



Public Information Office
United States Courts for the Ninth Circuit

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Editors/Assignment Editors: The Ninth Circuit Court of Appeals will allow cameras in the courtroom for this proceeding. Cameras may be allowed in other areas of the courthouse. Contact the Public Information Office for a camera request form.

NEWS RELEASE

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**Ninth Circuit Court of Appeals to Hold
Special Sitting in Pocatello, Idaho**

SAN FRANCISCO – Much of the Idaho legal community is expected to be present later this month when the United States Court of Appeals for the Ninth Circuit makes a bit of history with its first sitting in Pocatello, Idaho.

A three-judge panel of the nation’s largest and busiest federal appellate court will hear oral arguments on May 24, beginning at 10 a.m., at the U.S. Courthouse and Federal Building, 801 E. Sherman Street, Pocatello. Seating in the courtroom is limited, but visitors also will be able to watch the proceedings via a video feed to several viewing locations. The courthouse opens at 8 a.m.

The court proceeding will be followed at 1 p.m. by a special ceremony recognizing individuals who have made important contributions to the remodeling of the courthouse, a project undertaken by the General Services Administration. The day-long event concludes with an open house and building tours from 3 p.m. to 6 p.m.

The appellate panel consists of Ninth Circuit Chief Judge Alex Kozinski of Pasadena, Senior Judge Stephen S. Trott of Boise, and Judge N. Randy Smith of Pocatello. Judge Smith was instrumental in bringing the court to Pocatello, a city of some 50,000 residents in the southeast corner of the state.

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“The court thanks the Idaho legal community and the citizens of Pocatello for welcoming us in their midst,” said Judge Kozinski. “We consider Idaho an important and integral part of the Ninth Circuit, and hope this visit will help maintain the warm relationship between the court and the good people of Idaho.”

Judge Smith will be welcoming visitors to his new chambers, which were included in the courthouse remodeling project. The building also provides chambers for visiting judges, and offices for the U.S. Attorney, probation services and others. The judge, who has lived in Pocatello since 1982, is anticipating a big turnout by the bench and bar.

“For any lawyer practicing in the courts of Idaho, having the Ninth Circuit come to Pocatello for a hearing is a significant event,” Judge Smith said. “We are on the outskirts of the circuit and having the court come here reminds everyone that we are a part of the circuit.”

In a session expected to last 60 to 90 minutes, the panel will hear arguments in appeals of rulings made in two cases from the U.S. District Court for the District of Idaho:

- *United States v. Alfaro*, Case No. 09-30033, an appeal by a reputed Boise gang leader who was sentenced to 150 months in prison after being convicted by a jury in 2008 of illegal possession of an assault rifle and sawed-off shotgun; and
- *Community House, Inc. v. Smith*, Case No. 09-35780, an appeal by the City of Boise of a ruling partially denying a motion for summary judgement against a community group that challenged the city’s lease and eventual sale in 2004 of a homeless shelter to a religious group.

While this is its first sitting in Pocatello, the court has previously held special sittings at other Idaho locations, including Boise, Moscow and Couer d'Alene.

The Ninth Circuit Court of Appeals hears appeals of cases decided by federal trial courts and certain executive branch administrative agencies in nine western states and two Pacific Island jurisdictions. The court, which reported 12,233 appeals filed in 2009, convenes monthly in Pasadena, San Francisco and Seattle, every other month in Portland and periodically at other locations.

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