

## WILLIAM W. BERRY III PUBLICATIONS

60. SPORTS AND THE LAW (6TH EDITION)

WEST ACADEMIC PUBLISHING (with Paul Weiler, Gary Roberts, Norman Abrams, Stephen Ross, and Jodi Balsam)(forthcoming 2018).

59. *Review of Blind Justice: A Former Prosecutor Exposes the Psychology and Politics of Wrongful Convictions*

--Int'l Criminal Justice Review (forthcoming 2018).

58. *Preview of Currier v. Virginia*

--45 ABA SUP. CT. PREVIEW \_\_ (2018).

57. *Preview of City of Hays, Kansas v. Vogt*

--45 ABA SUP. CT. PREVIEW \_\_ (2018).

56. *Preview of Dahda v. United States*

--45 ABA SUP. CT. PREVIEW \_\_ (2018).

55. *The Execution Methods Crisis*

JURIST Academic Commentary (Apr. 3, 2017), <http://jurist.org/academic/2017/04/william-berry-the-execution-methods-crisis.php>.

54. *Unusual Deference*

68 FLA. L. REV. \_\_ (2018).

53. *Magnifying Miranda*

59 TX. TECH L. REV. \_\_ (2017)(symposium)

52. *Enhancing "Education"*

78 LA. L. REV. 1165 (2017)(symposium)

51. *Employee-Athletes, Antitrust, and the Future of College Sports*

28 STAN. L. & POL'Y REV. 245 (2017)(symposium)

50. [\*Cruel Techniques, Unusual Secrets\*](#)

77 OHIO ST. L.J. 403 (2017)(with M. Ryan).

49. [\*Normative Retroactivity\*](#)

19 U. PA. J. CONST. L. 485 (2017).

48. [\*Restorative Innocence\*](#)

68 FLA. L. REV. 1569 (2017), *Voices on Innocence* essays (with L. Dervan, V. Beety, G. Gilchrist, R. Leo, and M. Ryan).

47. [Preview of Dean v. United States](#)  
44 ABA SUP. CT. PREVIEW 142 (2017).
46. [Amending Amateurism](#)  
68 ALA. L. REV. 551 (2016).
45. [The Retroactivity Roadmap](#)  
10 NYU J. L. & LIBERTY 179 (2016).
44. [Playoff Profits for Academic Programs](#)  
5 MISS. SPORTS L. REV. 1 (2016).
43. [Remembering Furman's Comparative Proportionality](#)  
101 IOWA L. REV. ONLINE 65 (2016).
42. [Life-with-Hope Sentencing](#)  
76 OHIO ST. L.J. 1051 (2015).
41. [Implementing Just Mercy](#)  
94 TEXAS L. REV. 331 (2015).
40. [ENTERTAINMENT, MEDIA, AND THE LAW \(5TH EDITION\)](#)  
WEST ACADEMIC PUBLISHING (with Paul Weiler and Gary Myers)(2015).
39. [Eighth Amendment Presumptions](#)  
89 S. CAL. L. REV. 67 (2015).
38. [Humanizing the Condemned: A Review of The Forgotten Men](#)  
CRIMINAL LAW & CRIMINAL JUSTICE BOOKS, (November 2015)(invited contribution).
37. [Preview of Montgomery v. Louisiana](#)  
43 ABA SUP. CT. PREVIEW \_\_ (2015).
36. [Preview of Kansas v. Gleason](#)  
43 ABA SUP. CT. PREVIEW \_\_ (2015).
35. [The Perils of Private Adjudication: A Review of Civil Justice, Privatization, and Democracy](#)  
24 INT'L CRIM. J. REV. 411 (2015)(invited contribution)(peer reviewed).
34. [Assessing Rough Justice and the ICC's Quest for Legitimacy](#)  
24 INT'L CRIM. J. REV. 135 (2015)(invited contribution)(peer reviewed).
33. [The Myth of Memorization as Education](#)

