

Justices concurring: Stevens, Brennan, Marshall, Blackmun, Powell

Justice concurring specially: O'Connor

Justices dissenting: White, Rehnquist, Burger, C.J.

845. *Jensen v. Quaring*, 472 U.S. 478 (1985).

An appeals court decision holding invalid Nebraska's driver's licensing requirement that applicant be photographed, and that photo be affixed to license, as burdening the free exercise of sincerely held religious beliefs against submitting to being photographed, is affirmed by equally divided vote.

846. *Brockett v. Spokane Arcades, Inc.*, 472 U.S. 491 (1985).

Washington "moral nuisance" statute is invalid under the First Amendment to the extent that it proscribes exhibition of films or sale of publications inciting "lust," defined as referring to normal sexual desires.

Justices concurring: White, Blackmun, Rehnquist, Stevens, O'Connor, Burger, C.J.

Justices dissenting on other grounds: Brennan, Marshall

847. *Hooper v. Bernalillo County Assessor*, 472 U.S. 612 (1985).

A New Mexico property tax exemption for Vietnam War veterans who became residents before May 8, 1976, violates the Equal Protection Clause as not meeting the rational basis test.

Justices concurring: Burger, C.J., Brennan, White, Marshall, Blackmun

Justices dissenting: Stevens, Rehnquist, O'Connor

848. *Estate of Thornton v. Caldor, Inc.*, 472 U.S. 703 (1985).

A Connecticut statute requiring employers to honor the Sabbath day of the employee's choice violates the Establishment Clause.

Justices concurring: Burger, C.J., Brennan, White, Marshall, Blackmun, Powell, Stevens, O'Connor

Justice dissenting: Rehnquist

849. *Philadelphia Newspapers v. Hepps*, 475 U.S. 767 (1986).

A Pennsylvania statute incorporating the common-law rule that defamatory statements are presumptively false violates the First Amendment as applied to a libel action brought by a private figure against a media defendant; instead, the plaintiff must bear the burden of establishing falsity.

Justices concurring: O'Connor, Brennan, Marshall, Blackmun, Powell

Justices dissenting: Stevens, White, Rehnquist, Burger, C.J.

850. *Brown-Forman Distillers Corp. v. New York State Liquor Auth.*, 476 U.S. 573 (1986).

New York's affirmation law, having the practical effect of controlling liquor prices in other states, violates the Commerce Clause.