[**Arizona v. Mayorkas**](https://www.scotusblog.com/case-files/cases/arizona-v-mayorkas-2/), No. [**22-592**](https://www.supremecourt.gov/docket/docketfiles/html/public/22-592.html) [Dismissed from merits docket]

Issue(s): Whether the State applicants may intervene to challenge the District Court’s summary judgment order.

[**Cruz v. Arizona**](https://www.scotusblog.com/case-files/cases/cruz-v-arizona/), No. [**21-846**](https://www.supremecourt.gov/docket/docketfiles/html/public/21-846.html) [Arg: 11.1.2022; Decided [**2.22.2023**](https://www.supremecourt.gov/opinions/22pdf/21-846_lkgn.pdf)]

Holding: The Arizona Supreme Court’s holding below — that [***Lynch v. Arizona***](https://casetext.com/case/lynch-v-arizona) did not represent a “significant change in the law” for purposes of permitting John Montenegro Cruz to file a successive petition for state postconviction relief under [**Arizona Rule of Criminal Procedure 32.1(g)**](https://casetext.com/rule/arizona-court-rules/arizona-rules-of-criminal-procedure/appeal-and-other-post-conviction-relief/rule-32-post-conviction-relief-for-defendants-sentenced-following-a-trial-or-a-contested-probation-violation-hearing/rule-321-scope-of-remedy) — is not an adequate state-law ground supporting that judgment.

[**Arizona v. Navajo Nation**](https://www.scotusblog.com/case-files/cases/arizona-v-navajo-nation/), No. [**21-1484**](https://www.supremecourt.gov/docket/docketfiles/html/public/21-1484.html) [Arg: 03.20.2023[**Trans.**](https://www.supremecourt.gov/oral_arguments/argument_transcripts/2022/21-1484_c07d.pdf); Decided [**6.22.2023**](https://www.supremecourt.gov/opinions/22pdf/21-1484_aplc.pdf)]

Holding: The 1868 treaty establishing the Navajo Reservation reserved necessary water to accomplish the purpose of the Navajo Reservation but did not require the United States to take affirmative steps to secure water for the tribe.

[**National Pork Producers Council v. Ross**](https://www.scotusblog.com/case-files/cases/national-pork-producers-council-v-ross/), No. [**21-468**](https://www.supremecourt.gov/docket/docketfiles/html/public/21-468.html) [Arg: 10.11.2022[**Trans.**](https://www.supremecourt.gov/oral_arguments/argument_transcripts/2022/21-468_n7io.pdf); Decided [**05.11.2023**](https://www.supremecourt.gov/opinions/22pdf/21-468_5if6.pdf)]

Holding: The judgment of the U.S. Court of Appeals for the 9th Circuit — affirming the dismissal of a complaint challenging California’s Proposition 12 under a dormant commerce clause rationale not grounded in an allegation that the law purposefully discriminates against out-of-state economic interests — is affirmed

[**Mallory v. Norfolk Southern Railway Co.**](https://www.scotusblog.com/case-files/cases/mallory-v-norfolk-southern-railway-co/), No. [**21-1168**](https://www.supremecourt.gov/docket/docketfiles/html/public/21-1168.html) [Arg: 11.8.2022[**Trans.**](https://www.supremecourt.gov/oral_arguments/argument_transcripts/2022/21-1168_j42k.pdf); Decided [**6.27.2023**](https://www.supremecourt.gov/opinions/22pdf/21-1168_kifl.pdf)]

Holding: A Pennsylvania law requiring out-of-state companies that register to do business in Pennsylvania to agree to appear in Pennsylvania courts on “any cause of action” against them comports with the due process clause.

[**Department of Education v. Brown**](https://www.scotusblog.com/case-files/cases/department-of-education-v-myra-brown-2/), No. [**22-535**](https://www.supremecourt.gov/docket/docketfiles/html/public/22-535.html) [Arg: 2.28.2023[**Trans.**](https://www.supremecourt.gov/oral_arguments/argument_transcripts/2022/22-535_ba7d.pdf); Decided [**6.30.2023**](https://www.supremecourt.gov/opinions/22pdf/22-535_i3kn.pdf)]

Holding: Respondents lack Article III standing to assert a procedural challenge to the student-loan debt-forgiveness plan adopted by the Secretary of Education pursuant to Higher Education Relief Opportunities for Students Act of 2003.

[**Biden v. Nebraska**](https://www.scotusblog.com/case-files/cases/biden-v-nebraska-2/), No. [**22-506**](https://www.supremecourt.gov/docket/docketfiles/html/public/22-506.html) [Arg: 2.28.2023[**Trans.**](https://www.supremecourt.gov/oral_arguments/argument_transcripts/2022/22-506_5426.pdf); Decided [**6.30.2023**](https://www.supremecourt.gov/opinions/22pdf/22-506_nmip.pdf)]

Holding: The Secretary of Education does not have authority under the Higher Education Relief Opportunities for Students Act of 2003 to establish a student loan forgiveness program that will cancel roughly $430 billion in debt principal and affect nearly all borrowers.

