

## **Publications**

### **A. Books, Chapters, etc.**

Environmental Law: Thompson Reuters Law for the Layperson, West/Thompson Reuters (2011); second printing, originally released by Oxford University Press (2010).

Hitler, the War, and the Pope, revised and expanded edition, Our Sunday Visitor Press (2010). Original edition, Genesis Press (2000); soft cover: Our Sunday Visitor Press (2000).

Righteous Gentiles: How Pope Pius XII Saved Half a Million Jews from the Nazis, Spence Publishing, 2005.

Trial by Fury: Restoring the Common Good in Tort Litigation, monograph 8 in the Christian Social Thought Series, The Acton Institute, 2005.

Mississippi Criminal Trial Practice (with Marc Harrold) Thompson/West, 2004 and Supp. 2006, 2007, 2008.

Real and Demonstrative Evidence: Applications and Theory, (Lexis Publishing Company, 1995; second edition, 2003) (annual supplements 1996-2001, 2004).

Gaming Law: Cases and Materials (with Robert M. Jarvis *et al.*) Matthew Bender & Co., 2003 and Supp. 2007. Separate teacher's manual with same publication information.

A Brief History of Eugenio Pacelli (and additional contributions), in: Examining the Papacy of Pope Pius XII (Pave the Way Foundation, 3<sup>rd</sup> ed., 2010).

Cardinal Stepinac and the Roman Catholic Church in Croatia During the Second World War, second lecture (published in English and Croatian) in Stepinac: A Witness to the Truth (Željko Tanjić, 2009).

The Judicial Assault on Criminal Law, Chapter five in The Most Dangerous Branch: The Judicial Assault on American Culture (Edward B. McLean, ed. 2008).

Zuccotti's Lack of Evidence, Chapter 10 and Goldhagen vs. Christianity, Chapter 13 in Pius XII, The Holocaust and the Revisionists (Patrick Gallo, ed. 2005).

A Dangerous Thing to Do, Chapter 3 in The Pius War (Dalin & Bollum, eds. 2004).

Unlucky Numbers: Betting on, Against, and With the Yankee\$, Chapter 12 in Courting the Yankees: Legal Essays on the Bronx Bombers (Ettie Ward, 2003).

The Eucharistic Miracles of the World: Catalogue of the Vatican International Exhibition (Real Presence Eucharistic Education and Adoration Association, 2009) (translated 10 exhibits from Italian for the book).

Encyclopedia of Catholic Social Thought, Social Science, and Social Policy (volumes 1 and 2), (Michael Coulter et al, 2007) (six entries: Pope Pius XI; Cardinal Michael von Faulhaber; Michael Novak; Parishes and Social Justice; The International Court of Justice; The International Criminal Court). Volume 3 (2012) (one entry: Cardinal Aloysius Stepinac).

World Fascism: A Historical Encyclopedia, ABC-CLIO (Cyprian P. Blamires, 2006) (four entries: The Center Party; Cardinal Michael von Faulhaber; Pope Pius XI; and Pope Pius XII).

Even Good People Can be Deceived, first essay in: A Question of Power: Theologians Under Hitler, (Vital Visions, 2006).

## **B. Criminal/Constitutional/Gaming Issues**

The Legal Answer to Cyber-Gambling, 80 Miss. L.J. 1229 (2011).

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Replacing the Exclusionary Rule: Fourth Amendment Violations as Direct Criminal Contempt, 85 Chicago-Kent L. Rev. 241 (2010).

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Federalism and the International Criminal Court, 10 Engage: The Journal of the Federalist Society Practice Groups 50 (2009) (with J. Czarnetzky).

Hate Speech vs. Free Speech: Will the Government Tell Christians to Shut Up?, This Rock, December 2008.

Supreme Court's 21<sup>st</sup> Century Trajectory in Criminal Cases, 9 Engage: The Journal of the Federalist Society Practice Groups 44 (2008) (with T. Gede & K. Scheidegger).

Compassion, Hatred, and Free Expression, 27 Mississippi College L. Rev. 407 (2007-2008).

Interrogating Terrorists: From Miranda Warnings to "Enhanced Interrogation Techniques", 44 San Diego L. Rev 451 (2007).

The International Criminal Court: In Opposition to the Common Good?, Proceedings of the 22<sup>nd</sup> General Assembly of the International Federation of Catholic Universities, July 31-August 4, 2006 (w/ J. Czarnetzky) (CD-ROM, 2007).

Genetic Information and Privacy Interests: The DNA Fingerprinting Act, 8 Engage: The Journal of the Federalist Society Practice Groups 64 (2007).

The Right to Remain Silent in Light of the War on Terror, 10 Chapman L. Rev. 663 (2007).

The International Criminal Court: An Obstacle to Peace?, First Things Online (w/ J. Czarnetzky) May 14, 2007 <<<http://www.firstthings.com/>>>.

Against the Odds: Smart money won't bet on the feds' latest push to stop Internet gambling, The Legal Times, August 28, 2006.

Anticipatory Search Warrants: Constitutional Tools for Fighting Crime, 7 Engage: The Journal of the Federalist Society Practice Groups 50 (March 2006) (with T. Gede).

