



NEWS RELEASE

June 18, 2013

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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 provide for remote viewing of en banc court proceedings scheduled for June 24-27, 2013, in the 8th Floor Courtroom of the William K. Nakamura U.S. Courthouse, 1010 Fifth Avenue, Seattle.

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 Seattle docket includes appeals involving an Arizona death penalty case, a Los Angeles ordinance allowing search and seizure of motel registers, and a judgment in favor of plaintiffs in an asbestos-related illness claim. More information is provided below.

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

Richard H. Chambers
U.S. Courthouse
125 South Grand Ave.
Pasadena, California
Courtroom Three

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

James R. Browning
U.S. Courthouse
95 7th Street
San Francisco, California
Courtroom One

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
SEATTLE, WASHINGTON
JUNE 24-27, 2013

June 24 10:00 a.m.

Dickens v. Ryan, 08-99017

Gregory Dickens, an Arizona state prisoner appeals the denial by the U.S. District Court for the District of Arizona of his habeas corpus petition challenging his jury conviction and capital sentence for felony first degree murder, armed robbery and conspiracy to commit armed robbery.

2:00 p.m.

Patel v. City of Los Angeles, 08-56567

Naranjibhai Patel, Ramilaben Patel and the Los Angeles Lodging Association appeal of a judgment by U.S. District Court for the Central District of Central California, following a bench trial, rejecting their challenge to Los Angeles' motel register inspection ordinance, which permits searches and seizures of motel registration records by the police without consent or a warrant upon demand. The district court found that the ordinance was reasonable.

June 25 10:00 a.m. *United States v. Valdes-Vega, 10-50249*

Rufino Valdes-Vega appeals the Central California district court's denial of his suppression motion, after which he entered a conditional guilty plea to possession with intent to distribute five kilograms or more of cocaine. Valdes-Vega alleged that the U.S. Border Patrol's roving stop of him while he was driving on Interstate 15 violated the Fourth Amendment because the officers lacked reasonable suspicion that he was engaged in illegal conduct.

2:00 p.m.

Estate of Henry Barabin v. AstenJohnson, 10-36142, 11-35020

AstenJohnson, Inc., and Scapa Dryer Fabrics, Inc., appeal the judgment by U.S. District Court for the Western District of Washington, following a jury trial, in favor of Henry and Geraldine Barabin in the amount of \$9,373,152 in the Barabins' diversity action, seeking damages arising out of Henry Barabin's mesothelioma caused by occupational exposure to asbestos.

June 26 9:30 a.m.

Frost v. Van Boening, 11-35114

Joshua James Frost, a Washington state prisoner, appeals the Western Washington district court's denial of his habeas corpus petition challenging his jury conviction and 55-year sentence for robbery, assault, burglary and attempted burglary.

June 27 10:00 a.m.

Albino v. Baca, 10-55702

Juan Albino appeals from the Central California district court's summary judgment rejecting his claim that the Los Angeles County Sheriff's Department violated his civil rights by failing to place him in protective custody while in detention at the Men's Central Jail. The district court found that Albino's claim that he was unaware of the jail grievance procedure did not excuse his admitted failure to exhaust his administrative remedies under the Prison Litigation Reform 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, San Francisco, and Pasadena; every other month in Portland, Oregon; three times per year in Honolulu, Hawaii; and twice a year in Anchorage, Alaska. A complete schedule of cases is available online at <http://www.ca9.uscourts.gov>.

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