A treasure map on aged parchment with a ship, a skull, and a treasure chest. A dashed line leads from the ship to the skull and then to the treasure chest.

# HeinOnline

Discover the  
treasure within.



KoBSON Informacije Nauka u Srbiji **Servisi** Proxy server

Servisi » Elečas - Rezultati

Servis: "EB"

ISSN	Naslov	EB	SP	HI	FM	DA	DA	DA	DA
1366-9516	DIVERSITY & DISTRIBUTIONS								
0004-5608	ANNALS OF THE ASSOCIATION OF AMERICAN GEOGRAPHERS								
1073-9688	MICROCIRCULATION								
0038-6308	SPACE SCIENCE REVIEWS								
0001-8244	BEHAVIOR GENETICS								
0906-6705	EXPERIMENTAL DERMATOLOGY								
1085-9489	JOURNAL OF THE PERIPHERAL NERVOUS SYSTEM								
1538-6341	PERSPECTIVES ON SEXUAL & REPRODUCTIVE HEALTH								
0883-6612	ANNALS OF BEHAVIORAL MEDICINE								
1071-5762	FREE RADICAL RESEARCH								
8756-5641	DEVELOPMENTAL NEUROPSYCHOLOGY								
0001-8392	ADMINISTRATIVE SCIENCE QUARTERLY								
0018-8646	IBM JOURNAL OF RESEARCH & DEVELOPMENT								
0301-4681	DIFFERENTIATION								
0948-6143	HISTOCHEMISTRY & CELL BIOLOGY								
0891-6934	AUTOIMMUNITY								
0905-6947	INDOOR AIR								
0884-8734	JOURNAL OF GENERAL INTERNAL MEDICINE								
1618-2642	ANALYTICAL & BIOANALYTICAL CHEMISTRY								
0305-1846	NEUROPATHOLOGY & APPLIED NEUROBIOLOGY								

Pretraživanje časopisa  
**Elektronski časopisi**  
 Pretraživanje knjiga  
 Elektronske knjige  
 Otvorene arhive  
 Indeksne baze

AC American Chemical Society  
 AP American Physical Society  
 BW Blackwell  
 CU Cambridge University Press  
 EB EBSCO  
 EM Emerald  
**HE HeinOnline**  
 HI HighWire-Press  
 IE IEEE Computer  
 IO Institute of Physics Publ.  
 JS JSTOR  
 OX Oxford Journals  
 PQ ProQuest  
 SG SAGE  
 SD ScienceDirect  
 SP Springer-Link  
 TE TEEAL  
 WI Wiley InterScience