[**Students for Fair Admissions v. University of North Carolina**](https://www.scotusblog.com/case-files/cases/students-for-fair-admissions-inc-v-university-of-north-carolina/), No. [**21-707**](https://www.supremecourt.gov/docket/docketfiles/html/public/21-707.html) [Arg: 10.31.2022[**Trans.**](https://www.supremecourt.gov/oral_arguments/argument_transcripts/2022/21-707_m64n.pdf); Decided [**6.29.2023**](https://www.supremecourt.gov/opinions/22pdf/20-1199_hgdj.pdf)] and [**Students for Fair Admissions Inc. v. President & Fellows of Harvard College**](https://www.scotusblog.com/case-files/cases/students-for-fair-admissions-inc-v-president-fellows-of-harvard-college/), No. [**20-1199**](https://www.supremecourt.gov/docket/docketfiles/html/public/20-1199.html) [Arg: 10.31.2022[**Trans.**](https://www.supremecourt.gov/oral_arguments/argument_transcripts/2022/20-1199_o7kq.pdf); Decided [**6.29.2023**](https://www.supremecourt.gov/opinions/22pdf/20-1199_hgdj.pdf)]

Holding: The admissions programs at Harvard College and the University of North Carolina violate the equal protection clause of the 14th Amendment.

[**Axon Enterprise v. Federal Trade Commission**](https://www.scotusblog.com/case-files/cases/axon-enterprise-inc-v-federal-trade-commission/), No. [**21-86**](https://www.supremecourt.gov/docket/docketfiles/html/public/21-86.html) [Arg: 11.7.2022; Decided [**4.14.2023**](https://www.supremecourt.gov/opinions/22pdf/21-86_l5gm.pdf)] and [**Securities and Exchange Commission v. Cochran**,](https://www.scotusblog.com/case-files/cases/securites-and-exchange-commission-v-cochran/)No. [**21-1239**](https://www.supremecourt.gov/docket/docketfiles/html/public/21-1239.html) [Arg: 11.7.2022; Decided [**4.14.2023**](https://www.supremecourt.gov/opinions/22pdf/21-86_l5gm.pdf)]

Holding: The statutory review schemes set out in the Securities Exchange Act and Federal Trade Commission Act do not displace a district court’s federal-question jurisdiction over claims challenging as unconstitutional the structure or existence of the SEC or FTC.

[**Counterman v. Colorado**](https://www.scotusblog.com/case-files/cases/counterman-v-colorado/), No. [**22-138**](https://www.supremecourt.gov/docket/docketfiles/html/public/22-138.html) [Arg: 04.19.2023[**Trans.**](https://www.supremecourt.gov/oral_arguments/argument_transcripts/2022/22-138_8759.pdf); Decided [**6.27.2023**](https://www.supremecourt.gov/opinions/22pdf/22-138_43j7.pdf)]

Holding: To establish that a statement is a “true threat” unprotected by the First Amendment, the state must prove that the defendant had some subjective understanding of the statements’ threatening nature, based on a showing no more demanding than recklessness.

[**303 Creative LLC v. Elenis**](https://www.scotusblog.com/case-files/cases/303-creative-llc-v-elenis/), No. [**21-476**](https://www.supremecourt.gov/docket/docketfiles/html/public/21-476.html) [Arg: 12.5.2022[**Trans.**](https://www.supremecourt.gov/oral_arguments/argument_transcripts/2022/21-476_n7io.pdf); Decided [**6.30.2023**](https://www.supremecourt.gov/opinions/22pdf/21-476_c185.pdf)]

Holding: The First Amendment prohibits Colorado from forcing a website designer to create expressive designs speaking messages with which the designer disagrees.

**Further Reading:**

Jonathan H. Adler, What's Left Standing of Special Solicitude for States After U.S. v. Texas?,

<https://reason.com/volokh/2023/06/26/whats-left-standing-of-special-solicitude-for-states-after-u-s-v-texas/>,

Evan Mandery, Elite Colleges Are About to Become the Villains, <https://www.politico.com/news/magazine/2023/07/13/harvard-affirmative-action-diversity-00105967>

Joondeph, Bradley W., The 'Horizontal Separation of Powers' after National Pork Producers Council v. Ross (August 1, 2023). San Diego Law Review, Vol. 61, No. 1, Forthcoming , Available at SSRN: [https://ssrn.com/abstract=4525502](https://ssrn.com/abstract%3D4525502)