

# Federal Law Update

June 2025

*U.S. Magistrate Judge Matthew A. Stinnett*



# Overview

## Three Civil Updates

- Sealing Concerns
- The Proportionality Conundrum
- The Privilege Log Problem

## Three Criminal Updates

- Bruen/Rahimi Fallout
- Immigration-Related Detention Complications
- Nexus Changes



# Sealing Concerns

*Grae v. Corrections Corp. of America*, 134 F.4th 927 (6th Cir. 2025)

- Determination of what is sealed rests with the Court
- If you have a basis to seal, that must be spelled out
- The Court's Order must also spell out its basis

## Takeaways

- Boilerplate won't cut it
- Courts are increasingly demanding transparency, even in sealed proceedings.





# Fallout from *Bruen* and *Rahimi* Decisions



*Bruen* (2022) and *Rahimi* (2023) reshaped the Second Amendment landscape by requiring any firearm regulation to align with historical tradition.

- This prompted a wave of challenges to 18 U.S.C. § 922(g).

Sixth Circuit: *United States v. Williams*, 113 F.4th 637 (6th Cir. 2024)

- Upheld § 922(g)(1) as constitutional
- The Court has now generally affirmed the constitutionality of most provisions under § 922(g), despite the evolving *Bruen*-based framework



# The Proportionality Conundrum

## Fed. R. Civ. P. 26(b)(1) – 2015 Amendment

- Introduced express proportionality considerations

## Recent Kentucky Cases on Proportionality

- *Jones v. AssuredPartners NL, LLC*, 2025 WL 373449 (W.D. Ky. Feb. 3, 2025)
- *Cox v. Gray Media Grp., Inc.*, 2024 WL 1403074 (E.D. Ky. 2024)

## Takeaways

- Rely less on simple shock and awe of volume numbers
- Rely more on how burdensome this will be in comparison to the already conducted discovery
- For those seeking production, come with specificity as to what you are seeking and the value you think it will provide to this case



# Immigration-Related Detention Complications

## Recurring Issues

1. Can the United States move for pretrial detention under the Bail Reform Act (BRA) if ICE has a detainer?
2. If a defendant is released under the BRA, how do we resolve the dispute between ICE and DOJ?





# The Privilege Log Problem

## Coming December 2025 – Amendments to Rules 16 and 26

- Designed to prevent late-stage privilege disputes that can grind discovery to a halt
- New Requirement: Parties must plan out privilege disclosures at the start of the case

## Recognized Log Formats

- Traditional log (document-by-document)
- Metadata log (using file characteristics)
- Categorical log (grouped by subject matter)

## Takeaways

- No one-size-fits-all solution
- Plan early and communicate clearly



# Changes to the Nexus Doctrine

Baseline: *United States v. Brown*, 828 F.3d 375 (6th Cir. 2016)

- Required a nexus between residence and criminal activity

## Now Evolving

- *United States v. Sanders*, 106 F.4th 455 (6th Cir. 2024): Movement from home to controlled buy site and back was enough; no additional trafficking proof required
- *United States v. Simmons*, 129 F.4th 382 (6th Cir. 2025): Adopted a “continuing operations” theory

## Takeaways

- Less direct evidence needed to link home to drug activity
- Courts are more willing to infer nexus from circumstantial and pattern-based evidence