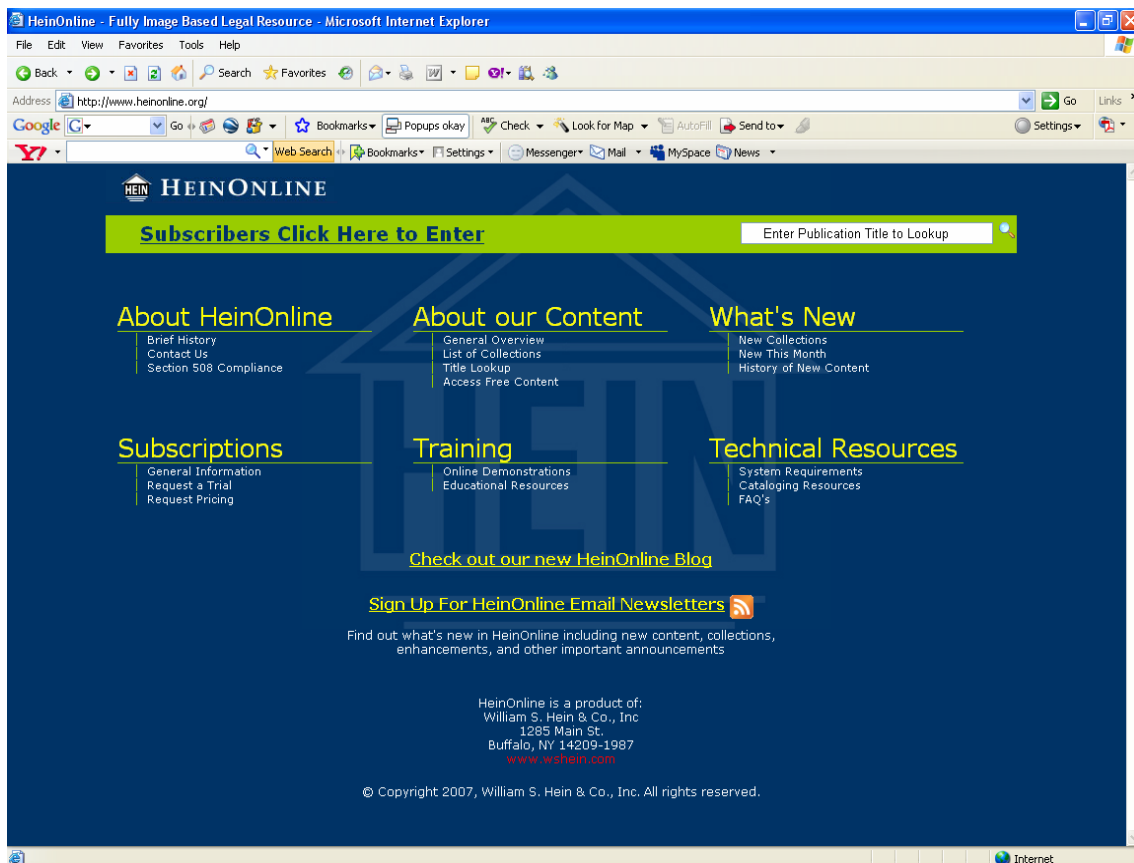
PRETHODNA SLEDEĆA

top impresum pomoć pišite nam...

KoBSON 2008

Web adresa:	<a href="http://heinonline.org/HOL/Welcome">http://heinonline.org/HOL/Welcome</a>
Korisničko ime i lozinka:	Identifikacija preko IP broja ili preko korisničkog imena.
Izdavač:	William S. Hein & Co., Inc.
	<a href="#">Lista časopisa</a>
	<a href="#">Lista knjiga</a>

Current Contents Disciplines	No. JT	HE	% overlap
Agriculture, Biology & Environmental Sciences			
Life Sciences			
Physical, Chemical & Earth Sciences			
Clinical Medicine			
Engineering, Computing & Technology			
Electronics & Telecommunications Collection			
Social & Behavioral Sciences			
Business Collection			
Arts & Humanities			



<http://www.heinonline.org>

## Pretraživanje

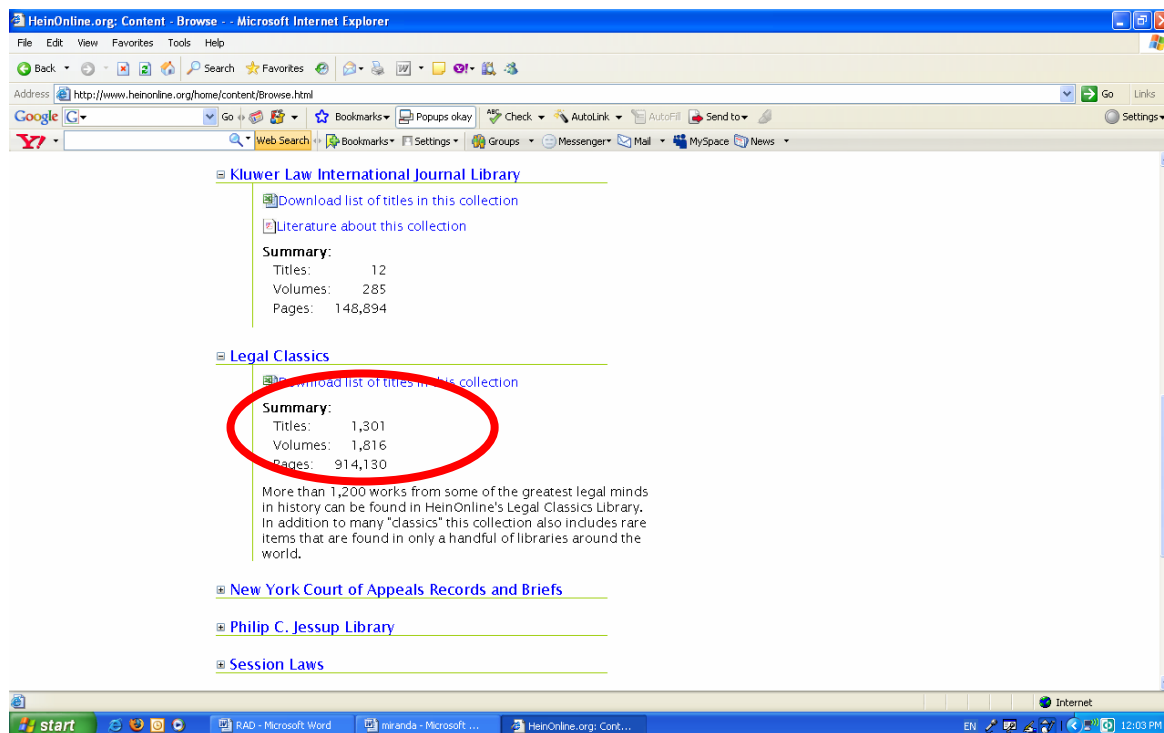
Web stranica HeinOnline nudi različite mogućnosti pretraživanja. Na samom početku, ponuđena je kolekcija pravnih zbirki odnosno baza podataka. Zastupljen je hijerarhijski princip pristupa dokumentima. Izborom baze u kojoj želimo da vršimo pretraživanje sužavamo pretragu na jednu konkretnu zbirku, odnosno bazu podataka. Tako dolazimo do liste časopisa i dokumenata koje sadrži odabrana baza. HeinOnline omogućava pretraživanja u svakoj bazi podataka. Dokumenti se mogu otvoriti u punom tekstu.



