



*Education*, 347 U.S. 483 (1954), is for a U.S. Supreme Court case because the case reporter (U.S.) includes opinions only from that court.

### Retrieving a Case by Citation Using Westlaw

Although case citations are based on print case reporters, you can use them to identify and retrieve cases online.

To retrieve *League of Women Voters of Ohio v. Brunner*, 548 F.3d 463 (6<sup>th</sup> Cir. 2008), on Westlaw, enter the reporter citation in the “Find by Citation” box.

The screenshot shows the Westlaw search interface. At the top, there are navigation tabs: Public Records, Westlaw, Virginia, NewsRoom with Reuters, and Law School. Below the tabs is a search bar with the text "Search Search Tips You have 0 databases selected Clear Selections". The "Find by citation:" section is highlighted with a white box and a white arrow pointing to it. The text "548 F.3d 463" is entered in the input field, and a "Go" button is visible. Below the input field are links for "Find using a template", "Publications List", and "Find a Case by Party Name". The "KeyCite this citation:" section is also visible, with an empty input field and a "Go" button.

If you have only the name of the case and not the reporter citation, select “Find a Case by Party Name.”

The screenshot shows the Westlaw search interface. At the top, there are navigation tabs: Public Records, Westlaw, Virginia, NewsRoom with Reuters, and Law School. Below the tabs is a search bar with the text "Search Search Tips You have 0 databases selected Clear Selections". The "Find by citation:" section is highlighted with a white box and a white arrow pointing to the "Find a Case by Party Name" link. The input field is empty, and the "Go" button is visible. Below the input field are links for "Find using a template", "Publications List", and "Find a Case by Party Name". The "KeyCite this citation:" section is also visible, with an empty input field and a "Go" button.

Enter as much information as you can. Keep in mind that there may be many cases with the same or similar name.

### Retrieving a Case by Citation Using Lexis

To retrieve *League of Women Voters of Ohio v. Brunner*, 548 F.3d 463 (6<sup>th</sup> Cir. 2008), click on the “Get a Document” tab and enter the citation.

If you have only the name of the case and not the reporter citation, select “by Party Name” under the “Get a Document” tab. Enter as much information as you can.

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by Citation **by Party Name** by Docket Number

**Get by Party Name**

Case Law Briefs, Motions, Pleadings Verdicts

If you know one party, use the first box. Party: league of women voters Party: Brunner

**Jurisdiction:** [Coverage Dates](#)

Federal and State Courts: All Federal & State Courts, Combined

Combined Federal Courts: All Federal Courts

US Supreme Court

US Courts of Appeals: 6th Circuit

US District Courts: All District Courts

US Special Courts: US Court of Federal Claims

State Courts: All State Courts, Combined

Canadian Cases: All Canadian Cases

**Optional: Restrict by Date**

No Date Restrictions  From: To:

Search

## Reading the Parts of a Case

At the beginning of each case, you’ll see the reporter citation(s), the full case name, the docket number(s), the name of the court, and the date decided. A docket number is assigned by the court when a case is filed; multiple docket numbers indicate that cases were consolidated.

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⚠️ **League of Women Voters v. Brunner, 548 F.3d 463** (Copy w/ Cite) Pages: 27

Service: **Get by LEXSEE®**  
Citation: **548 F.3d 463**

**Reporter citation**

548 F.3d 463, \*; 2008 U.S. App. LEXIS 24200, \*\*;  
2008 FED App. 0429P (6th Cir.), \*\*\*

LEAGUE OF WOMEN VOTERS OF OHIO, et al., Plaintiffs-Appellees, JEANNE WHITE, Intervenor-Appellee, v. JENNIFER BRUNNER, in her official capacity as Secretary of State of Ohio, et al., Defendants-Appellants.

**Docket numbers**

Nos. 06-3335/3483/3621

UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

08a0429p.06; 548 F.3d 463; 2008 U.S. App. LEXIS 24200; 2008 FED App. 0429P (6th Cir.)

October 21, 2008, Argued  
November 26, 2008, Decided  
November 26, 2008, Filed

**PRIOR HISTORY:** Appeal from the United States District Court for the Northern District of Ohio at Toledo. Nos. 05-07309--James G. Carr, Chief District Judge.

[League of Women Voters of Ohio v. Blackwell, 2006 U.S. Dist. LEXIS 23437 \(N.D. Ohio, Mar. 23, 2006\)](#)  
[League of Women Voters v. Blackwell, 432 F. Supp. 2d 723, 2005 U.S. Dist. LEXIS 35951 \(N.D. Ohio, 2005\)](#)  
[League of Women Voters v. Blackwell, 423 F. Supp. 2d 724, 2006 U.S. Dist. LEXIS 8427 \(N.D. Ohio, 2006\)](#)

Outline Page Select a Reporter Doc 1 of 1 Term 1 of 1

A summary of the case is usually provided. The summary is written by an editor, not the judge, and has no legal authority.

