

Monday, May 5, 2025

25-1282 [Briefs](#)
American Federation of Teachers v.
Scott Bessent
(Boardman)

CIVIL: Whether district court erred in granting preliminary injunction prohibiting disclosure of personally identifiable information to DOGE affiliates at federal agencies.

PANEL I
Judge King, Judge Agee, Judge Richardson
Red Courtroom (Room 412)
3:00 p.m.

Monday, May 5, 2025

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Tuesday, May 6, 2025

23-2296 [Briefs](#) CIVIL: Challenge to district court's grant of summary judgment to county in inverse condemnation action.
Brian Fernaays v. Isle of Wight County
(Allen)

23-4360 [Briefs](#) CRIMINAL: Whether flawed interpretation of Spanish-speaking witnesses' testimony violated Confrontation Clause or
US v. Kevin Sandoval Due Process Clause; other issues.
(Trenga)
Associations: 23-4361, 23-4362

24-1428 [Briefs](#) EMPLOYMENT: Whether district court erred in concluding that individual Defendants were entitled to sovereign
Mary Shumate v. City of Lynchburg immunity and whether court correctly dismissed Plaintiff's Title VII retaliation claim.
(Moon)

24-1534 [Briefs](#) CONSTITUTIONAL LAW: Whether Deputy Commissioner is entitled to qualified immunity in suit alleging due process
Ann deWet v. G. Rollyson, Jr. violations related to tax sale.
(Volk)

PANEL I
Chief Judge Diaz, Judge Niemeyer, Judge Maddox*
Red Courtroom (Room 412)
9:30 a.m.

Tuesday, May 6, 2025

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*Hon. Matthew J. Maddox, United States District Judge, Maryland

Tuesday, May 6, 2025

24-6840 [Briefs](#)
Justin Wolfe v. Chadwick Dotson
(Nachmanoff)

POSTCONVICTION: Whether district court erred in concluding that evidence presented during habeas proceedings was not "new" for purposes of establishing actual innocence.

23-2158 [Briefs](#)
Xyavier Calliste v. Xeng Lor
(Cogburn)

CIVIL: Whether district court erred denying qualified immunity related to officer's use of deadly force.

24-1934 [Briefs](#)
Ted Acord v. Chad Stilley
(Dillon)

CIVIL RIGHTS: Whether district court erred granting immunity to officer for Fourth Amendment excessive force and state-law battery claims related to use of deadly force.

23-1547 [Briefs](#)
John Moretti v. Helga Thorsdottir
(Giles)

CIVIL RIGHTS: Whether malicious prosecution action was properly dismissed for failure to allege plausible claim and based on grant of qualified immunity.

PANEL II
Judge King, Judge Thacker, Judge Berner
Butzner Courtroom 201
9:30 a.m.

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23-1181 [Briefs](#)
Geri-Care Pharmaceuticals Corporation v.
Stradis Healthcare, LLC
(Blake)
Associations: 23-1246

CIVIL: Whether the district court erred in granting summary judgment to cotortfeasor on Maryland common law indemnification claim but denying claim for attorney's fees.

24-1281 [Briefs](#)
Randy Luna v. Tug Hill Operating, LLC
(Bailey)

ARBITRATION: Whether court correctly applied Rogers v. Tug Hill Operating, LLC, 76 F.4th 279 (4th Cir. 2023), in denying motion to compel arbitration; other issues.

24-4328 [Briefs](#)
US v. Andrew Krueger
(Brinkema)

CRIMINAL: Whether district court erred in denying defendant's motion to suppress evidence gathered from search of electronic devices seized from his home.

PANEL III
Judge Harris, Judge Quattlebaum, Senior Judge Keenan
Blue Courtroom (Room 339)
9:30 a.m.

Tuesday, May 6, 2025

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24-1324 [Briefs](#) IMMIGRATION: Whether a federal conviction under 18 U.S.C. section 922(a)(1)(A) qualifies, categorically, as an aggravated felony under 8 U.S.C. section 1101(a)(43)(C).
Genovevo Alvarez Ronquillo v. Pamela Bondi

24-1380 [Briefs](#) CIVIL: Whether district court erred in granting quasi-judicial immunity to Prince George's County; other issues.
Robert Frazier v. Prince Georges County
(Messitte)

24-1727 [Briefs](#) CONSTITUTIONAL LAW: Whether pass-through provision of Maryland Digital Advertising Gross Revenues Tax Act violates the First Amendment.
Chamber of Commerce of the United States
v. Brooke Lierman
(Griggsby)

24-1445 [Briefs](#) CIVIL: Whether district court erred in denying motion for judgment as a matter of law on last clear chance; other issues.
Robbie Plyler v. Russell Cox
(Whitney)

Associations: 24-1488

PANEL IV
Judge Richardson, Judge Heytens, Senior Judge Floyd
Gold Courtroom (Room 348)
9:30 a.m.

