

UNITED STATES SUPREME COURT: Review and Preview

Jeff Welty & Joseph L. Hyde

October 30, 2025

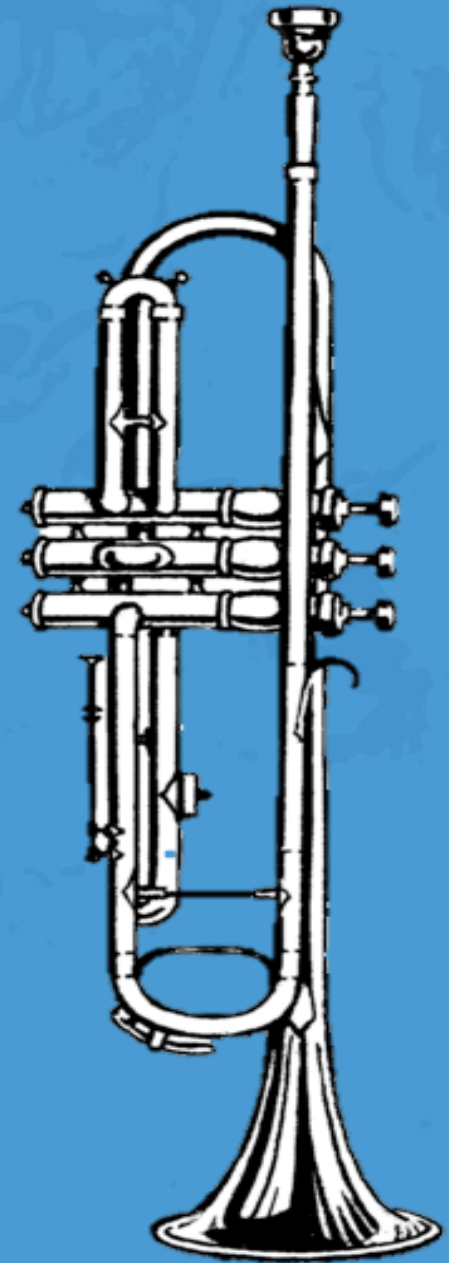
ROADMAP

- I. Glossip v. Oklahoma
- II. United States v. Skrmetti & Mahoud v. Taylor
- III. Barnes v. Felix
- IV. Free Speech Coalition v. Paxton
- V. Bondi v. VanDerStock
- VI. Trump v. CASA, Inc.
- VII. Preview of Upcoming Cases

GLOSSIP V. OKLAHOMA

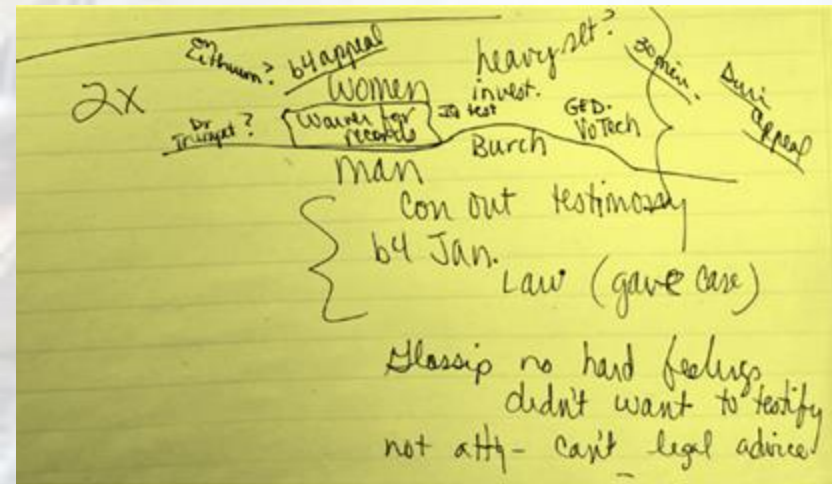
UNITED STATES SUPREME COURT: REVIEW AND PREVIEW

UNC SCHOOL OF GOVERNMENT



GLOSSIP v. OKLAHOMA, 604 U.S. 226 (2025).

UNITED STATES SUPREME COURT REVIEW



- A conviction knowingly obtained through the use of false evidence violates the Fourteenth Amendment's Due Process Clause. **Napue v. Illinois**, 360 U.S. 264, 269 (1959).
- Here, the prosecution's key witness Justin Sneed testified falsely, and the prosecutor knowingly failed to correct it.
- Prosecution's failure to correct Sneed's testimony violated Due Process Clause, and Glossip is entitled to a new trial.