The screenshot shows the LexisNexis interface for the case *League of Women Voters v. Brunner*, 548 F.3d 463. The page title is "CASE SUMMARY". Under "PROCEDURAL POSTURE", it states that plaintiff voter organizations and individual registered voters brought suit against defendant Secretary of State of Ohio and the Governor of Ohio, alleging violations of equal protection, substantive due process, procedural due process, and the Help America Vote Act of 2002 (HAVA). The U.S. District Court for the Northern District of Ohio dismissed the HAVA claim but allowed the constitutional claims. Defendants appealed. The "OVERVIEW" section details the plaintiffs' argument that the passage of a new state law, which provided for verified paper audit trails for touchscreen voting machines, mooted an intervenor voter's complaint. Defendants argued that they were immune from suit under the Eleventh Amendment, but the amended complaint fell comfortably within the Ex parte Young doctrine. The amended complaint pled facts, which if proven, were sufficient to establish that defendants arbitrarily denied Ohioans the right to vote depending on where they lived. The voters' allegations, if true, could have supported a troubling picture of a system so devoid of standards and procedures as to violate substantive due process. So, too, could intervenor's allegation of a touchscreen voting machine malfunctioning. That Ohio's voting system impinged on the fundamental right to vote did not, however, implicate procedural due process. The "OUTCOME" section states that the judgment was affirmed in part and reversed in part. It was affirmed as to the denial of the motion to dismiss as to the equal protection and substantive due process claims, but it was reversed as to the procedural due process claim.

Below the summary you'll see the headnotes. Each headnote summarizes a ruling of law from the case. Most cases have multiple headnotes because a case will usually address several different points of law. You can click on a headnote number to jump to the relevant part of the opinion. Like the summary, the headnotes are written by an editor and have no legal authority.

Click on the headnote number to jump to the relevant part of the opinion

The screenshot shows the LexisNexis interface for the case *League of Women Voters v. Brunner*, 548 F.3d 463, displaying the "LEXISNEXIS® HEADNOTES" section. The headnotes are as follows:

- HN1** A case becomes moot when the issues presented are no longer live or the parties lack a legally cognizable interest in the outcome. Mootness implicates U.S. Const. art. III's case or controversy requirement. Accordingly, mootness can be raised at any stage of litigation because it is a jurisdiction requirement. [More Like This Headnote](#) | [Shepardize: Restrict By Headnote](#)
- HN2** A defendant's voluntary cessation of a challenged practice does not moot a case. Rather, voluntary conduct moots a case only in the rare instance where subsequent events made it absolutely clear that the allegedly wrongful behavior could not reasonably be expected to recur. What is more, the party asserting mootness bears the heavy burden of persuading the court that the challenged conduct cannot reasonably be expected to start up again. However, government officials receive more solicitude on this point than do private parties. [More Like This Headnote](#) | [Shepardize: Restrict By Headnote](#)
- HN3** A circuit court of appeals considers questions of constitutional law de novo. [More Like This Headnote](#) | [Shepardize: Restrict By Headnote](#)
- HN4** The [Eleventh Amendment](#) generally bars suits by citizens of a state against a state in federal court. [U.S. Const. amend. XI](#). There are, however, numerous exceptions to this rule. One exception applies when a state official is sued in his official capacity for purely injunctive relief. The test for determining whether the Ex parte Young exception applies is a straightforward one. The court considers whether the

Below the headnotes, the attorneys for each side are identified, followed by the judge(s). The judge who wrote the opinion is usually named and then the text of the opinion begins. When citing to a case, always cite to the text of the opinion—not the summary or the headnotes. Only the text of the opinion carries any legal authority.

Usually the opinion begins with a discussion of the procedural history and facts of the case, followed by a discussion of the law. When citing to a specific part of an opinion, you should provide a pinpoint citation—i.e., tell the reader the exact page of the opinion you’re citing to. Page numbers are inserted into the text of the case to tell you where the page breaks are.

