

# **B.J. Priester**

## **Professor of Law**

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Professor Priester joined Florida Coastal School of Law in 2008 as an Associate Professor of Law. Prior to his teaching career he was an Associate with Ropes & Gray in Washington, D.C. and was a Law Clerk with the Honorable Susan H. Black at the U.S. Court of Appeals, Eleventh Circuit.

### **Expertise**

Sentencing

Criminal Law

Constitutional Criminal Procedure

### **Education**

Duke University School of Law, J.D., 1998, *Summa Cum Laude*

Harvard University, A.B., 1996, *Government Cum Laude*

### **Teaching**

Criminal Law

Criminal Procedure

Antiterrorism Enforcement

National Security Law

White Collar Crime

Federal Criminal Law

Constitutional Law

California Law Survey

### Publications – Law Review Articles

- Benjamin J. Priester, A Warrant Requirement Resurgence? The Fourth Amendment in the Roberts Court, 93 ST. JOHN'S L. REV.\_\_(forthcoming).
- Benjamin J. Priester, From Jones To Jones: Fifteen Years of Incoherence in the Constitutional Law of Sentencing Factfinding, 47 UNIV. TOLEDO L. REV. 413 (2016).
- INTRODUCTION TO THE FOURTH AMENDMENT: AAMPLE (Aspen Custom Publishing 2014).
- Benjamin J. Priester, Five Questions and Three Answers After United States v. Jones (2012), the Fourth Amendment "GPS Case", 65 OKLA. L. REV. 491 (2013).
- Benjamin J. Priester, Apprendi Land Becomes Bizarro World: 'Policy Nullification' and Other Surreal Doctrines in the New Constitutional Law of Sentencing, 51 SANTA CLARA L. REV. 1 (2011).
- Benjamin J. Priester, Terrorist Detention: Directions for Reform, 43 UNIV. RICHMOND L. REV. 1201 (2009)
- Benjamin J. Priester, Who Is A 'Terrorist'? Drawing the Line Between Criminal Defendants and Military Enemies, 2008 UTAH L. REV. 1255.
- Benjamin J. Priester, The Canine Metaphor and the Future of Sentencing Reform: Dogs, Tails, and the Constitutional Law of Wagging, 60 S.M.U. L. REV. 209 (2007).
- Benjamin J. Priester, Return of the Great Writ: Judicial Review of the Detention of Alleged Terrorists as Enemy Combatants, 37 RUTGERS L.J. 39 (2005).
- Benjamin J. Priester, Structuring Sentencing: Apprendi, the Offense of Conviction, and the Limited Role of Constitutional Law, 79 INDIANA L.J. 863 (2004).
- Benjamin J. Priester, Constitutional Formalism and the Meaning of Apprendi v. New Jersey, 38 AM. CRIM. L. REV. 281 (2001).
- H. Jefferson Powell & Benjamin J. Priester, Convenient Shorthand: The Supreme Court and the Language of State Sovereignty, 71 U. COLO. L. REV. 645 (2000).
- Benjamin J. Priester, Paul G. Rozelle & Mirah A. Horowitz, The Independent Counsel Statute: A Legal History, 62 LAW & CONTEMP. PROBS. 5, 8-37 (Winter 1999).
- Benjamin J. Priester, Note, Sentenced for a "Crime" the Government Did Not Prove: Jones v. United States and the Constitutional Limitations on Factfinding by Sentencing Factors Rather Than Elements of the Offense, 61 LAW & CONTEMP. PROBS. 249 (Autumn 1998).

### Bar Admissions

District of Columbia and Connecticut

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