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## Constitutional Law

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## CONSTITUTIONAL LAW

In *Banks v. Ferrell*,<sup>1</sup> the District of Columbia Court of Appeals strengthened the position taken in prior cases by specifically applying the case or controversy doctrine of article III of the United States Constitution, even though the District of Columbia courts were established under article I. Banks had sought injunctive relief from actions of the District of Columbia Board of Parole. However, because he was no longer under the Board's jurisdiction, the court determined that there was no controversy to adjudicate. Thus, relying on the case or controversy doctrine, which bars advisory decisions, the court denied relief.<sup>2</sup> This decision is consistent with previous decisions of the court dismissing cases for mootness.<sup>3</sup>

Another District of Columbia Court of Appeals decision, *Holmes v. District of Columbia Board of Appeals and Review*,<sup>4</sup> upheld warrantless inspections of rental apartments. Alleging a violation of the fourth amendment, the landlord in this case challenged citations for housing violations. The court denied relief, ruling that an application for a housing business license constituted consent under the fourth amendment.<sup>5</sup> As a result, the court reaffirmed its decision in *John D. Neumann Properties, Inc. v. District of Columbia Board of Appeals and Review*.<sup>6</sup>

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1. 411 A.2d 54 (D.C. 1979).

2. *Id.* at 56-57.

3. *See, e.g., Price v. Wilson*, 32 A.2d 109 (D.C. 1943).

4. 421 A.2d 27 (D.C. 1980), *cert. denied*, 101 S. Ct. 1369 (1981).

5. *Id.* at 30-31.

6. 268 A.2d 605 (D.C. 1970).