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**Department of Justice  
Afternoon News Digest  
March 5, 2020  
04:00 PM EST**

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**AFTERNOON HEADLINES**

- "Scale of outbreak in U.S. remains uncertain" [[WaPo](#), [NYT](#), [WSJ](#), [LAT](#)]
- "Stocks Tumble on Coronavirus Fears: Live Market Updates" [[NYT](#), [WSJ](#)]
- "Elizabeth Warren, Once a Front-Runner, Drops Out of Presidential Race" [[NYT](#), [WaPo](#), [WSJ](#), [LAT](#)]

**US DEPARTMENT OF JUSTICE NEWS**

**Politico: "Barr turns up the heat on tech companies and child exploitation," Alexandra S. Levine, March 05, 2020, 10:00 AM**

Barr is poised to make an announcement today — backed by leaders from Australia, Canada, New Zealand and the U.K. — on the Justice Department's efforts to address child sexual abuse online. What to expect: Officials are set to unveil "a set of 11 'voluntary principles' that target child sexual exploitation," The Washington Post reported earlier this week. "The proposal — crafted with the industry's aid, and backed by leaders of five countries — calls on tech companies to ensure search,

social-networking, video streaming and chat tools aren't havens for child predators." [[Continue Reading](#)] **See also:** [Axios](#), [CNBC](#), [The Hill](#), [Washington Times](#)

**WFXT-FOX (Boston, MA): "DOJ: FBI's efforts to identify homegrown violent extremists were not as successful as expected," John Monahan, March 05, 2020, 12:35 AM**

A new report from the U.S. Department of Justice found efforts from the Federal Bureau of Investigation to properly identify homegrown violent extremists through counterterrorism fell short. In the report, officials remark attacks on U.S. soil were led by individuals who had previously presented behavior that led them to be assessed or investigated - and yet, they were still able to carry out devastating attacks. DOJ Inspector General Michael Horowitz points out they "found at least 6 attacks committed in the US by individuals who the FBI had previously assessed or investigated." [[Continue Reading](#)]

**West Virginia Metro News (Charleston, WV): "Huntington mayor to speak at National Opioid Summit," Shauna Johnson, March 05, 2020, 11:15 AM**

The mayor of Huntington is one of the speakers for the U.S. Department of Justice's 2020 National Opioid Summit which was scheduled to wrap up Friday in Washington, D.C. "I'm going to talk about the partnership that I have with the U.S. attorney and with the federal apparatus — FBI, ATF, DEA, the U.S. Marshal Service — and how we've come together," Mayor Steve Williams said. His appearance as part of a panel focused on "Winning the Fight" was coordinated through the office of Mike Stuart, U.S. attorney for West Virginia's Southern District. Also on the speaker list for Friday was William Barr, U.S. attorney general. [[Continue Reading](#)]

## **FEDERAL LAW ENFORCEMENT AGENCIES**

**Idaho Statesman (Boise, ID): "Did you see Lori Vallow or her children in Yellowstone? The FBI is asking for your photos," Ruth Brown, March 05, 2020, 12:10 PM**

While Lori Vallow Daybell awaits trial for the disappearance of her children, the FBI and Rexburg Police are asking for the public's help as they continue to search for the children. Anyone who may have visited Yellowstone National Park on Sept. 8 is asked to submit photos and videos taken to the FBI. Police say Tylee Ryan, 17, and JJ Vallow, 7, were seen there with their mother and uncle, Alex Cox. [[Continue Reading](#)] **See also:** [KMVT-CBS \(Twin Falls, ID\)](#), [KNXV-ABC \(Phoenix, AZ\)](#), [KPNX-NBC \(Phoenix, AZ\)](#), [KTVX-ABC \(Salt Lake City, UT\)](#)

**Newsweek: "Why Did The Police Arrest Nicki Minaj's Husband Kenneth Petty?," Janice Williams, March 05, 2020, 10:21 AM**

Rap star Nicki Minaj's husband Kenneth Petty's is facing legal trouble. The 41-year-old, who tied the knot with Minaj in October 2019, was arrested in Los Angeles on Wednesday. The U.S. Marshals Service confirmed Petty surrendered himself after failing to register as a sex offender in California, where he now resides with his wife. Petty has lived in Los Angeles with Minaj since July 2019. Under the Sex Offender Registration and Notification Act, offenders are legally required to update registration in "each jurisdiction they reside, are employed, or attend school." Failure to properly register and update personal information within a jurisdiction is considered a federal offense and can result in fines and a maximum 10-year prison sentence. [[Continue Reading](#)]

**WFMZ-TV (Allentown, PA): "FBI's suspect previously convicted of firearms offenses," Unattributed, March 05, 2020, 10:08 AM**

Authorities on Wednesday released new details Wednesday about the man accused of opening fire on FBI agents earlier this week. The U.S. attorney's office said in a court filing that Rafael Vega-Rodriguez is a convicted felon. Officials said his criminal history includes felony convictions for crimes involving firearms. FBI agents were looking for Vega-Rodriguez on Sunday in connection with a series of federal and state crimes, according to the feds. They said he fired four gunshots at agents, and then

hid out inside a home on Gordon Street, prompting an 18-hour standoff. Authorities later captured Vega-Rodriguez in Lancaster County. [[Continue Reading](#)]

**Patch (Concord, NH): “SWAT Sent To Warner After Gunshots Near Fugitive's Former Home,” Tony Schinella, March 05, 2020, 08:28 AM**

The hunt for a career criminal and felon wanted on rape, second-degree assault, and bail violation charges led New Hampshire State Police back to Warner Wednesday for an incident that turned out to be a separate call not connected to the fugitive. State police, U.S. Marshals, and others are searching for Douglas C. Smith Jr., a former resident of Warner. Around 7 p.m., police received a report of shots fired on Parade Ground Cemetery Road — not far from a home where Smith used to reside. [[Continue Reading](#)]

**The Buffalo News (Buffalo, NY): “How Gmail helped bust WNY's 'most prolific drug trafficking' ring,” Maki Becker, March 05, 2020, 06:00 AM**

