

In the News

SCOTUSblog: Court Likely to Rule that a Defendant Preserves Appellate Challenge to Length of Sentence Merely by Arguing for Lower One, but Precise Wording of Opinion will be Important



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Kendall Turner

Washington, DC

D: +1-202-383-5204

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O'Melveny counsel Kendall Turner delivered oral arguments for *Holguin-Hernandez v. US* before the US Supreme Court, SCOTUSblog reported in this article. As the article observed, the Court took the case to “review a sentencing rule of the U.S. Court of Appeals for the 5th Circuit that is out of step with nine other circuits.” Turner told the Court Rule 51 “tells parties how to preserve claims of error for appeal,” and “there’s no need to tell the court twice.” Turner further explained there is no “practical merit” to a requirement that the defendant must again say “I object.” She also noted in her rebuttal that the “nine courts of appeals” that do not require an objection to be repeated “show that the Fifth Circuit’s rule is not necessary to the effective functioning of courts.”

Read the full blog post [here](#).