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24-1302 [Briefs](#) INSURANCE: Whether D&O policy's bump-up exclusion applied to preclude indemnification in shareholder litigation
Towers Watson & Co. v. National Union Fire challenging merger.
Insurance Company
(Trenga)

23-2319 [Briefs](#) TAX: Whether surviving corporation following merger can net the interest on underpayment and overpayment by
Bank of America Corporation v. US merged corporations.
(Conrad)

PANEL V
Judge Agee, Judge Wynn, Judge Rushing
Tweed Courtroom (Room 414-D)
9:30 a.m.

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24-1682	Briefs	CONSTITUTIONAL LAW: Challenge to district court's dismissal of claims on qualified immunity grounds.
Sage Blair v. Appomattox County School Board (Moon)		
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23-2084	Briefs	BANKRUPTCY: Whether district court erred in overturning the bankruptcy court's finding that debt was nondischargeable under 11 U.S.C. section 534(a)(4) based on debtor's embezzlement of funds.
Deborah Parker v. Dan Martin (Ellis)		
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24-6726	Briefs	POSTCONVICTION: Whether district court abused its discretion by denying motion for compassionate release, including declining to consider stacked 18 U.S.C. SECTION 924(c) sentence.
US v. Richard Smith, Jr. (Kleeh)		

PANEL VI
Judge Wilkinson, Judge Gregory, Judge Benjamin
Tan Courtroom (Room 223)
9:30 a.m.

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25-1248 [Briefs](#)
State of Maryland v. USDA
(Bredar)

CIVIL: Whether district court erred granting preliminary injunction to restore employment of federal probationary workers terminated without advance notice to Plaintiff States.

Associations: 25-1338

PANEL VII (Afternoon Session)
Judge Wilkinson, Judge Rushing, Judge Benjamin
Red Courtroom (Room 412)
2:30 p.m.

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Wednesday, May 7, 2025

24-1191	Briefs	LABOR: Whether district court erred granting summary judgment for employer on Food Safety Modernization Act retaliation claim.
Wilbert Finley v. Kraft Heinz Inc. (Cain)		
PANEL CHANGE: Judge Thacker, Judge Harris, Judge Cullen*		
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23-6791	Briefs	CIVIL: Whether Younger dismissal and dismissal for failure to comply with order to file amended complaint stating valid claim count as strikes under section 1915(g).
Joel Burrell v. D. Shirley (Ellis)		
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24-1458	Briefs	JURISDICTION: Whether district court lacked jurisdiction to consider plaintiff's claims challenging USDA facility inspection policy under the Animal Welfare Act.
Rise for Animals v. Gary Washington (Rubin)		
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24-1476	Briefs	CIVIL: Appeal from district court's grant of summary judgment in favor of employer on discrimination, retaliation, and equal protection claims.
Leah Hollis v. Morgan State University (Griggsby)		

PANEL I
Judge Thacker, Judge Harris, Judge Quattlebaum
Red Courtroom (Room 412)
9:30 a.m.

Wednesday, May 7, 2025

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*Hon. Thomas T. Cullen, United States District Judge, Western District of Virginia

Wednesday, May 7, 2025

23-2097 [Briefs](#) CIVIL: Whether internet lending by tribally owned company constitutes "off-reservation" activity to which state law applies.
Lula Williams v. Matt Martorello
(Payne)

24-1799 [Briefs](#) CONSTITUTIONAL LAW: Cross-appeal related to district court's upholding Maryland firearm restrictions applicable to certain locations and finding unconstitutional restrictions related to certain locations.
Susannah Kipke v. Wes Moore
(Russell)
Associations: 24-1827, 24-1834, 24-1836

24-1886 [Briefs](#) CONSTITUTIONAL LAW: Challenge to county ordinance prohibiting possession of firearms in public parks and locations where people gather pursuant to a government permit.
Kimberly Lafave v. County of Fairfax, Virginia
(Porter)

PANEL II
Chief Judge Diaz, Judge Gregory, Judge Agee
Butzner Courtroom 201
9:30 a.m.

