## Mississippi College Law Review

Article 1

2015

**Title Page** 

MC Law

Follow this and additional works at: https://dc.law.mc.edu/lawreview

Part of the Law Commons

Custom Citation 33 Miss. C. L. Rev. [i] (2014-2015)

This Title Page is brought to you for free and open access by MC Law Digital Commons. It has been accepted for inclusion in Mississippi College Law Review by an authorized editor of MC Law Digital Commons. For more information, please contact walter@mc.edu.



### MISSISSIPPI COLLEGE LAW REVIEW

### ARTICLES

Implied Assertions in Evidence Law:A RetrospectiveChristopher G. Miller
OFFSHORE SAFETY AND ENVIRONMENTAL REGIMES: A POST-MACONDO COMPARATIVE ANALYSIS OF THE UNITED STATES AND THE UNITED KINGDOM
THE OCCUPATION OF TRUTH John Dever & James Dever
TEXAS CHEERLEADERS AND THE FIRST AMENDMENT: CAN YOU CHEER FOR GOD AT A FOOTBALL GAME?Brett A. Geier

### NOTES

You've Been Generally Warned— Smoking is Bad: *R. J. Reynolds Tobacco Co. v. Food and Drug Administration* and the Fight Over Graphic Warning Images in the First Amendment Context . . . . . . . . J.D. Cooley

### COMMENTS

**VOLUME 33** 

**ISSUE 1** 

## **MISSISSIPPI COLLEGE LAW REVIEW**

VOLUME 33

2014

**ISSUE** 1

MISSISSIPPI COLLEGE is the oldest institution of higher learning in the state of Mississippi, chartered by the Legislature in 1826. The School of Law began as the Jackson School of Law in 1930, joining Mississippi College in 1975. The *Law Review* began shortly thereafter, publishing its first issue in 1978.

Since then the Law Review has become an invaluable aid for the judiciary, practitioners, professors, and law students. It has been cited in numerous reported cases. It has had a role in informing debates about changes in the state's legal system and about public policy.

SUBSCRIPTIONS: The Mississippi College Law Review is published annually in three installments. The subscription rate is \$36.00 per year. Please make your check payable to Mississippi College Law Review. The Law Review renews all subscriptions automatically unless the subscriber provides timely notice of cancellation. New orders, address changes, subscriptions, cancellations, and similar correspondence should be directed to:

Managing Editor Mississippi College Law Review 151 East Griffith Street Jackson, MS 39201 Phone: (601) 925-7167 Email: lawreview@mc.edu

UNSOLICITED MANUSCRIPTS: The Law Review welcomes submissions. Please note, however, that the Law Review does not publish the work of students currently studying at other law schools. Please make all citations conform to the latest edition of The Bluebook: A Uniform System of Citation. For more information on submissions, please see http://www.mclawreview.org.

DISCLAIMER: The views expressed in the *Mississippi College Law Review* are solely the views of the authors and not of the *Law Review* or its editors.

Cite As

33 MISS. C. L. REV. \_\_ (2014)

© 2014 Mississippi College Law Review

#### LAW FACULTY & ADMINISTRATION

#### Full Time Faculty

ANDERSON, JOHN (2010), Assistant Professor of Law. B.A., University of California at Berkeley; J.D., Ph.D., University of Virginia

**BENNETT, PATRICIA W.** (1989), Professor of Law and Director of the Litigation Center. B.A., Tougaloo College; J.D., Mississippi College School of Law

**CAMPBELL, DONALD** (2005), Assistant Professor of Law. B.A., University of Southern Mississippi; J.D., Mississippi College School of Law; Ph.D., Candidate, University of Florida

CHALLENER, DEBORAH J. (2003), Professor of Law. B.A., Oberlin College; M.M.P., Vanderbilt University; J.D., University of Tennessee

CHRISTY, J. GORDON (2002), Professor of Law. B.A., J.D., University of Texas-Austin

**COPELAND, META** (2008), Director of Legal Extern Program and Assistant Director of the Public Service Law Center. B.A., Oglethorpe University; J.D., Mississippi College School of Law

