



Public Information Office United States Courts for the Ninth Circuit

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NEWS RELEASE

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Ninth Circuit Court of Appeals to Offer Remote Viewing of En Banc Proceedings

SAN FRANCISCO – The United States Court of Appeals for the Ninth Circuit will again provide for remote viewing of its *en banc* court proceedings, which are next scheduled for Tuesday-Wednesday, June 22-23, 2010, at the Richard H. Chambers U.S. Courthouse, 125 South Grand Ave., Pasadena, California.

En banc courts, which consist of 11 judges rather than the normal three-judge appellate panel, are used to resolve intra-circuit case conflicts and legal questions deemed by the court to be of exceptional importance. Less than 20 cases per year typically receive *en banc* review.

The three cases on the docket in Pasadena involve the qualified immunity of local government officials to a lawsuit brought by a man arrested after making a Nazi salute at a public meeting; whether a mobile home park rent control ordinance constitutes a government taking without compensation; and a due process issue related to immigration and deportation procedures. Additional case information and hearing dates and times are provided below.

A live video and audio feed from the proceedings at the Pasadena courthouse will be delivered via electronically secure means to the following Ninth Circuit courthouses:

**James R. Browning
U.S. Courthouse
95 Seventh St.
San Francisco, California
Courtroom One, 3rd Floor**

**U.S. Pioneer Courthouse
700 S.W. Sixth Avenue
Portland, Oregon
Pioneer Courtroom**

**William K. Nakamura
U.S. Courthouse
1010 Fifth Avenue
Seattle, Washington
Courtroom One, 8th Floor**

Public access to the remote viewing locations will be on a first-come-first-served basis. No photographs or recording/transmission of the audio and video displayed at the remote viewing locations will be allowed. Proper decorum is expected.

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**NINTH CIRCUIT EN BANC COURTS
PASADENA, CALIFORNIA
JUNE 22-23, 2010**

June 22 10:00 a.m. Courtroom 3

Norse v. City of Santa Cruz, 07-15814

Plaintiff Robert Norse appeals the district court's grant of summary judgment dismissing his suit alleging that city officials violated Norse's constitutional rights in connection with his arrest during a City Council meeting after he made a Nazi salute. The U.S. District Court for the Northern District of California determined that defendant city officials were entitled to qualified immunity.

June 22 2:00 p.m. Courtroom 3

Guggenheim v. City of Goleta, 06-56306

Plaintiff mobile home park owners appeal the district court's grant of summary judgment dismissing a suit challenging the constitutionality of the city's mobile home park rent control ordinance. Plaintiffs challenge the legal analysis of their takings claims by the U.S. District Court for the Central District of California. Seventeen "friend of the court" briefs have been filed in the case by governmental associations, groups representing mobile home park owners and residents, makers of manufactured housing and others.

June 23 2:00 p.m. Courtroom 3

United States v. Lopez-Velasquez, 07-30241

The government appeals the dismissal of an indictment for illegal reentry after deportation. The U.S. District Court for the District of Oregon dismissed the indictment after concluding that the due process clause required the immigration judge to notify a defendant of the possibility of becoming eligible for immigration relief. In a prior deportation proceeding, the defendant was not informed that if he administratively appealed, his period of lawful domicile would continue to accrue for purposes of the seven-year requirement for a discretionary waiver of deportation under a former section of the Immigration and Nationality Act.

The Ninth Circuit Court of Appeals hears appeals of cases decided by executive branch agencies and federal trial courts in nine western states and two Pacific Island jurisdictions. The court normally meets monthly in Seattle, Washington, San Francisco, California, and Pasadena, California; every other month in Portland, Oregon; three times per year in Honolulu, Hawaii; and once a year in Anchorage, Alaska. A complete schedule of cases is available online at <http://www.ca9.uscourts.gov>.