

# Federal courts jurisdiction



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Running header: UNITED S VERSUS ALFONSO LOPEZ, Jr. United s versus Alfonso Lopez, Jr discussion of limitations of federal power United States versus Alfonso Lopez, Jr. In the case of United States versus Alfonso Lopez, Jr. 514 U. S. 549 a 12th grade student Alfonso Lopez, Jr. admitted to carrying a handgun on school property in San Antonio, Texas. He was arrested and charged under Texas law for possession of a firearm on school premises. The next day however, the charges were dismissed and federal agents charged him with violating the Gun Free School Zones Act of 1990. (United States v. Lopez, 1995) This was a landmark case in that it established the supremacy of the Federal Courts over state courts and jurisdiction within individual states. However, the end result of the case was that the charges by the federal government were dismissed and in a statement by Judge Rehnquist the reasoning was that it was time to step in and check the powers of the federal government by defining the powers between the federal government and the individual state. The prosecutions argument rested the use of the Interstate Commerce Act, this act specifically being designed to prevent unfair business practices by shifting regulatory abilities from the state governments to that of the federal government. (Interstate Commerce Act, 1887) The case was upheld by a decision of 5-4 and helped define what was allowed directly by the Interstate Commerce Act. Supreme Court Justice Rehnquist made it clear that this incident was not something that should be allowed under the Commerce Act however, further stated that this decision was not meant to change prior decisions in regards to the Commerce Act. The decision was meant only to limit the current scope of the Federal Government in regards to incidents occurring within each individual state. The decision clarified the separation of power that exists between the

individual states and that of the Federal Government. References: Interstate Commerce Act,. (1887,). Jrank, law library, interstate commerce act of 1887 (24 stat. 379 [49 u. s. c. a. § 1 et seq.]) . Retrieved from <http://law.jrank.org/pages/7759/Interstate-Commerce-Act.html> United States v. Lopez,. (1995,). Supreme court of the united states, no. 93-1260, united states, petitioner v. alfonso lopez, jr. on writ of certiorari to the united states court of appeals for the fifth circuit . Retrieved from <http://www.law.cornell.edu/supct/html/93-1260.ZO.html>