. The Alien Enemies Act allows the government to deport males over the age of 14 from an enemy nation when the United States is in a declared war or there is an imminent military invasion. It has been invoked just three times since it was passed in the 18th century: during the War of 1812, World War I and World War II. It has no application to today's situation, and even if it did, it does not authorize incarceration in a foreign prison.

On the day this began, Judge James Boasberg, of the U. S. District Court for the District of Columbia, held an emergency hearing and told the administration to pause the removals and ordered the return of the deportation flights back to the United States. The government did not follow the order. This week,

Boasberg indicated that the government was likely in contempt of court, that the government's refusal to halt the flights demonstrated "willful disregard" of the court "sufficient" that there was probable cause "to find the Government in criminal contempt." This follows from many Supreme Court decisions that the rule of law requires that court orders be complied with until and unless they are vacated or overturned on appeal. It is unclear as to whether this contempt finding will have any effect.

The other matter now pending in the courts involves Kilmar Abrego Garcia, a lawful resident of the United States, whom a government attorney admitted to the court was apprehended by mistake and wrongfully included in the shipment of supposed gang-member immigrants to the El Salvador prison.

The federal district court in Maryland ordered the government to "facilitate and effectuate" his return to the United States. The government refused and appealed to the Supreme Court. On April 10, the justices sent the case back to the district court saying the lower court had the authority to require the government to "facilitate" Abrego Garcia's release from custody in El Salvador, but they also said it was unclear whether the district court has the power to "effectuate" this.

The Trump administration has used the ambiguity in the court's order to justify doing nothing for Abrego Garcia and nothing to remedy its own error and illegal actions.

Anyone who studies the law or high school civics understands that the Trump administration cannot be right in its treatment of Abrego Garcia or in its position that the courts can have no say in the matter. As Justice Sonia Sotomayor wrote in her dissent in the case involving the Venezuelans, the history of lawless regimes that deny due process is well known, "but this nation's system of law is designed to prevent, not enable, their rise."

Until now, I did not appreciate how much our constitutional democracy depends on the good faith of those who govern us to comply with the law, including court orders. Are there sufficient guardrails to protect us when an administration will not comply? Will we continue to be a nation under the rule of law?

We shall see.

*Erwin Chemerinsky, a contributing writer to Opinion Voices, is dean of the UC Berkeley School of Law.*

## Supreme Court upholds ban on untraceable 'ghost guns' that are made from parts kits

By [David G. Savage](#), Staff Writer, Los Angeles Times

March 26, 2025 Updated 12:56 PM PT

WASHINGTON — The Supreme Court on Wednesday upheld a federal restriction on the sale of parts kits that permit unlicensed gun owners to make firearms at home that cannot be traced by the police.

In a 7-2 decision, the justices agreed these homemade weapons, often referred to as “ghost guns,” qualify as firearms under federal law.

“Today, thousands of law-enforcement agencies nationwide depend on the [federal] tracing system to link firearms involved in crimes to their owners,” said Justice Neil M. Gorsuch for the court.

Justices Clarence Thomas and Samuel A. Alito Jr. dissented.

The decision upholds a regulation issued in 2022 by the Biden administration that was strongly supported by police and prosecutors.

The ruling overturns conservative judges in Texas who said Congress had not given federal regulators the power to outlaw “parts kits” that could be assembled into a weapon.

It’s a rare win for gun control advocates in the high court.

“This Supreme Court decision is great news for everyone but the criminals who have adopted untraceable ghost guns as their weapons of choice,” said John Feinblatt, president of Everytown for Gun Safety. “Ghost guns look like regular guns, shoot like regular guns, and kill like regular guns — so it’s only logical that the Supreme Court just affirmed they can also be regulated like regular guns.”

Under the regulations, gunmakers and dealers are required to conduct a background and age verification of buyers, make sure the weapon has a serial number and keep records of the sale.

“This is an important decision that will help reduce access to guns by criminals and other people barred from owning firearms,” said UCLA Law Professor Adam Winkler. “In recent years, the number of untraceable ghost guns recovered from criminals and crime scenes has skyrocketed.”

