

Oral Argument Calendar

United States Court of Appeals for the Sixth Circuit

Tuesday, May 6, 2025

607 - 6th Floor West Courtroom, 9:00 A.M.

Before: **Boggs, Griffin, Nalbandian**

24-5820 Christopher Sterusky v. Detrick Cooper

3:22-cv-00218

Western District of Kentucky at Louisville

G. Stivers

Defendant appeals an interlocutory order of the district court denying him qualified immunity in this civil rights action alleging a violation of the Fourth Amendment and related state law claims. (15 Minutes Per Side)

24-5898 Robert O'Laughlin v. Radiation Therapy Services, et al.

0:16-cv-00148

Eastern District of Kentucky at Ashland

D. Bunning

The plaintiff and relator appeals the judgment and various pre-judgment orders in this qui tam action brought under the False Claims Act based on alleged misrepresentations to federal programs related to oncology services. (15 Minutes Per Side)

24-5441 USA v. Billy Wright

3:23-cr-00023-1

Eastern District of Tennessee at Knoxville

K. Crytzer

Defendant appeals his judgment in a criminal case, following a guilty plea, for possession of a stolen firearm. (To Be Submitted On Briefs)

24-6014 USA v. Martez Poe

1:24-cr-10009-1

Western District of Tennessee at Jackson

J. Breen

Defendant appeals his judgment in a criminal case, following a guilty plea, for being a felon in possession of a firearm. (To Be Submitted On Briefs)

24-1478 Gayann Miller v. SMART

2:20-cv-11122

Eastern District of Michigan at Detroit

G. Drain

24-1503 Gayann Miller v. SMART

2:20-cv-11122

Eastern District of Michigan at Detroit

G. Drain

In these related matters, defendant employer appeals and plaintiff cross-appeals the district court's judgment and award of attorney fees following a jury verdict for plaintiff employee in this civil rights suit alleging race-based discrimination. (To Be Submitted On Briefs)

24-5423 USA v. Alex Robinson

2:22-cr-00110-2

Eastern District of Tennessee at Greeneville

J. Greer

Defendant appeals his judgment in a criminal case, following a guilty plea, for conspiracy to distribute fentanyl. (To Be Submitted On Briefs)

Wednesday, May 7, 2025

403 - 4th Floor Courtroom, 9:00 A.M.

Before: **Thapar, Bush, Larsen**

24-1688 Larry Smith v. Wayne County, MI, et al.

[2:21-cv-12070](#)

Eastern District of Michigan at Detroit

D. Lawson

Plaintiff appeals the district court's dismissal of his civil rights suit alleging several constitutional violations leading to his wrongful conviction and imprisonment. (15 Minutes Per Side)

24-5223 USA v. Mark Deakins

[1:21-cr-00058-1](#)

Eastern District of Tennessee at Chattanooga

C. Atchley

Defendant appeals his judgment in a criminal case for transportation of a minor to engage in criminal sexual activity, exploitation of a child, possession of child pornography, and penalties for registered sex offenders. (15 Minutes Per Side)

24-3300 USA v. Kelli Prather

[1:21-cr-00038-1](#)

Southern District of Ohio at Cincinnati

M. McFarland

Defendant appeals the district court's judgment in her criminal case after a jury convicted her of bank fraud, making a false statement on a loan or credit application, wire fraud, and aggravated identity theft. (To Be Submitted On Briefs)

24-1690 Rieth-Riley Construction Co., v. Elizabeth Kerwin, et al.

[1:21-cv-00407](#)

Western District of Michigan at Grand Rapids

P. Maloney

Employer appeals the district court's order dismissing its civil suit alleging that NLRB improperly withdrew charges and thereby deprived employer of rights under the National Labor Relations Act. (To Be Submitted On Briefs)

Wednesday, May 7, 2025

607 - 6th Floor West Courtroom, 9:00 A.M.

Before: **Boggs, Griffin, Nalbandian**

24-1674 Laura Beny v. University of Michigan, et al.

