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6 Deena Zaru, Philadelphia Eagles Show Solidarity with Imprisoned Meek Mill During Super Bowl Entrance, CSM, 2/5/2018; Specific Philadelphia Eagles have shown continued support for Meek Mill, showing up at a rally protesting the rap- per’s latest prison sentence. See Evan Grossman, Eagles Using Meek Mill as Their Super Bowl Soundtrack, and the Motivation is Mutual, (12/26/2018), http://www. nydailynews.com/sports/football eagles-meeek-mill-motivating-super-bowl-run-article1.3789014. 10

“T” is for Thapar; Thomas, and Textualism
Lydia-game McFarland ’18 Features Editor Emeritus

In the past month, students at UVA Law have had the opportunity to hear remarks from graduating seniors and members of the judiciary. At the end of February, Judge Amul Thapar, a Judge on the United States Court of Appeals for the Sixth Circuit, visited the Law School to share his thoughts on textualism and to critique former Seventh Circuit Judge Richard Posner’s recent book, The Federal Judiciary: Strengths and Weaknesses. Additionally, nearly thirty students, including myself, made a trip to Washington, D.C., over spring break to listen to United States Supreme Court Justices Thomas and Thapar speak at the Federalist Society’s 2018 National Student Symposium.

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Four Machiavellian Reasons To Rescue A Dog

There are a lot of dogs out there. In need of a decent human

Hutton Marshall '19
Guest Columnist
to look out for them. The Ameri-
can Society for the Prevention of Cru-
elty to Animals estimates that approximately 3.3 million dogs enter U.S. ani-
mal shelters each year. Nearly a quar-
ter of them are euthanized annually.1

That reality wasn’t on my mind when my partner Kelly and I decided to adopt our first pooch, Jocée, in 2015 when we were living in Costa Rica (where the reality for homeless dogs is even grimmer). We just wanted someone to love, hang out with, and a friend pointed us in Jocée’s direction.

Jocée passed away last December, but during the last few years, Kelly and I came to appreciate the point predicament many dogs spend their entire life enduring.

While living, Jocée after just two years with him was a shock, rescu-
ing is a no-brainer for us now. Earlier this week, we signed the official paperwork to adopt our foster Artemis (Arty).

I’m clearly in the camp that there are plenty of good reasons to rescue, but in case the tradition-
ally beneficent haven’t swayed you, here are four Machiavellian advantages to res-
cuing:

1. is probably my favorite reason. If I’m being honest. Rescues are stereotyped as these crazily damaged creatures—to be sure, many of them have scars from past trauma—but this results in them getting so much lovey in public.

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Murder in Antarctica: Just Asking Questions

Over winter break I took a cruise to Antarctica. The wildlife and natural won-
tories on the original treaty, representing remarkable co-
operation during the heart of the Cold War. The Cold
exploiting Antarctic natural resources and protected ma-
rine life, but the core of the treaty has always governed

Eric Hall ’18
Editor Emeritus, Jr. Jr.

If this penguin committed murder, who would prosecute? The answer may surprise you.
Photo courtesy Eric Hall / Virginia Law Weekly.

1. What are you most excited for during your first summer in Richmond, Virginia?
   I'm really excited to explore the city and learn more about the area. It's somewhere that I think I might like to live long term, so I'm super excited to get a feel for the area.

2. What is your favorite word?
   This is probably so d c h , but I love the word reasonable.

3. Where did you grow up?
   I grew up in a small town in Maine. It's a rural suburb about forty minutes outside of Rochester, NY (other
   wise known as the R-a-s-a-f for all my Rochesterians out there).

4. What's the best meal you've ever had?
   Every Wegmans' sub I've ever had.

5. What's your favorite hobby to avoid the stress of law school?
   I'm a huge homebody, so I love to just chill out and watch Netflix to de-stress. I'm currently binging Friends.

6. Where is your favorite place to vacation?
   Anywhere with a beach! I went on a cruise last year that stopped in Turkey and Cuba and I think that the
takes the cake as far as beaches go.

7. What did you have for breakfast this morning?
   Coffee and a banana.

8. What's your most interesting two-truths-and-a-lie? (And what's the lie?)
   I've never left the country, I hate peanut butter, and I'm scared of cats. The lie is that I've never left the
country. I left once and went to Ecuador and almost didn't make it back because we missed our flight and
took twenty hours stranded in the airport.