**DEN BLEYKER, KARIN** (1986), Director of Technical Services. B.A., M.L.S., University of Southern Mississippi

EDWARDS, CECILE C. (1982), Professor of Law. B.B.A., J.D., University of Mississippi; LL.M., New York University

HAND, Jr., N. SHELTON (1969), Professor of Law and Director of the Family Law Center. B.A., Mississippi College; J.D., University of Mississippi

**HASKELL, JOHN D.** (2012), Assistant Professor of Law and Co-Director of the International Law Center. B.A., California State University, Northridge; LL.M., University of London, School of Oriental and African Studies; J.D., University of California, Hastings College of Law; Ph.D., University of London, School of Oriental and African Studies

**HENKEL, CHRISTOPH** (2009) Associate Professor of Law and Co-Director of the International Law Center. Assessor Juris (2nd German State Exam in Law); J.D. equivalent (1st German State Exam in Law), Justus-Liebig-University Giessen School of Law; LL.M., S.J.D., University of Wisconsin

**HETHERINGTON, H. LEE** (1976), Professor of Law. B.A., Millsaps College; J.D., University of Mississippi; LL.M., New York University

HUCKABY, JUSTIN (2012), Acquisitions Librarian. B.A., Millsaps College; J.D., Mississippi College School of Law

JACKSON, JEFFREY (1987), Owen Cooper Professor of Law. B.A., Haverford College; J.D., University of Pittsburgh

JOHNSON, JUDITH J. (1984), Professor of Law. B.A., University of Texas; J.D., University of Mississippi

JONES, SHIRLEY NORWOOD (1977), Professor of Law Emerita. B.A., Millsaps College; J.D., University of Mississippi

**KENNEDY, SHIRLEY T.** (1999), Director of Child Advocacy Program and Assistant Director of the Family Law Center. B.F.A., University of Texas; J.D., Mississippi College School of Law

KUPENDA, ANGELA M. (1995), Professor of Law. B.S., Jackson State University; M.A., University of Pennsylvania; J.D., Mississippi College School of Law

#### LAW FACULTY & ADMINISTRATION

LEE, J. LARRY (1979), Professor of Law and Director of the Business and Tax Law Center. B.S., Mississippi College; J.D., University of Mississippi; LL.M., New York University

LOWERY, VICKI (2005), Director of Advocacy and Assistant Director of the Litigation Center. B.S., University of Southern Mississippi; J.D., Mississippi College School of Law

McINTOSH, PHILLIP L. (1991), Associate Dean and Professor of Law. B.S., J.D., Louisiana State University; LL.M., New York University

**MEYER, RICHARD** (2011), Director, LL.M., Program for Foreign Lawyers. B.A., Russian Area Studies, Illinois State University; J.D., Northern Illinois University; LL.M., The Judge Advocate General's School; LL.M., J.S.D., (in progress) Columbia Law School

MILLER, MARY E. (1999), Assistant Dean for Information Technology and Legal Research and Director of the Law Library. B.A., Asbury College; M.L.S., University of Southern Mississippi; J.D., Mississippi College School of Law

MODAK-TRURAN, MARK (1998), J. Will Young Professor of Law. B.A., Gustavus Adolphus College; A.M., Ph.D., University of Chicago; J.D., Northwestern University

NG, ALINA (2007), Associate Professor of Law. LL.B., University of London; LL.M., University of Cambridge; J.S.D., J.S.M., Stanford University

NICOLETTI, CYNTHIA (2010), Assistant Professor of Law. B.A., M.A., Ph.D., University of Virginia, J.D., Harvard University

**PARKS, STEPHEN** (2010), Research, Instructional Services & Circulation Librarian. B.S., East Carolina University; J.D., Mississippi College School of Law

PAYNE, MARY LIBBY (1975), Dean Emerita. B.A., LL.B., University of Mississippi

**PRATT, LOREN** (2008), Director of Legal Writing. B.A., Louisiana State University; J.D., University of Mississippi

PURVIS, MARY L. (2005), Director of Academic Success Program. B.S., Millsaps College; J.D., Mississippi College School of Law

