

From: (b)(6);
To: OPLA HO Personnel; OPLA Field Personnel
Subject: Broadcast Message: Implementing Ramos v. Louisiana, 140 S. Ct. 1390 (2020)
Date: Thursday, June 11, 2020 10:29:53 AM

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Disseminated on behalf of Ken Padilla and Adam V. Loiacono . . .

On April 20, 2020, the Supreme Court decided *Ramos v. Louisiana*, 140 S. Ct. 1390 (2020), holding that the Sixth Amendment requires a unanimous verdict to convict a defendant of state criminal charges. (b)(5)

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On May 4, 2020, the Supreme Court granted a petition for a writ of certiorari in *Edwards v. Vannoy*, No. 19-5807, 2020 WL 2105209 (U.S. May 4, 2020) (Mem.), to decide whether *Ramos* applies retroactively. In light of *Ramos*, OPLA attorneys should bear in mind the points below when dealing with an alien removable on the basis of a Louisiana or Oregon conviction. First and foremost, the Court emphasized that the question of whether its decision in *Ramos* applies retroactively was not before it and would have to be decided in a future case. *See* 140 S. Ct. at 1407. True to its word, the Court promptly identified a case to decide in the near future whether *Ramos* will apply retroactively: *Edwards*, No. 19-5807. (b)(5)

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This message includes internal guidance provided for internal OPLA use only and is not intended for public disclosure. Please ensure that it is treated consistent with applicable guidance. If you have questions about this guidance or about *Ramos*, please do not hesitate to contact ILPD (ILPD-E or ILPD-W), as appropriate.

Thank you,

Ken Padilla

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