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24-1422* [Briefs](#) JURISDICTION: Whether district court erred in dismissing case for lack of personal jurisdiction.
Muna al-Suyid v. Khalifa Hifter
(Brinkema)
Associations: 24-1429

24-1423* [Briefs](#) JURISDICTION: Whether district court erred in dismissing case for lack of personal jurisdiction.
Ali Hamza v. Khalifa Hifter
(Brinkema)
Associations: 24-1425

24-1426* [Briefs](#) JURISDICTION: Whether district court erred in dismissing case for lack of personal jurisdiction.
Aida Elzagally v. Khalifa Hifter
(Brinkema)
Associations: 24-1427

*24-1422 - Consolidated with 24-1423 and 24-1426 for oral argument purposes.

PANEL III
Judge Rushing, Judge Heytens, Senior Judge Floyd
Blue Courtroom (Room 339)
9:30 a.m.

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23-4181 [Briefs](#) SENTENCING: Whether the district court reversibly erred by imposing a broader search condition of supervised release
US v. Ricky Artis on remand for resentencing; other issues.
(Dever)

24-6385 [Briefs](#) CIVIL COMMITMENT: Constitutionality of provision in 18 U.S.C. section 4246(a) permitting certification for civil
US v. Duane Berry commitment following dismissal of criminal charges; other issues.
(Myers)

23-1611 [Briefs](#) CIVIL: Propriety of district court's dismissal and summary judgment rulings relative to disputes arising out of Prince
GW Acquisition Co., LLC v. Pageland Limited William County Digital Gateway Project; attorney's fee ruling.
Liability Company
(Brinkema)

24-4288 [Briefs](#) CRIMINAL: Sufficiency of evidence to establish willful or corrupt action; applicability of USSG section 2T1.1(b)(1)
US v. James Jones, Jr. regarding source of income exceeding \$10,000; other issues.
(Urbanski)

PANEL IV
Judge Wilkinson, Judge King, Judge Maddox*
Gold Courtroom (Room 348)
9:30 a.m.

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*Hon. Matthew J. Maddox, United States District Judge, Maryland

Wednesday, May 7, 2025

24-1636 [Briefs](#)
Edward Williams v. Fairfax County
Government
(Nachmanoff)

CIVIL: Whether district court erred in granting summary judgment for employer in sexual orientation discrimination, hostile work environment, and retaliation claims.

24-1248 [Briefs](#)
East Coast Storage Equipment Co Inc v.
ZF Transmissions Gray Court LLC
(Cain)

CONTRACT: Challenge to district court's grant of summary judgment where parties dispute existence and terms of contract and Plaintiff sought equitable remedies.

23-1342 [Briefs](#)
Nicholas Cupp v. Delta Air Lines, Inc.
(Allen)

CIVIL: Whether immunity under Va. Code Ann. Section 63.2-1512 was properly applied when child abuse was not reported to local department of social services.

PANEL V
Judge Niemeyer, Judge Benjamin, Senior Judge Keenan
Tweed Courtroom (Room 414-D)
9:30 a.m.

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24-1788	Briefs	CIVIL: Whether Limitation of Liability Act of 1851 is applicable to allow district court to require a state to bring any claims in the limitation proceeding.
Jackson Creek Marine, LLC v. State of Maryland (Hanes)		
24-2070	Briefs	IMMIGRATION: Whether petitioner provided "material support" to a terrorist organization such that he may not qualify for asylum under the INA.
Izuchukwu Ozurumba v. Pamela Bondi		
24-1945	Briefs	JURISDICTION: Whether this court possesses jurisdiction to decide WBTV's appeal; whether district court possessed jurisdiction to decide WBTV's motion to intervene.
Gray Media Group, Inc. v. Heather Loveridge (Cogburn)		

PANEL VI
Judge Wynn, Judge Richardson, Judge Berner
Tan Courtroom (Room 223)
9:30 a.m.

