



Public Information Office
United States Courts for the Ninth Circuit

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NEWS RELEASE

December 2, 2013

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Court of Appeals to Open En Banc Proceedings to Internet Viewing

SAN FRANCISCO – Internet users will soon have a seat in the courtroom when exceptionally important cases are argued before the United States Court of Appeals for the Ninth Circuit.

The nation's busiest federal appellate court plans to provide live video streaming of its en banc proceedings, beginning with five cases (calendar and case summaries attached) scheduled for oral arguments December 9-11, 2013, in the James R. Browning U.S. Courthouse in San Francisco. Effective December 9, Internet users will find links to the video streams [here](#) or by visiting www.ca9.uscourts.gov and clicking on the link labeled “En Banc Video Streaming.”

It is believed to be the first time a federal appellate court will use its technology to deliver live video of a proceeding over the Internet. Broadcast and cable news networks have previously provided live coverage of Ninth Circuit court proceedings, including Internet viewing.

“The Ninth Circuit has a long history of using advances in technology to make the court more accessible and transparent,” said Ninth Circuit Chief Judge Alex Kozinski. “Video streaming is a way to open the court's doors even wider so that more people can see and hear what transpires in the courtroom, particularly in regard to some of our most important cases.”

An en banc court is used to resolve intra-circuit conflicts of law and other legal questions considered to be of exceptional importance. On average, only about 20 cases receive en banc review each year. Rather than a three-judge appellate panel, an en banc court consists of the chief judge of the circuit and 10 judges drawn at random.

En banc proceedings are held quarterly, usually in the Browning U.S. Courthouse in San Francisco and the Richard H. Chambers U.S. Court of Appeals Building in Pasadena, California. Since 2010, the court has video streamed en banc proceedings to all of its courthouses. Thus, an en banc court convened in Pasadena can be observed at the San Francisco courthouse, the William K. Nakamura U.S. Courthouse in Seattle and the Pioneer Courthouse in Portland, Oregon.

Beginning with this month's docket, anyone with a sufficiently fast Internet connection will be able to watch en banc proceedings at home, work or elsewhere. Likely audiences include lawyers, parties to cases, law school students and faculty, news media and the general public. The court is working with an outside provider to ensure sufficient bandwidth is available for satisfactory viewing.

Considered a leader in the use of technology to increase public access, the Ninth Circuit Court of Appeals is one of two federal appellate courts to allow the news media to use cameras in the courtroom. Since the early 1990s, Ninth Circuit appellate panels have granted 378 media requests for still and video photography of often high-profile cases.

Since 2003, the court has been using its own technology to provide public access to digital audio recordings of all oral arguments heard at all locations on a next-day basis. Video recording capability was later added. Today, all 11 courtrooms in the four Ninth Circuit courthouses are video equipped. Three courtrooms – one each in San Francisco, Pasadena and Portland – are equipped with high-definition video cameras.

Digital files containing audio and video recordings of court proceedings are available online at <http://www.ca9.uscourts.gov/media/>.

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, California; 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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**NINTH CIRCUIT EN BANC COURTS
SAN FRANCISCO, CALIFORNIA
December 9-11, 2013**

December 9 **2 p.m.**

Haskell v. Harris, 10-15152

Plaintiffs appeal the denial by the U.S. District Court for the Northern District of California of a preliminary injunction in their class action challenging a California Penal Code requiring law enforcement officials to collect via buccal swab the DNA of any adult arrested for a felony offense.

December 10 **10 a.m.**

United States v. Hernandez-Estrada, 11-50417

Salvador Hernandez-Estrada appeals his conviction following a jury trial in the U.S. District Court for the Southern District of California of being a deported person found living in the U.S. illegally.

2 p.m.

United States v. Preston, 11-10511

Tymond J. Preston appeals his conviction and sentencing for aggravated sexual abuse of a minor following a bench trial in the U.S. District Court for the District of Arizona.

December 11 **10 a.m.**

Ceron v. Holder, 08-70836

Ruben Ceron, a native and citizen of El Salvador, petitions for review of the Board of Immigration Appeals' dismissal of his appeal of an immigration judge's decision finding him removable and ineligible for relief based on a prior conviction for a crime involving moral turpitude (assault with a deadly weapon).

2 p.m.

Gonzalez v. City of Anaheim, 11-56360

The family of decedent Adolph Sanchez Gonzalez appeals the summary judgment by the U.S. District Court for the Central District of California rejecting their civil rights action alleging that Anaheim police officers used excessive deadly force against Gonzalez during a traffic stop. Plaintiffs also alleged unlawful detention, unlawful arrest, and the denial of medical care in violation of the Fourth Amendment.

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