A key moment in the case against what authorities call “perhaps the most prolific drug trafficking organization” in Western New York happened a year ago in Los Angeles. Eleazar Martinez Medina had just flown back from Buffalo and was stopped as he tried to leave the airport. Authorities found him with more than \$658,000 in cash. A search warrant for Martinez Medina's Uber account led investigators to his Gmail account and they gained the ability to track his movements in Buffalo. Investigators learned that on the morning of Feb. 15, 2019, Martinez Medina arrived by vehicle to the back of 69 Bennett Village Terrace. His arrival was captured by a surveillance camera in the alley behind the townhouse, the same house where a team of federal agents and local police arrested David Washington almost a year later. [[Continue Reading](#)]

**WTTG-FOX (Washington, DC): “25 guns stolen during Vienna gun shop burglary: PD,” Shirin Rajaei, March 05, 2020, 12:01 AM**

Vienna Police are searching for the suspects who stole 25 firearms from a Virginia gun shop earlier this week. “We don't know what to expect next, we don't know what they're gonna do with those guns, whose hands they're in. It's unsettling,” said Clint Henderson, a neighboring business owner. Vienna Arsenal Gun Store is located at 386 Maple Ave East. It sits on the second floor of a commercial building. According to Vienna Police, the gun shop was burglarized around 6 a.m. Monday. [...] Local police and agents from the Bureau of Alcohol, Tobacco, and Firearms (ATF) are investigating. No suspect description has been released. [[Continue Reading](#)]

## **NATIONAL SECURITY**

**Washington Times: [OPINION] “ FISA court's ban of Carter Page spy guys doesn't go far enough,” Cheryl K. Chumley, March 05, 2020, 09:42 AM**

Federal agents who botched the whole Carter Page wiretapping process — and by botched, of course, it's meant politicized and weaponized — have been banned from pursuing spy permissions through the Foreign Intelligence Surveillance Court. And thank goodness for that. That's a common-sense move. If criminal charges aren't forthcoming against these rogue FBI agents, at the least, at the very least, they should be barred from using FISC to shoot FISA arrows against political enemies. In a 19-page just-released opinion, the chief judge of the FISA court, James Boasberg, wrote that “no DOJ or FBI personnel under disciplinary or criminal review relating to their work on FISA applications shall participate in drafting, verifying, reviewing, or submitting such applications to the Court.” That's only sensible. [[Continue Reading](#)]

**The Hill: “Russian disinformation efforts targeting 2020 elections began last year: study,” Maggie Miller, March 05, 2020, 09:23 AM**

Social media accounts linked to the Russian Internet Research Agency (IRA) began spreading “brazen” misinformation connected to the 2020 election last year, New York University's Brennan Center for Justice said in a report released Thursday. The report was based on “coordinated

inauthentic behavior” originating in Russia that was removed by Facebook from its platform and from Instagram in October. The researchers tied that information to the IRA, a St. Petersburg-based state-sponsored group that, according to U.S. intelligence agencies and former special counsel Robert Mueller, was primarily responsible for pushing disinformation to sow division and promote the campaign of now-President Trump during the 2016 elections. [[Continue Reading](#)]

**Washington Examiner: “Mexican accused of spying for Russia pleads not guilty,” Caitlin Yilek, March 04, 2020, 06:24 PM**

A Mexican national pleaded not guilty to charges that he was working as a foreign agent for Russia. Hector Fuentes, 35, was arrested in February in Miami after the FBI suspected him of working for an official with Russia’s Foreign Intelligence Service. Fuentes, who has not been charged with espionage, entered a not guilty plea Tuesday in federal court in Miami. A Russian government official tasked Fuentes with tracking down a vehicle belonging to a U.S. government informant, according to the affidavit. The confidential human source whom Fuentes spied on worked for the FBI’s counterintelligence division, providing “information on Russian spying activities in South Florida.” [[Continue Reading](#)]

**WaPo: “Pentagon contract linguist in Iraq charged with espionage,” Spencer S. Hsu, March 04, 2020, 04:00 PM**

A contract linguist assigned to a U.S. Special Operations task force in Iraq was charged with espionage Wednesday over allegations that she turned over the names of human informants and other classified data to a Lebanese man with ties to the militant group Hezbollah. The Justice Department said Mariam Taha Thompson, 61, formerly of Rochester, Minn., was charged with one count of conspiracy and one count of delivering defense information to aid a foreign government. Prosecutors alleged that she passed the information to a man in whom she had a romantic interest. Thompson appeared in federal court in Washington on Wednesday. The FBI arrested her Feb. 27 at a U.S. military facility in Irbil, Iraq, where she worked, court filings said. [[Continue Reading](#)]

## **IMMIGRATION & BORDER SECURITY**

**CBS: “Officials ignored child separation warnings, report finds: “I was called a broken record”,” Graham Kates and Camilo Montoya-Galvez, March 05, 2020, 12:42 PM**

Months before “zero tolerance” briefly became the law of the land, formalizing the separation of children from their parents at the southern border, employees in the U.S. Department of Health and Human Services raised alarm bells about the scope of separations and the harmful effects on minors in the agency’s custody. At the highest levels in the agency tasked with caring for unaccompanied migrant children, those concerns were largely ignored, and employees were even warned not to put their concerns in writing, according to a scathing report released Thursday by the HHS Inspector General. [[Continue Reading](#)] See also: [NBC](#)

**Bloomberg Law: “Software Engineer’s H-1B Visa Wrongly Denied, Judge Rules,” Genevieve Douglas, March 05, 2020, 12:10 PM**

Software provider InspectionXpert Corp. will get another chance at hiring a “quality engineer” on a temporary high-skilled visa, following a federal judge’s ruling that the company’s H-1B petition was unreasonably denied. U.S. Citizenship and Immigration Services erred in its decision that the engineering position wasn’t a “specialty occupation,” and failed to consider all of the evidence the North Carolina company submitted to prove why Sathish Kasilingam’s position qualified for an H-1B visa, Judge L. Patrick Auld of the U.S. District Court for the Middle District of North Carolina ruled Thursday. [[Continue Reading](#)]

**ABC: “Judge orders former Nazi concentration camp guard to be removed from US,” Alexander Mallin, March 05, 2020, 12:10 PM**

A Tennessee resident who formerly served as a concentration camp guard in Nazi Germany has been ordered to be removed from the United States following a two-day trial in Memphis. Friedrich Karl Berger, according to the Justice Department, was ordered removed after admitting he served as an armed guard for a sub-camp of Neuengamme near Meppen, Germany, in which Jews, Poles, Russians, Danes and other political opponents of the Nazi regime, were subject to "atrocious" conditions working "to the point of exhaustion and death."

