

The Supreme Court Update - January 14, 2026

January 14, 2026

by Andrew Brantingham, Ian Blodger, Jessica M. Leano, and Brock Huebner

On January 14, 2026, the Supreme Court of the United States issued three decisions:

Barrett v. United States, No. 24-5774: This case addresses whether a defendant who commits a single act that violates two subsections of 18 U.S.C. § 924 may be convicted only under one provision or the other, or instead may suffer two convictions. Dwayne Barrett committed a series of robberies and was convicted on seven charges including Hobbs Act robbery, which served as the predicate for count six, using a firearm during the commission of a crime of violence in violation of § 924(c)(1)(A)(i), and count seven, causing death in violation of § 924(j)(1). The Second Circuit held that under *Lora v. United States*, 599 U.S. 453 (2023), the two provisions are separate offenses for which Congress clearly authorized cumulative punishments, deepening a Circuit split. The Supreme Court reversed the Second Circuit in relevant part, holding that Congress intended subsection (j) as an alternative, not a supplement, to subsection (c)(1)(A)(i). At the very least, Congress did not clearly manifest a contrary intention, as it has done and would have to do if it wished to authorize two convictions in these circumstances. Justice Jackson delivered the Court's opinion with respect to five parts and an opinion as to another part, the latter joined by Chief Justice Roberts and Justices Sotomayor and Kagan. Justice Gorsuch filed a concurrence as to one part of the opinion.

View the Court's [decision](#).

Case v. Montana, No. 24-624: This case addresses whether the “objective reasonableness” standard for warrantless home entries to render emergency aid in *Brigham City v. Stuart*, 547 U.S. 398 (2006), requires officers to have “probable cause” for the intrusion. Police officers responded to William Case’s home after a 911 call reported that Case threatened suicide and may have shot himself. The officers knocked and yelled into an open window but got no response. After seeing an empty handgun holster and what looked like a suicide note inside, the officers decided to enter the home to provide emergency aid. Case was hiding in a bedroom closet and threw open the

Related People

- Andrew Brantingham
- Ian Blodger
- Jessica M. Leano
- Brock Huebner

Related Capabilities

- Appellate

curtain when an officer entered, holding an object that looked like a gun. Fearing he would be shot, the officer shot and injured Case, who was taken to the hospital. The officers found a handgun near where Case had stood, and Case was charged with assaulting a police officer. Case moved to suppress all evidence taken from the home entry, claiming the officers violated the Fourth Amendment by entering without a warrant. The Montana Supreme Court upheld the entry as lawful under Montana's "community caretaker" doctrine allowing warrantless entries even absent a need to render emergency aid to an occupant. In a unanimous opinion by Justice Kagan, the Supreme Court affirmed the Montana Supreme Court's judgment. The Supreme Court declined to put a new "probable-cause" spin onto the emergency-aid standard, clarifying that *Brigham City* asked simply whether an officer had "an objectively reasonable basis for believing" that entry was direly needed to prevent or deal with serious harm, and the officers had an objectively reasonable basis for believing that their entry was needed to prevent Case from ending his life. Justices Sotomayor and Gorsuch filed concurring opinions.

View the Court's [decision](#).

Bost v. Illinois State Board of Elections, No. 24-568: This case addresses whether congressional candidates have standing to challenge an Illinois law that requires election officials to count mail-in ballots postmarked no later than election day and received within two weeks of election day. Congressman Michael Bost and two other political candidates filed a lawsuit claiming that counting ballots received after election day violates federal law. The district court held the petitioners lacked standing and the Seventh Circuit affirmed. The Supreme Court reversed and remanded. In a decision authored by Chief Justice Roberts, the Supreme Court held that as a candidate for office, Congressman Bost has standing to challenge the rules that govern the counting of votes in his election. The majority reasoned that candidates have a personal stake in the rules governing an election because unlawful rules may require the candidate to expend additional resources or decrease the candidate's vote share and damage the candidate's reputation. The Court also held that candidates have an interest in a fair process that is more particularized than the public's general interest in fair elections because, among other things, the integrity of the voting process has a bearing on the winner's political legitimacy. The Court declined to require candidates to show that they were at risk of losing the election to establish standing. Justice Barrett, joined by Justice Kagan, issued an opinion concurring in the judgment, arguing that Congressman Bost established a traditional pocketbook injury because he spent money to monitor late-arriving mail-in ballots. Justice Jackson dissented, joined by Justice Sotomayor. The dissent argued that Congressman Bost's injury was not particularized to him because candidates do not have a distinct interest in electoral integrity. Rather, the dissent argues, a tainted election harms voters just as much, and arguably more than, the candidates.

View the Court's [decision](#).