Last year, the court’s conservative majority blocked a regulation supported by both the Trump and Biden administrations that had outlawed “bump stocks,” which allowed semiautomatic weapons to fire rapidly like a machine gun. By a 6-3 vote, the [justices said these devices did not fit](#) the definition of a machine gun as set by Congress.

But the court said Wednesday the Gun Control Act of 1968 broadly defined a firearm as “any weapon ... which will or is designed to or may readily be converted to expel a projectile by the action of an explosive.”

The Los Angeles Police Department and other police agencies have voiced alarm at the growing threat of easy-to-assemble guns that can be bought as kits online.

Three years ago, the LAPD said these “ghost [guns are an epidemic](#) not only in Los Angeles but nationwide. ... Ghost guns are real, they work, and they kill.”

The Justice Department under Biden told the court that local law enforcement agencies seized more than 19,000 ghost guns at crime scenes in 2021, a more than tenfold increase in four years.

In urging the court to uphold the ban, Solicitor Gen. Elizabeth Prelogar argued the mail-order gun kits could “effectively nullify” gun laws dating to 1968 that allow police to trace weapons that are used in crimes.

Without the new regulations adopted by the Bureau of Alcohol, Tobacco, Firearms and Explosives or ATF, “anyone could buy a kit online and assemble a fully functional gun in minutes — no background check, records, or serial number required,” she said.

California already prohibited the sale of these parts kits, but Atty. Gen. Rob Bonta said the federal ban was needed to enforce a ban on sending these kits through the mail.

Even though California has attempted to curb unserialized guns since at least 2016, he said these weapons accounted for nearly 30% of all guns recovered in the state by the ATF.

Meanwhile, the number of unserialized guns recovered by California law enforcement agencies increased from 167 in 2016 to nearly 12,900 in 2022, a 77-fold increase, the state’s attorney general said.

“This decision is not only a victory for California but for the entire nation,” Bonta said Wednesday. “This federal rule is crucial to keeping ghost guns out of the hands of dangerous individuals and critical to preventing and solving violent, firearm-related crimes.”

The conservative 5th Circuit court in New Orleans was undeterred by the warnings issued by police departments. It struck down the ATF regulation and ruled a “weapon parts kit” is not a firearm, even if it can be assembled into one.

The Supreme Court put the 5th Circuit ruling on hold last year and voted to hear the government’s appeal in the [case of Bondi vs. VanDerStok](#).

*David G. Savage has covered the Supreme Court and legal issues for the Los Angeles Times in the Washington bureau since 1986.*

## John Roberts' Anti-Trans Opinion Is a Garbled Mess. It's Easy to See Why.

By [Mark Joseph Stern](#), Slate

June 18, 2025 4:47 PM

For years, Chief Justice John Roberts was widely considered a brilliant judicial craftsman whose opinions were polished and persuasive even if their conclusions were suspect. That reputation should not survive the chief's opinion in [United States v. Skrametti](#). His decision for the court, handed down on Wednesday, is [an incoherent mess](#) of contradiction and casuistry, a travesty of legal writing that injects immense, gratuitous confusion into the law of equal protection. It is difficult to determine the full impact of Skrametti because it is so strangely constructed—a series of half-arguments and specious assumptions stitched together into one analytic trainwreck.

The garbled result will undoubtedly set back the cause of LGBTQ+ equality and inflict grievous harm on transgender minors. But it also leaves lower courts room to continue defending trans rights, exploiting Roberts' self-defeating sophistry to carve out protections where the majority fails to foreclose them. Skrametti is a setback—but one so confused, so poorly reasoned, that it may ultimately limit its own destructive reach.

It is not hard to guess why Roberts' opinion is so muddled. The chief justice clearly had to hold together a six-justice majority that did not fully agree on its rationale for upholding Tennessee's law. Three justices—Clarence Thomas, Samuel Alito, and Amy Coney Barrett—wanted the court to issue a broad declaration that discrimination against transgender people is not inherently suspect under the Constitution's equal protection clause. These justices also sounded deeply skeptical that anti-trans discrimination is, itself, a form of sex discrimination that runs afoul of equal protection. Such a holding would have had sweeping implications in countless other cases involving transgender people, including challenges to laws that exclude them from bathrooms, sports, and military service. It would have required lower courts to rubber-stamp these exclusions rather than subjecting them to the heightened scrutiny they deserve under the equal protection clause.

