U.S. Supreme Court – October Term 2026

Case	Issue Presented
24-1016 *RiseandShine Corp. v. PepsiCo, Inc.*	"Whether trademark strength is a question of fact in a likelihood-of-confusion analysis under 15 U.S.C. § 1114."
25-159 *Hoffmann v. WBI Energy Transmission, Inc.*	"In private condemnations under the Natural Gas Act, should just compensation be determined by reference to state law?"
25-170 *Suncor Energy (U.S.A.) Inc. v. Commissioners of Boulder County*	**1.** "Whether federal law precludes state-law claims seeking relief for injuries allegedly caused by the effects of interstate and international greenhouse-gas emissions on the global climate." **2.** "Whether this Court has statutory and Article III jurisdiction to hear this case."
25-183 *Crowther v. Board of Regents of the University System of Georgia*	"Whether Title IX provides employees of federally funded educational institutions a private right of action to sue for sex discrimination in employment."
25-238 *Viramontes v. Cook County*	"Whether the Second and Fourteenth Amendments guarantee the right to possess AR-15 platform and similar semiautomatic rifles."
25-566 *Grant v. Higgins*	The Court granted *Grant* as to the question presented in No. 25-238: "Whether the Second and Fourteenth Amendments guarantee the right to possess AR-15 platform and similar semiautomatic rifles."
25-246 *Jouppi v. Alaska*	"[W]hether, in determining whether a fine contravenes the Excessive Fines Clause, courts may consider the gravity of the underlying offense purely in the abstract or should consider the gravity of the specific defendant's wrongdoing."

Case	**Issue Presented**
25-352 *Younge v. Fulton Judicial Circuit District Attorney's Office*	"Where a defendant has filed an answer without pleading an affirmative defense, may the defendant nonetheless assert that affirmative defense as the basis for a summary judgment motion, without amending or seeking to amend its answer to plead that affirmative defense, and may a defendant do so even if an amendment adding that affirmative defense would be barred by Rule 16(b)(4)?"
25-417 *Nielsen v. Watanabe*	"Whether the Ninth Circuit here erred in recognizing a Bivens cause of action."
25-459 *Salazar v. Paramount Global*	"[W]hether the phrase 'goods or services from a video tape service provider,' as used in the VPPA's definition of 'consumer,' refers to all of a video tape service provider's goods or services or only to its audiovisual goods or services."
25-498 *Anderson v. Intel Corp. Investment Policy Committee*	"Whether, for claims predicated on fund underperformance, pleading that an ERISA fiduciary failed to use the requisite 'care, skill, prudence, or diligence' under the circumstances and thus breached ERISA's duty of prudence when investing plan assets requires alleging a 'meaningful benchmark.'"
25-579 *Department of the Air Force v. Prutehi Guahan*	**1.** "Whether the federal government's submission to a state or territorial regulator of an application to renew a RCRA permit is 'final agency action' that is immediately reviewable under the Administrative Procedure Act, 5 U.S.C. 704." **2.** "Whether the federal government must comply with the general environmental-review procedures of the National Environmental Policy Act of 1969, 42 U.S.C. 4321 et seq., before submitting a permit-renewal application under RCRA, which sets forth its own specific procedures to review environmental impacts in the context of hazardous-waste treatment."

Case	**Issue Presented**
25-581 *St. Mary Catholic Parish v. Roy*	**1.** "Whether proving a lack of general applicability under Employment Division v. Smith requires showing unfettered discretion or categorical exemptions for identical secular conduct." **2.** "Whether Carson v. Makin displaces the rule of Employment Division v. Smith only when the government explicitly excludes religious people and institutions."
25-735 *Johnson v. United States Congress*	"Did the Veterans' Judicial Review Act strip district courts of the jurisdiction, recognized by this Court in Johnson v. Robison, 415 U.S. 361 (1974), to hear challenges to the constitutionality of acts of Congress affecting veterans' benefits?"
25-840 *International Partners for Ethical Care, Inc. v. Ferguson*	"Whether parents have standing to challenge a law or policy that deliberately displaces their decision-making role as to 'gender transitions' of their children, and in so doing creates present and likely future impediments to their ability to parent their children as they deem best for them."
25-842 *Wassily v. Blanche*	"Whether noncitizens who were 'granted asylum,' but whose asylum was later terminated, are eligible for adjustment to LPR status under Section 1159(b) (as the Fifth Circuit held), or are categorically ineligible (as the Second and Fourth Circuits held)?"
25-965 *Grand v. City of University Heights*	"Whether the First Amendment's established chilling-effect doctrine—under which a credible government threat that deters the exercise of fundamental rights constitutes a complete and independently actionable constitutional injury—is displaced by Williamson Cnty.'s land-use finality requirement when a plaintiff alleges that government threats both before and after a Planning Commission meeting chilled religious exercise, worship, and assembly."