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Thursday, May 8, 2025

23-4627 US v. Keith Bell (Novak)	Briefs	CRIMINAL: Whether appellate waiver applies to amended judgment entered after grant of section 2255 relief and vacatur of one count of conviction; enforceability of waiver.
24-1369 Saadiq Long v. Pamela Bondi (Nachmanoff)	Briefs	CIVIL RIGHTS: Whether appellant has standing to challenge inclusion on Terrorism Watch List. Associations: 24-1403
24-1577 Amanda Smith v. Mark Averill (Rubin)	Briefs	CIVIL: Appeal from grant of summary judgment for employer on claims related to disability discrimination and failure to accommodate under the Rehabilitation Act; related issues.
24-6375 Terrence Hammock v. Gail Watts (Hurson)	Briefs	CIVIL RIGHTS: Challenge to district court's dismissal of conditions of confinement claim related to rotten and contaminated food served to inmates; other issues.

PANEL I
Judge Gregory, Judge Rushing, Judge Benjamin
Red Courtroom (Room 412)
9:30 a.m.

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23-2271 [Briefs](#) CONTRACT: Whether promissory note is ambiguous under Maryland law regarding capacity in which borrower signed
Cross River Bank v. 3 Bea's Assisted Living LLC the note.
(Sullivan)

24-1734 [Briefs](#) CONSTITUTIONAL LAW: Whether promulgation of rule related to human interaction with spinner dolphins was
Eliza Wille v. Jeremy Pelter promulgated in violation of the Appointments Clause.
(Hurson)

23-4255 [Briefs](#) FOURTH AMENDMENT: Whether canine sniff in interior, common hallway outside apartment door violated the Fourth
US v. Eric Johnson Amendment.
(Chasanow)

24-1663 [Briefs](#) CONTRACT: Whether plaintiff's breach of contract and unjust enrichment claims were time-barred under Maryland's
Priority 1 Automotive Group, Inc. v. CDK statute of limitations.
Global, LLC
(Gallagher)

PANEL II
Judge Harris, Judge Richardson, Judge Heytens
Butzner Courtroom 201
9:30 a.m.

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24-0141 [Briefs](#) CLASS ACTION: Challenge to district court's order remanding class action to state court.
Skyline Tower Painting, Inc. v. Elizabeth
(Rubin)
Associations: 24-0142, 24-1250, 24-1251

24-4114 [Briefs](#) CRIMINAL: Constitutionality of 18 U.S.C. section 922(n) following Bruen.
US v. Brandon Jackson
(Hollander)

24-1725 [Briefs](#) CIVIL: Whether district court erred dismissing plaintiff's Title IX claims as untimely.
E.R. v. Beaufort County School District
(Norton)

PANEL III
Chief Judge Diaz, Judge Wynn, Judge Thacker
Blue Courtroom (Room 339)
9:30 a.m.

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24-1387 [Briefs](#)
Columbia Gas Transmission, LLC v. RDFS, LLC
(Bailey) CIVIL: Whether district court erred granting injunctive relief and partial summary judgment related to mitigation work to be performed within a natural gas easement.

24-2082 [Briefs](#)
PACEM Solutions International, LLC v. U. S.
Small Business Administration
(Brinkema) CIVIL: Whether district court erred finding the SBA did not act in an arbitrary, capricious or illegal manner in decision to stop payments under CARES Act subsidy program.

24-1823 [Briefs](#)
Makina ve Kimya Endustrisi A.S. v. Kutlay Kaya
(Ballou) TRADEMARK: Whether district court erred in denying post-trial motion for judgment notwithstanding the verdict and for a new trial.

24-1684 [Briefs](#)
Lynn Freeman v. Progressive Direct
Insurance Company
(Coggins) CLASS ACTION: Whether the district court erred in granting class certification under Fed. R. Civ. P. 23(b)(3) on breach of contract claims.

PANEL IV
Judge Wilkinson, Judge Niemeyer, Judge Berner
Gold Courtroom (Room 348)
9:30 a.m.

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24-1355 [Briefs](#)
Walmart Real Estate Business Trust v.
Quarterfield
(Sullivan)

CONTRACT: Commercial real estate dispute involving whether valid option existed in lease agreements, whether breach occurred, whether option was validly exercised; other related issues.

24-1493 [Briefs](#)
Bestwall LLC v. Official Committee of
Asbestos Claimants
(Beyer)

BANKRUPTCY: Whether bankruptcy court lacked jurisdiction over voluntary petition where debtor is not in financial distress.

24-1669 [Briefs](#)
Jane Roe v. Marshall University Board of
Governors
(Chambers)

CIVIL: Appeal from grant of summary judgment in favor of university on Title IX deliberate indifference claim.

PANEL V
Judge King, Judge Agee, Judge Quattlebaum
Tweed Courtroom (Room 414-D)
9:30 a.m.

