

1994

## Cases Noted/Recent Decisions - Titles - Volume 32 (1993-1994)

Follow this and additional works at: <https://dsc.duq.edu/dlr>



Part of the [Law Commons](#)

---

### Recommended Citation

*Cases Noted/Recent Decisions - Titles - Volume 32 (1993-1994)*, 32 Duq. L. Rev. 1002 (1994).

Available at: <https://dsc.duq.edu/dlr/vol32/iss4/19>

This Additional Content is brought to you for free and open access by Duquesne Scholarship Collection. It has been accepted for inclusion in Duquesne Law Review by an authorized editor of Duquesne Scholarship Collection.

## U

A UNIFIED TEST FOR THE COPYRIGHT PROTECTION OF THE USER INTERFACE TO COMPUTER PROGRAMS .....	133
---	-----

## CASES NOTED

<i>Arave v. Creech</i> , 113 S. Ct. 1534 (1993) .....	347
<i>Church of Lukumi Babalu Aye, Inc. v. City of Hialeah</i> , 113 S. Ct. 2217 (1993) .....	915
<i>Commonwealth v. Lane</i> , 621 A.2d 566 (1993) .....	329
<i>Commonwealth v. Rodriguez</i> , 626 A.2d 141 (1993) .....	593
<i>J.H. France Refractories Co. v. Allstate Insurance Co.</i> , 626 A.2d 502 (Pa. 1993) .....	639
<i>Greenwich Collieries v. Director, Office of Workers' Com- pensation Programs</i> , 990 F.2d 730 (3d Cir. 1993) .....	361
<i>Hartford Fire Ins. Co. v. California</i> , 113 S. Ct. 2891 (1993)	957
<i>In re E.M.</i> , 620 A.2d 481 (Pa. 1993) .....	393
<i>Patrick Media Group, Inc. v. Department of Transporta- tion</i> , 620 A.2d 1125 (Pa. 1993) .....	377
<i>Price v. Symsek</i> , 988 F.2d 1187 (Fed. Cir. 1993) .....	149
<i>Price v. Workmens' Compensation Appeal Board</i> , 626 A.2d 114 (Pa. 1993) .....	649
<i>Reichley v. North Penn School District</i> , 626 A.2d 123 (Pa. 1993) .....	611
<i>Shaw v. Reno</i> , 113 S. Ct. 2816 (1993) .....	865
<i>Smith v. United States</i> , 113 S. Ct. 1178 (1993) .....	167
<i>Snyder v. Snyder</i> , 620 A.2d 1133 (Pa. 1993) .....	627
<i>United States v. Padilla</i> , 113 S. Ct. 1936 (1993) .....	897
<i>United States v. Resko</i> , 3 F.3d 684 (3d Cir. 1993) .....	983
<i>Wisconsin v. Mitchell</i> , 113 S Ct 2194 (1993) .....	939

## RECENT DECISIONS—TITLES

## C

CONSTITUTIONAL LAW—CRIMINAL PROCEDURE— PROSECUTORIAL COMMENTS ON DEFENDANT'S FAILURE TO TESTIFY—HARMLESS ERROR STANDARD— <i>Commonwealth v. Rodriguez</i> , 626 A.2d 141 (Pa. 1993) .....	593
---	-----