9. If you could live anywhere, where would it be?
   Somewhere where there is no snow and next door to Wegmans.

10. What's your least favorite sound?
    My alarm in the morning. I've had to make this really obvious noise because I'm paranoid I'll oversleep, and every morning when it goes off it gives me a mini heart attack.

11. What's the best gift you've ever received?
    Formy 16th birthday, my grandma got the diamond from my great-grandma's wedding ring reset into
    a new ring for me that I wear every day. It was really special because I was named after her, but I never
got to meet her. I don't really believe in superstition, but I call it my lucky ring and freak out a little if I don't have it on whenever I have something big to do.

12. Backstreet Boys or *NSYNC?
    Backstreet Boys obviously. They're iconic. Do people actually pick *NSYNC?

13. What is the best concert you have ever been to?
    I saw Luke Bryan a few years ago, and he was a lot of fun.

14. What's your spirit animal?
    My dog, Princess.

15. What's your favorite food?
    I really love pasta. In case you don't know myself, I'm an Italian Catholic who has never been to Italy.

16. If you could be in any movie or television show, which one would it be?
    *NSYNC

17. What's your #1 skill?
    Sounding like I know what the reading meant even when I can't actually figure out what the pro-
tessor is asking me.

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She Doesn’t Even Go Here: Trump’s Speech at Today Conclave 2018

Raise your hand if you’ve ever been personally demeaned by Hillary Rodham Clinton. I know it’s not just me.

In Mrs. Clinton’s speech to the Today Conclave 2018 where she once again blamed her loss in the 2016 election on Donald Trump on everything save her poor candidacy. This time, however, she not only insulted those who did not vote for her—especially women who did not vote for her—but entire sections of the country. Indeed, according to her estimation, if she had not won your state, your state is not “optimistic, dynamic, [or] moving forward.”

She claimed that Trump’s “Make America Great Again” message was not about looking “backwards,” but irresponsible. She claimed it was about not liking “black people getting rights” or women “getting jobs.” It is inconceivable to Mrs. Clinton that some Americans disagreed with her policy positions and, instead, wished to shake the administrative state, re-build the military, control crime, tax reform, restore local control to schools, or halt illegal immigration. That many of those people live in America’s heartland is not surprising, nor should we derision for them.

Next, Mrs. Clinton was asked why she thinks over 50 percent of white women voted for Donald Trump. Her demeaning, absurd, and ultimately insulting answer proves too much. Clinton’s demeaning, absurd, and heartland is not surprising, schools, or halt illegal immigration etc. As a young woman, I would hope a feminist like Mrs. Clinton could at the very least respect that. But instead, the demonization continues.

Thank goodness deplorable votes still count.

In Defense of Blood Drives

Last week’s opinion column by Kyle O’Malley bemoaning discriminatory blood donation polices and criticizing the law school for hosting a drive while such policies are in place. I agree with O’Malley’s views on blood donation regulation, but believe that he presents evidence, actual steps too far and reaches a rather disturbing conclusion. As he concluded his piece with an invitation for a discussion on the subject, I hope to be able to add a different viewpoint to the conversation.

Current FDA regulations require gay men to have abstained from sexual intercourse for at least one year to be eligible to donate blood. I agree with O’Malley that this regulation is unjust. But in the drive during Diversity Week, I would happily sign on as an ally to his argument to continue the blood drives generally until that ban is lifted.

As the father of a son who is alive today only because of blood transfusions made available by donors, I find this conclusion offensive. It suggests that it would be better to have let my son and other patients die for lack of blood than for LGBT people to suffer the indignity of witnessing blood drives which they cannot participate. While the damage to the LGBT community by the blood ban is real, it is not comparable to the harm that would result from effectively eliminating the supply of donated blood to those who need transfusions. The lives of patients in need of donor blood should not operate as bargaining chips in the quest to achieve societal equality. It is a death sentence imposed on patients for the sins of the FDA. It is an immoral, unjust, and regressive policy.

That public policy often necessitates the balancing of rights when two competing rights come into conflict is hardly novel. In this circumstance, those competing rights are the right not to be discriminated against and the right to life. Both are important, but one also weighs heavier on the scale. Preventing someone from receiving lifesaving treatment results in a greater injury than facing discrimination at a blood drive. Therefore, the proper course is to encourage blood drives and increase blood donation even though it comes at a price. Again, that price is not necessary, and the blood ban should end, but it would be a horrific policy to end blood drives generally until that should happen.