ROSENBLATT, JAMES H. (2003), Dean. B.A., Vanderbilt University; J.D., Cornell University

**STEFFEY, MATTHEW S.** (1990), Professor of Law. B.A., University of South Florida; J.D., Florida State University; LL.M., Columbia University

WALTER, THOMAS (1999), Reference-Computer Services Librarian. B.S., Mississippi State University; J.D., Mississippi College School of Law

WEST, CAROL C. (1975-2011), Professor of Law. B.A., Mississippi University for Women; M.L.S., University of Southern Mississippi; J.D., University of Mississippi

WILL, JONATHAN (2009), Associate Professor of Law and Director of the Bioethics and Health Law Center. B.A., Canisius College; M.A., J.D., University of Pittsburgh

#### Visiting Faculty (full time)

SHINN, CLINTON (2012), Visiting Professor of Law. B. S., McNeese State University; J.D., Tulane University; LL.M., Harvard University

#### Visiting Faculty (part time)

McCANN, MICHAEL (2005), Distinguished Visiting Hall of Fame Professor. B.A., Georgetown University; J.D., University of Virginia; LL.M., Harvard University

#### ADJUNCT FACULTY

ADDIS, MICHAEL ALLEN, SR., BILLUPS AMMONS, CLIFFORD B. ANDERSON, ROBERT G. ANZENBERGER, TIMOTHY J. ARCHER, ELIZABETH F. ARTHUR, MARY R. BALLARD, JAMIE R. BARNES, PAUL E. BENNETT, RICHARD T. BENTLEY, MICHAEL BISSETTE, JOHNATHON G. BLACKWOOD, JEFFREY R. BOAKLE, K.F. BOWMAN, GREGORY W. BROOKS, SHAWNASSEY BROWN, MICHAEL A. BRYANT , TCHANAVIA C. BUFFINGTON, C. PHILLIP BUTLER, G. TODD BYRD, BARBARA W. BYRD, CHARLES A. CALDERON, ARTHUR CARLISLE, VALERIE L. CARLTON, HON. VIRGINIA CARRUBBA, JARED CASSADY, KATHRYN CHANDLER, HON. DAVID CHOI. COURTNEY COLONIAS, LISA COOLEY, THOMAS O. CRAWFORD, JAMES N. DABBS, DARRYL DALLAS, BOBBY DANNHEIM, KATRINA DAVIS-PRIMER, NAKIMULI DICKERSON, REBECCA DICKINSON, HON. JESS H. DOWDY, JR., JOHN DUPRÉ, ADRIENNE EASLEY, MARY J. EDWARDS, A.M. EICHELBERGER, JENNIE P. FOREMAN, R. KEITH FRASCOGNA, JR., X.M. FRASIER, JOHN JAMES III GIBBS, ROBERT

GILBERT, JASON S. GOZA, KENNETH G. GRADY, PAMELA N. GRIFFIS, JR., HON. THOMAS K. HAIRSTON, KENTRAY K. HAMM, DAVID HARMON, KENNETH HARRIS, JONATHAN B. HARVEY, WILLIAM B. HEIDKE, ANN HOWELL, JOHN E. IRELAND, DANIELLE D. ISHEE, HON. DAVID JEFFERSON, CAROLYN JICKA, YVONNE W. JONES, BARRY KIDD, HON, WINSTON L. KIMBLE, GRETCHEN W. KIMBLE, PAUL H. KITCHENS, JOHN T. KLINGFUSS, JEFFREY A. KOHNKE, STEPHEN LEE, CHANDRA T. LEE, LESLIE S. LEECH, WILLIAM H. LEVY, PHILIP LOWE, MASON E. MANHEIM, WILLIAM MARTIN, MELISSA McBride, Jamie McCarty, David N. MCCARTY, LARRY D. MCDANIEL, HON. JAMES K. McLeod, Kelly M. MCNINCH, JEREMY P. Meredith, Christopher MILLER, DENNIS W. MILLER, JR., HAROLD D. MODAK-TRURAN, ANITA K. MOORE, SHIRLEY MORGAN, BENJAMIN B. MORRISON, WALTER C. MORTON, RONALD MURRAY, JESSICA E. NADAR, ASHLEY H. NEWTON, SCOTT NORTHINGTON, HIAWATHA