The chief justice was not (yet) willing to go that far. Neither, it seems, were Justices Brett Kavanaugh and Neil Gorsuch. For Roberts and Gorsuch, at least, this hesitation makes sense: Just five years ago, both justices [ruled](#) that transgender people are protected against employment discrimination under federal law; that decision acknowledged that it is “impossible” to discriminate against a person for being transgender “without discriminating against that individual based on sex.” To hold together a six-justice majority in Skrametti, then, Roberts presumably needed to argue that Tennessee's law does not discriminate on the basis of sex or transgender status because it does not discriminate against trans people at all.

This approach, however, reduced his opinion to borderline gibberish. The problem is twofold. First, Tennessee did not hide the ball in targeting transgender children on the basis of sex; the Legislature expressly stated that its goal was to make minors “appreciate their sex” by forcing them to live in accordance with it. Second, the law restricts access to specific medical care based on the sex assigned to a patient at birth. A cisgender boy seeking to enhance his male appearance is free to receive testosterone. A transgender boy seeking to enhance his male appearance cannot. Both seek gender-affirming care; only one can access it. The lone distinction is the sex on the child's birth certificate—a quintessential example of sex discrimination.

Roberts attempted to sidestep this problem by claiming that Tennessee's law only discriminates on the basis of age and "medical use." It applies exclusively to minors (for now), and targets only treatments for gender dysphoria. Both classifications are subject to rational basis review, the most deferential kind under the equal protection clause. And so, Roberts ruled, the court need only ask whether the health care ban is "rationally related to a legitimate government interest." He then declared that, under this test, it was "not improper" for Tennessee "to conclude that kids benefit from additional time to 'appreciate their sex' before embarking on body-altering paths."

This analysis is entirely backward. Roberts first asserts that the law does not discriminate on the basis of sex, allowing it to evade heightened scrutiny. Then, having settled upon a deferential standard of review, he dismisses the law's overt discrimination on the basis of sex as constitutionally unproblematic. These two lines of logic cannot be reconciled. Surely a regulation that instructs girls to be girls (and boys to be boys) by compelling both genders to "appreciate" their sex classifies children based on their sex. The law is impossible to enforce without taking sex into account. And that classification should trigger heightened scrutiny at the outset. Yet Roberts ignores this sex-based classification at the outset, pretends the law is sex-neutral, then writes off its most overtly discriminatory provision by applying relaxed scrutiny. That's simply not how the law of equal protection operates.

The deeper flaw, though, is Roberts' initial insistence that Tennessee's law can be transformed from a sex-based imposition of gender stereotypes to a sex-neutral regulation of medicine with judicial wordplay. He claimed that the ban restricts the use of puberty blockers and cross-sex hormones to treat a specific condition, gender dysphoria, that both genders can experience. Boys and girls alike, he wrote, can suffer from this condition, and Tennessee bars them all from accessing the treatment they seek. "The application of that prohibition does not turn on sex," the chief justice concluded, so the law does not merit heightened scrutiny under the equal protection clause as a form of sex discrimination.

There are so many infirmities in this reasoning that it's hard to know where to start. For instance, as Ian Millhiser [has noted](#), laws can draw lines based on multiple classifications. Tennessee's law may target age and "medical use," but it also zeroes in on sex, and that focus should trigger heightened scrutiny. (Indeed, the Supreme Court [has held](#) that a state's offering of ostensibly sex-neutral justifications cannot defeat lurking considerations of sex.)

Perhaps the most alarming defect in Roberts' logic, though, is its revival of the discredited "separate but equal" doctrine that SCOTUS previously used to justify Jim Crow laws. In decisions like [Plessy v. Ferguson](#), the court upheld racial segregation on the grounds that both races were treated equally: Black kids could not go to school with white children, but white kids could not attend school with Black children, either. SCOTUS, of course, repudiated "separate but equal" in [Brown v. Board of Education](#). It did so again in 1967's *Loving v. Virginia*, which overturned Virginia's ban on interracial marriage. Virginia [argued](#) that it could ban "miscegenation" because it limited the freedom of white and Black residents "equally." The Supreme Court shot down that argument, holding that any classification automatically triggered heightened scrutiny, which the state's ban could not survive.