I hope that the Law School will continue the invaluable service of hosting blood drives in the coming months and years while still expressing support and sympathy for our LGBT classmates. It would only make the rising generation of lawyers being educated at the law school will rise to the challenge of making public policy more equal and just for all. — tkp@virginia.edu

Letters to the Editor

4 O’Malley, supra n.1

5 Id.

Faculty Quotes

C. Nicoletti: “My advice: don’t take your husband to the doctor, and be annoying.”

K. Kordana: “Casebooks and laptops make excellent weapons.”

J. Setear: “Like explosive devices, where used to be things that were special”

J. Harrison: “The future will resemble the past, except when it’s different.”

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can better guess the outcome in advance. Moreover, Judge Thapar expressed concern that a pragmatic approach in the judiciary branch would elevate judges to the position of "co-legislator." The problem with this, according to Judge Thapar, is that, "at no point in time have judges been infallible," and taking policy decisions away from politically accountable members of the legislative branch could result in unpopular and unwanted decisions becoming law.

In his concluding comments, Judge Thapar stated that he agrees with former Supreme Court Justice Scalia’s view that liberties are best protected by following the separation of powers, and that the different branches should "stay in their lanes." He acknowledged that "textualism is hard," but argued that it is not the responsibility of the judiciary to amend poor legislative drafting, even if judges would personally prefer a different outcome than what is required by a statute’s text. According to Judge Thapar, when courts apply a consistent interpretation of the law, it pressures Congress to pay more attention to how they write laws.

For those interested in learning more about Judge Thapar’s judicial philosophy, he regularly co-teaches a popular J-Term with UVA’s David and Mary Harrison Distinguished Professor of Law Emeritus Lillian Bevier, which he hopes students—whether they are formalists or not—will take before graduating.

Justice Clarence Thomas

Justice Clarence Thomas’ event spanned a vast spectrum of topics, including his approach to judging and issues related to race. Much like Judge Thapar, Justice Thomas prefers to put aside the criminal as much as possible when you see in the media about the popular criticism that he was viewed as Justice Thomas’ “boss” on the Court, according to Justice Thomas, from the moment he took his place on the bench, there was a trust between the two men. "Unlike much of society," Justice Thomas said, "Justice Scalia] never had an image of me [that I] was to live up to. He never had a stereotype, like much of what you see in the media.

Justice Scalia’s presence on the Court "a lot." Despite typically aligning with Justice Scalia’s judicial philosophy, Justice Thomas stated that there is no reason why collegiality cannot exist between justices with different viewpoints. He said that, ultimately, what matters is that justices decide cases based on their commitment to what they believe is the correct method of judicial interpretation. He said that, even when his interpretation of the law results in his disagreement with Justice Scalia in an opinion, their friendship never wavered and he misses his thoughts.

A popular J-Term with UVa’s Thapar’s judicial philosophy is commonly deputized as a decision, he prefers that he should "stay in their lanes." Judge Amul Thapar.

Deadly Winter of 2000

In the year 2000, an Australian cook at land claimed by New Zealand authorities seriously died after a coughing fits. The murderous cook, locking himself in a supply shed. This is commonly deputized as a case where the correct method of judicial interpretation. He said that, even when his interpretation of the law results in his disagreement with Justice Scalia in an opinion, their friendship never wavered and he misses his thoughts.

The author mugs for the camera, thinking little of the legalities that would complicate investigation of his murder. Photo courtesy of Law Weekly
Hoos: BETTER TOGETHER
UVA Law Class of 2018 Graduation Gift Pledge Drive

HADEN, J., joined by GOLD- 
MAN, C.J., and PICKUS and
THOMAS, B.J., dissents, reserving the opinion of the Court.

Petitioner Coughlin appeals to this Court, asking us to recog-
nize a discrimination claim on behalf of her pet Gary. We set forth the facts briefly, then consider the following questions on the next page:

The facts of this case are not in dispute. In the spring of 2017, the Virginia Animal Law Society (VALS) conducted a “Paw Review” event, which allows students to hold right after journal 

VIRGINIA LAW WEEKLY

Law Weekly Special Sponsored Content

In the spring of 2017, the Court of Petty Appeals ruled in favor of Professor Anne Coughlin in her ongoing dispute with Paw Review. The speciestist cretins at Paw Review have narrowed their speciesist trope reconsidered by the Court of Petty Appeals, ordered Paw Review to include Pro-

We close by remarking that, for future Paw Review discrimi-
nation claims, damages are not available as relief, because money should go to the shelter. Only injunctive relief preventing continuation discrimination shall be available.

This Law School was found on the principle that all pets are beloved by their owners. Today, we are able to support that foundation and provide needed justice for Gary. The judgment of the lower court shall be reversed. It is so ordered.