Berger admitted to investigators that he guarded prisoners during a two week journey after the camp had to be evacuated due to the advance of British and Canadian forces. Roughly 70 prisoners died during that journey, according to officials. [[Continue Reading](#)] **See also:** [The Hill](#)

**Washington Times: "Immigration reversal as deportations top border arrests," Stephen Dinan, March 05, 2020, 12:07 PM**

Illegal immigration across the southwestern border is down so much that Homeland Security is now deporting more people each month than it captures coming across, officials announced Thursday, saying they're now able to eat into the backlog of cases that built up during last year's surge. Acting Customs and Border Protection Commissioner Mark Morgan said illegal crossings did tick up slightly in February compared to January's numbers, but it's still far lower than the heights of last year's wave. [[Continue Reading](#)]

**WaPo: "A lawsuit against ICE reveals the danger of government-by-algorithm," Hannah Bloch-Wehba, March 05, 2020, 10:20 AM**

It is the job of the U.S. Immigration and Customs Enforcement to determine — case by case — whether people arrested for immigration offenses ought to be detained, released on bond or just trusted to show up in court. For years, ICE has used an algorithm to help make this decision, one that weighs factors such as ties to the community, criminal history and past or present substance abuse. But something remarkable happened in ICE's New York field office not long after President Trump came into office: Even though, from 2013 into 2017, the algorithm had recommended about 47 percent of arrestees be released, after June 2017, the number plummeted to about 3 percent. [[Continue Reading](#)]

**KYMA-NBC (Yuma, AZ): "Border Patrol arrests Greyhound bus passenger with fake ID," Sumiko Keil, March 05, 2020, 09:56 AM**

An undocumented immigrant with fake documents traveling in a Greyhound bus was arrested Monday, according to U.S. Customs and Border Protection (CBP). Wellton Border Patrol agents at the I-8 immigration checkpoint referred the greyhound to secondary inspection for an immigration inspection. Agents say they encountered a man that presented a birth certificate and a California state identification card, however, the person did not resemble the picture on the ID. According to CBP, the man did not speak English and was taken in for biometric analysis for proper identification. [[Continue Reading](#)]

**WaPo: "On immigration, Attorney General Barr is his own Supreme Court. Judges and lawyers say that's a problem," Kim Bellware, March 05, 2020, 09:51 AM**

Attorney General William P. Barr quietly intervened in an immigration asylum case last week when he issued a decision that narrowed the definition of torture for asylum seekers who invoke it as a grounds for staying in the United States. Barr used a process known as "certification," a historically little-used power of the attorney general that allows him to overrule decisions made by the Board of Immigration Appeals and set binding precedent. Immigration lawyers and judges say the Trump administration is using the power with greater frequency — to the point of abuse — as it seeks to severely limit the number of immigrants who can remain in the United States. The administration is also using it as a check on immigration judges whose decisions don't align with the administration's immigration agenda, experts say. [[Continue Reading](#)]

**San Francisco Chronicle: "ICE arrests defendant outside SF courthouse, infuriating city officials," Evan Sernoffsky, March 05, 2020, 09:47 AM**

Federal immigration agents arrested a man in front of San Francisco's Hall of Justice this week, prompting outrage from the city's public defender and district attorney, who claimed the arrest violated state law. The man, who was only identified as a San Francisco resident, was in front of the criminal courthouse at 850 Bryant St., on his way to a hearing, when agents took him into custody on Tuesday, according to the public defender's office and the man's attorney, Emi MacLean. [\[Continue Reading\]](#)

**The Hill: "Trump: Government will start withholding funds from sanctuary cities after court ruling," Brett Samuels, March 05, 2020, 09:42 AM**

President Trump on Thursday said his administration will begin withholding funding from self-described sanctuary cities after a federal court ruled last week that it could do so. "As per recent Federal Court ruling, the Federal Government will be withholding funds from Sanctuary Cities," Trump tweeted. "They should change their status and go non-Sanctuary. Do not protect criminals!" [\[Continue Reading\]](#)  
**See also:** [FOX](#), [NY Post](#), [NYT](#), [VOA](#), [Washington Examiner](#), [Washington Times](#)

**The Arizona Republic (Phoenix, AZ): "The U.S. wrongly deported a Marine veteran in 2001. On Wednesday, he was allowed to return," Daniel Gonzalez, March 05, 2020, 09:47 AM**

An immigration judge ordered Joel Diaz Rincon deported in 2001 after he was convicted of a nonviolent theft charge, even though the legal permanent resident had served three years in the U.S. Marines and had been shot in the leg by a fellow soldier during training exercises while stationed in Japan. But it turns out the immigration judge made an erroneous immigration court decision. On Wednesday, the 51-year-old veteran, who had been living in Arizona at the time he was deported, was allowed to return to the country he served. Diaz Rincon crossed through the San Ysidro border crossing near San Diego just before 10 a.m., setting foot on U.S. soil for the first time as a free man in nearly 20 years. [\[Continue Reading\]](#)

**WDTN-NBC: "Migrants have 'hopes dashed' after court reversal on 'Remain in Mexico' policy," Sandra Sanchez, March 05, 2020, 06:53 AM**

Immigration court proceedings for asylum-seekers resumed, as usual, Monday in a judicial tent city at the base of the Gateway International Bridge, three days after a federal circuit court in California blocked then suddenly reinstated the controversial "Remain in Mexico" policy, allowing migrants to be returned to Mexico. There had been initial speculation that court cases for thousands of asylum-seekers who are forced to remain in Mexico would be suspended, or perhaps canceled, after a three-judge panel of the 9th U.S. Circuit Court of Appeals in San Francisco on Friday afternoon temporarily halted the policy, which is formally called the Migrant Protection Protocols program. [\[Continue Reading\]](#) **See also:** [Law360](#), [Newsweek](#)

