

PRESENTED AT

2019 Robert O. Dawson  
Conference on Criminal Appeals

May 1–3, 2019  
Austin, TX

# Supremacy Clause Immunity

Rosa Theofanis

Rosa Theofanis  
Travis County District Attorney's Office  
Austin, TX

[Rosa.Theofanis@traviscountytexas.gov](mailto:Rosa.Theofanis@traviscountytexas.gov)  
512.854.9530

THE UNIVERSITY OF TEXAS SCHOOL OF LAW CONTINUING LEGAL EDUCATION • 512.475.6700 • UTCLE.ORG

## Supremacy Clause Immunity

---

*State v. Kleinert*

1. Factual Background
2. State Court Proceedings
3. Federal District Court Proceedings
4. Fifth Circuit Proceedings
5. Petition in the Supreme Court

# *State v. Kleinert*

## FACTUAL BACKGROUND

**Statesman**

**Benchmark  
Bank  
July 26,  
2013**

“A police detective investigating a bank robbery fatally shot a man Friday afternoon after a foot chase and struggle that ended under a bridge in West Austin,” officials said.”



Larry  
Jackson, Jr.  
attempts to  
enter closed  
bank.



# Foot Pursuit



13-2071392



DF 2/27 7-26-13  
2341



Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Supremacy Clause Immunity

Also available as part of the eCourse

[2019 Robert O. Dawson eConference on Criminal Appeals](#)

First appeared as part of the conference materials for the  
2019 Robert O. Dawson Conference on Criminal Appeals session  
"Supremacy Clause Immunity"