CONSTITUTIONAL LAW—EQUAL PROTECTION—VOTING RIGHTS ACT OF 1965—RACIAL REDISTRICTING AND GERRYMANDERING—ELECTION DISCRIMINATION— <i>Shaw v. Reno</i> , 113 S. Ct. 2816 (1993) .....	865
CONSTITUTIONAL LAW—FIRST AMENDMENT—FREE EXERCISE OF RELIGION— <i>Church of Lukumi Babalu Aye, Inc. v. City of Hialeah</i> , 113 S. Ct. 2217 (1993) .....	915
CONSTITUTIONAL LAW—FIRST AMENDMENT—OVERBREADTH DOCTRINE—HATE CRIMES—PENALTY ENHANCEMENT— <i>Wisconsin v. Mitchell</i> , 113 S. Ct. 2194 (1993) ....	939
CONSTITUTIONAL LAW—FOURTH AMENDMENT—SEARCH AND SEIZURE—STANDING—CO-CONSPIRATOR EXCEPTION— <i>United States v. Padilla</i> , 113 S. Ct. 1936 (1993) .....	897
CONSTITUTIONAL LAW—JUDICIAL POWER—COURT FUNDING—REASONABLE NECESSITY— <i>Snyder v. Snyder</i> , 620 A.2d 1133 (Pa. 1993) .....	627
CONSTITUTIONAL LAW—PUBLIC EDUCATION—TEACHER STRIKES— <i>Reichley v. North Penn School District</i> , 626 A.2d 123 (Pa. 1993) .....	611
CONSTITUTIONAL LAW—SIXTH AMENDMENT—DEFENDANT'S RIGHT OF CONFRONTATION—IMPEACHMENT TO SHOW BIAS— <i>Commonwealth v. Lane</i> , 621 A.2d 566 (Pa. 1993) .	329
CONSTITUTIONAL LAW—SIXTH AMENDMENT—JUROR MISCONDUCT—PREMATURE DELIBERATIONS— <i>United States v. Resko</i> , 3 F.3d 684 (3d Cir. 1993) .....	983
CRIMINAL LAW—CAPITAL PUNISHMENT—AGGRAVATING CIRCUMSTANCES—CLEAR AND OBJECTIVE STANDARD— <i>Arave v. Creech</i> , 113 S. Ct. 1534 (1993) .....	347

## F

FAMILY LAW—INVOLUNTARY TERMINATION OF PARENTAL RIGHTS—MENTAL INCAPACITY— <i>In re E.M.</i> , 620 A.2d 481 (Pa. 1993) .....	393
FEDERAL TORT CLAIMS ACT—WAIVER OF SOVEREIGN IMMUNITY— <i>Smith v. United States</i> , 113 S. Ct. 1178 (1993) ...	167

## I

INSURANCE LAW—INDEMNIFICATION—MULTIPLE INSURERS—ASBESTOS CLAIMS— <i>J.H. France Refractories Co. v. Allstate Insurance Co.</i> , 626 A.2d 502 (Pa. 1993) .....	639
--	-----

INSURANCE LAW—SCOPE OF McCARRAN-FERGUSON EXEMPTION FOR THE “BUSINESS OF INSURANCE”—MEANING OF “BOYCOTT”—*Hartford Fire Ins. Co. v. California*, 113 S. Ct. 2891 (1993) . . . . . 957

INTELLECTUAL PROPERTY—PATENT LAW—INTERFERENCES—*Price v. Symsek*, 988 F.2d 1187 (Fed. Cir. 1993) . . . . . 149

INTERNATIONAL LAW—EXTRATERRITORIAL APPLICATION OF THE SHERMAN ACT—*Hartford Fire Ins. Co. v. California*, 113 S. Ct. 2891 (1993) . . . . . 957

S

STATUTORY CONSTRUCTION—THE OUTDOOR ADVERTISING CONTROL ACT—LEGAL STATUS OF TOWNSHIPS—*Patrick Media Group, Inc. v. Department of Transportation*, 620 A.2d 1125 (Pa. 1993) . . . . . 377

W

WORKERS’ COMPENSATION—BLACK LUNG BENEFITS ACT—TRUE DOUBT RULE—*Greenwich Collieries v. Director, Office of Workers’ Compensation Programs*, 990 F.2d 730 (3d Cir. 1993) . . . . . 361

WORKERS’ COMPENSATION—OCCUPATIONAL DISEASES—STATUTE OF LIMITATIONS—*Price v. Workmens’ Compensation Appeal Board*, 626 A.2d 114 (Pa. 1993) . . . . . 649

SUBJECT MATTER INDEX TO VOLUME 32

<b>Auditor Liability</b>	Done?	799
Countering Unrealistic Expectations: Limiting Auditors’ Liability to Investors		849
<b>Civil Rights</b>		
Operation Rescue Versus a Woman’s Right to Choose: A Conflict Without a Federal Remedy?		709
Terrorism on the Play-ground: What Can Be		
	<b>Constitutional Law</b>	
	Constitutional Law - Criminal Procedure - Prosecutorial Comments on Defendant’s Failure to Testify - Harmless Error Standard	593
	Constitutional Law—Equal Protection—Voting Rights Act of	