[2:22-cv-12021](#)

Eastern District of Michigan at Detroit

D. Lawson

Plaintiff appeals the district court's summary judgment for defendant employer in this civil right suit alleging discrimination and retaliation in violation of Title VII and Michigan law, and a violation of the Equal Pay Act. (15 Minutes Per Side)

24-5831 Karim Codrington v. Jay Dolak, et al.

[3:21-cv-00665](#)

Western District of Kentucky at Louisville

R. Jennings

Plaintiff appeals the judgment and the denial of his post judgment motion in this civil rights action alleging various constitutional and state law claims arising from plaintiff's arrest and prosecution for charges that were ultimately dismissed. (15 Minutes Per Side)

24-5874 USA v. Jaquan Bridges

[2:23-cr-20080-1](#)

Western District of Tennessee at Memphis

J. Fowlkes

Defendant appeals his amended judgment in a criminal case for possession of a machinegun. (15 Minutes Per Side)

24-3940 GPat Patterson v. Kent State University, et al.

[5:22-cv-02052](#)

Northern District of Ohio at Akron

J. Adams

Plaintiff appeals the district court's summary judgment for defendants in this employment action alleging Title VII discrimination and retaliation, disability discrimination under the Rehabilitation Act, First Amendment retaliation, and violations of substantive and procedural due process relating to plaintiff's employment at defendant university. (15 Minutes Per Side)

Wednesday, May 7, 2025

636 - 6th Floor East Courtroom, 9:00 A.M.

Before: **Clay, Readler, Davis**

24-5800 Michael Hester v. Chester County, TN, et al.[1:24-cv-01034](#)

Western District of Tennessee at Jackson

S. Anderson

Plaintiff appeals the grant of defendants' motion to dismiss in this prisoner civil rights action brought pursuant to 42 U.S.C. Section 1983. (15 Minutes Per Side)

24-1205 Naysha Oquendo v. CIR[17249-23](#)

Tax Court

K. Kerrigan

Taxpayer appeals the Tax Court's order dismissing as untimely this challenge to the IRS's determination of deficiency. (15 Minutes Per Side)

24-3228 Peter McGowan, et al. v. USA[3:19-cv-01073](#)

Northern District of Ohio at Toledo

J. Knepp

Plaintiffs appeal the district court's summary judgment for defendant in this tax refund suit relating to plaintiffs' life insurance policy. (15 Minutes Per Side)

24-3135 Jake Heiney v. Donna Moore, et al.[3:21-cv-00501](#)

Northern District of Ohio at Toledo

D. Polster

Petitioner appeals the denial of his petition for a writ of habeas corpus filed pursuant to 28 U.S.C. Section 2254. (15 Minutes Per Side)

24-5873 Debra Tucker v. Comm of Social Security[6:22-cv-00212](#)

Eastern District of Kentucky at London

D. Reeves

Plaintiff appeals the district court's post-judgment order granting an award of attorney fees to counsel at an amount less than requested following resolution of plaintiff's appeal from the denial of disability insurance and supplemental security income under the Social Security Act. (To Be Submitted On Briefs)

24-5707 Lakenya McGhee-Twilley v. CoreCivic of Tennessee, LLC[3:23-cv-00077](#)

Middle District of Tennessee at Nashville

W. Campbell

Plaintiff appeals the order dismissing this prisoner civil rights action. (To Be Submitted On Briefs)

24-1089 USA v. James King, II[2:22-cr-00021-1](#)

Western District of Michigan at Marquette

R. Jonker

Defendant appeals the district court's judgment in his criminal case after pleading guilty to possession with intent to distribute five grams or more of methamphetamine. (To Be Submitted On Briefs)

24-3674 Tina Wise v. Children's Hospital Med Center[5:22-cv-02092](#)

Northern District of Ohio at Akron

J. Adams

Plaintiff appeals the district court's summary judgment for defendant employer in this action alleging religious discrimination under Title VII of the Civil Rights Act after plaintiff was fired for refusing to be tested for COVID-19 or agree to an alternative to testing while she was working as a hospital pharmacist. (To Be Submitted On Briefs)

Wednesday, May 7, 2025

636 - 6th Floor East Courtroom, 9:00 A.M.

