

5th Circuit to Meet at Law School

January 29, 2010 12:45 PM Kathryn Hobgood

khobgood@tulane.edu

The 5th U.S. Circuit Court of Appeals will hold arguments at Tulane Law School on Tuesday (Feb. 2) in Room 110 of Weinmann Hall on the uptown campus.

Law students will be able to hear the arguments, which will begin at 9 a.m. and will end at 11 a.m. Overflow for the event will be in Room 257.

After the arguments, several of the judges' law clerks will stay in Room 110 to answer questions from students about the application process for clerkships and the duties of an appellate law clerk.

The 5th Circuit, which decides appeals from lower federal courts in Texas, Louisiana and Mississippi, holds most hearings at its 600 Camp St. headquarters in New Orleans but convenes two to three times a year in cities outside New Orleans and at least once annually at a law school. The arguments presented on Feb. 2 will be:

â€¢ *Siegfried v. Greer* (Habeas): Does a criminal defense attorney representing a man accused of committing homosexual sexual battery render ineffective assistance of counsel by failing to dismiss a juror who claims to be biased against homosexuals? While the district court found that the convict filing this habeas corpus action was not denied effective assistance of counsel at trial, the 5th Circuit will reconsider the issue at oral argument.

â€¢ *United States of America v. Casita Enterprises, Inc. and Dexter Axle Co.*: On June 30, 2002, a fire broke out in the Ashley National Forest in northeastern Utah, consuming 20,000 acres of forest. The U.S. spent \$3.4 million suppressing the fire and rehabilitating the charred lands. The U.S. filed suit against Casita Enterprises and, later, Dexter Axle Co. to recover its expenditures. In its complaint, the U.S. alleged that a faulty axle, manufactured by Dexter Axle and installed on a trailer manufactured and sold by Casita, had caused the fire. The case has seen several rounds of appeals.

â Wampler v. Southwestern Bell Telephone Company: Can an apartment complex constitute a geographic region? The plaintiffs in this antitrust case seek to persuade the Fifth Circuit that it can.