

CASE BRIEF

Name: United States v. Lopez (514 U.S. 549)

Plaintiff: United States

Defendant: Alfonso Lopez

Summary of the facts of the case:

Alfonso Lopez, Jr., who was then a 12th grade student, arrived at High school in Texas, carrying a concealed handgun with bullets. Somebody gave to school authorities anonymous tip. Then the school authorities arrested respondent and he was charged under Texas law with firearm possession on school premises. It was against the Gun-Free school zones act (GFZSA) of 1990, making it an offense for any individual to knowingly possess a firearm in a place the individual knows or has a reason to know is a school zone. The district court denied the motion to dismiss the indictment concluding that the GFSZA was unconstitutional. The court of appeal reversed the lower court and declared the law invalid.

Legal issue:

The issue in this case is whether activity in high school could be regulated by the commerce power of congress. Can be the commerce power of congress extend to activities that have no apparent connection to interstate commerce.

Holding of the Court:

There are three categories of activity that congress may regulate under its commerce power are the use of the channels of interstate commerce. Than Congress may regulate and protect the instrumentalities of interstate commerce. And regulate those activities having a substantial relation to interstate commerce.

The reasoning of the court:

The court of appeal's decision is affirmed. The activity being regulated must substantially affect interstate commerce. But there were a lot of dissent by the justice.