Case	Issue Presented
25-966 *Department of Labor v. Sun Valley Orchards, LLC*	**1.** "Whether Article III of the Constitution precludes the Department of Labor from adjudicating proceedings to collect monetary remedies from employers who have allegedly violated the terms and conditions of employment of H-2A workers and domestic workers in corresponding employment." **2.** "Whether 8 U.S.C. § 1188(g)(2) authorizes the Department of Labor to adjudicate proceedings to collect monetary remedies from employers who have allegedly violated the terms and conditions of employment of H-2A workers and domestic workers in corresponding employment."
25-1003 *Guerrero v. Johnson*	"Whether a claim relies on a 'a new rule of constitutional law, made retroactive to cases on collateral review by the Supreme Court, that was previously unavailable' when the habeas petitioner could have asserted a claim based on the rule in a prior federal habeas petition."
25-1017 *Republican National Committee v. Mi Familia Vota*	**1.** "Does the National Voter Registration Act or a federal consent decree prohibit Arizona from requiring voter-registration applicants to produce 'satisfactory evidence' of U.S. citizenship when registering with a state registration form?" **2.** "Does the National Voter Registration Act prohibit Arizona from implementing a program within 90 days of a federal election to cancel the registrations of voters who are not U.S. citizens?"
25-1131 *Missionaries of St. John the Baptist, Inc. v. Frederic*	"Whether a land-use regulation that prohibits a religious institution from building a religious structure on its own property constitutes a 'substantial burden' on religious exercise under the Substantial Burden Provision of the Religious Land Use and Institutionalized Persons Act (RLUIPA), 42 U.S.C. § 2000cc(a)."

Case	Issue Presented
25-1223 *Montoya Palacios v. Liggins*	"[W]hether, under EAJA, 'any civil action' encompasses an action seeking a writ of habeas corpus to challenge civil immigration detention."
25-1311 *Apple Inc. v. Epic Games, Inc.*	"Whether a court may hold a party in civil contempt based on a violation of an injunction's 'spirit' where the injunction is silent as to the conduct upon which contempt is based, as the Ninth Circuit holds; or, instead, whether a court must ground a finding of civil contempt on the violation of an order that clearly and unambiguously proscribes the precise conduct at issue, as other circuits hold."
25-1349 *Marschner v. Marschner*	"Does the USFSPA require state courts to refuse enforcement of indemnification provisions in divorce settlement agreements?"
25-5343 *Beaird v. United States*	"Whether Stinson v. United States, 508 U.S. 36 (1993), still correctly states the rule for the deference that courts must give the commentary to the Sentencing Guidelines."
25-5930 *Maxwell v. Dinis*	"Whether a claim regarding application of time credits under the First Step Act of 2018, 132 Stat. 5195–5208 (codified in relevant part at 18 U.S.C. §§ 3631–3635), seeking accelerated transfer to a halfway house or home confinement, can be brought in a habeas petition under 28 U.S.C. § 2241."
25-6623 *Kian v. Florida*	"Whether Petitioner was deprived of his right, under the Sixth and Fourteenth Amendments, to a trial by a 12-person jury when the defendant is charged with a serious felony?"
26-104 *Rhoney v. Barbosa da Cunha*	"Whether 8 U.S.C. 1225(b)(2)(A) mandates the detention pending removal proceedings of aliens who, like respondent, are present in the United States without having been admitted."

Case	**Issue Presented**
26-426 *Department of Homeland Security v. D.V.D.*	**1.** "Whether the district court had jurisdiction over Respondents' claims." **2.** "Whether the district court had authority to enter classwide declaratory relief and APA vacatur under 8 U.S.C. § 1252(f)(1)." **3.** "Whether the Government's Guidance on third-country removals is unlawful under 8 U.S.C. § 1231(b), the Due Process Clause, or FARRA/CAT and its implementing regulations." **4.** "Such other questions that the Government determines are appropriate for the proper disposition of the case."
25-886 *Genalo v. Black* **(dismissed)**	**1.** "Whether there is a point at which an alien's detention under Section 1226(c), pending a decision on whether he is to be removed, becomes 'unreasonably prolonged,' such that due process requires a bond hearing." **2.** "If so, whether, in such a bond hearing, due process requires placing the burden on the government to justify the alien's continued detention by clear and convincing evidence." The Court also directed briefing on "whether G.M.'s case is now moot."