

# SCALIA SUPREME COURT JUSTICE SUDDENLY DEAD – THROWS POLITICS INTO TURMOIL!

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SCALIA SUPREME COURT JUSTICE SUDDENLY DEAD – THROWS POLITICS INTO TURMOIL!

## Senior U.S. Supreme Court Associate Justice Antonin Scalia found dead at West Texas ranch

By [Gary Martin and Guillermo Contreras](#)

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Photo: Edward A. Ornelas, San Antonio Express-News

Image 1 of 48

A hearse leaves the Cibolo Creek Ranch Saturday Feb. 13, 2016 on U.S. 67 near Shafter, Tx.

Associate Justice Antonin Scalia was found dead of apparent natural causes Saturday on a luxury resort in West Texas, federal officials said.

Scalia, 79, was a guest at the Cibolo Creek Ranch, a resort in the Big Bend region south of Marfa.

According to a report, Scalia arrived at the ranch on Friday and attended a private party with about 40 people. When he did not appear for breakfast, a person associated with the ranch went to his room and found a body.

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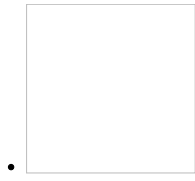
Chief U.S. District Judge Orlando Garcia, of the Western Judicial District of Texas, was notified about the death from the U.S. Marshals Service.



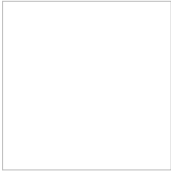
U.S. District Judge Fred Biery said he was among those notified about Scalia's death.

"I was told it was this morning," Biery said of Scalia's death. "It happened on a ranch out near Marfa. As far as the details, I think it's pretty vague right now as to how," he said. "My reaction is it's very unfortunate. It's unfortunate with any death, and politically in the presidential cycle we're in, my educated guess is nothing will happen before the next president is elected."

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The U.S. Marshal Service, the Presidio County sheriff and the FBI were involved in the investigation.

Officials with the law enforcement agencies declined to comment.

A federal official who asked not to be named said there was no evidence of foul play and it appeared that Scalia died of natural causes.

A gray Cadillac hearse pulled into the ranch Saturday afternoon and left about 5 p.m. The hearse came from Alpine Memorial Funeral Home.

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Texas Gov. Greg Abbott released a statement Saturday afternoon, calling Scalia a man of God, a patriot and an "unwavering defender of the written Constitution."

"He was the solid rock who turned away so many attempts to depart from and distort the Constitution," Abbott said. "We mourn his passing, and we pray that his successor on the Supreme Court will take his place as a champion for the written Constitution and the Rule of Law. Cecilia and I extend our deepest condolences to his family, and we will keep them in our thoughts and prayers."

Scalia's death has far-reaching implications for the Supreme Court and a round of major cases the justices are set to decide this summer, including Fisher v. University of Texas at Austin, which challenges the university's affirmative action policy, plus a case that contests Obama's immigration policy and another that reexamines the meaning of "one person, one vote," said former U.S. Rep. Charlie Gonzalez.

President Barack Obama is unlikely to successfully name a new justice to replace Scalia before his second presidential term ends, Gonzalez said, because Congress will block any appointment he tries to make.

"I don't see that the Republican-led Senate would confirm anybody chosen by President Obama," Gonzalez said.

Gonzalez only met Scalia once, when he spotted the justice walking in the U.S. Capitol to view a Supreme Court exhibit. Gonzalez asked him how Scalia was doing; Scalia said, "Fine."

"I prevailed in my only exchange with the Supreme Court," Gonzalez said.

Scalia was nominated to the U.S. Supreme Court in 1986 by President Ronald Reagan.

*Staff writers Vianna Davila, Tyler White, Richard A. Marini and John McCormack contributed to this report.*

## **Silicon Valley Green-washing Billionaires Hate Scalia. Now faced with nightmare scenario at the Supreme Court**

By [Timothy Cama](#) -

The Supreme Court's decision this week to halt President Obama's sweeping climate change regulation for power plants is causing environmentalists and experts to wonder whether they need a backup plan.

The Obama administration has repeatedly said, both before and after the judicial stay was ordered, that it does not have a Plan B if the Environmental Protection Agency's (EPA) Clean Power Plan gets overturned.

Officials insist that a backup plan isn't necessary because once the high court hears the case, it will find that the rule is well within the boundaries of the Clean Air Act and the Constitution.

"We remain confident that when this is given its day in court, it's going to be upheld on the merits," White House spokesman Eric Schultz told reporters.

"Plan A's a good one, and I don't want anyone to think it isn't," EPA Administrator Gina McCarthy said in January.