UNITED STATES v. SKRMETTI & MAHMOUD v. TAYLOR

UNITED STATES SUPREME COURT: REVIEW AND PREVIEW

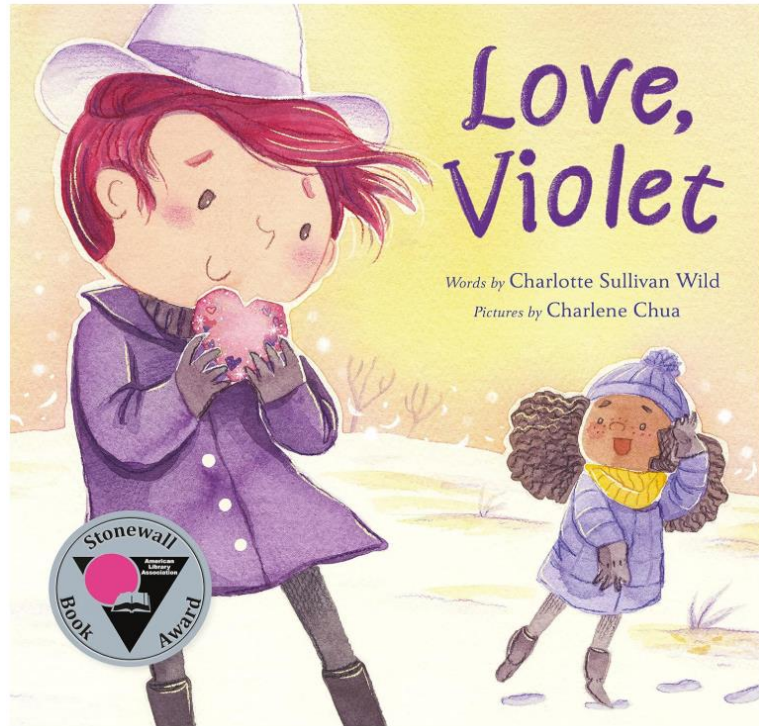
UNITED STATES v. SKRMETTI, 145 S.Ct. 1816 (2025).

UNITED STATES SUPREME COURT REVIEW

- Tennessee prohibited doctors from prescribing puberty blockers/hormones to minors for the purposes of supporting a gender transition or treating “discomfort or distress from a discordance between the minor’s biological sex and asserted identity.”
- Chief Justice Roberts for a six-Justice majority: No equal protection problem. The law discriminates based on age, not sex, so rational basis is the standard of review. There is (contested) evidence that the treatments in question can cause “irreversible sterility, increased risk of disease and illness, and adverse psychological consequences,” and that minors don’t necessarily weigh those risks adequately and may later regret their treatment choices.

MAHMOUD v. TAYLOR, 145 S.Ct. 2332 (2025).