Thursday, May 8, 2025

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Friday, May 9, 2025

24-2245 [Briefs](#)
2311 Racing LLC v. National Association for
Stock Car Auto Racing
(Bell) CIVIL: Challenge to district court's grant of preliminary injunction allowing plaintiffs to participate in NASCAR
races as a charter team.

23-1784 [Briefs](#)
Ernest Chappell v. TruckPro, LLC
(Dawson) CIVIL: Whether plaintiff's evidence that defendant distributed allegedly defective product was sufficient under South
Carolina products liability law.

24-1924 [Briefs](#)
State of West Virginia ex rel. Mark A. Hunt v.
CaremarkPCS Health, L.L.C.
(Bailey) CIVIL: Whether district court erred in remanding case to state court, finding federal officer removal was unavailable.

PANEL I
Judge Niemeyer, Judge Agee, Judge Thacker
Red Courtroom (Room 412)
8:30 a.m.

Friday, May 9, 2025

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24-1512 [Briefs](#) CONSTITUTIONAL LAW: Whether plaintiff's claims challenging statute became moot after legislature passed amended statute.
A. Philip Randolph Institute v. North Carolina State Board of Elections
(Biggs)

24-1791 [Briefs](#) CONSTITUTIONAL LAW: First Amendment challenge to Virginia's voting rights restoration system.
George Hawkins v. Glenn Youngkin
(Gibney)

23-1648 [Briefs](#) CIVIL: Whether district court properly awarded summary judgment to university on professor's Title VII retaliation claim related to removal from director position.
Muthoni Imungi v. VCU
(Hudson)

PANEL II
Judge Wynn, Judge Harris, Judge Benjamin
Butzner Courtroom 201
8:30 a.m.

Friday, May 9, 2025

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23-1752 [Briefs](#) LABOR: Whether district court erred in concluding Fire Department Battalion Chiefs were exempt from FLSA overtime requirements.
Anthony Kelly v. City of Alexandria
(Hilton)

24-1634 [Briefs](#) INSURANCE: Whether district court erred granting summary judgment for insurer in dispute related to coverage, whether certain exceptions applied; related issues.
Houston Casualty Company v. Trident
(Gergel)

PANEL CHANGE: Chief Judge Diaz, Judge King, Judge Johnston*

PANEL III
Chief Judge Diaz, Judge King, Judge Xinis*
Blue Courtroom (Room 339)
8:30 a.m.

Friday, May 9, 2025

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*Hon. Paula Xinis, United States District Judge, District of Maryland

*Hon. Thomas E. Johnston, United States District Judge, Southern District of West Virginia

Friday, May 9, 2025

24-1767 [Briefs](#)
Michael Holt v. Ted Hull
(Novak) CONSTITUTIONAL LAW: Challenge to grant of summary judgment in case alleging constitutional violations stemming from facility's refusal to transfer inmate's time-served credit to subsequent facility.

24-1675 [Briefs](#)
Sysco Machinery Corporation v. DCS USA
Corporation
(Boyle) CIVIL: Challenge to district court's dismissal of misappropriation of trade secrets and other claims under the Defend Trade Secrets Act and Copyright Act.

24-2089 [Briefs](#)
Sandra Gardner v. International Association
of Machinists
(Chasanow) LABOR: Challenge to district court's denial of plaintiff's application for leave to file complaint for breach of fiduciary duty under 29 U.S.C. sec. 501(b).

PANEL IV
Gold Courtroom (Room 348)
8:30 a.m.

Friday, May 9, 2025

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23-1394 [Briefs](#) CIVIL RIGHTS: Whether there is jurisdiction over 23-1394; whether cancellation of gender-affirming surgery violates First or Fourteenth Amendments or Affordable Care Act.
Jesse Hammons v. University of Maryland
Medical System Corporation
(Chasanow)
Associations: 23-1452

24-1728 [Briefs](#) CONTRACT: Challenge to preliminary injunction in case alleging state and federal trade secret violations.
Salomon & Ludwin, LLC v. Jeremiah Winters
(Hudson)

23-4447 [Briefs](#) CRIMINAL: Multiple issues raised in consolidated criminal case involving multiple defendants, including evidentiary and speedy trial issues.
US v. Carl Mann, II
(Lewis)
Associations: 23-4448, 23-4630

PANEL V
Tweed Courtroom (Room 414-D)
8:30 a.m.

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