But the unexpected move by the Supreme Court nonetheless caused a jolt among environmentalists, reminding them that the nine justices at the Supreme Court might interpret the law differently than they do.

"The Supreme Court took unprecedented action," said John Coeuyt, global climate policy director for the Sierra Club. "Gina McCarthy, Climate change policy in the United States, United States Environmental Protection Agency, Clean Power Plan, Clean Air Act, Supreme Court of the United States n, so of course it makes everyone pause and reevaluate,"

"I would suspect that people at EPA have already been thinking about that question" of what to do if the rule is overturned, said Justin Pidot, a University of Denver law professor and former Justice Department environmental attorney.

"The prospect that the Supreme Court is going to ultimately invalidate all or some of the Clean Power Plan has been a real possibility for a while," he said.

The court's stay order came in 5-4 vote, likely reflecting a break between the liberal and conservative wings.

The order from the justices was brief, with no explanation provided.

It is the first time the high court has stayed a regulation after a lower court refused to do so, and the first time the justices have issued a stay before any court heard the merits of the case.

Now the EPA cannot enforce any parts of the rule until the litigation is over, a major win for the states and energy interests who argued that, if the rule were allowed to proceed and later be overturned, they would experience irreparable harm.

But since the Clean Power Plan is such a major piece of the administration's climate policy, its downfall would make it difficult to achieve the emissions cuts needed to slow global warming and to meet the country's pledge under last year's Paris climate agreement.

Complicating the matter is the timing. The Court of Appeals for the District of Columbia Circuit has to hear the case and rule before the Supreme Court takes it up, putting any decision about the next steps in the hands of the next president.

Additionally, if the Supreme Court rules against the EPA, its decision could be narrow — allowing the agency to try to rewrite the rule — or it could be broad, potentially prohibiting any future greenhouse gas regulations for power plants.

Environmentalists were generally tight-lipped about what a Plan B might look like, instead repeating their confidence that the rule will stand.

"We always are working on additional plans. There's always multiple approaches, and we're always looking for new ways of moving forward," said David Doniger, climate program director at the Natural Resources Defense Council, which has been credited with forming the general structure of the rule that the EPA adopted.

Coeuyt said the federal government is likely to look at the Clean Air Act for future climate regulations. "Gina McCarthy, Climate change pGina McCarthy, Climate change policy in the United States, United States Environmental Protection Agency, Clean Power Plan, Clean Air Act, Supreme Court of the United States olicy in the United States, United States Environmental Protection Agency, Clean Power Plan, Clean Air Act, Supreme Court of the United States

"I think the only tools that exist for the administration to achieve large-scale reductions that are in front of us are the tools under the Clean Air Act and other administrative options," he said.

Michael Burger, executive director of Columbia University's Sabin Center for Climate Change Law, said predicting the backup plan is hard without knowing much about the case against the rule.

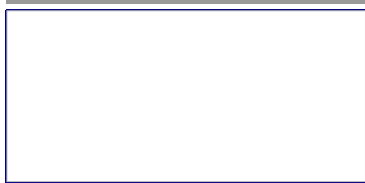
"It's a really hard prediction, because the case [Gina McCarthy, Climate change policy in the United States, United States Environmental Protection Agency, Clean Power Plan, Clean Air Act, Supreme Court of the United States](#) has not been briefed on the merits yet at the D.C. Circuit Court of Appeals or at the Supreme Court," he said. "And the order the Supreme Court issued doesn't say on what basis it issued the stay."

Burger and colleagues put out a paper recently arguing that the Clean Air Act gives the EPA wide authority to implement new climate rules based on international harms from greenhouse gases, something the Obama administration has not said it plans to pursue.

But there's wide agreement that green advocates probably cannot turn to Congress for a solution to climate change if the court isn't friendly.

"I wouldn't say we have plans to pass new legislation in the coming Congress," said Doniger.

"It just doesn't seem like the Republicans are interested in solving climate change," Coeuyt added.



The rule's opponents don't think there should be a replacement, and they predicted that the Supreme Court's ruling would make it impossible for that to happen.

"We definitely think that the Clean Air Act does not provide EPA with the authority to do what they tried to do with the Clean Power Plan," said Dan Simmons, vice president of policy at the American Energy Alliance, a free-market group backed by fossil fuel companies.

"If the Clean Power Plan is overturned, we don't think it should be replaced," he said, adding that the Clean Air Act "simply wasn't made to do what the environmentalists and EPA want it to do."

[Gina McCarthy, Climate change policy in the United States, United States Environmental Protection Agency, Clean Power Plan, Clean Air Act, Supreme Court of the United States](#)