UNITED STATES SUPREME COURT REVIEW

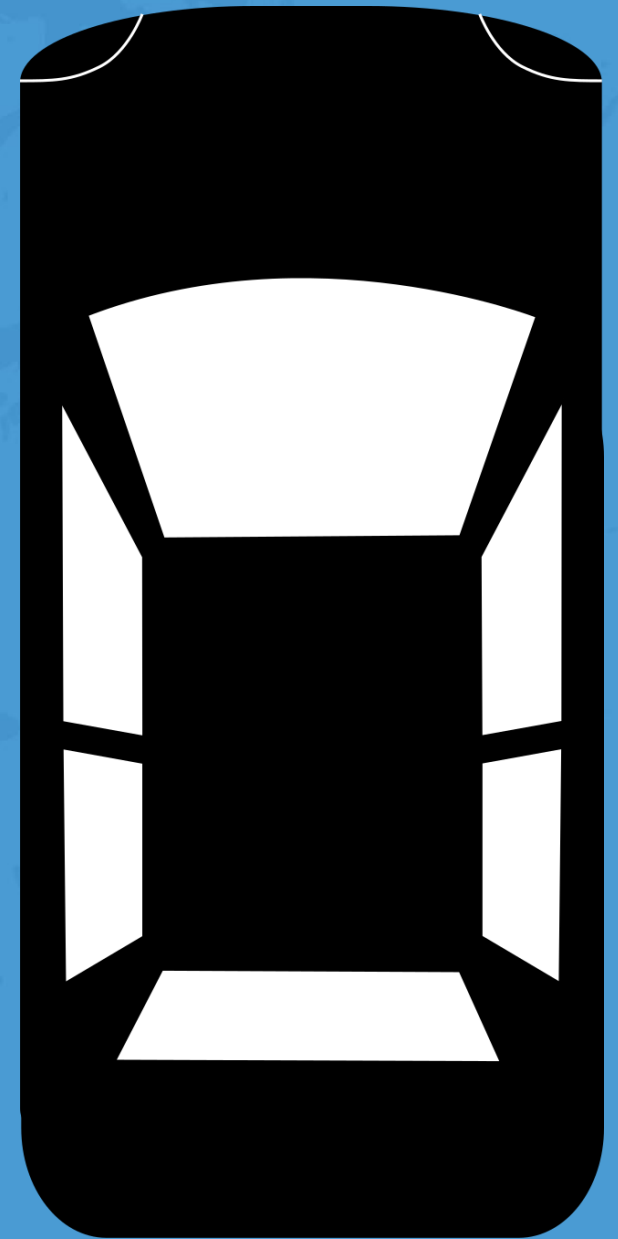


- Montgomery County, Maryland introduced “LGBTQ+-inclusive texts into the public school curriculum,” including for elementary school children.
- Justice Alito for a six-Justice majority: Not giving parents the opportunity to opt out violates the Free Exercise Clause as mandatory exposure to the texts “substantially interferes with the religious development of petitioners’ children.”

BARNES v. FELIX

UNITED STATES SUPREME COURT: REVIEW AND PREVIEW

UNC SCHOOL OF GOVERNMENT



BARNES v. FELIX, 605 U.S. 73 (2025).

UNITED STATES SUPREME COURT REVIEW



- To assess whether an officer acted reasonably in using force, a court must consider the **totality of the circumstances**, including the facts and events leading up to the climactic moment.
- SCOTUS rejected Fifth Circuit's moment-of-threat rule as improperly narrowing the requisite Fourth Amendment analysis.
- Here, lower courts erred by applying the moment-of-threat rule and granting summary judgment to the law enforcement officer.

FREE SPEECH COALITION v. PAXTON

UNITED STATES SUPREME COURT: REVIEW AND PREVIEW

UNC SCHOOL OF GOVERNMENT

FREE SPEECH COALITION v. PAXTON, 606 U.S. 461 (2025).