SCOTUS has also rejected "separate but equal" [in the context of sex discrimination](#). Yet Roberts brought it back in *Skrmetti*, giving states leeway to discriminate on the basis of sex as long as they pretend they are discriminating "equally" against both genders. Is this actually the new law of sex discrimination? Is it a bespoke exception from the rule, one the chief justice used to cobble together a majority that, behind the scenes, disagreed about major aspects of the case? Or is it the majority's way of hobbling

constitutional challenges to anti-trans laws without admitting that it must kneecap bedrock principles of equal protection?

We will not know for sure until SCOTUS revisits the issue and tries to make some sense out of Wednesday's hash. For now, one thing is certain: To carry Skrametti over the finish line, Roberts abandoned coherence and candor in favor of a crude exercise in outcome-oriented reasoning. His decision is not the work of a careful judicial minimalist, but of a justice willing to distort basic equal protection doctrine to upend the lives of transgender children without offering a good reason why. It's hard to imagine that this opinion will survive contact with progressive lower courts eager to take advantage of its many gaps and loopholes. Skrametti's brittle logic may be just enough for red states desperate for permission to persecute transgender children. But its evasions, misdirections, and sheer intellectual dishonesty are unlikely to stand the test of time.



## Supreme Court eases rapid deportations to countries where immigrants have no ties

By [Josh Gerstein](#) and [Kyle Cheney](#), POLITICO

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The high court's majority offered no explanation for its ruling.

The Supreme Court on Monday cleared the way for the Trump administration to swiftly deport foreigners to countries where they have no previous ties.

The justices lifted an order from a federal judge in Boston who had placed restrictions on the deportations to those countries. U.S. District Judge Brian Murphy had issued a nationwide injunction that required the administration to give immigrants "meaningful" advance notice and a chance to raise objections before they are sent to so-called third countries — nations not specified in their original deportation orders. But the Supreme Court granted the Trump administration's emergency request to put Murphy's injunction on hold.

"Fire up the deportation planes," Tricia McLaughlin, a spokeswoman for the Department of Homeland Security, said in a statement celebrating the ruling.

The high court's majority offered no explanation for [its ruling](#), but all three of the court's liberal justices dissented. Writing for the liberals, Justice Sonia Sotomayor called the ruling an "abuse" of the court's power that amounted to "rewarding lawlessness" on the part of the administration. And lawyers for the immigrants who had relied on protection from the courts said the ruling would make them "vulnerable to torture or death" in dangerous countries.

The high court's action grants officials added flexibility to carry out President Donald Trump's mass deportation plans, particularly in cases involving countries that resist taking back their own citizens when they are ordered deported from the U.S. The justices' ruling came in a case that produced explosive controversies over the Trump administration's attempts to deport some immigrants with criminal records to [Libya](#) and [South Sudan](#).

Despite the ruling, Murphy and other judges could continue to block third-country deportations in individual cases. The Supreme Court's action could even trigger a flood of individual lawsuits on behalf of immigrants who fear the possibility they'll be deported to a country not raised as a potential destination during their immigration hearings.

It could also prompt immigrants facing deportation to lodge more sweeping claims of "credible fear" from countries they have no connections to but are known as hotbeds of human rights abuses and mistreatment of foreigners. Under U.S. law and the United Nations Convention Against Torture, people cannot be deported to countries if they can show they are likely to face torture there.

The legal battle over third-country deportations had already produced several high-profile showdowns between the Trump administration and Murphy, who issued a temporary restraining order imposing the restrictions nationwide in March after several immigrants sued over abrupt changes to their deportation destinations. The Biden-appointed judge followed up a few weeks later with a longer-lasting preliminary injunction.

Despite Murphy's directives, the Trump administration attempted to deport seven men to South Sudan last month even though they are not from that country. Lawyers complained to the judge that the deportees were told only the night before they were put on a plane and that their clients had no information about the war-torn country or conditions there.

