



THE BENCHLINE

In light of the recent events involving Charlie Kirk, AFJ unequivocally condemns all forms of politically motivated violence. Disagreement and discourse are vital to a democratic society, but they must never come at the expense of safety. No matter the political perspective, violence has no place in our communities.

- The AFJ Team

Supreme Court

“Shadow” Docket Ruling

On Monday, the Supreme Court once again used its emergency “shadow” docket to side with the Trump administration — this time **granting its request** to block a lower court ruling that prohibited immigration officials from detaining people based on ethnicity alone.

Justice Sotomayor, in dissent, warned that the Court is turning this country into “a place where the Government can seize anyone who looks Latino, speaks Spanish, and appears to work a low-wage job.” This is not just a direct assault on Fourth Amendment protections, but rather the highest court in the land legitimizing systemic racial profiling. The Supreme Court continues to issue sweeping, life-altering decisions with no transparency or accountability, bending to Trump’s demands in ways that, as Sotomayor put it, are “unconscionably irreconcilable with our Nation’s constitutional guarantees.”



Case Previews

It feels like the Court's last term never ended, with a steady stream of shadow docket rulings reshaping the law without full briefing or public scrutiny. But as the 2025 term begins, we are bracing for another round of high-stakes cases that will profoundly shape our democracy, civil rights, and freedoms. Here are a few we'll be watching closely:

- ***Bost v. Illinois State Board of Elections (Oct. 14)***: At issue is whether Republican Congressman Mike Bost and others can challenge Illinois's ballot-counting deadline, which they claim unlawfully extends Election Day. Lower courts dismissed their case for lack of standing, but by granting review, the Supreme Court risks opening the door to a dangerous new era where losing candidates or partisan actors can try to overturn election results by weaponizing challenges to state election practices.
- ***Louisiana v. Callais (Oct. 15)***: The Court will rehear two challenges to Louisiana's congressional map, considering whether Louisiana's effort to comply with Section 2 of the Voting Rights Act (VRA), a law that bans racial discrimination in voting, is itself unconstitutional. The decision could gut one of the last remaining protections in the Voting Rights Act, making it nearly impossible for communities of color to secure fair representation in future redistricting battles nationwide.

- **Landor v. Louisiana (Nov. 10):** This case asks whether incarcerated people can seek monetary damages from state officials who violate their religious rights under the Religious Land Use and Institutionalized Persons Act (RLUIPA). Damon Landor was a Rastafarian inmate with long dreadlocks as part of a religious vow. Despite previous accommodations and a court ruling affirming a right to grow his hair, Louisiana prison officials strapped him down and shaved his head weeks before his release. A ruling for Landor would clearly signal to public officials that they can be held personally liable for failing to follow the law, which is especially important for RLUIPA, where injunctive relief, rather than monetary damages, is moot when someone is no longer at a specific institution or facing certain zoning restrictions.

THE SENATE

JUDICIARY COMMITTEE

Judicial Nominees

Trump's Fifth Slate

Trump's latest slate of judicial nominees includes [Rebecca Taibleson](#) for the Seventh Circuit Court of Appeals and four nominees to district courts in North Carolina: [Susan Courtwright Rodriguez](#) and [Matthew Emile Orso](#) for the Western District of North Carolina and [Lindsey Freeman](#) and [David Alan Bragdon](#) for the Middle District of North Carolina.

Like so many of his previous picks, these nominees fit the same mold: deeply tied to the Federalist Society, aligned with the far-right legal movement, and committed to reshaping our courts in ways that erode fundamental rights.

Alliance for Justice opposes every one of these nominees, but we are especially alarmed by the prospect of David Bragdon being confirmed to a lifetime appointment in the federal judiciary.



U.S. DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

“Abortion is wrong because person or not, a fetus has just as much right to life as an infant does.”

Bragdon has been disturbingly outspoken about his **radical worldview**. He has claimed that “equality is beginning to replace liberty as the primary principle” — a chilling sign of his contempt for equal protection under the law. He has compared abortion to killing an “unwanted neighbor” and declared that women must “face the consequences” of unintended pregnancies, rhetoric that is cruelly dismissive of the right of each person to make health care decisions about their own bodies. He has also advocated for expanding the use of the death penalty, while promoting a distorted vision of religious liberty that elevates certain beliefs above the rights of others. Bragdon’s views are not just extreme — they represent a direct and imminent threat to equal justice under law.

HOLDING

THE BENCHLINE

Lower Courts Push Back

Last week, Judge Burroughs **ordered** the Trump administration to restore billions in federal grants to Harvard after its attempt to freeze them. In reviewing the administrative record, she concluded that the administration had used antisemitism as a “smokescreen for a targeted, ideologically motivated assault on...universities.” This week, several more lower court judges ruled against the Trump administration’s unlawful and authoritarian executive overreach.

In one case, U.S. District Judge Charles Breyer ruled that Trump **violated federal law** by deploying the National Guard to Los Angeles, noting that federal law explicitly prohibits using the military for domestic law enforcement. The administration argued that Trump’s authority as president created a “constitutional exception,” but Breyer dismissed that claim outright, finding it unsupported by history, Supreme Court precedent, or common sense. Judge Breyer, uncertain of his authority to block further National Guard deployments while the case is on appeal, has **paused** proceedings. The responsibility now falls to the Ninth Circuit to hold the Benchline against Trump’s relentless executive overreach.

Trump also faced defeat in an unexpected venue: the Fifth Circuit Court of Appeals. In a challenge to Trump’s use of the Alien Enemies Act to target Venezuelan communities, the appellate court became the first to rule on the merits of the administration’s use of the wartime statute. Trump had attempted to justify deportations under the act by declaring there was an “invasion” of the United States. But in **a 2-1 opinion** written by Judge Leslie Southwick and joined by Judge Irma Ramirez (a Biden appointee), the court rejected that argument, holding that “invasion” is a term of war that requires actual military action — something Trump could not show.

We remain hopeful that despite the Trump administration's blatant disregard for the law and attempts to strong-arm academic institutions and the public, many federal judges continue to demonstrate a commitment to the Constitution and the rule of law.

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