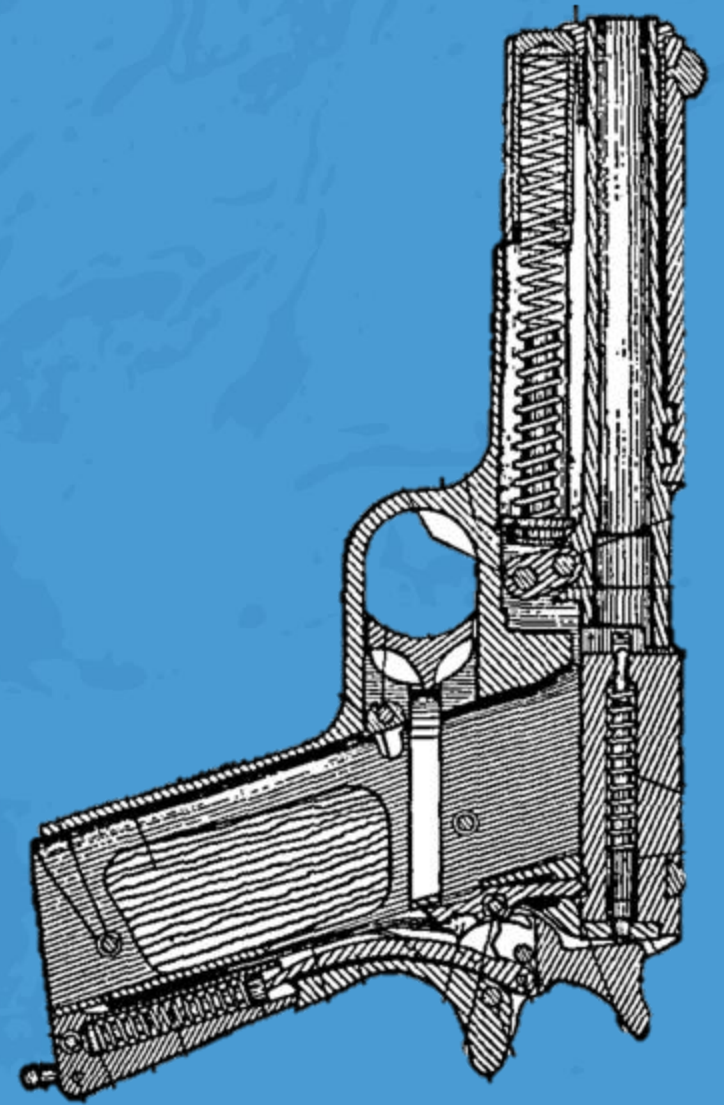
UNITED STATES SUPREME COURT REVIEW



- Texas passed a law requiring “certain commercial websites that publish sexually explicit content to verify the ages of their visitors.”
- Justice Thomas for a six-Justice majority: No First Amendment violation. As to kids, the material is obscene and unprotected. As to adults, the burden on protected speech is only “incidental.” Intermediate scrutiny applies and the state’s interest in keeping kids away from porn justifies the law.

BONDI v. VANDERSTOCK

UNITED STATES SUPREME COURT: REVIEW AND PREVIEW



BONDI v. VANDERSTOCK, 604 U.S. 458 (2025).

UNITED STATES SUPREME COURT REVIEW



- Gun Control Act (GCA) applies to “**firearms**,” defined to include:
(A) any weapon that will expel a projectile by explosive action, and
(B) the frame or receiver of any such weapon.
- First definition encompasses some weapons parts kits, and second definition encompasses unfinished frames or receivers.
- Hence, the GCA embraces, and thus permits ATF to regulate, some weapon parts kits and unfinished frames or receivers (‘ghost guns’).

TRUMP v. CASA, INC.

UNITED STATES SUPREME COURT: REVIEW AND PREVIEW

TRUMP v. CASA, INC.

UNITED STATES SUPREME COURT REVIEW

- President Trump issued an executive order stating that certain individuals born in the U.S. are not U.S. citizens, e.g., when the individual's mother was unlawfully present in the U.S. and the person's father was not a citizen.
- Three separate district courts found the order to violate the Fourteenth Amendment and issued nationwide, universal injunctions against its enforcement.
- Justice Barrett for a six-Justice majority: District courts lack the authority to issue universal injunctions that apply beyond the parties before them. The Judiciary Act of 1879 is the source of courts' equitable authority. It allows courts to grant only the kinds of equitable relief that judges could provide at common law, and no form of equitable relief available at the founding was analogous to the universal injunctions granted by the three district courts.

PREVIEW OF UPCOMING CASES

UNITED STATES SUPREME COURT: REVIEW AND PREVIEW

VILLAREAL v. TEXAS, No. 24-557

UNITED STATES SUPREME COURT PREVIEW

- When a defendant becomes a witness, he has no right to consult with counsel **while testifying**.
- Here, trial judge instructed defense counsel not to confer with defendant about ongoing testimony during overnight recess.
- Texas courts found no violation of the defendant's Sixth Amendment right to counsel.



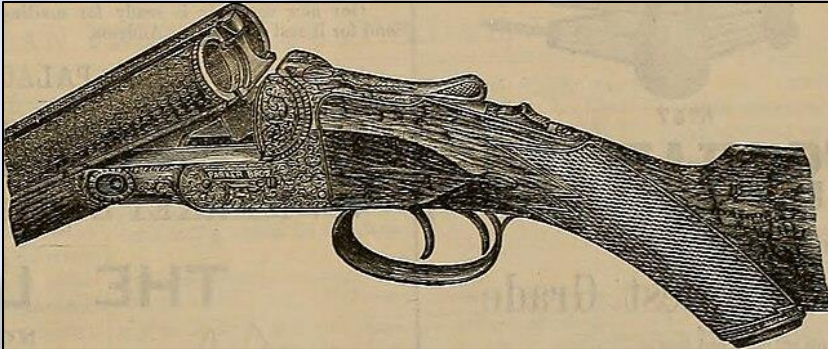
CHILES v. SALAZAR

UNITED STATES SUPREME COURT PREVIEW

- Colorado passed a law prohibiting licensed therapists from engaging in “conversion therapy” with minors. It defines conversion therapy as therapy that “attempts or purports to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attraction or feelings toward individuals of the same sex.”
- Does this violate therapists’ First Amendment rights? Or does it regulate treatment, not speech? The lower courts thought the latter. SCOTUS heard argument on October 7, 2025.

