



Spring 3-1-1986

The Fourth Circuit Review

Follow this and additional works at: <https://scholarlycommons.law.wlu.edu/wlulr>



Part of the [Courts Commons](#)

Recommended Citation

The Fourth Circuit Review, 43 Wash. & Lee L. Rev. 431 (1986).

Available at: <https://scholarlycommons.law.wlu.edu/wlulr/vol43/iss2/5>

This Article is brought to you for free and open access by the Washington and Lee Law Review at Washington and Lee University School of Law Scholarly Commons. It has been accepted for inclusion in Washington and Lee Law Review by an authorized editor of Washington and Lee University School of Law Scholarly Commons. For more information, please contact christensena@wlu.edu.

THE FOURTH CIRCUIT REVIEW

CONTENTS

FOREWORD

Clothed with Integrity: The Consequences of Attorney Disloyalty in the Fourth Circuit	K. K. Hall	433
---	------------	-----

I. ADMINISTRATIVE LAW

Leaf Tobacco Exporters Association, Inc. v. Block: <i>The Role of the Zone of Interests Standing Test in Denial of Standing to Challenge Agency Action</i>		441
--	--	-----

II. ADMIRALTY

<i>Admiralty Jurisdiction in Asbestos Litigation: The Fourth Circuit Draws the Line</i>		454
---	--	-----

III. BANKRUPTCY

<i>Including a Child Support Arrearage in a Chapter 13 Plan</i>		477
---	--	-----

IV. CONSTITUTIONAL LAW

A. <i>The Constitutionality of State Regulation of Public Utility Holding Companies</i>		497
---	--	-----

B. <i>Troy v. City of Hampton: The Seventh Amendment Right to Trial and the Veterans Reemployment Rights Act</i>		523
--	--	-----

V. CRIMINAL LAW AND PROCEDURE

A. <i>Keeten v. Garrison: Restricting an Accused's Right to Have His Guilt Tried by a Randomly Selected Jury</i>		539
--	--	-----

B. <i>The Consequences of Appealing Plea Bargain Agreements: Prisoners Face Increased Sentences on Retrial After Vacated Sentence</i>		556
---	--	-----

C. <i>Expanding the Automobile Exception: Fourth Circuit Upholds Warrantless Search of Parked Automobile Based Solely on Probable Cause to Believe Vehicle Contained Contraband</i>		577
---	--	-----

VI. EMPLOYMENT AND LABOR LAW

A. <i>Erosion of the Employment-at-Will Doctrine: Recognition of an Employee's Right to Job Security</i>		593
--	--	-----

B. <i>Determining the Free Speech Rights of Public Employees</i>		616
--	--	-----

C. <i>Ross v. Communications Satellite Corp.: Collateral Estoppel Effect of Non-Fair-Employment-Practice Agency Decision in a Subsequent Title VII Action</i>		642
---	--	-----

VII. EVIDENCE

A. <i>Rejecting Frye v. United States: The Fourth Circuit Takes a Liberal Approach to the Admission of Government Reports Under Federal Rule of Evidence 803(8)(c)</i>		660
--	--	-----

B. *Advantage for the Prosecution: The Fourth Circuit Examines the Relationship Between the Confrontation Clause and the Hearsay Rule* 681

VIII. PRISONERS' RIGHTS
Schrader v. White: Fourth Circuit Rejects Totality Analysis for Cruel and Unusual Conditions of Confinement 701

IX. REMEDIES
Merrill Lynch, Pierce, Fenner & Smith, Inc. v. Bradley: Status Quo Injunctions Under the Federal Arbitration Act 725

X. TAX
The Summons Power of the IRS under IRC Section 7602(b) — A Legal Search and Seizure? 741

XI. TRADEMARK
Pizzeria Uno Corporation v. Temple: Injunctive Protection of Federally Registered Trademarks 763

TABLE OF CASES 780