

----- April 1, 2026 - March 31, 2027 -----

- (1) *United States v. Castellano*, No. 25-4012, ___ F.4th ___ (4th Cir. Apr. 6, 2026) (Diaz, J.) (E.D. Va.) (affirming imposition of supervised release condition on CSAM defendant barring access to legal pornography; noting that mandate rule did not bar imposition of condition despite earlier appeal rejecting it, since new circumstances in the form of more violations and a therapist's recommendation supported the condition)
- (2) ! *United States v. Jones*, No. 24-4624, ___ F.4th ___ (4th Cir. Apr. 14, 2026) (Niemeyer, J.) (M.D.N.C.) (finding plain error in district court's revocation and sentencing of defendant for a Grade B supervised release violation (drug use), when the petition only actually charged a Grade C violation (failed drug tests); noting that it is possible to infer illegal drug use from a failed drug test, but here the court did not actually make that inference despite imposing sentence as if it had; further directing district court on remand to re-calculate statutory maximum term of supervised release it could impose after prison sentence)
- (3) *United States v. Russell*, No. 24-4620, ___ F.4th ___ (4th Cir. Apr. 14, 2026) (Diaz, J.) (E.D. Va.) (affirming conviction of person who illegally accessed Justice Ginsburg's health records, rejecting three claims on appeal: "first, that the district court improperly denied his motion to suppress statements that he made to federal agents during an investigative interview; second, that the court abused its discretion by limiting his cross-examination of a witness; and finally, that the government didn't present sufficient evidence to convict him of obtaining individually identifiable health information")
- (4) *United States v. Lawrence*, No. 24-4596, ___ F.4th ___ (4th Cir. Apr. 14, 2026) (Richardson, J.) (E.D. Va.) (affirming fraud convictions over argument that two fraud schemes were improperly joined under Fed. R. Crim. P. 8(a) or should have been severed under Fed. R. Crim. P. 14(a), concluding that joinder was proper because schemes involved same company run by defendant, were based on same motive, and evidence overlapped)
- (5) ! *United States v. Zeledon Hernandez*, No. 24-4665, ___ F.4th ___ (4th Cir. Apr. 16, 2026) (Gregory, J.; Wilkinson, J., dissenting) (E.D. Va.) (reversing conviction for obstructing a "pending proceeding . . . being had before [a] department or agency of the United States" 18 U.S.C. § 1505, finding that defendant's escape from ICE custody before he could be deported did not obstruct a "proceeding" that was "pending" because his removal order was already final, and that the statute did not cover enforcement actions)
- (6) ! *United States v. Martin*, No. 25-4233, ___ F.4th ___ (4th Cir. Apr. 17, 2026) (Benjamin, J.; King, J., dissenting) (S.D.W. Va.) (reversing denial of suppression motion, holding that police officer improperly extended a traffic stop without reasonable suspicion when, after getting the driver's license, he immediately started asking questions about firearms or other items in the car, indicating that he was investigating other crimes not related to the traffic stop; noting several times how nonchalant the officer acted even after learning that there were guns in the car, which the Fourth Circuit said undercut an "officer safety" rationale for the questions, and making clear that such questions are not *always* constitutional (as the dissent would have it), further pointing out that

once the officer started asking about guns, he never returned to the topic of the stop (illegally parking on a one-lane bridge) and never issued a ticket for the violation)

(7) ! *United States v. Mills*, No. 25-4075, ___ F.4th ___ (4th Cir. Apr. 20, 2026) (Agee, J.) (E.D. Va.) (finding no clear error in district court’s conclusion that defendant committed assault while on supervised release, despite conflicting testimony and acquittal in state court on charges related to assault incident, but vacating sentence as plainly unreasonable because district court failed to address on the record defendant’s non-frivolous mitigating argument that he should get some credit for performing well on supervised release for 19 months beyond the scheduled expiration of his term while parties waited for resolution of state proceedings; noting that even though “there is no doubt that the district court was aware” of the facts underlying a mitigation argument, and that “it’s certainly possible, and perhaps probable, that the district court had considered [those facts] when it fashioned the revocation sentence,” it was still plainly unreasonable not to put some consideration of that argument on the record at the hearing)

(8) ! *United States v. Davis*, No. 25-4093 (4th Cir. Apr. 24, 2026) (Diaz, J.; Wilkinson, J., dissenting) (E.D. Va.) (unpublished but notable) (reversing conviction for health care fraud for insufficient evidence that bills submitted were actually false, describing view of district court, government, and dissent as “a whiff of fraud in the air”)

(9) *United States v. Allen*, No. 24-4604, ___ F.4th ___ (4th Cir. Apr. 28, 2026) (Niemeyer, J.) (E.D.N.C.) (reversing district court’s order suppressing gun and drugs found in a cross-body bag taken from defendant during his arrest, noting that—although the bag was separated from defendant and he was handcuffed and surrounded by police (but still “resisting” by squirming) and thus outside of his ability to reach—evidence would have inevitably been discovered anyway because bag would have been searched pursuant to both Police Department and Detention Center inventory search policies)