## HeinOnline zbirke

- **Law Journal Library** - 1.158 naslova, 28.532 toma, 18.782.918 str.
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- **Code of Federal Regulations** - 66 naslova, 4.603 toma, 2.735.068 str.
- **English Reports** - 14 naslova, 190 tomova, 242.952 str.
- **European Center for Minority Issues** - 5 naslova, 100 tomova, 6.406 str.
- **Federal Register Library** - 10 naslova, 23.572 toma, 4.506.078 str.
- **Foreign & International Law Resources Database** - 67 naslova, 1.247 tomova, 654.292 str.
- **Foreign Relations of the United States (FRUS)** - 24 naslova, 452 toma, 488.598 str.
- **Harvard Research in International Law** - 2 naslova, 4 toma, 3.488 str.
- **Kluwer Law International Journal Library** - 12 naslova, 285 tomova, 148.894 str.
- **Legal Classics** - 1.300 naslova, 1.786 tomova, 895.238 str.
- **New York Court of Appeals Records and Briefs** - 624 slučaja, 445.470 str.
- **Philip C. Jessup Library** - 3 naslova, 83 toma, 47.382 str.
- **Session Laws** - 55 naslova, 1.632 toma, 1.954.828 str.
- **Treaties and Agreements Library** - 34 naslova, 7.261 tom, 612.344 str.
- **U.S. Attorney General Opinions** - 8 naslova, 210 tomova, 85.350 str.
- **U.S. Congressional Documents Library** - 15 naslova, 4.814 tomova, 3.135.538 str.
- **U.S. Federal Agency Library** - 27 naslova, 2.221 tom, 2.085.112 str.
- **U.S. Federal Legislative History Library** - 67 naslova, 414 tomova, 410.496 str.
- **U.S. Presidential Library** - 29 naslova, 2.537 tomova, 328.302 str.
- **U.S. Statutes at Large** - 3 naslova, 121 tom, 296.686 str.
- **U.S. Supreme Court Library** - 42 naslova, 1.986 tomova, 534.074 str.
- **World Trials Library** - 1.300 naslova, 1.646 tomova, 570.318 str.

**Primer:** Odabirom baze **Legal Classics** dobijamo podatke o broju naslova koje sadrži ova baza (1.301), broju tomova (1.816) i ukupnom broju stranica (914.130).



The screenshot shows a web browser window with the address bar displaying "http://www.heinonline.org/home/content/Browse.html". The page content includes several database listings. The "Legal Classics" listing is circled in red and contains the following summary:

