



Spring 3-1-1975

Fourth Circuit Review

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



Part of the [Courts Commons](#)

Recommended Citation

Fourth Circuit Review, 32 Wash. & Lee L. Rev. 417 (1975).

Available at: <https://scholarlycommons.law.wlu.edu/wlulr/vol32/iss2/6>

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.

FOURTH CIRCUIT REVIEW*

CONTENTS**

	PAGE
I. ANTITRUST	
A. <i>Attorneys' Minimum Fee Schedules Do Not Violate Antitrust Laws</i>	419
II. CIVIL PROCEDURE	
A. <i>Applicability of Work Product Doctrine in Subsequent Litigation</i>	423
III. CONSTITUTIONAL LAW	
A. <i>Staggered Term Elections Do Not Unconstitutionally Dilute Voting Power of Racial Minorities</i> .	429
B. <i>Discriminatory Dismissal of Public School Teachers on the Basis of National Teacher Examination Scores</i>	432
C. <i>Revocation of Teacher's Certification Must Comply With Standards of Procedural Due Process</i> ...	438
D. <i>Due Process Guarantees in the Termination of Doctor's Staff Privilege at a Private Hospital</i>	446
IV. CRIMINAL LAW AND PROCEDURE	
A. <i>Search and Seizure</i>	
1. <i>Comment: Limitations Upon the Scope of the Plain View Doctrine and Application of the Automobile Exception</i>	449
2. <i>Application of Automobile Exception and Plain View Doctrine to Justify Warrantless Seizure of Evidence Inside Car Parked in Public Place</i>	468
3. <i>Third Party Tip as Basis for Providing Reasonable Apprehension of Danger to Justify Warrantless Stop and Frisk</i>	482
B. <i>Effect of Adverse Publicity Before and During Trial Upon Accused's Right to Fair Trial</i>	489
C. <i>Application of Presumption that Venue for Forgery Prosecution Lies in District Where Forged Instrument was Uttered</i>	499

* Suggested citation form: *Fourth Circuit Review*, 32 WASH. & LEE L. REV. 417 (1975). When citing to a particular section, cite in addition a descriptive portion of the title of the section or subsection, the beginning page number of the section or subsection and the page number on which the particular proposition appears; e.g., for the proposition that all "opinion" work product materials of an attorney need not be disclosed, cite *Work Product Doctrine, Fourth Circuit Review*, 32 WASH. & LEE L. REV. 423, 428 (1975).

D.	<i>Insufficiency of Silence to Invoke Fifth Amendment Privilege After Valid Waiver</i>	506
E.	<i>Sentencing</i>	
1.	<i>Comment: United States v. Maples: Appellate Review of Sentencing Based Upon Sex</i>	512
2.	<i>Increased Sentence Based Upon Trial Judge's Personal Conclusion that Defendant Had Perjured Himself at Trial Not Subject to Review Where Sentence is Within Statutory Maximum</i>	534
V.	EVIDENCE	
A.	<i>Admissibility of "Other Crimes" Evidence in a Criminal Prosecution</i>	540
VI.	PRODUCTS LIABILITY	
A.	<i>Comment: Dreisonstok v. Volkswagenwerk, A. G.: The Duty to Warn of Enhanced Injuries in Automobile Accidents</i>	545
B.	<i>Suits in Implied Contract and the Statute of Limitations</i>	557
VII.	SECURITIES REGULATION	
A.	<i>Warehouse Receipts Evidencing Sales of Scotch Whiskey Casks Included Within Definition of "Security" Necessitating Registration Under § 5 of the Securities Act of 1933</i>	562
B.	<i>Unorthodox Transactions and Liability for Short-Swing Profits Under § 16(b) of the Securities Exchange Act of 1934</i>	565