* (10) *United States v. Lodge*, No. 23-4665, ___ F.4th ___ (4th Cir. Apr. 30, 2026) (Young, D.J., sitting by designation; Gregory, J., dissenting) (N.D.W. Va.) (finding that district court did not clearly err in finding that defendant had abandoned backpack.....more)

(11) *United States v. Williamson*, No. 23-4601, ___ F.4th ___ (4th Cir. Apr. 30, 2026) (Quattlebaum, J.) (S.D.W. Va.) (affirming finding that juror was not biased despite being dishonest about previously being targeted by a federal investigation)

(12) *United States v. Lefemine*, No. 24-4419, ___ F.4th ___ (4th Cir. May 1, 2026) (Benjamin, J.; Rushing, J., dissenting) (D.S.C.) (affirming conviction of anti-abortion protester under the FACE Act, rejecting argument regarding amendment of indictment and denial of jury trial – indictment originally alleged violent protest, but was amended, and govt said it would not seek more than six months in jail, making it a petty offense; dissent argued that indictment as amended would have exposed him to a year in jail, giving him right to a jury trial)

(13) *United States v. Speed*, No. 23-4308, ___ F.4th ___ (4th Cir. May 5, 2026) (Quattlebaum, J.; Wilkinson, J., concurring; Richardson, J., concurring) (E.D. Va.) (upholding conviction for possession of an unregistered silencers, rejecting jury instruction and sufficiency claims, also

rejecting vagueness and Second Amendment challenges. Wilkinson says silencers aren't "arms" at all and thus are categorically unprotected by the Second Amendment, so Congress can regulate them as it sees fit, including outright prohibition. Richardson's concurrence is really a dissent; he says he's bound by *Maryland Shall Issue* to affirm, but he thinks that case is incompatible (or at least over-reads) *Bruen*.)

(14) *United States v. Mhana*, Nos. 24-4488, 24-4533, ___ F.4th ___ (4th Cir. May 12, 2026) (Rushing, J.) (W.D.N.C.) (rejecting various evidentiary challenges in money laundering/transporting stolen goods case – business records hearsay, summary charts of voluminous exhibits, etc.; on government's cross-appeal, reversing district court's decision not to order forfeiture)

(15) *United States v. Davis*, No. 24-6432, ___ F.4th ___ (4th Cir. May 12, 2026) (Rushing, J.) (E.D. Va.) (affirming denial of 3582(c)(2) motion, despite eligibility, due to 3553(a) factors and prison discipline record – finding explanation sufficient)

(16) *United States v. Straite*, No. 23-6872, ___ F.4th ___ (4th Cir. May 18, 2026) (Gregory, J.) (M.D.N.C.) (attempted armed bank robbery, 18 U.S.C. § 2113(d), is categorically a crime of violence under 924(c) because it necessarily requires assaulting or putting in jeopardy the life of any person by the use of a dangerous weapon)

(17) *United States v. Starkey*, No. 25-4099, ___ F.4th ___ (4th Cir. May 22, 2026) (Niemeyer, J.) (E.D. Va.) (Delaware drug distribution is a controlled substances offense under the guidelines)

(18) ! *United States v. Scott*, No. 25-4048, ___ F.4th ___ (4th Cir. May 22, 2026) (Heytens, J.; Niemeyer, J., dissenting) (E.D. Va.) (Va. Code § 18.2-53.1 – use of a firearm in the commission of a robbery – is not categorically a crime of violence under the guidelines)

(19) ! *United States v. Revels*, No. 23-4688, ___ F.4th ___ (4th Cir. May 27, 2026) (Heytens, J.) (E.D.N.C.) (vacating sentence for insufficient factual findings on enhancement for gun possession in connection with another felony)

(20) *United States v. Gentner, et al.*, Nos. 25-4140, 25-4165, ___ F.4th ___ (4th Cir. May 28, 2026) (King, J.) (W.D.N.C.) (affirming convictions for failing to pay taxes)

(21) *United States v. Davis*, No. 24-6432, ___ F.4th ___ (4th Cir. June 2, 2026) (Rushing, J.) (E.D.V.A.) (release from imprisonment moots 3582(c)(2) motion)

(22) *United States v. Goode*, No. 24-4019, ___ F.4th ___ (4th Cir. June 5, 2026) (Wynn, J.) (E.D.N.C.) (government forfeited appellate waiver argument by addressing merits, but affirming on the merits that NC second-degree murder is a crime of violence under ACCA)

(23) ! *United States v. Watson*, No. 24-4588, ___ F.4th ___ (4th Cir. June 8, 2026) (Wilkinson, J.) (D.S.C.) (interaction of home detention and stat max under 3583(e))

(24) *United States v. Chollet*, No. 24-4634, ___ F.4th ___ (4th Cir. June 9, 2026) (Niemeyer, J.) (W.D.N.C.) (multi-defendant tax case – Appointments Clause, venue, literal truth, more)