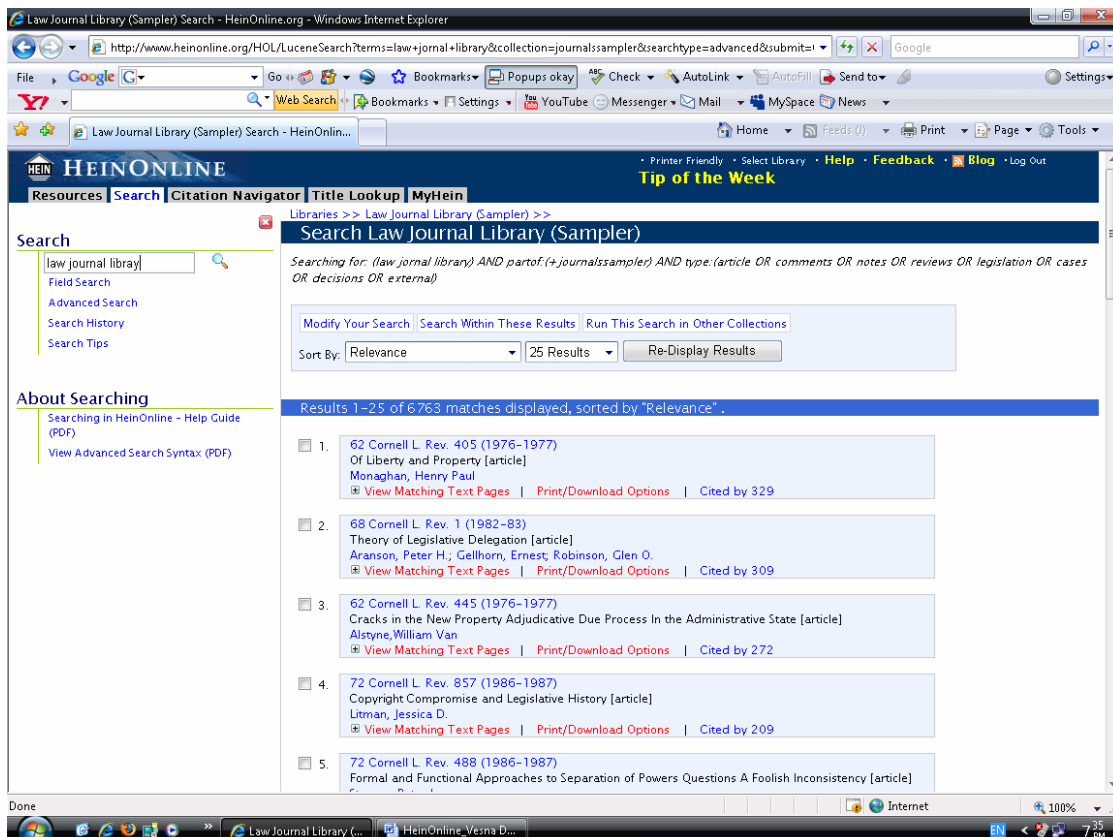
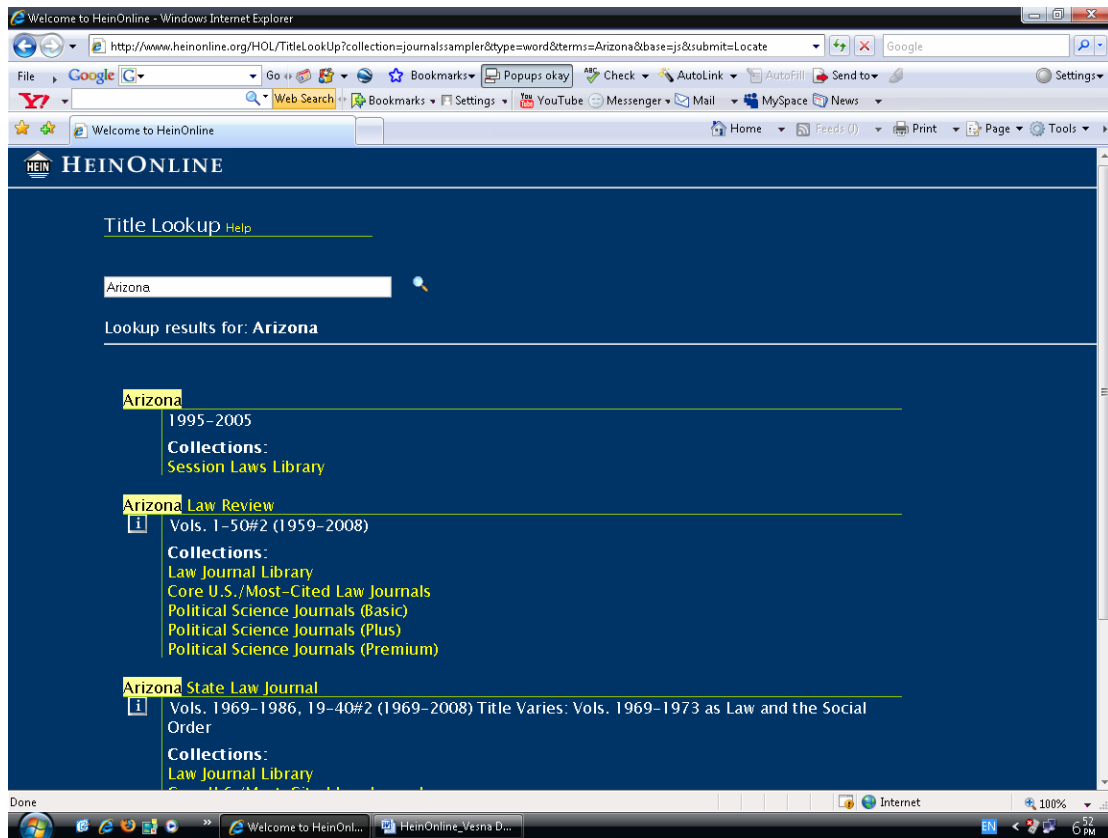
Summary:
Titles: 1,301
Volumes: 1,816
Pages: 914,130