**Sierra Sun Times (Mariposa, CA): "U.S. Senator Dianne Feinstein and Colleagues Call for Investigation on Use of Confidential Therapy Sessions to Deport Children," Unattributed, March 05, 2020, 05:17 AM**

Senators Dianne Feinstein (D-Calif.), Dick Durbin (D-Ill.), Patty Murray (D-Wash.) and a group of their Senate colleagues on Wednesday pressed the Department of Health and Human Services and Department of Homeland Security inspectors general to review the HHS Office of Refugee Resettlement's reported disclosure of confidential information from children's therapy sessions to Immigration and Customs Enforcement for use in efforts to deport these children, as well as allegations that unaccompanied children are being inappropriately placed in secure ORR facilities. The American Psychological Association's president has condemned this "weaponizing" of therapy sessions. [\[Continue Reading\]](#)

**NYT: [ANALYSIS] "The Open Borders Trap," Jason DeParle, March 05, 2020, 04:24 AM**

Plunge into the progressive discourse on immigration, and you'll quickly hear that it's not enough just to legalize America's 11 million unauthorized migrants, however cherished the goal may be and however long it has eluded reach. Outraged at a president who has gone as far as seizing toddlers from their undocumented parents, a progressive vanguard seeks to decriminalize border crossing, ban deportations, end detention, "abolish ICE" (the Immigration and Customs Enforcement agency) and

make undocumented migrants eligible for government aid. Representative Alexandria Ocasio-Cortez of New York, the progressive standard-bearer, likens detention facilities to “concentration camps.” Eight advocacy groups have released an immigration plan they call “Free to Move, Free to Stay,” a slogan that suggests no limits. [[Continue Reading](#)]

**Lexology: “White House Continues Efforts at Immigration Reform,” Brian Shyr, March 05, 2020, 03:21 AM**

President Donald Trump and his senior advisor, Jared Kushner, are continuing to try to build a coalition for immigration reform. They reportedly are... [[Continue Reading](#)] **See also:** [WSFX-FOX \(Wilmington, NC\)](#)

## **US SUPREME COURT**

**Reuters: “Democratic U.S. Senator Schumer expresses regret for Supreme Court comments,” Lawrence Hurley and Richard Cowan, March 05, 2020, 10:57 AM**

Chuck Schumer, the top U.S. Senate Democrat, expressed regret on Thursday for remarks he made a day earlier that two Supreme Court justices appointed by President Donald Trump would “pay the price” if they rule in favor of abortion restrictions. “I’m from Brooklyn. We speak in strong language. I shouldn’t have used the words I did. But in no way was I making a threat. I never, never would do such a thing,” Schumer said on the Senate floor amid calls from Republicans that he apologize for his comments about Justices Neil Gorsuch and Brett Kavanaugh. [...] Chief Justice John Roberts on Wednesday condemned Schumer’s comments, saying in a statement: “Justices know that criticism comes with the territory, but threatening statements of this sort from the highest levels of government are not only inappropriate, they are dangerous.” [[Continue Reading](#)] **See also:** [AP](#), [Baltimore Sun](#), [CBS](#), [FOX](#), [NBC](#), [NY Post](#), [Politico](#), [Roll Call](#), [The Hill](#), [WaPo](#), [Washington Times](#), [VOX](#)

## **JUDICIAL NOMINEES & APPOINTMENTS**

**WaPo: “Trump just got the chance to pick another judge for the influential appeals court in D.C.,” Ann E. Marimow, March 05, 2020, 02:00 PM**

The surprising retirement announcement Thursday of a judge on the influential appeals court in Washington gives President Trump another opportunity to make his mark on the federal judiciary. Judge Thomas B. Griffith told court officials he plans to retire in September just two months before the 2020 presidential election. The announcement clears the way for Trump to add a third judge to the U.S. Court of Appeals for the D.C. Circuit, which has been a pipeline for nominees to the Supreme Court. [[Continue Reading](#)] **See also:** [Law360](#)

**Bloomberg Law: “Judicial Picks for Understaffed California District Advance,” Madison Alder, March 05, 2020, 11:24 AM**

Three of Donald Trump’s selections for a California federal district court short on judges easily cleared a Senate committee. The Judiciary Committee on Thursday advanced the nominations of Fernando L. Aenlle-Rocha, Stanley Blumenfeld, and Mark C. Scarsi to the Central District of California without opposition. The district, which has courthouses in Los Angeles, Riverside and Santa Ana, presently has nine vacancies. No California district court nominee has made it through to confirmation under the Republican-led Senate during the Trump administration, yet the state leads the nation in unfilled federal judgeships. [[Continue Reading](#)]

## **CRIMINAL LAW**

**Law 360: “Hemp Extractor Churned Out Illegal CBD Oil, Farm Says,” Unattributed, March 05, 2020, 2:44 PM**

A Colorado farm said a mobile CBD extraction company wasted a substantial portion of its 200-acre hemp crop by churning out oil with illegal THC concentrations and secretly sending it across state lines, according to a complaint in Colorado federal court. CBD970 said Wednesday that Robert Hellman and his company, Labyrinth Holdings Inc., promised a sophisticated extraction process that could net the farm roughly \$30 million in revenue from its crop. [[Continue Reading](#)]

**The San Diego Union Tribune (San Diego, CA): "Accused Poway synagogue shooter to face death penalty," Pauline Repard, March 05, 2020, 2:08 PM**

[...] Earnest also faces a 113-count federal indictment alleging hate crimes, using a firearm and obstructing the free exercise of religious beliefs by using a dangerous weapon resulting in death and injury. He has pleaded not guilty to all state and federal charges. [[Continue Reading](#)]

**AP: "Teen Pleads Not Guilty to Killing 12-Year-Old Nephew," March, At P.M., March 05, 2020, 2:06 PM**

A 14-year-old Montana boy pleaded not guilty Thursday to the beating and torturing death of his 12-year-old nephew in West Yellowstone. The boy entered his plea in District Court to a charge of deliberate homicide. The court had planned to hold a hearing to determine if he should be tried as an adult but defense attorney Annie DeWolf asked for more time to review the case. The Associated Press is not using the boy's name because he is a juvenile. [[Continue Reading](#)]

**New York Daily News: "Trial in Manhattan Federal Court delayed over coronavirus fears," Stephen Rex Brown, March 05, 2020, 1:53 PM**

