

United States Court of Appeals For the First Circuit

No. 14-1259

UNITED STATES OF AMERICA,

Appellee,

v.

ROBERT JOUBERT,

Defendant, Appellant.

ERRATA SHEET

The concurring opinion of this Court issued on February 11, 2015, is amended as follows:

On page 23, lines 12-20: **Replace** "Nat'l Fed'n of Indep. Bus. v. *Sebelius*, 132 S. Ct. 2566, 2591 (2012) ("Although the [Commerce] Clause gives Congress authority to legislate . . . , it does not license the exercise of any great substantive and independent power[s] beyond those specifically enumerated. Instead, the Clause is merely a declaration . . . that the means of carrying into execution those [powers] otherwise granted are included in the grant." (second and third alterations in the original) (internal citations and quotation marks omitted))" **with** "Nat'l Fed'n of Indep. Bus. v. *Sebelius*, 132 S. Ct. 2566, 2589 (2012) (Roberts, CJ.) (rejecting Congress's ability to enact the Affordable Care Act under the Commerce Clause, and noting that "[w]hile Congress's authority under the Commerce Clause has of course expanded with the growth of the national economy, our cases have 'always recognized that the power to regulate commerce, though broad indeed, has limits'" and that the government's theory would "reach beyond the natural extent of its authority, 'everywhere extending the sphere of its activity and drawing all power into its impetuous vortex'" (quoting *Maryland v. Wirtz*, 392 U.S. 183, 196 (1968) and *The Federalist No. 48*, at 309 (James Madison) (Clinton Rossiter ed., 1961), respectively))."