BARRETT v. UNITED STATES, No. 24-5774

UNITED STATES SUPREME COURT PREVIEW



- Section 924(c) prohibits the possession, carrying, or use of a firearm to advance a federal crime of violence.
- Section 924(j) applies when a violation of Section 924(c) causes the death of a person through the use of a firearm.
- Does the **Double Jeopardy Clause** permit two sentences for an act that violates 18 U.S.C. § 924(c) and § 924(j)?

LOUISIANA v. CALLAIS

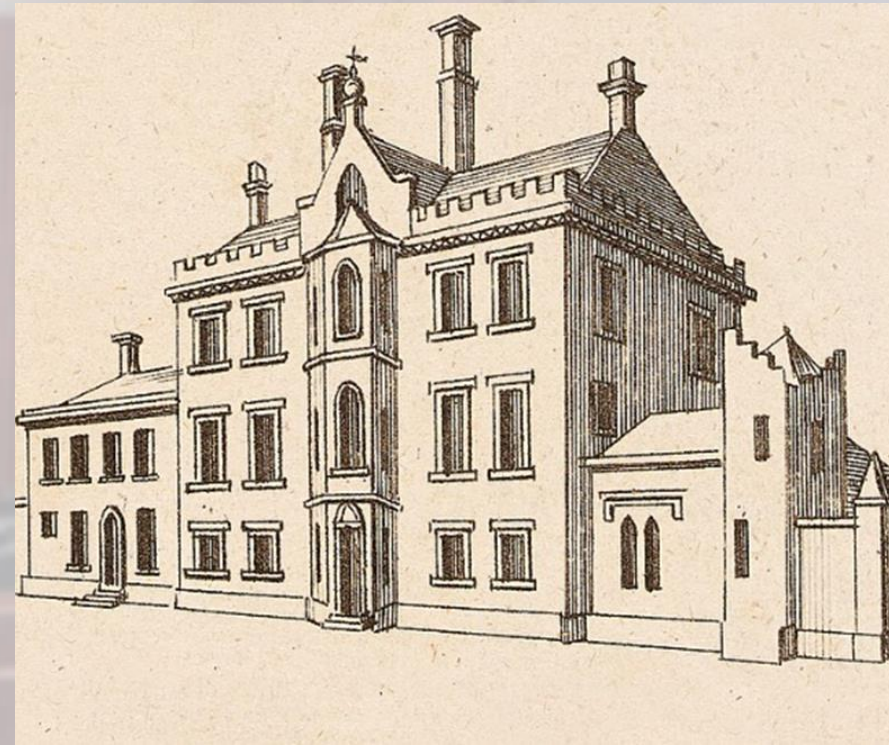
UNITED STATES SUPREME COURT PREVIEW

- After the 2020 census, Louisiana drew congressional district maps that provided one majority-Black district out of six. Black voters sued under the Voting Rights Act, contending that the maps unlawfully diluted their voting power.
- They won, and Louisiana drew new maps providing for two majority-Black districts. Did such race-conscious redistricting violate the Equal Protection Clause? A three-judge district court thought so.
- The Supreme Court heard argument twice, most recently on October 15, 2025.

CASE v. MONTANA, No. 24-624

UNITED STATES SUPREME COURT PREVIEW

- Warrantless entry into a home is presumptively unreasonable, with only a few well-recognized exceptions.
- Here, law enforcement officers entered the defendant's home to render assistance after his threat of suicide.
- Montana courts upheld the lawfulness of the warrantless entry under the **community caretaking exception**.



Cases That Haven't Been Argued Yet (If Time)

UNITED STATES SUPREME COURT PREVIEW

- Little v. Hecox and West Virginia v. B.P.J. (transgender athletes)
- Trump v. Slaughter (removal of FTC Commissioner)
- Learning Resources, Inc. v. Trump (tariffs)
- United States v. Hemani (Second Amendment rights of individuals who use drugs)



Jeff Welty
Professor
919-445-1082
welty@sog.unc.edu

Joseph L. Hyde
Assistant Professor
919-966-4117
jhyde@sog.unc.edu