Below the summary, there is a paragraph of text: "More than 1,200 works from some of the greatest legal minds in history can be found in HeinOnline's Legal Classics Library. In addition to many 'classics' this collection also includes rare items that are found in only a handful of libraries around the world."



## Korišćenje termina za pretraživanje

Stranica je dizajnirana tako da ostavlja korisniku da odabere način i kriterijume za pretraživanje. Pristup svim bazama i dokumentima koje sadrže omogućen je preko opcije "Search" koja se nalazi u glavnom meniju na vrhu stranice (npr: **Arizona**, na samom početku ili **Law Journal Library**, u drugom meniju)



Upit se vrši korišćenjem termina i operatora. Mogu se koristiti: proste reči ili izrazi (frazе). Više reči može se kombinovati sa Bulovim operatorima (*Boolean operators*) da bi se kreiralo kompleksnije pretraživanje.

Kriterijumi za pretraživanje mogu biti:

- **naslov dokumenta,**
- **deo naslova,**
- **ime autora.**

Ovi podaci se unose u *gornji deo ekrana*.

Pretraživanje kroz ceo tekst vrši se unošenjem ključnih reči/izraza u *donji deo ekrana*. Rezultat takvog pretraživanja su delovi teksta sa traženim ključnim rečima.

## Polja

Kada pretražujemo, možemo koristiti polje koje nudi program automatski ili odabrati jedno ili više polja koja su ponuđena uz svaku bazu podataka. Nazivi polja, kao i automatski ponuđeno polje vezani su za konkretnu bazu i ispisani su na stranici svake baze. Može se pretraživati svako polje unošenjem **naziva polja** i znaka ":". Zatim unosimo reč koju tražimo. U odsustvu znaka navoda, polje je validno za reč koja se direktno unese.

Npr.: **title:family AND author:Jonhson** daće nam podatke u kojima se u naslovu spominje reč "family" a u imenu autora reč "Johnson".

## Ograničeno pretraživanje

Pretraživanje se može ograničiti zadavanjem **opsega** u kome se nalazi naslov časopisa, naslov dokumenta ili određeni vremenski period: **polje:[pocetak TO kraj]** ili **polje:{pocetak TO kraj}**

Razlika između ova dva pretraživanja je u tome što su u prvom opsegu uključeni i početak i kraj, a u drugom nisu uključeni već se rezultati traže **između**.

Pretraživanjem u okviru vremenskog perioda pronalaze se dokumenti za definisani period. To se unosi u uglastu zagradu: **date:[1938 TO 1944]** – ovde su uključene i 1938. i 1944. godina.

Ukoliko upit ograničavamo na naslov dat abecedno, upit unosimo u veliku zagradu, a rezultat pretraživanja izlistaćе samo naslove *između* navedenih abecednih naslove: **title:{Aida TO Carmen}** - ne uključujući i navedene.

The screenshot shows the HeinOnline website interface. The main navigation bar includes 'Resources', 'Search', 'Citation Navigator', 'Title Lookup', and 'MyHein'. The 'Citation Navigator' section is active, displaying search results for 'Law Journal Library (Sampler)'. The results list several journals, including 'Columbia Journal of Transnational Law', 'Cornell Law Review', and 'Law Library Journal'. The 'Law Library Journal' entry is circled in red. The interface also includes a search form with fields for 'Vol.', 'Abbreviation', and 'Page', and an 'Alternate Citation Navigator' section.