Before: **Clay, Readler, Davis**

24-5565 USA v. Jason Pate

3:09-cr-00106-1 Middle District of Tennessee at Nashville

E. Richardson

Defendant appeals a post-judgment order in his criminal proceedings modifying his conditions of supervised release. (To Be Submitted On Briefs)

Wednesday, May 7, 2025

403 - 4th Floor Courtroom, 2:00 P.M.

Before: **Thapar, Larsen, Davis**

24-3781 Fire-Dex, LLC v. Admiral Insurance Company

1:23-cv-01612

Northern District of Ohio at Cleveland

B. Brennan

Defendant insurance company appeals the district court's order remanding, on abstention grounds, the parties' declaratory judgment claims in this action regarding defendant's duty to indemnify plaintiff in lawsuits alleging that plaintiff's products contained PFAS. (15 Minutes Per Side)

Thursday, May 8, 2025

403 - 4th Floor Courtroom, 9:00 A.M.

Before: **Stranch, Bush, Nalbandian**

24-1442 Thomas Reichert, et al. v. Kellogg Co., et al.[2:23-cv-12343](#)

Eastern District of Michigan at Detroit

S. Murphy

Plaintiffs appeal the district court's order granting defendants' motion to dismiss this ERISA suit related to defendants' conversion of retirement benefits. (15 Minutes Per Side)

24-5945 Robert Watt, et al. v. FedEx Corporation, et al.[2:23-cv-02593](#)

Western District of Tennessee at Memphis

J. McCalla

Plaintiffs appeal the judgment for defendants in this action brought under the Employee Retirement Income Security Act alleging that defendants violated a mandate for actuarial equivalence between qualifying joint and survivor annuities and single life annuities and breach of fiduciary duty. (15 Minutes Per Side)

24-1401 Nationwide Recovery, Inc., et al. v. City of Detroit, MI[4:17-cv-12378](#)

Eastern District of Michigan at Flint

L. Parker

Plaintiff contractor appeals the district court's judgment in this civil right suit alleging that municipal defendant terminated plaintiff's contract without due process. (15 Minutes Per Side)

24-1763 Ashraf Mustafa v. Ford Motor Company[2:22-cv-11902](#)

Eastern District of Michigan at Detroit

T. Berg

Plaintiff appeals the district court's dismissal of this Title VII suit alleging discrimination based on race, national origin, and religion, as well as retaliation for reporting the discrimination. (10 Minutes for Plaintiff; 5 Minutes for Amicus; 15 Minutes for Defendant)

24-3258 USA v. Christopher Frater[3:18-cr-00565-1](#)

Northern District of Ohio at Toledo

J. Helmick

Defendant appeals the district court's judgment in his criminal case following his jury conviction for receipt and distribution of child pornography. (To Be Submitted On Briefs)

24-1227 USA v. Matthew Mercer-Kinser[2:19-cr-20772-1](#)

Eastern District of Michigan at Detroit

T. Berg

Defendant appeals the district court's judgment in his criminal case after a jury found him guilty of receipt of child pornography. (To Be Submitted On Briefs)

24-1327 Robert Davis v. Wayne County, MI, et al.[2:24-cv-10203](#)

Eastern District of Michigan at Detroit

S. Murphy

Plaintiff appeals the district court's judgment dismissing his civil rights action brought under 42 U.S.C. Section 1983. (To Be Submitted On Briefs)

24-3315 USA v. Johnny Vann[3:23-cr-00237-1](#)

Northern District of Ohio at Toledo

J. Knepp

Defendant appeals the district court's judgment in his criminal case following his guilty plea to controlled substances offenses. (To Be Submitted On Briefs)

Thursday, May 8, 2025

403 - 4th Floor Courtroom, 9:00 A.M.