- (25) *United States v. Melaku*, No. 24-4059, ___ F.4th ___ (4th Cir. June 17, 2026) (Heytens, J.) (E.D. Va.) (alleged Tapia error, sentence reasonableness)
- (26) *United States v. Bendann*, No. 25-4033, ___ F.4th ___ (4th Cir. June 25, 2026) (Diaz, J.) (D. Md.) (coercion/csam trial, rejecting appeal of district court’s failure to order competency hearing; affirming denial of motion to suppress evidence recovered from iPhone that defendant voluntarily entered his passcode to; finding no Jencks violation; affirms admission of victim-impact testimony at sentencing)
- (27) *United States v. Holley*, No. 25-6765, ___ F.4th ___ (4th Cir. July 1, 2026) (Wilkinson, J.) (S.D.W. Va.) (affirming denial of CR to defendant with end-stage renal disease)
- (28) *United States v. Covington & Farley*, Nos. 25-4282, 25-4283, ___ F.4th ___ (4th Cir. July 2, 2026) (Heytens, J.; Rushing, J., concurring and dissenting) (E.D. Va.) (242 and 1001 convictions – vacating one 242 conviction and vacating sentences)
- (29) *United States v. Carson*, No. 25-4200, ___ F.4th ___ (4th Cir. July 8, 2026) (Benjamin, J.; Berner, J., concurring in the judgment) (W.D.N.C.) (4th amendment; extension of traffic stop, reasonableness of frisk – Berner says majority mis-applies Massenburg)
- (30) ! *United States v. Williams*, No. 25-4512, ___ F.4th ___ (4th Cir. July 8, 2026) (Benjamin, J., Rushing, J., dissenting) (W.D.N.C.) (traffic stop – seizure occurred, not supported by reasonable suspicion)
- (31) *United States v. Valencia Gil*, No. 25-4176, ___ F.4th ___ (4th Cir. July 9, 2026) (Wynn, J.) (E.D. Va.) (illegal re-entry, exhaustion of admin remedies)
- (32) *United States v. Giannone*, No. 25-6132, ___ F.4th ___ (4th Cir. July 9, 2026) (Gregory, J.) (D.S.C.) (writ of error coram nobis denied – waited too long; also, new evidence was favorable but not material, and so error was not so fundamental as to merit issuance of the writ)
- (33) *United States v. Wable*, No. 23-4605, ___ F.4th ___ (4th Cir. July 10, 2026) (Berner, J.) (N.D.W. Va.) (Campbell doesn’t apply to manufacturing offenses)
- (34) *United States v. Belmonte Cardozo*, No. 25-4239, ___ F.4th ___ (4th Cir. July 13, 2026) (Quattlebaum, J.) (E.D. Va.) (manual searches of phones at the border are “routine” and do not require individualized suspicion)
- (35) *United States v. Ball*, No. 24-4197, ___ F.4th ___ (4th Cir. July 14, 2026) (Richardson, J.) (E.D. Va.) (holding, in case of doctor accused of over-prescribing oxycodone, that district court did not err in refusing to give jury instruction asking whether she knowingly departed from the usual course of *her* professional practice, since the statute requires only that she knew that her prescriptions fell outside the objective bounds of the usual professional practice, that is, all doctors, not just her idiosyncratic practice) (N.B.: The opinion contains a good discussion of the mens rea requirements set out in *Ruan v. United States*, 597 U.S. 450 (2022)).

(36) *United States v. Snyder*, No. 25-4218, ___ F.4th ___ (4th Cir. July 14, 2026) (Wynn, J.) (D. Md.) (“A defendant who is competent to stand trial is competent to waive the right to counsel.” no error in allowing defendant to go pro se or to revoke pro se status in light of obvious difficulties during trial; no error in denying advice-of-counsel instruction for extortion scheme against hospital because counsel did not know full facts of scheme; no error in limiting testimony of witness who had signed an NDA; no error in refusing voir dire about news of defendant’s contempt arrest during trial)

(37) *United States v. Ellis*, No. 25-4028, ___ F.4th ___ (4th Cir. July 20, 2026) (Niemeyer, J.; Richardson, J., dissenting) (partial closure of courtroom)

(38) ! *United States v. Jones*, No. 23-4711, ___ F.4th ___ (4th Cir. July 21, 2026) (Berner, J.; Quattlebaum, J., concurring and dissenting) (S.D.W. Va.) (reversing conviction for promotional money laundering)

(39) ! *United States v. Jaqu*, No. 21-4677, ___ F.4th ___ (4th Cir. July 27, 2026) (Niemeyer, J.) (D.S.C.) (denial of right to go pro se at sentencing)

(40) ! *United States v. Melvin*, No. 23-4622, ___ F.4th ___ (4th Cir. July 27, 2026) (Gregory, J.; Agee, J., concurring and dissenting) (E.D.N.C.) (lack of notice of different prior to be used at sentencing for ACCA, in violation of Hodge – dissent says it conflicts with Dix)

(41) *United States v. Clay*, No. 24-4681, ___ F.4th ___ (4th Cir. Aug. 3, 2026) (Gregory, J.) (S.D.W. Va.) (sex trafficking – speedy trial issue, interstate commerce nexus, police uniform as coercive, smartphone as computer for sentencing enhancement)