The sanctions-evasion trial of an Iranian banker was delayed Thursday after a prospective juror dismissed from the case was ordered to self-quarantine due to possible exposure to coronavirus. Manhattan Federal Judge Allison Nathan said she'd learned that the juror — who was dismissed on Monday — attended synagogue with the Westchester lawyer afflicted with the virus. [[Continue Reading](#)]

**AP: "R. Kelly pleads not guilty to latest sex abuse accusations from new accuser," Unattributed, March 05, 2020, 1:33 PM**

R&B singer R. Kelly on Thursday pleaded not guilty to an updated federal indictment that includes sex abuse allegations involving a new accuser. Attorney Steve Greenberg entered the plea on the 53-year-old singer's behalf in Chicago federal court. [[Continue Reading](#)]

**The Sun: "Woman 'FAKED breast cancer & disability to go to camp to be bathed & dressed by volunteers'," Nicole Darrah, March 05, 2020, 1:08 PM**

A woman who claimed she had cancer and muscular dystrophy lied so she could get free bicycle gear — and to get access to a camp for the disabled, prosecutors said. Sarah Delashmit, 35, was indicted in Illinois yesterday after she allegedly lied about having breast cancer in order to receive financial help and other perks. [[Continue Reading](#)]

**Patch (Malden, MA): "U.S. Attorney Sues Malden Spinal Device Company," Alex Newman, March 05, 2020, 12:37 PM**

The U.S. Attorney's office has filed a civil health care fraud complaint against Malden-based spinal device company SpineFrontier, Inc. The company's founder and CEO, Kingsley Chin, and CFO Aditya Humad are accused of paying and conspiring to pay kickbacks to surgeons in the form of sham consulting fees through consulting firm Impartial Medical Experts, LLC. [[Continue Reading](#)]

**Denver Post (Denver, CO): "Over 9 years in prison for cocaine dealing," Shannon Mcnaught, March 05, 2020, 12:00 PM**

A Rehoboth Beach man has been sentenced to 111 months in prison for drug and weapons crimes. Following a 2017 sexual assault conviction, 40-year-old Michael Henry was on probation. [[Continue Reading](#)]

**AP: "Porn trial set for man accused of child care sex assaults," Unattributed, March 05, 2020, 11:30 AM**

A federal child pornography trial has been scheduled in May for a former Lincoln day care worker accused in state court of sexually assaulting children. U.S. District Court records show Titus Miller, 26, has pleaded not guilty to five counts of producing child pornography and two of distribution. [[Continue Reading](#)]

**Press Herald (Portland, ME): "Biddeford man's hate crimes trial postponed a third time," Follow On Twitter, Edward D. Murphy, March 05, 2020, 11:06 AM**

The hate crimes trial of a man accused of attacking black men in Biddeford and Portland in 2018 was delayed for a third time Thursday in U.S. District Court in Portland. Maurice Diggins was supposed to go on trial Tuesday on two counts of committing a hate crime and another count of conspiracy to commit a hate crime. [[Continue Reading](#)]

**AP: "Man charged with threatening Tampa Bay Rays players, other athletes," Unattributed, March 05, 2020, 10:41 AM**

A New York sports gambler is facing federal charges in Florida related to threatening social media messages sent to players with the Tampa Bay Rays and other teams, federal authorities said Wednesday. The U.S. Attorney's Office in Tampa announced a charge of transmitting threats in interstate or foreign commerce against Benjamin Tucker Patz, 23. He faces up to five years in federal prison. [[Continue Reading](#)]

**The Hill: "Former auto workers union president charged with embezzling \$1 million," John Bowden, March 05, 2020, 10:37 AM**

Former United Auto Workers (UAW) president Gary Jones was charged Thursday by federal prosecutors with embezzling more than \$1 million of UAW funds for personal use. The Detroit News reported Thursday that Jones was charged in a criminal information, indicating that he could plead guilty to the charges in the weeks ahead. [[Continue Reading](#)]

**WEEK-NBC (Peoria, IL): "Former Manito man sentenced to 20 years for meth possession, intent to deliver," Unattributed, March 05, 2020, 10:23 AM**

A former Manito man will serve 20 years in prison for possession of meth with the intent to deliver. Edward Rakestraw, 36, was sentenced February 28 in the Central District court of Illinois to 15 years for the possession of meth with intent to deliver. [[Continue Reading](#)]

**AP: "Mechanic sentenced to 3 years in prison for sabotaging American Airlines jetliner," Unattributed, March 05, 2020, 9:39 AM**

A veteran airline mechanic was sentenced Wednesday to three years in prison for sabotaging an American Airlines jetliner with 150 people aboard in a bid to earn overtime fixing the plane. In sentencing 60-year-old Abdul-Majeed Marouf Ahmed Alani, U.S. District Judge Marcia Cooke said she found no evidence to support allegations that Alani had links to the Islamic State extremist group or any terrorist organization. [[Continue Reading](#)]

**WMAQ-NBC (Chicago, IL): "Brian Urlacher's Brother Pleads Not Guilty in Gambling Case," Unattributed, March 05, 2020, 8:30 AM**

Casey Urlacher, the brother of Chicago Bears Hall of Fame linebacker Brian Urlacher, pleaded not guilty Wednesday to federal charges alleging he was part of an offshore sports gambling business. Urlacher, the mayor of the suburban Chicago village of Mettawa, entered his plea with nine others in U.S. District Court. [[Continue Reading](#)]

**KSL-NBC (Salt Lake City, UT): "Captured inmate faces federal charge in Weber County Jail escape," Pat Reavy, March 05, 2020, 8:21 AM**

A man accused of shaving his head and posing as another inmate to escape the Weber County Jail faces a new federal charge. Kaleb Wiewandt, 41, is charged in U.S. District Court with escape. [\[Continue Reading\]](#)

**KABC-ABC (Los Angeles, CA): "R. Kelly expected to enter plea to updated indictment," Unattributed, March 05, 2020, 8:00 AM**

Singer R. Kelly is due in federal court in Chicago Thursday and is expected to enter a "not guilty" plea to an updated federal indictment. The 13-count indictment includes sex abuse allegations involving a new accuser and multiple counts of child pornography. The indictment says the accuser met Kelly around 1997 or 1998, when she would have been 14- or 15-years-old. It says Kelly engaged in sexual contact or sexual acts around that time and several years before she turned 18. [\[Continue Reading\]](#)