JANI, J., dissenting. Here we have a question of whether a toad, “Gary,” was unduly discriminated against by VALS in their annual Paw Review contest. I stand alone in saying the Court erred in its judgment.

Today we see an activist Court overturning its authority by is-
suing an affirmative injunction against a student group. The question this court must ask is whether or not Petitioner Coughlin’s pet was discrimi-
nated against, but rather if there was a rational basis for VALS choosing not to include addi-
tional categories.

The Court correctly rules that the remedy does not define the right and that the lower court erred in dismissing the complaint for failing to state a claim upon which relief can be grant-
ed. See Uva Law v. Uva Under-
graduates Organization 322 (2015). However, the Court then sheds itself of the robe and becomes a de facto legislator. Rather than correctly remanding the case, the court decides to review the record de novo.

Here the Court errs in allow-
ing de novo review, as this case does not meet the high threshold for de novo review. Id. (“Because we are badasses”). See also Common Sense v. Scott Commons 475 U.Va. 322 (“Because this court is “f**ing awesome”). “To save everyone some money” is an improper standard to war-
rant de novo review. In fact, the costs of litigation have been sub-
stantially lowered since Student Affairs cancelled SBA’s weekly 

SBA's weekly leg (see figure 1). In giving deference to student organizations independent de-

An improper standard to war-

Tell your Paw Review representatives to end the speciesism.

#I'mWithTheToad

-Paid for by Friends of Gary PAC
FREE MECK continued from page 2

released from prison in 2009 to when he signed with May-bach Music Group. For the next five years, Judge Brinkley would systematically strip Meek Miller of any help he might receive, sending him back to jail, and extend his probation. These events occur in a parallel to an album release.

The latest example of Judge Brinkley’s system happened just last year. Meek Mill was in New Jersey for a segment of The Tonight Show. As he was driving uptown, a group of kids on dirt bikes pulled alongside his Rolls Royce. Meek rolled down his window and asked if he could borrow one of the bikes for a ride. A kid happily obliged and Meek Mill joyfully popped wheelies down the streets of New York with his cameraman filming for his Instagram followers. The next day Meek Mill was arrested by the NYPD on a felony count of reckless endangerment. The charge was later downgraded to a misdemeanor. The same week, Judge Brinkley sentenced Meek Mill back to prison four times.

Both the Philadelphia District Attorney and Meek Mill’s parole officer opposed jail time. The NPU detective who originally testified to Meek Mill selling crack on the corner of 22nd and Paxon Street quietly retired last year from the force, plagued by rumors of dishonesty and deceit. In early 2009, as Meek Mill continued to serve out his first sentence, a group of Philadelphia NPU officers were caught on security cameras robbing homes, usually in North Philadelphia. All members involved in the scandal maintained their positions, while taxpayers shelled out almost $2 million in damages to the robbery victims.

The NFU has appeared repeatedly in the news for intentionally robbing people’s homes, usually in North Philadelphia. The detective at the center of Meek Mill’s arrest was corrupt. He was a known liar and his partners testified to his dishonesty. A list recently leaked from the Philadelphia District Attorney’s office placed Reggie Graham on a list of officers whom the LJF trusted as a source of testimony. It is especially damning information considering the word of Detective Graham was the sole evidence in the granting of the original search warrant.

Since his original conviction, Meek Mill has been sent back to prison four times. His original sentence called for twenty-three months in prison. He has served over four years and earned an additional fourteen years of probation.

Many see Meek Mill’s case as a stark example of Pennsylvania’s broken parole system. In his moments of freedom, Meek Mill has failed to notify his parole officer of trips outside of Philadelphia, failed to make court appearances, and tested positive for Percocet in a 2015 drug test. Each minor infraction led to additional prison time or probation violation.

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In an exclusive interview with Rolling Stone, he revealed that he doesn’t allow many visitors to Chester State Correctional. He says he’s not alive in prison. Meek Mill’s music may alienate some listeners. The nightmores of his reality should alienate everyone. Free Meek.

27 Kerri Phillips, Meek Mill Denied Bail Again as Judge Calls Rapper a “Danger to the Community,” WAMU Post, 12/4/17

28 Id.

29 Solotraoff, supra note 5. See also Walter Olson, Cops Walk in Philadelphia Bodega Robbery Scandal, Cato INSTITUTE, 5/14/2014, https://www.cato.org/blog/philly-cops-will-walk-bodega-robbery-scandal


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