



Public Information Office
United States Courts for the Ninth Circuit

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NEWS RELEASE

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Court of Appeals Schedules Special Sitting at Gonzaga University School of Law

SAN FRANCISCO – The United States Court of Appeals for the Ninth Circuit will hold a special sitting October 3, 2012, at the Gonzaga University School of Law in Spokane, Washington. Oral arguments will begin at 1 p.m. in the Barbieri Moot Courtroom, located at 721 North Cincinnati Street. A photo ID may be required to enter the courtroom.

An appellate panel consisting of Chief Judge Alex Kozinski and Circuit Judge Paul J. Watford for Pasadena, and Circuit Judge Morgan Christen of Anchorage, Alaska, will hear appeals of decisions by the U.S. District Court for the Western District of Washington. The three cases on the docket are:

- *United States v. Sin*, in which Seong Sin appeals the district judge’s order affirming his conviction, following a jury trial presided over by a magistrate judge, of misdemeanor of Operation of a Vessel While Under the Influence of Alcohol. Case 11-30378
- *Slater v. Clarke*, in which Massachusetts state officials appeal from the district court’s denial of their motion for absolute immunity from a suit alleging that they were responsible for the premature release of prisoner Daniel Tavares from the Massachusetts Department of Corrections (MDOC). Tavares subsequently shot and killed Beverly and Brian Mauck in the couple’s home in Pierce County, Washington. An investigation revealed that as a result of disciplinary proceedings against Tavares during his incarceration in Massachusetts, the MDOC could have deducted an additional 689 days of “good time” from Tavares, which would have postponed his release. Plaintiffs allege that the defendants were liable for Tavares’ premature release, for their subsequent investigation of his whereabouts in Washington State, and for their refusal to apprehend him and return him to Massachusetts. Case 11-35699

- *Seattle Mideast Awareness Campaign v. King County*, in which Seattle Mideast Awareness Campaign (SeaMAC) appeals from the district court's summary judgment in its action alleging that King County violated plaintiff's First Amendment rights when the Metropolitan Transit Division (Metro) refused to display SeaMAC's advertisement on Metro buses. SeaMAC, a non-profit organization whose goal is to bring attention to Israeli-Palestinian relations, proposed to display a message opposing the United States government's support for Israel. The district court found that the exterior of the buses was a limited public forum and King County's restriction were reasonable. In a cross appeal, case 11-35931, the county appeals from the district court's order granting SeaMAC's request for a jury trial. Case 11-35914

The Ninth Circuit Court of Appeals hears appeals of decisions by executive branch agencies and cases decided by 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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