**Lexology: "FCPA Litigation Update: DOJ Theories on Unit of Prosecution and Agency Tested, to Mixed Results," Ronald C. Machen, Kimberly A. Parker, March 05, 2020, 7:00 AM**

Two recent rulings in separate foreign bribery cases highlight the continued impact of individual prosecutions on the interpretation of various provisions of the Foreign Corrupt Practices Act (FCPA). In *United States v. Coburn*, the government prevailed in its interpretation of the proper "unit of prosecution," while a recent district court ruling in *United States v. Hoskins* further constrained the Department of Justice's (DOJ) ability to prosecute foreign nationals acting outside of the United States. [\[Continue Reading\]](#)

## **CIVIL LAW**

**Des Moines Register (Des Moines, IA): "Dubuque woman sues Jimmy Johns over E. coli claim after sandwich chain drops sprouts from food," Anna Sporre, March 05, 2020, 2:58 PM**

A Dubuque woman is suing Jimmy Johns, alleging a sandwich she ate from one of its Iowa restaurants led to her hospitalization. The lawsuit, filed Thursday by Kahler Folkedahl in Iowa's district court, comes a couple weeks after the sandwich company permanently removed sprouts from the menu at all of its restaurants after multiple government agencies linked several rounds of E. coli infections — including cases in Iowa — to sprouts served by the sandwich chain. [\[Continue Reading\]](#)

**Law 360: "Facebook Stole 'Secret Sauce' Code, Mass. Startup Says," Unattributed, March 05, 2020, 2:31 PM**

Facebook poached an employee of a Massachusetts artificial intelligence startup, got him to hand over the startup's trade secrets, then turned around and released the proprietary information to the world as open-source code, according to a federal lawsuit filed late Wednesday. Neural Magic's first employee and technology director, Aleksandar Zlateski, left the Somerville startup after 18 months to join Facebook in a department unrelated to his work at the startup, the lawsuit said. [\[Continue Reading\]](#)

**Bloomberg Law: "Apple Fails to Defeat CalTech Wi-Fi Patent at Federal Circuit," Perry Cooper, March 05, 2020, 2:26 PM**

The Federal Circuit rejected Apple Inc.'s bid to overturn a patent board decision upholding the California Institute of Technology's patent for wireless data transmissions. The Patent Trial and Appeal Board ruled in favor of CalTech in 2018 after reviewing U.S. Patent No. 7,116,710 while CalTech's parallel infringement case proceeded in the U.S. District Court for the Central District of California. [\[Continue Reading\]](#)

**Legal NewsLine: "Mormon church accused of embezzling couple's estate," Charmaine Little, March 05, 2020, 2:00 PM**

A son is bringing attention to a religious organization that allegedly embezzled his parent's entire estate. Trustee and agent Brett L. Eliason sued on behalf of Max and Joyce Eliason. The Corporation of The President of The Church of Jesus Christ of Latter-Day Saints and The Law Offices of Kirton

McConkie were accused of embezzling the estate during the estate planning process. [[Continue Reading](#)]

**The National Law Journal: "Judge and Lawyers Wrestle With Effect of McGahn Opinion on Other House Lawsuits," Jacqueline Thomsen, March 05, 2020, 1:54 PM**

The U.S. Court of Appeals for the D.C. Circuit's ruling that the House can't sue to compel former White House counsel Donald McGahn's testimony is raising questions for both Capitol Hill and federal judges about the immediate effect it has on lawmakers's ability to go to court. Those issues were underscored Thursday as a federal judge weighed how the ruling applies to a separate House lawsuit seeking President Donald Trump's federal tax returns. [[Continue Reading](#)]

**Detroit Free Press (Detroit, MI): "U-M doctor's accusers: University allowed horror show to go on for decades," David Jesse, March 05, 2020, 1:06 PM**

The University of Michigan allowed a horror show to continue for decades, according to men who say former doctor Robert Anderson sexually assaulted them. But U-M went beyond that. [[Continue Reading](#)]

**Bloomberg Law: "Lyft Investors' Fight Over 2019 IPO Gets Lead Plaintiff, Counsel," Jennifer Bennett, March 05, 2020, 12:11 PM**

Lyft Inc. investors who accused the company of misleading them about its performance and prospects ahead of a 2019 initial public offering secured a lead plaintiff in California federal district court. The ridehailing platform allegedly hid problems with market share and dissatisfied drivers to keep the IPO price high. [[Continue Reading](#)]

**Bloomberg Law: "Software Engineer's H-1B Visa Wrongly Denied, Judge Rules," Genevieve Douglas, March 05, 2020, 12:10 PM**

Software provider InspectionXpert Corp. will get another chance at hiring a "quality engineer" on a temporary high-skilled visa, following a federal judge's ruling that the company's H-1B petition was unreasonably denied. U.S. Citizenship and Immigration Services erred in its decision that the engineering position wasn't a "specialty occupation," and failed to consider all of the evidence the North Carolina company submitted to prove why Sathish Kasilingam's position qualified for an H-1B visa, Judge L. Patrick Auld of the U.S. District Court for the Middle District of North Carolina ruled Thursday. [[Continue Reading](#)]

**Bloomberg Law: "HHS Can't Enforce Abortion 'Gag' Rule in Maryland Pending Appeal," Mary Anne Pazanowski, March 05, 2020, 11:23 AM**

A rule prohibiting family planning service providers who receive federal money from referring their patients for abortions may not take effect while the federal government appeals a ruling barring its enforcement, a federal court in Maryland said. Federal health department officials haven't made a strong showing they are likely to succeed on their efforts to overturn the decision by the U.S. District Court for the District of Maryland that prevents them from enforcing the rule in the state, the court said Wednesday. [[Continue Reading](#)]

**Bloomberg Law: "NCR Corp. Employee Overtime Collective Decertified," Kathleen Dailey, March 05, 2020, 11:18 AM**

NCR Corp. convinced an Illinois federal court to decertify a nationwide collective of more than 1,600 employees who claim the ATM manufacturer shortchanged them for overtime work. There's no feasible way to prove the claims on a class-wide basis given the evidence, which shows significant factual and legal differences between the collective members, Judge Manish S. Shah of the U.S. District Court for the Northern District of Illinois said Wednesday. [[Continue Reading](#)]

