

Opinion of SOUTER, J.

SUPREME COURT OF THE UNITED STATES

No. 99–1977

DONALD SAUCIER, PETITIONER *v.* ELLIOT M. KATZ
AND IN DEFENSE OF ANIMALS

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE NINTH CIRCUIT

[June 18, 2001]

JUSTICE SOUTER, concurring in part and dissenting in
part.

I join Parts I and II of the Court’s opinion, but would
remand the case for application of the qualified immunity
standard.