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▲ League of Women Voters v. Brunner, 548 F.3d 463 (Copy w/ Cite) Pages: 27

**COUNSEL:** **[\*\*1]** ARGUED: [Richard N. Coglianese](#) -, OFFICE OF THE OHIO ATTORNEY GENERAL, Columbus, Ohio, for Appellants.  
[Jennifer Rebecca Scullion](#) -, PROSKAUER ROSE, New York, New York, for Appellees.  
ON BRIEF: [Richard N. Coglianese](#) -, Damian W. Sikora, OFFICE OF THE OHIO ATTORNEY GENERAL, Columbus, Ohio, for Appellants.  
[Jennifer Rebecca Scullion](#) -, PROSKAUER ROSE, New York, New York, [Jon M. Greenbaum](#) -, LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW, Washington, D.C., [Steven P. Collier](#) -, [Jason A. Hill](#) -, CONNELLY, JACKSON & COLLIER, Toledo, Ohio, [John A. Freedman](#) -, [Michael R. Geske](#) -, ARNOLD & PORTER, Washington, D.C., [Kathleen McCree Lewis](#) -, DYKEMA GOSSETT, Detroit, Michigan, Brenda Wright, DEMOS: A NETWORK FOR IDEAS AND ACTION, Brighton, Massachusetts, [Richard Marvin Kerger](#) -, Kimberly A. Conklin, KERGER & HARTMAN, Toledo, Ohio, for Appellees.  
**JUDGES:** Before: [KEITH](#) -, [MERRITT](#) -, and [GIBBONS](#) -, Circuit Judges.  
**OPINION BY:** [JULIA SMITH GIBBONS](#) -

**OPINION**

**[\*466] [\*\*\*P2] [JULIA SMITH GIBBONS](#)** -, Circuit Judge. Plaintiffs-appellees League of Women Voters of Ohio, League of Women Voters Toledo-Lucas County, and individual registered voters in Ohio allege that Ohio's voting system is so deficient as to deny or severely burden their fundamental right to vote. They brought suit in the United **[\*\*2]** States District Court for the Northern District of Ohio against defendants-appellants the State of Ohio, Governor of Ohio, <sup>1</sup> alleging violations of equal protection, substantive due process, procedural due process, and the "HAVA"). Intervenor-appellee Joanne White alleges that touchscreen voting machines utilized in

▲ Outline Page 466 of the Federal Reporter begins here. Page Select a Reporter Doc 1 of 1 Term 1 of 1

## Using Headnotes to Find Other Cases

Each headnote is associated with specific legal topic(s). Once you’ve identified a relevant headnote, you can use it to find other cases on the same topic.

Lexis and Westlaw each have a hierarchical classification of legal topics; on Westlaw, this classification is known as the Key Number System. In the screenshot below, the first headnote has been classified as Federal Courts > Federal Question Jurisdiction > Cases Arising Under the Laws of the United States > Laws Relating to Aliens and Foreign Sovereigns. Each of these topics and subtopics is assigned a number in the Key Number System. You can click on the hyperlinked key numbers next to any of these topics or subtopics to retrieve headnotes from other cases. Clicking on the “most cited cases” link will retrieve the same set of headnotes as the “170Bk192.10” link, but with the cases cited most often for that key number listed first.

Westlaw. FIND&PRINT KEYCITE DIRECTORY KEY NUMBERS COURT DOCS FORMFINDER SITE MAP HELP SIGN OFF

Public Records Westlaw Virginia NewsRoom with Reuters Law School Preferences Alert Center Research Trail Add a Tab

Result List 1 Doc Links for 630 F.2d 876

Full Screen List Locate in Result

Find citation:

Some negative history but not overruled KeyCite

Full History Direct History (Graphical View) Citing References Monitor With KeyCite Alert

Featured Trial Document Powered by KeyCite

**Jane DOE I and Jane Doe II...**  
 Trial Motion, Memorandum and Affidavit (S.D.N.Y., 2006)  
**Memorandum of Law Regarding Subject Matter Jurisdiction...**  
[See All Trial Documents Citing this Case](#)

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Petitions, Briefs & Filings

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**Causes of Action**

1. Cause of Action to Recover Civil Damages Pursuant to the Law of Nations and/ or Customary International Law

**Filartiga v. Pena-Irala**  
 630 F.2d 876  
 C.A.N.Y., 1980.  
 June 30, 1980 (Approx. 15 pages)  
 West Headnotes

[1]  KeyCite Citing References for this Headnote

- 170B Federal Courts
  - 170B111 Federal Question Jurisdiction
    - 170B111(C) Cases Arising Under Laws of the United States
      - 170Bk192.10 k. Aliens and Foreign Sovereigns, Laws Relating To. [Most Cited Cases](#) (Formerly 170Bk192)

Deliberate torture perpetrated under color of official authority violates universally accepted norms of international law of human rights, regardless of the nationality of the parties, and, thus, whenever an alleged torturer is found and served with process by an alien within the borders of the United States, the Alien Tort Statute provides federal jurisdiction. [28 U.S.C.A. § 1350.](#)

[2]  KeyCite Citing References for this Headnote

- 221 International Law
  - 221k2 k. Sources and Scope. [Most Cited Cases](#)

Law of nations may be ascertained by consulting the works of jurists, writing professedly on public law; or by the general usage and practice of nations; or by judicial decisions recognizing and enforcing such law.