**Utility Dive: "PG&E tells federal judge it can't commit to specific increases in tree-trimming workforce," Kavya Balaraman, March 05, 2020, 9:00 AM**

Pacific Gas & Electric (PG&E) cannot commit to contracting a specific number of tree-workers by a future date to conduct vegetation management work, the utility told a federal judge in a filing Monday. U.S. District Judge William Alsup, who is supervising PG&E's criminal probation period, asked utility lawyers to detail its plans for expanding its tree-trimming workforce at a hearing last month. [[Continue Reading](#)]

**Life Sciences Intellectual Property Review: "Sanofi unit takes CSL to court over haemophilia therapy," Sarah Morgan, March 05, 2020, 8:00 AM**

Biotech company Bioverativ has accused CSL Behring of infringing three patents covering its haemophilia B drug Alprolix (coagulation factor IX (Recombinant), Fc fusion protein). In its suit, filed yesterday, March 4, at the US District Court for the District of Delaware, the Sanofi subsidiary accused CSL of infringing US patent numbers 10,548,954; 10,561,714; and 10,568,943, all of which cover "Factor IX polypeptides and methods of use thereof". [[Continue Reading](#)]

**World Intellectual Property Review: "Charter questions legitimacy of Warner's music recording registrations," Edward Pearcey, March 05, 2020, 7:00 AM**

US-based internet service provider (ISP) Charter Communications is pushing back against copyright infringement claims amounting to over \$1 billion by Warner Records, arguing that many recordings have been improperly registered. In a filing made at the US Court District Court for the District of Colorado on Thursday, February 28, Charter claimed Warner's assertion that it is liable for secondary copyright infringement, based upon its internet subscribers allegedly infringing 6,963 sound recordings, can't be enforced as an "invalid registration deprives plaintiffs of standing". [[Continue Reading](#)]

**AP: "Judge invalidates Michigan Medicaid work requirements," David Eggert, March 05, 2020, 6:00 AM**

A federal judge on Wednesday invalidated work requirements for hundreds of thousands of Medicaid recipients in Michigan, one of two states where rules had been in effect after court challenges elsewhere. The short order from U.S. District Judge James Boasberg in Washington, D.C., came weeks after a federal appeals court upheld his decision to strike down Arkansas' requirement that low-income people work or do other things to qualify for government-provide health insurance. [[Continue Reading](#)]

## **CIVIL RIGHTS**

**Bloomberg Law: "U.S. Bank, Iraqi Christian Analyst Settle Bias, Harassment Suit," Patrick Dorrian, March 05, 2020, 2:30 PM**

U.S. Bancorp Inc. and a structured financial analyst have settled her lawsuit alleging a vice president subjected her to race, national origin, and religious discrimination and harassment, Illinois federal court records show. The settlement was reached during a conference before Magistrate Judge M. David Weisman of the U.S. District Court for the Northern District of Illinois, according to a document entered by the court Wednesday. Terms of the agreement weren't publicly disclosed. [[Continue Reading](#)]

**Bloomberg Law: "Ball State Not Biased Against Male Student in Alleged Rape Case," Bernie Pazanowski, March 05, 2020, 11:06 AM**

A male Ball State University student didn't show that the university was biased against him because of his sex during its investigations for alleged sexual misconduct, a federal district court said. According to the court, Adam Ross was a freshman at Ball State when he met M.K. He and M.K. went for a walk but she took him to her dorm room because he had been drinking and she didn't want him to get in trouble, the court said. [[Continue Reading](#)]

**Bloomberg Law: "Illinois Transgender Inmates Win Class Status Over Care Policy," Mary Anne Pazanowski, March 05, 2020, 10:37 AM**

Transgender people incarcerated in Illinois prisons can proceed as a class on claims that the state's corrections department doesn't provide constitutionally adequate medical care for inmates seeking evaluation and treatment for gender dysphoria, a federal court in the state said. There are about 115 people in 28 facilities affected by the state's system-wide policies governing gender dysphoria care, according to the inmates' evidence. [[Continue Reading](#)]

**The Daily Mail: "Tulsi Gabbard's 'free speech' £38.6m lawsuit against Google is dismissed by judge," Daisuke Wakabayashi, March 05, 2020, 10:04 AM**

A federal judge has dismissed a \$50m (£38.6m) lawsuit filed by Democratic presidential hopeful Tulsi Gabbard that accused Google of infringing on her free speech when it briefly suspended her advertising account last year. The judge, Stephen Wilson of the US District Court for the Central District of California, granted Google's motion to dismiss the lawsuit on Wednesday because the Gabbard campaign had failed to prove that the First Amendment clause that prohibits the government from curbing free speech applied to Google as a private company. [[Continue Reading](#)]

## **ANTITRUST**

**The National Law Review: "Antitrust Liability Risk When Listing Patents in Orange Book," Noah Feldman Greene, March 05, 2020, 1:00 PM**

The US Court of Appeals for the First Circuit held that pharmaceutical companies that wrongly list patents in FDA's Orange Book must prove they acted in good faith to avoid antitrust liability. In re Lantus Direct Purchaser Antitrust Litigation, Case No. 18-2086 (1st Cir. Feb. 13, 2020) (Kayatta, J). [[Continue Reading](#)]

**Life Sciences Intellectual Property Review: "Gilead to face HIV antitrust claims," Rory O'Neill, March 05, 2020, 11:30 AM**

Drugmakers including Gilead Sciences must face antitrust claims related to HIV drugs, after the US District Court for the District of Florida on Monday, March 3 refused to fully throw out a class-action suit implicating the company. Gilead, along with Bristol-Myers Squibb, Japan Tobacco, and Johnson & Johnson, have been accused of restricting competition in the HIV drug market, which is dominated by Gilead. [[Continue Reading](#)]

## **ENVIRONMENT**

**The Arizona Republic (Phoenix, AZ): "Court orders EPA to take action on Arizona's plan to curb harmful air pollution," Erin Stone, March 05, 2020, 12:57 PM**