32. [\*Ending the Death Lottery\*](#)  
76 OHIO ST. L.J. 67 (2015).
31. [\*Procedural Proportionality\*](#)  
22 GEORGE MASON L. REV. 259 (2015).
30. [\*Preview of Whitfield v. United States\*](#)  
42 ABA SUP. CT. PREVIEW 92 (2014).
29. [\*Preview of Johnson v. United States\*](#)  
42 ABA SUP. CT. PREVIEW 50 (2014).
28. [\*Writing \(and re-writing\) Federal Criminal Law in the Classroom\*](#)  
11 OHIO ST. J. OF CRIM. L. 767 (2014).
27. [\*Preview of Integrity Staffing Solutions v. Beck\*](#)  
42 ABA SUP. CT. PREVIEW 22 (2014).
26. [\*How Labor Law Could Save the NCAA\*](#)  
SLATE.COM, March 31, 2014.
25. [\*The Power of Level Three Thinking\*](#)  
E-MANTLE NEWSLETTER, Ctr. Educ. Teach. & Learning, Univ. of Miss. (Mar. 2014).
24. [\*Preview of Abramski v. United States\*](#)  
41 ABA SUP. CT. PREVIEW 162 (2014).
23. [\*Preview of United States v. Castleman\*](#)  
41 ABA SUP. CT. PREVIEW 166 (2014).
22. [\*The Mandate of Miller\*](#)  
51 AM. CRIM. L. REV. 327 (2014).
21. [\*Criminal Constitutional Avoidance\*](#)  
104 J. OF CRIM. L. & CRIMINOLOGY 105 (2014).
20. [\*Educating Athletes\*](#)  
81 TENN. L. REV. 795 (2014).
19. [\*Preview of Peugh v. United States\*](#)  
40 ABA SUP. CT. PREVIEW 208 (2013).

18. [Preview of \*McQuiggin v. Perkins\*](#)  
40 ABA SUP. CT. PREVIEW 205 (2013).
17. [\*Eighth Amendment Differentness\*](#)  
78 MO. L. REV. 1053 (2013)(symposium).
16. [\*Foreword\*](#)  
1 MISS. SPORTS L. REV. 245 (2012).
15. [\*Right about Wrongs?\*](#)  
44 CONN. L. REV. 1677 (2012)(invited contribution).
14. [\*Practicing Proportionality\*](#)  
64 FLA. L. REV. 687 (2012).
  - Cited by *State v. Pruitt*, 415 S.W. 180 (Tenn. 2013)(Koch, J., dissenting).
13. [\*Separating Retribution from Proportionality\*](#)  
97 VA. L. REV. IN BRIEF 61 (2011).
12. [\*The European Prescription for Ending the Death Penalty\*](#)  
2011 WISCONSIN L. REV. 1003 (2011).
11. [\*Mitigation in Federal Sentencing in the United States\*](#)  
MITIGATION AND AGGRAVATION AT SENTENCING (J. V. Roberts, ed.), CAMBRIDGE UNIV. PRESS (2011).
10. [\*Promulgating Proportionality\*](#)  
46 GA. L. REV. 69 (2011).
  - Cited by *State v. Cox*, 2016 WL 10789 (Ohio Ct. App. 2016)(Gallagher, J., dissenting).
9. [\*Repudiating Death\*](#)  
101 J. OF CRIM. L. & CRIMINOLOGY 439 (2011).
8. [Preview of \*Perry v. New Hampshire\*](#)  
39 ABA SUP. CT. PREVIEW 80 (2011).
7. [Preview of \*Walker v. Martin\*](#)  
38 ABA SUP. CT. PREVIEW 118 (2010).
6. [\*More Different than Life, Less Different than Death\*](#)  
71 OHIO STATE L.J. 1109 (2010).
  - Cited by *State v. Lyle*, 854 N.W. 2d 378 (Iowa 2014).

5. [\*Ending Death by Dangerousness\*](#)

52 ARIZ. L. REV. 889 (2010).

4. [\*Extraordinary and Compelling\*](#)

68 MD. L. REV. 850 (2009).

- Reprinted in PAROLE: JUDICIAL REFLECTIONS (R. Satyanarayana, ed.), Amicus Books (2010).

3. [\*American Procedural Exceptionalism\*](#)

17 CORNELL J. OF L. & PUB. POL'Y 481 (2008).

2. [\*Discretion without Guidance\*](#)

40 CONN. L. REV. 631 (2008).

- Cited by *United States v. Elmore*, 743 F.3d 1068 (6th Cir. 2014).

1. [\*Following the Yellow Brick Road of the Evolving Standards of Decency\*](#)

28 PACE L. REV. 15 (2007).

- Cited by *Connecticut v. Santiago*, No. SC 17413 (Conn. 2015)(Rogers, C.J., dissenting).