Before: **Stranch, Bush, Nalbandian**

24-5747 USA v. Kendall Shaw

3:23-cr-00095-1

Western District of Kentucky at Louisville

B. Beaton

Defendant appeals his judgment in a criminal case, following a guilty plea, for conspiracy to distribute methamphetamine, distribution of methamphetamine, conspiracy to tamper with a witness, and firearms offenses. (To Be Submitted On Briefs)

24-5778 USA v. Tony Wilkinson

7:23-cr-00020-1

Eastern District of Kentucky at Pikeville

D. Reeves

Defendant appeals his judgment in a criminal case, following a guilty plea, for being a felon in possession of a firearm. (To Be Submitted On Briefs)

Thursday, May 8, 2025

607 - 6th Floor West Courtroom, 9:00 A.M.

Before: **Boggs, Larsen, Davis**

24-3586 Dreyon Wynn v. University of Toledo**3:22-cv-01899**

Northern District of Ohio at Toledo

J. Knepp

Plaintiff appeals the district court's summary judgment for defendant employer in this action alleging Title VII employment discrimination and retaliation after plaintiff was denied a promotion and was ultimately terminated due to performance issues. (15 Minutes Per Side)

24-1783 Gotion, Inc. v. Green Charter Township**1:24-cv-00275**

Western District of Michigan at Grand Rapids

J. Beckering

Municipal defendant appeals the district court's preliminary injunction in favor of plaintiff manufacturer in this diversity contract dispute. (15 Minutes Per Side)

24-3850 Amanda Caton, et al. v. Jacob Salamon, et al.**1:22-cv-00345**

Southern District of Ohio at Cincinnati

S. Dlott

Defendants appeal the district court's order denying them qualified immunity in this civil rights action alleging violations of the Fourth and Fourteenth Amendments and related state laws after plaintiff police officer was arrested for drunk driving. (15 Minutes Per Side)

24-5969 G. E. v. Williamson Co, TN Board of Ed**3:21-cv-00702**

Middle District of Tennessee at Nashville

W. Crenshaw

Plaintiff appeals the judgment for defendants in this action alleging violations of the Individuals with Disabilities Education Act, American with Disabilities Act, and the Rehabilitation Act arising from whether defendant violated the child-find provision and found plaintiff ineligible for special education services. (15 Minutes Per Side)

24-3524 Shawn Porter v. Jackson Township Highway Dept, et al.**5:23-cv-01446**

Northern District of Ohio at Akron

C. Henderson

Plaintiff appeals the district court's summary judgment for employer defendants in this action alleging violations of and retaliation under the Family Medical Leave Act and related state-law claims following the termination of plaintiff's employment. (To Be Submitted On Briefs)

24-3672 Leury Bacilio Roa v. Pamela Bondi**a 057 139 414**

Board of Immigration Appeals

Petitioner, a native and citizen of the Dominican Republic, seeks review of a BIA order dismissing his appeal from an immigration judge's decision denying his application for withholding of removal and protection under the Convention Against Torture. (To Be Submitted On Briefs)

24-1610 USA v. Bradford Storti**2:22-cr-00003-1**

Western District of Michigan at Marquette

J. Beckering

Defendant appeals the district court's judgment in his criminal case after pleading guilty to attempted possession and possession of child pornography. (To Be Submitted On Briefs)

Thursday, May 8, 2025

607 - 6th Floor West Courtroom, 9:00 A.M.

Before: **Boggs, Larsen, Davis**

24-5402 USA v. Deondrae Key

[3:22-cr-00094-1](#)

Middle District of Tennessee at Nashville

W. Campbell

Defendant appeals his judgment in a criminal case, following a guilty plea, for being a felon in possession of a firearm. (To Be Submitted On Briefs)

24-5443 USA v. Terrance Hines

[2:22-cr-00025-1](#)

Eastern District of Tennessee at Greeneville

J. Greer

Defendant appeals his judgment in a criminal case, following a jury trial, for conspiracy to distribute fentanyl with death, distribution of fentanyl, possession with intent to distribute fentanyl, and various firearm offenses. (To Be Submitted On Briefs)

Thursday, May 8, 2025

636 - 6th Floor East Courtroom, 9:00 A.M.