A federal district court has ordered the Environmental Protection Agency to approve a plan for Arizona to better address its dirty air, even as the state says air quality is improving. The EPA has missed dozens of deadlines under the Clean Air Act to approve or reject Arizona's plans to reduce air pollution in metro Phoenix and across the state. [[Continue Reading](#)]

## **CRIMINAL JUSTICE/CORRECTIONS**

**AP: "AP sources: Feds investigate contraband flow at Epstein jail," Michael Balsamo, Michael R. Sisak, March 05, 2020, 3:12 PM**

The Justice Department has opened a criminal investigation into potential misconduct by guards as officials keep inmates locked down at the federal jail in New York where financier Jeffrey Epstein killed himself over the summer, people familiar with the matter told The Associated Press. The investigation at the Metropolitan Correctional Center is focusing on the flow of contraband into one of the most

secure jails in America and is being led by federal prosecutors from the U.S. attorney's office in Manhattan, the people said. [\[Continue Reading\]](#)

**The Daily Mail: "Notorious NYC jail where Jeffrey Epstein killed himself has been on lockdown for six days," Sophie Law, March 05, 2020, 8:14 AM**

The notorious New York City prison where pedophile Jeffrey Epstein killed himself has been on lockdown for six days in a bid to track down a smuggled gun, officials have revealed. Inmates in the Metropolitan Correctional Center prison - where the financier, 66, was found hanged in his cell - are reportedly being kept under 24-hour confinement and have gone days without showers. [\[Continue Reading\]](#)

**AP: "Prosecutors urge the judge to deny early prison release for Bernie Madoff," Unattributed, March 05, 2020, 7:08 AM**

Bernard Madoff should not be released early from prison even if kidney disease kills him within months, prosecutors said Wednesday as they cited the scope and magnitude of his decades-long Ponzi scheme that cost thousands of investors billions of dollars. Over 500 victims had written to a Manhattan federal court judge to oppose early release for the 81-year-old Madoff from a 150-year sentence imposed in 2009, while only 20, or 4% of letter writers, supported it, prosecutors said. [\[Continue Reading\]](#)

## **NATIVE AMERICAN AFFAIRS**

**Reuters: "9th Circuit says Indian tribe may stop oil train traffic on reservation," Sebastien Malo, March 05, 2020, 9:42 AM**

A federal appeals court affirmed on Wednesday a lower court ruling that held it could order a freight railroad company to stop running 100-car trains packed with crude oil through tribal land in Washington state. A three-judge panel of the 9th Circuit U.S. Court of Appeals found that a district court could force BNSF Railway Company not to use tracks on Swinomish Indian Tribal Community reservation land to carry crude oil from North Dakota's Bakken formation, saying the transport violated a long-standing agreement reached under the 1948 Indian Right of Way Act (IRWA) that limits the number of railcars that can use the tracks daily. [\[Continue Reading\]](#)

## **MARIJUANA LEGALIZATION**

**The Washington Times: "Illinois reports nearly \$35 million worth of recreational marijuana sold in second month of sales," Andrew Blake, March 05, 2020, 1:15 PM**

Marijuana regulators in Illinois said Wednesday that legal dispensaries sold nearly \$35 million worth of recreational pot during the second month of catering to retail customers. The Illinois Department of Financial and Professional Regulation said preliminary figures for the month of February indicate recreational marijuana sales totaled \$34,805,072.01, down roughly 11% from January. [\[Continue Reading\]](#)

**Marijuana Moment: "New Justice Department Memo Aims To Block 'Habitual Marijuana Users' From Buying Guns," Ben Adlin, March 05, 2020, 12:00 PM**

The Department of Justice has issued a new advisory requiring gun dealers in one state to conduct federal background checks on all unlicensed gun buyers because existing policies, the government argues, have enabled "habitual marijuana users" and other disqualified individuals to obtain firearms illegally. Though cannabis is legal for adults under Michigan state law, it remains a restricted Schedule I drug under the federal Controlled Substances Act. [\[Continue Reading\]](#)

**WCPO-ABC (Cincinnati, OH): "How do you stop people from mailing weed illegally? Local law enforcement is trying to figure it out," Larry Seward, March 05, 2020, 11:46 AM**

Ricky Lee Harris Germany delivered mail. He drove city U.S. Post Office Route 7 in Columbus for five years. [[Continue Reading](#)]

**The National Law Journal: "Complex Marijuana Laws Leave Lawyers in Legal Limbo," Steven Cash, March 05, 2020, 11:00 AM**

In few places are lawyers more necessary or more helpful than in emerging industries where the rules are made up as the industry grows up. Few industries today need lawyers—and good lawyers—more than the growing cannabis industry. [[Continue Reading](#)]

## **OPIOID CRISIS**

**Dayton Daily News (Dayton, OH): "Massive opioid settlement could bring millions to Montgomery County," Chris Stewart, March 05, 2020, 9:30 AM**

Montgomery County commissioners voted in a special meeting Thursday to join a massive federal settlement against opioid manufacturers and distributors just ahead of a Friday deadline. The One Ohio initiative could direct more than \$46 million back to Montgomery County for opioid prevention and recovery. [[Continue Reading](#)]

**WNBF (Binghamton, NY): "NY's Suit Against Opioid Makers On-Schedule," Kathy Whyte, March 05, 2020, 8:00 AM**

New York State Attorney General Letitia James is repeating the state's commitment to holding the makers of opioids accountable for their role in the addiction crisis as manufacturers and distributors were denied an effort to push back an upcoming trial. James says the trial on claims brought against the pharma-companies is set to begin March 20. [[Continue Reading](#)]

## **ADMINISTRATION**

**Politico: "Judge agrees to give House Democrats more time in Trump tax-returns case," Brian Faler, March 05, 2020, 01:35 PM**

A federal judge agreed today to give Democrats a week to decide how they want to proceed in their lawsuit for President Donald Trump's tax returns, in the wake of a recent ruling in a similar case that lawmakers don't have the power to sue the executive branch. At a hearing, District Judge Trevor McFadden said that decision was a significant problem for Democrats' tax-return case, though he stopped short of suggesting it is fatal, as he agreed to their pleas for more time. [[Continue Reading](#)]

**See also:** [Law.com](#)

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