Murphy threatened to hold officials in criminal contempt over the move, halting the deportation flight during a stopover at a U.S. military base in Djibouti, a country in the Horn of Africa.

Trump administration officials called a press conference to denounce Murphy and later [falsely accused](#) the judge of trapping U.S. Immigration & Customs Enforcement officers in dangerous conditions with the deportees, all of whom have criminal records in the United States.

However, when the judge halted the deportation to South Sudan, he made clear that the Trump administration could bring the immigrants back to the U.S. to give them the notice he required and the chance to consult with their attorneys. In fact, the government asked Murphy for the flexibility to carry out that process in Djibouti instead of returning the men to the U.S.

Within hours of the Supreme Court's ruling Monday, lawyers for the men being held in Djibouti [filed a motion](#) with Murphy asking him to continue to block their deportation to South Sudan and to now require that the men be brought back to the U.S. Advocates for the men argued that the high court's decision to suspend Murphy's nationwide injunction doesn't undercut his ability to protect specific deportees or to rectify the administration's alleged violations of his earlier orders.

A short time later, Murphy denied the request for a new order, but said he considered it "unnecessary" because the men are already protected by one of his rulings last month that he said is unaffected by the Supreme Court's action.

Days before the showdown over the attempted deportations to South Sudan last month, Murphy's directives and a stern warning he issued to the government to comply appeared to have forced the administration to scuttle plans to send some migrants to Libya.

Murphy also required the Trump administration to [bring a Guatemalan man back to the U.S.](#) from that country after the judge concluded the man was deported to Mexico in violation of the court's order.

In an embarrassing episode, Justice Department lawyers initially told the court that the man, identified in court filings by his initials O.C.G., was asked by immigration officers if he had any concerns about being sent to Mexico and he expressed none. But when the attorneys reached out to the officers who actually handled O.C.G.'s deportation, they said they'd never discussed that issue with him.

The administration [quietly arranged the man's return to the U.S.](#) earlier this month.

# What Is Birthright Citizenship and Could the Supreme Court End It?

Article by [Diana Roy](#)

Last updated June 27, 2025 12:45 pm (EST)

The Trump administration's efforts to nullify birthright citizenship for millions of U.S.-born children could overturn a nearly 160-year legal precedent.

Protestors rally outside the Supreme Court on May 15, the day it is scheduled to hear oral arguments over President Donald Trump's efforts to restrict birthright citizenship. Nathan Howard/Reuters

The United States is one of a few dozen countries that guarantees citizenship to any individual born within its territory—a policy that has been in place since Congress ratified the Fourteenth Amendment in 1868. But efforts to end the practice have increased as critics say it encourages unauthorized migration.

On President Donald Trump's first day in office, he issued an executive order seeking to redefine the interpretation of the Fourteenth Amendment's Citizenship Clause. The order triggered multiple legal challenges and nationwide injunctions. The administration appealed, and on June 27, the Supreme Court ruled that individual judges lack the authority to issue nationwide injunctions blocking federal policies. The court's decision, however, leaves the future of birthright citizenship uncertain.

## What is birthright citizenship?

Section 1 of the [Fourteenth Amendment](#) of the U.S. Constitution, adopted in 1868, grants citizenship to "all persons born or naturalized in the United States, and subject to the jurisdiction thereof." There are few exceptions, including children born to foreign diplomats as well as those born in [American Samoa](#), where they are instead considered U.S. nationals. (This distinction prevents them from enjoying the same full rights as citizens, such as voting and running for office.) The concept dates back centuries and draws on the English common law principle of *jus soli* ("right of soil"), which grants automatic citizenship to anyone born in a country's territory regardless of their parents' nationality. The United States also extends citizenship to children born to U.S. citizens irrespective of their place of birth, also known as *jus sanguinis* ("right of blood").

Birthright citizenship was [intended to repeal](#) the Supreme Court's 1857 *Dred Scott v. Sandford* decision, in which it ruled that Black people, free or enslaved, were not U.S. citizens but rather "a separate class of persons." The Court later affirmed the principle of birthright citizenship in the 1898 case [U.S. v. Wong Kim Ark](#), which clarified that children born within the United States or its possessions—even to noncitizens—are U.S. citizens. (The Indian Citizenship Act of 1924 separately granted citizenship to all Native Americans born in the United States.)