#### ADJUNCT FACULTY

OGLETREE, JR., POWELL G. OLACK, HON. NEIL P. PATTIE, TARA S. PEDEN, JAMES PENTECOST, WILLIAM C. PENTECOST, MARY PERKINS, PAUL PICKETT. KAYTIE PIERCE, HON. RANDY PORTER, MARC C. POTTS, MEGAN E. PRATT, RYAN L. PRINCE, SCHERRIE L. REDD, LATOYA M. RICHARDSON, HON. SAMAC **RIDEOUT**, **PRESTON** RITCHIE, SPENCER ROBY, CHANDA L. ROSAMOND, JEFFERY RUEFF, JR., DAVID A. ROUSE, JOHN SALTAFORMAGGIO, ERIN SALTAFORMAGGIO, MICHAEL SALVO, JENNIFER SCANLON, JOHN SCOTT, LESLIE SHAW, TAMMY SHURDEN, SHAWN S. SHURDEN, SONIA L. SIMMONS, LINDSEY SMITH, WILLIAM L. SOUTHWICK, HON. LESLIE

Speetjens, Cynthia H. STRICKLAND, AMY STRICKLAND III, DAVID D. SWARTZFAGER, GLENN THOMAS, AILEEN S. THOMAS, MELANIE THOMPSON, HON. LINDA A. THOMPSON, WILLIAM M. THOMPSON, ROBERT TOLLISON, AMANDA J. TOMLINSON, JARED K. TROTTER, J. JEFFREY TUCKER, JAMES B. TURNER, KEITH W. VAN SLYKE, LEONARD VON WILPERT, MARNI L. WALKER, GALE WALLER, HON. WILLIAM WATSON, LINDSEY OSWALT WATT, WILLIAM L. WEBSTER, CLARENCE WELCH, CRYSTAL Wells, Christopher Weill, Sr., Jeffrey WILLIAMS, ANGELA G. WILLIAMS, COURTNEY M. WILSON, JACK WILSON, MARCUS WILSON, NEAL P. WILSON, SARAH BETH YOUNGER, CASEY D.

# **MISSISSIPPI COLLEGE LAW REVIEW**

Member, National Conference of Law Reviews

ISSUE 1

#### 2013-2014 EDITORIAL BOARD

Editor-in-Chief LA'TOYIA SLAY

Chief Executive Editor Allison Johnson Managing Editor J.D. COOLEY

Articles Editors Milfred "MO" Eckel Joseph Gerache

Production Editor EMILY KINCSES Technical Editor Tony Scardino

Executive Editors Stephen Butterfield Robert Pruett Victoria Reppond Bradshaw Amarette Aube' Speights

Casenote/Comment Editor GRAFTON BRAGG

### Associate Editors

Abby Archer Brannon Berry Danielle Farr Robert Fischer Derrick Godfrey

CANDACE BOWEN

DANIEL BRADSHAW

BRITTANY BROOKS

DUSTIN CARTER

CHELSEA CHICOSKY

BENJAMIN CLAXTON

JOHN DUKE

PHILLIP ELLIS

Juan Hernandez Maggie Hill Laura McCarthy Walker Moller Dixie Pond Bradley Poore Jackson Smith Katherine Sumrall

#### Staff Members

Benjamin Fritz Allison Hartman Charlton Hedden Heidi Henderson Marjorie Horne Andreanna Jones Kasey Mitchell Patrick Lyons Stephanie Naylor Andrew Norwood Taylor Prejean Katie Sanders Brinkley Shappley Torri Torrence Leslie Wilson