[3]  KeyCite Citing References for this Headnote

- 221 International Law
  - 221k1 k. Nature and Authority in General. [Most Cited Cases](#)

Tools

After you've selected a topic or subtopic, you'll see a screen like the one below asking you to select a jurisdiction. You have the option of adding additional search terms.

Westlaw. FIND&PRINT KEYCITE DIRECTORY KEY NUMBERS COURT DOCS FORMFINDER SITE MAP HELP SIGN OFF

Public Records Westlaw Virginia NewsRoom with Reuters Law School Preferences Alert Center Research Trail Add a Tab

**Custom Digest**  [West Key Number Digest > Search](#)

Search

Your digest selection(s):

Your digest options:

Order:

- Most Recent Cases
- Most Cited Cases

Include ALR, law reviews, and other references

Your default state jurisdiction is: Virginia

State:

Federal:

State & Federal:

Topical:

Include cases from the highest court only

Add search terms and/or connectors (optional):

Date Restriction:

After selecting a jurisdiction, you'll see relevant headnotes from other cases in that jurisdiction.

The screenshot shows a Westlaw search results page. At the top, there is a navigation bar with 'Westlaw' logo and various utility links like 'FIND&PRINT', 'KEYCITE', 'DIRECTORY', 'KEY NUMBERS', 'COURT DOCS', 'FORMFINDER', 'SITE MAP', 'HELP', and 'SIGN OFF'. Below this is a secondary navigation bar with tabs for 'Public Records', 'Westlaw', 'Virginia', 'NewsRoom with Reuters', and 'Law School'. The main content area is divided into several sections:

- Result List**: Shows '1 Doc' and 'Links for 170BK192.10'.
- Full-Screen List**: Includes links for 'Edit Search' and 'Locate in Result'.
- Full-Text Document**: A section header.
- ResultsPlus™**: A section with a 'View All Results' link. It contains three entries:
  - Am.Jur.2d: Aliens and Citizens**: 1. Federal Court Actions, Jurisdiction, Jurisdiction Under Alien Tort Claims Act
  - Am.Jur.2d: Aliens and Citizens**: 2. Federal Court Actions, Jurisdiction, Jurisdiction Under Alien Tort Claims Act-Exercise of Jurisdiction in Particular Circumstances
  - ALR**: 3. Validity, Construction, and Application of 274(a)(1)(a)(II) of Immigration and Nationality Act (8 U.S.C.a. 1324(a)(1)(a)(II)), Making it Unlawful to Transport Alien Who Has Entered United States in Violation of Law
- View All Results** and **List of ResultsPlus Publications** links are provided below the ResultsPlus section.
- FOR EDUCATIONAL USE ONLY**: A prominent notice.
- Custom Digest**: Shows '170BK192.10' and '11 Headnotes'.
- Headnotes**: A section containing the following text:
  - ▶ [Sosa v. Alvarez-Machain, 124 S.Ct. 2739](#)
  - ◀ [170B FEDERAL COURTS](#)
  - ◀ [170BIII](#) Federal Question Jurisdiction
  - ◀ [170BIII\(C\)](#) Cases Arising Under Laws of the United States
  - ◀ [170B k192 .10](#) k. Aliens and foreign sovereigns, laws relating to.
  - U.S.,2004
  - Alien Tort Statute (ATS), pursuant to which the district courts "have cognizance...of all causes where an alien sues for a tort only in violation of the law of nations or a treaty of the United States," is jurisdictional statute, in sense that it only addresses power of courts to entertain certain claims and does not create statutory cause of action for aliens. [28 U.S.C.A. § 1350](#).
  - ▶ [Sosa v. Alvarez-Machain, 124 S.Ct. 2739](#)
  - U.S.,2004
  - Though the Alien Tort Statute (ATS), pursuant to which the district courts "have cognizance...of all causes where an alien sues for a tort only in violation of the law of nations or a treaty of the United States," is jurisdictional statute, which does not create statutory cause of action for aliens, it was not intended to lie fallow until specific causes of action were authorized by further legislation, but was meant to have practical effect from moment that it became law, by providing basis for district courts to exercise jurisdiction over a modest number of causes of action recognized under the law of nations, such as for offenses against ambassadors, violations of safe conduct, and possibly for piracy. [28 U.S.C.A. § 1350](#).