The concept of birthright citizenship is distinct from naturalization. The latter refers to a process by which a noncitizen can apply for citizenship after meeting specific requirements. These include proving a continuous residence in the country for a certain period of time, passing a civics test, and demonstrating basic English proficiency. In fiscal year 2024, [818,500 people](#) became naturalized U.S. citizens, according to U.S. Citizenship and Immigration Services; this figure was higher than the annual average of 730,100 between 2010 and 2019.

## What's the debate over birthright citizenship?

Political opposition to birthright citizenship has increased in the United States over the past few decades—and has only grown since Trump’s first term when he pledged to end the practice. His second term began with a widespread crackdown on unauthorized immigration and sweeping moves to roll back legal pathways for immigration. Critics of the current approach argue that Section 1 of the Fourteenth Amendment has [long been misinterpreted](#) and that the original intention of the phrase “subject to the jurisdiction thereof” was not meant to apply to children born to parents who are only temporarily living in the United States or are not U.S. citizens.

Other opponents say that the practice incentivizes so-called [birth tourism](#) [PDF], which is when foreign expecting mothers intentionally travel to the United States to give birth to obtain U.S. citizenship for their child. In 2020, the U.S. State Department amended some of its regulations to try to restrict instances of birth tourism for category B nonimmigrant visas, which allow temporary entry into the United States for business, tourism, or pleasure. That same year, the Center for Immigration Studies estimated that about [thirty-three thousand births](#) each year are linked to women on tourist visas, a figure that the think tank Niskanen Center suggested [was exaggerated](#).

Most legal observers, however, say that the Fourteenth Amendment explicitly endorses *jus soli* citizenship—pointing to the practice’s longstanding legal precedent—and that repealing it would “[create a self-perpetuating class](#) that would be excluded from social membership for generations.” In a January 2025 poll by the Associated Press-NORC Center for Public Affairs Research, [51 percent](#) of respondents said they “somewhat or strongly oppose” changing the Constitution so that children born to parents who are in the United States without authorization are not automatically granted citizenship, compared to 28 percent who “somewhat or strongly favor” doing so.

And ending birthright citizenship would not necessarily curtail unauthorized migration, experts say. In fact, it could increase the population of unauthorized immigrants by an estimated 2.7 million by 2045, according to a [joint analysis](#) between the Migration Policy Institute and Pennsylvania State University’s Population Research Institute. Ending the practice could also limit the number of available legal pathways to U.S. residence; currently, U.S. citizen children must be at least twenty-one years old to sponsor their parents for legal permanent residency—an option that could disappear without that child’s citizenship status.

### **How many countries have birthright citizenship?**

The United States is one of just [thirty-eight countries](#)—the majority of which are in the Americas, including Brazil, Canada, and Mexico—that explicitly grant *jus soli* citizenship to anyone born there. In contrast, African, Asian, and European countries generally recognize *jus sanguinis* as a basis for citizenship, although the specific criteria and requirements vary among countries. Irish citizenship, for example, can be obtained through direct descent even if an individual’s parents were not born in the country.

### **Can Trump unilaterally repeal birthright citizenship?**

No. Although presidents can influence immigration law and policy, repealing birthright citizenship would require a constitutional amendment, the most recent of which was the Twenty-Seventh Amendment that was ratified in 1992. Congress could pass an amendment, but it would need the consent of two-thirds of Congress and then ratification by at least thirty-eight states.

However, Trump's attempt to crack down on immigration and narrow who is considered a U.S. citizen at birth is not a new effort: Previous legislative efforts have [sought to do so](#), although they failed to advance in Congress. Several federal judges found Trump's [executive order](#) to be inconsistent with the Supreme Court's longstanding interpretation of the Fourteenth Amendment's Citizenship Clause and have blocked its implementation. Meanwhile, nearly two dozen states, including Connecticut and New Jersey, as well as civil and immigrant rights' advocates have filed lawsuits challenging the order's constitutionality.