Before: **Clay, Thapar, Readler**

23-1901 USA v. Terrance Vanochten**1:23-cr-00029-1** Western District of Michigan at Grand Rapids P. Maloney

Defendant appeals the district court's judgment in his criminal case after pleading guilty to possession of unregistered destructive devices. (15 Minutes Per Side)

24-3710 Ulysses Feagin v. Mansfield Police Department, et al.**1:22-cv-01201** Northern District of Ohio at Cleveland J. Calabrese

Defendants appeal the order denying in part the motion for summary judgment and denying defendant Jordan Moore qualified immunity. (15 Minutes Per Side)

24-3648 Daniel Stewart, et al. v. David Martin, et al.**3:21-cv-00089** Southern District of Ohio at Dayton T. Rose**24-3708 Daniel Stewart, et al. v. David Martin, et al.****3:21-cv-00089** Southern District of Ohio at Dayton T. Rose

In these related matters, plaintiffs appeal the district court's order granting relief from judgment and dismissing this action alleging breach of trust, breach of fiduciary duty, and related claims arising from distributions from a family trust, and defendant cross-appeals the court's earlier order granting plaintiffs partial summary judgment. (15 Minutes Per Side)

24-3750 USA v. Da Shawn Martin**2:23-cr-00177-1** Southern District of Ohio at Columbus M. Watson

Following final judgment, defendant appeals the district court's order denying his motion to dismiss the indictment on Second Amendment grounds. (To Be Submitted On Briefs)

23-3311 USA v. Christopher Simpson**3:20-cr-00828-16** Northern District of Ohio at Toledo J. Zouhary**23-3331 USA v. Marquise Figures****3:20-cr-00828-9** Northern District of Ohio at Toledo J. Zouhary**23-3333 USA v. Antuan Wynn****3:20-cr-00828-5** Northern District of Ohio at Toledo J. Zouhary

In these related cases, defendants appeal the district court's judgment in their criminal cases after a jury convicted them of conspiracy to possess with intent to distribute and distribution of controlled substances and use of a communications facility to facilitate a drug felony. (To Be Submitted On Briefs)

24-6020 John Doe v. William Lee, et al.**3:23-cv-01332** Middle District of Tennessee at Nashville W. Crenshaw

Defendants appeal an order of the district court terminating their motion to dissolve a preliminary injunction prohibiting them from enforcing Tennessee's Sex Offender and Violent Sex Offender Registration, Verification, and Monitoring Act against plaintiff, requiring plaintiff to comply with any portion of that Act, and publishing plaintiff's information on the sex offender registry. (To Be Submitted On Briefs)

Thursday, May 8, 2025

636 - 6th Floor East Courtroom, 9:00 A.M.

Before: **Clay, Thapar, Readler**

24-5797 Joseph Hill, et al. v. Medical Device Business Svcs

3:21-cv-00440

Middle District of Tennessee at Nashville

E. Richardson

Plaintiffs appeal the judgment for defendant in this diversity action alleging strict products liability for design defect and manufacturing defect, negligence, negligent infliction of emotional distress, and loss of consortium arising from the implantation and fracture of a plaintiff's hip implant. (To Be Submitted On Briefs)

23-1978 USA v. Demarcus Greely

1:22-cr-00137-1

Western District of Michigan at Grand Rapids

J. Neff

23-2042 USA v. Omarion Branch

1:22-cr-00137-7

Western District of Michigan at Grand Rapids

J. Neff

23-2050 USA v. Torez Burnett

1:22-cr-00137-2

Western District of Michigan at Grand Rapids

J. Neff

Co-defendants appeal the district court's judgments in their criminal cases after pleading guilty to possession and transfer of a machine gun, being a felon in possession of a firearm, and/or conspiracy to possess and transfer machine guns. (To Be Submitted On Briefs)