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From the Classroom to the Courtroom: Therapeutic Justice and the Gaming Industry's Impact on Law, 74 Miss. L.J. 827 (2005) (with C. Hinshaw).

Legal Problems with Online Gambling, 6 Engage: The Journal of the Federalist Society Practice Groups 36 (May 2005), *reprinted in* Orin Kerr, Computer Crime Law 181 (Thompson-West, 2006).

Humberto Alvarez-Machain v. United States: The Ninth Circuit Panel Decision of September 11, posted on the Internet at: <<[http://www.fed-soc.org/publications/PubID.108/pub\\_detail.asp](http://www.fed-soc.org/publications/PubID.108/pub_detail.asp)>> (Federalist Society White Paper, War Powers and Homeland Defense) Feb. 15, 2005.

Baseball's Integrity Still on Line, The Memphis Commercial Appeal, January 17, 2004.

An Empire of Law?: Legalism and the International Criminal Court, (with J. Czarnetzky) 79 Notre Dame Law Review 55 (2003).

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Mental Health Experts on Trial: Free Will and Determinism in the Courtroom, 100 W. Va. L. Rev. 193 (1997) (with J.F. Rychlak).

Lotteries, Revenue, and Social Cost: A Historical Perspective on State Sponsored Gambling, 34 Boston College L. Rev. 11 (1992), *excerpted in* Franklin E. Zimring & Bernard E. Harcourt, Criminal Law and the Regulation of Vice (Thompson-West, 2007) *and in* Kevin K. Washburn, The Law of Gaming and Gambling Policies and Principles (Aspen, 2010).

The Introduction of Casino Gambling: Public Policy and the Law, 64 Miss. L.J. 291 (1995).

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### **C. Litigation & Legal Practice**

Legal Certification of Digital Data: The Earth Resources Observation and Science Data Center Project, 33 J. of Space Law 195 (2007) (with J. Gabrynowicz & R. Crowsey).

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Navigating the Murky Waters of Legal Ethics (reviewing Ronald D. Rotunda, Legal Ethics: The Lawyer's Deskbook on Professional Responsibility), Federalist Society, Professional Responsibility Newsletter, Fall 2000.

Real and Demonstrative Evidence in Commercial Litigation, 17 Am. J. Trial Advoc. 509 (1997) (with J. Czarnetzky), reprinted in 46 Defense Law Journal 611 (1997).

Effective Appellate Advocacy: Tips From the Teams, 66 Mississippi Law Journal 527 (1997).

John Wade: Teacher, Lawyer, Scholar, 65 Miss. L.J. 1 (1996).

Problems of Burdens and Bias: A Response To Bornstein, 12 J. of Mind and Behavior 469 (1991) (with J.F. Rychlak).

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To Tell the Truth: Accuracy in Demonstrative Evidence, The Practical Litigator, March 1994, at 47 (with S. Dulaney); part 2 in the May 1994 issue.

### **D. Environmental Issues**

Cards and Dice in Smokey Rooms: Tobacco Bans and Modern Casinos, 57 Drake Law Review 467 (2009).

Understanding Visual Exhibits in the Global Warming Debate, Heartland Policy Study No. 115 (March 2008), available in print and online <<http://www.heartland.org>>.

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Swimming Past the Hook: Navigating Legal Obstacles in the Aquaculture Industry, 23 Environmental Law 837 (1993) (Lewis & Clark) (with E.M. Peel), reprinted online by the National Agricultural Law Center at the University of Arkansas School of Law (2009) <<http://nationalaglawcenter.org/bibliography/results/?id=6>>.

Coastal Zone Management and the Search for Integration, 40 DePaul U.L. Rev. 981 (1991).

The Humorous Origins of the Green Movement: The Three Stooges as Early Environmentalists, 48 Okla. L. Rev. 35 (1995).

Common Law Remedies for Environmental Wrongs: The Role of Private Nuisance, 59 Miss. L. J. 657 (1989).

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Trace Gases, Equal Footing, and the Public Trust: Ownership of Coastal Properties after the Greenhouse Effect, in Long Term Implications of Sea Level Change for the Mississippi and Alabama Coastlines (Conference Proceedings) (1990).

## **E. History, Biography, and Religion**

The Role of *Ramparts* Magazine in the Campaign against Pius XII, New Oxford Review, October 2011.

Accusing Pope Benedict, National Review Online, September 28, 2011.

Yada, Yada... How Critics of Pius XII Use and Misuse Ellipses, This Rock (cover story), January-February, 2011.

The Enduring Legacy of John Paul II (reviewing George Weigel's *The End and the Beginning: Pope John Paul II — the Victory of Freedom, the Last Years, the Legacy*), Catalyst, December 2010.

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Book Review: Pius XII und Deutschland, by Michael F. Feldkamp, The English Historical Review, June 2003, at 840.

Book Review: A Moral Reckoning: The Role of the Catholic Church in the Holocaust and its Unfulfilled Duty of Repair, by Daniel Goldhagen, The Catholic Historical Review, April 2003.

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A "Righteous Gentile" Defends Pius XII, National Catholic Register, Oct. 28, 2002 *and in* 32:11 Briefing 8 (November 2002) (Catholic Bishops' Conferences of England & Wales and Scotland).

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