In June 2025, the Supreme Court granted a request by the Trump administration to [narrow the scope](#) of three nationwide injunctions that were issued in response to his executive order. The court ruled that the injunctions should only apply to the individuals, groups, or states who sued. Experts, however, say the ruling leaves the future of the policy unclear.

## **Supreme Court to hear cases on veterans' benefits, pet food and visas next term**

By [Justin Jovenal](#), The Washington Post

April 29, 2024

The Supreme Court on Monday added cases to its calendar for the term beginning in October that deal with veterans' benefits, civil liability, immigration visas and pet food consumed by a dog named Clinton and a cat named Sassie.

In a case that could have significant implications for those who serve in the military, the Supreme Court will weigh a matter involving two veterans who argue they were improperly denied medical benefits for treatment of post-traumatic stress disorder related to their service.

Joshua Bufkin, who served in the Air Force from 2005 to 2006, and Norman Thornton, who served in the Army on active duty from 1988 to 1991, say they should get care under a benefit-of-the-doubt rule that requires the Department of Veterans Affairs to provide access to treatment when it is a close call whether the applicant qualifies. Both cases had evidence for and against them receiving benefits.

The U.S. Court of Appeals for Veterans Claims denied their appeal for benefits, saying there was no error in applying the benefit-of-the-doubt rule.

When that decision was reviewed by the U.S. Circuit Court of Appeals for the Federal Circuit, the plaintiffs said the Court of Appeals ignored a 2002 law bolstering the veterans' claims court "enforcement of the benefit-of-the-doubt rule" that could have cleared the way for them to get care. The Supreme Court will review the Court of Appeals interpretation of the 2002 law.

In a second case, the high court will parse the scope of a federal law that allows plaintiffs to recover civil damages when they suffer economic harm.

Commercial truck driver Douglas J. Horn sued the manufacturer of a hemp-derived CBD product, which he took for pain, after he was fired from his job for testing positive for THC, the active ingredient in marijuana. Horn claims the company marketed its product as THC-free.

Horn sued in federal court under the Racketeer Influenced and Corrupt Organizations Act, which allows someone injured in his "business or property" by racketeering activity to recover triple damages.

A district court found Horn did not have the standing to bring the case because the harm derived from a personal injury. The Court of Appeals for the 2nd Circuit reversed that ruling, finding the plaintiff could bring suit under RICO for economic harms that result from personal injury. Other courts have also split on that point.

The company, Medical Marijuana Inc., petitioned the high court for review. The justices will decide whether economic harms such as lost wages and medical expenses that arise from personal injuries are subject to RICO suits.

The Supreme Court will also determine whether a lawsuit over pet food properly belongs in state or federal court. The owner of a dog named Clinton and a cat named Sassie filed a class-action lawsuit against two pet food manufacturers in Missouri, claiming they paid a premium for food that was misleadingly labeled prescription.

Royal Canin and Purina have argued the case implicates federal law so it should be moved from state to federal court, but after extensive legal wrangling the Court of Appeals for the Eighth Circuit determined that the proper venue was the state courts. The pet food manufacturers asked the Supreme Court to review that ruling, saying the Eighth Circuit strayed from precedent in remanding the case.

In the final case, the high court will decide whether to reverse a decision by the 11th Circuit of Appeals that found federal courts do not have the authority to review immigration authorities' decisions to revoke a visa under certain circumstances.

A woman who sponsored her noncitizen husband for the visa sought the review. Federal officials granted the man a visa in 2015 but revoked it after discovering that he is alleged to have previously entered into a sham marriage for immigration purposes.

The 11th Circuit found that immigration authorities' decision was discretionary and that federal law blocked federal courts from reviewing visa decisions in such cases.

Also Monday, the Supreme Court denied a petition by former Trump aide Peter Navarro, who was seeking release from prison pending his appeal of a [conviction for contempt of Congress](#). He is serving a four-month sentence.

The cases are *Medical Marijuana, Inc., et al. v. Bouarfa*; *Amina v. Mayorkas*; *Royal Canin U.S.A. v. Wullschleger*; and *Bufkin v. McDonough*.