

NEWS & INSIGHTS

JAY SEWELL WRITES ARTICLE FOR CUMBERLAND LAW REVIEW

July 31, 2019

Lightfoot, Franklin & White LLC associate Jay Sewell recently published an article for the *Cumberland Law Review* titled “How I Stopped Worrying and Learned to Love the Dormant Commerce Clause.”

The article discusses a recent decision from the U.S. Supreme Court addressing the applicability of the Dormant Commerce Clause to alcohol regulations under the 21st Amendment, which repealed Prohibition.

In *Tennessee Wine & Spirits Retailers Ass’n v. Thomas*, the court ruled that a Tennessee law requiring liquor store owners to have been Tennessee residents for the previous two years was unduly discriminatory and violated the Dormant Commerce Clause Doctrine (DCCD).

“In a 7-2 decision, the Court held that the DCCD’s prohibition of state-level protectionist legislation trumped the Twenty-first Amendment’s grant of seemingly plenary authority over alcohol sales,” writes Sewell. “The Court’s opinion indicates, much to the chagrin of law students and bar examinees, that the DCCD remains an enduring part of the United States Constitution’s structure.”

A graduate of Cumberland Law School, Sewell represents clients in a variety of areas including white-collar criminal defense, commercial litigation and product liability.