



OBITER DICTUM

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LIBRARY HOURS

The library will be closed on Tuesday, July 4, in observance of Independence Day.



For details, check the Legal Research Center web site at <http://www.sandiego.edu/lrc/about/hours.php>.

MEET ME AT THE FAIR



The World eBook Fair is aiming to be the largest showcase for eBooks, eBook publishers, editors, and others working in the new world of eBooks. The month-long online fair will open on July 4, the 35th anniversary of the date the United States Declaration of Independence was the first file placed online for downloading in Project Gutenberg, a pioneering electronic library of the Internet. From July 4 to August 4, readers will be able to visit the fair at <http://worldebookfair.com/>. There, they will have free access to a third of a million eBooks, all free of charge for the month from July 4 to August 4, 2006. The World eBook Fair has created a library of broad scope, from nearly every classic author, on a range of subjects previously only available through the largest library collections in the world. The fair is presented by the oldest and largest free eBook source on the Internet, Project Gutenberg, with the assistance of the World eBook Library. The World eBook Library normally charges \$8.95 per year for online access, and allows unlimited permanent downloading. *Suggested by Nancy Carol Carter, LRC Director.*



HOW IN-CITE- FUL!



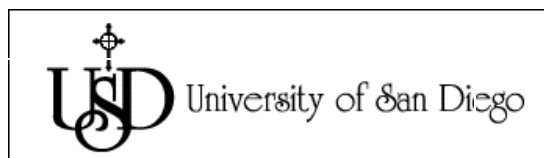
Effective December 1, 2006, the Federal Rules of Appellate Procedure have been amended by the Supreme Court, as follows:

Rule 32.1. Citing Judicial Dispositions

(a) Citation Permitted. A court may not prohibit or restrict the citation of federal judicial opinions, orders, judgments, or other written dispositions that have been:

(i) designated as “unpublished,” “not for publication,” “non-precedential,” “not precedent,” or the like; and

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IN-CITE-FUL (ii) issued on or after January 1, 2007.

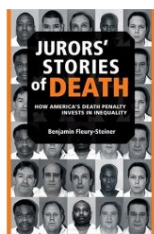
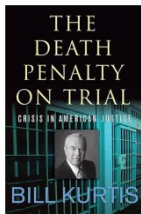
(cont.)



(b) Copies Required. If a party cites a federal judicial opinion, order, judgment, or other written disposition that is not available in a publicly accessible electronic database, the party must file and serve a copy of that opinion, order, judgment, or disposition with the brief or other paper in which it is cited. FED. R. APP. P. 32.1, <http://www.supremecourt.us/orders/courtorders/frap06p.pdf>.

Both Chief Justice John Roberts and Associate Justice Samuel Alito supported the amendment allowing citation of unpublished opinions while they served on the Advisory Committee on the Federal Rules of Appellate Procedure.

CAPITAL PUNISHMENT UNDER THE MICROSCOPE



Thirty years ago this month, on July 2, 1976, the U.S. Supreme Court held in *Gregg v. Georgia*, 428 U.S. 153 (1976), and in four additional death penalty cases decided that day that capital punishment was not inherently cruel and unusual. Much has been written about the death penalty, both before and since that fateful day.

Recent accounts of controversial capital sentences include:

DAVID R. DOW, EXECUTED ON A TECHNICALITY: LETHAL INJUSTICE ON AMERICA'S DEATH ROW/KF9227 .C2 D69 2005

BENJAMIN FLEURY-STEINER, JURORS' STORIES OF DEATH: HOW AMERICA'S DEATH PENALTY INVESTS IN INEQUALITY/HV8699 .U5 F54 2004

RACHEL KING, CAPITAL CONSEQUENCES: FAMILIES OF THE CONDEMNED TELL THEIR STORIES/HV8699 .U5 K56 2005

SCOTT E. SUNDBY, A LIFE AND DEATH DECISION: A JURY WEIGHS THE DEATH PENALTY/KF9680 .S86 2005

Issues of race and the death penalty are addressed in a series of essays in CHARLES J. OGLETREE, JR. & AUSTIN SARAT, EDs., FROM LYNCH MOBS TO THE KILLING STATE: RACE AND THE DEATH PENALTY IN AMERICA. The relationship between the medical profession and the death penalty is explored in JOSEPH B. R. GAIE, THE ETHICS OF MEDICAL INVOLVEMENT IN CAPITAL PUNISHMENT: A PHILOSOPHICAL DISCUSSION/R724 .G325 2004. TV newscaster Bill Kurtis's special program for A&E's *Investigative Reports* is retold in book form in THE DEATH PENALTY ON TRIAL: CRISIS IN AMERICAN JUSTICE/HV8699 .U5 K87 2004.

Additional commentary can be found in:

HUGO ADAM BEDAU, KILLING AS PUNISHMENT: REFLECTIONS ON THE DEATH PENALTY IN AMERICA/HV8699 .U5 B43 2004

HUGO ADAM BEDAU & PAUL G. CASSELL, EDs., DEBATING THE DEATH PENALTY: SHOULD AMERICA HAVE CAPITAL PUNISHMENT? THE EXPERTS ON BOTH SIDES MAKE THEIR BEST CASE/HV8699 .U5 D635 2004

CRAIG HANEY, DEATH BY DESIGN: CAPITAL PUNISHMENT AS A SOCIAL PSYCHOLOGICAL SYSTEM/HV8699 .U5 H365 2005

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