

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),
<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 & 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 & Lee University School of Law Scholarly Commons. For more information, please contact lawref@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