Law Journal Library (Sampler) Law Library Journal - HeinOnline.org - Windows: Internet Explorer

http://www.heinonline.org/HOL/Index?index=journals/lj&collection=journalsampler

HEINONLINE

Resources Search Citation Navigator Title Lookup MyHein

Tip of the Week

Libraries >> Law Journal Library (Sampler) >> Law Library Journal >>

Collection Resources

Law Library Journal  
Vols. 1-99 (1908-2007) Title Varies: Vol. 1-2#1 (1908-1909) as Index to Legal Periodicals and Law Library Journal  
(More Information)

Help & Training

- General Help
- HeinOnline Wiki
- HeinOnline Blog
- HeinOnline's YouTube Channel

99 (2007)

98 (2006)

97 (2005)

96 (2004)

95 (2003)

94 (2002)

93 (2001)

92 (2000)

91 (1999)

90 (1998)

89 (1997)

88 (1996)

87 (1995)

Law Journal Library (Sampler) Law Library Journal - HeinOnline.org - Windows: Internet Explorer

http://www.heinonline.org/HOL/Page?handle=hein.journals/lj99&id=1&size=2&collection=journalsampler&index=journals/lj

HEINONLINE

Resources Search Citation Navigator Title Lookup MyHein Table of Contents

Tip of the Week

Libraries >> Law Journal Library (Sampler) >> Law Library Journal >> 99 Law Libr. J. (2007) >>

Citations on Page: Off · Text · Citation · Bookmark

Articles that cite this document

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99 Law Libr. J. (2007)

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Volume 99 Winter 2007 Number 1

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U.S. Supreme Court Library (Sampler) U.S. Reports (Sampler) - HeinOnline.org - Windows Internet Explorer

http://www.heinonline.org/HOL/Page?handle=hein.usreports/usrep475&id=1&size=2&collection=usreports&index=usreportssar

HEINONLINE  
 Resources Search Citation Navigator Title Lookup MyHein Table of Contents Tip of the Week

Libraries >> U.S. Supreme Court Library (Sampler) >> U.S. Reports (Sampler) >> 475 U.S. (1985) >>

Citations on Page: Off · Text · Citation · Bookmark

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  - Supreme Court of the United States - 1985 -- Page iv
  - Table of Cases Reported - 1985 -- Page v
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UNITED STATES REPORTS  
 VOLUME 475

CASES ADJUDGED  
 IN  
 THE SUPREME COURT  
 AT  
 OCTOBER TERM, 1985  
 FEBRUARY 24 THROUGH APRIL 28, 1986  
 TOGETHER WITH OPINION OF INDIVIDUAL JUSTICE IN CHAMBERS

Internet 100% 54 PM

Law Journal Library - HeinOnline.org - Microsoft Internet Explorer

http://www.heinonline.org/HOL/Page?set\_as\_cursor=0&men\_tab=srresults&handle=hein.journals/ajc27&id=431&collection=journals&terms=mirand&stertype=phrase

HEINONLINE  
 Resources Search Citation Navigator Title Lookup MyHein Search Results Table of Contents Tip of the Week

Libraries >> Law Journal Library >> American Journal of Criminal Law 27 Am. J. Crim. L. (1999-2) >>

Citations on Page: On · Text · Citation · Bookmark

Search Results:

1. 27 Am. J. Crim. L. 421 (1999-2000)  
 Miranda Rule Is a Constitutional Rule: Dickerson v. United States [legislation] Matthews, Victoria Newnham  
[View Matching Text Pages](#)

Turn to page 421

Miranda Rule is a Constitutional Rule  
 Dickerson v. United States

In *Dickerson v. United States*,<sup>1</sup> the United States Supreme Court upheld *Miranda v. Arizona*,<sup>2</sup> declaring that decision a constitutional rule which Congress cannot supersede. The Court held that, although Congress enacted 18 U.S.C. § 3501 to allow only voluntary confessions into evidence, *Miranda* provided a constitutional requirement that the Court declined to overrule.<sup>3</sup>

The strict guidelines provided by *Miranda* exist to counter coerced statements. In *Miranda*, the Court was concerned that "coercion inherent in custodial interrogation blurs the line between voluntary and involuntary statements...."<sup>4</sup> Therefore, the Court delineated the four warnings today known as "*Miranda* Rights:"

a suspect "has the right to remain silent, that anything he says can be used against him in a court of law, that he has the right to the presence of an attorney, and that if he cannot afford an attorney one will be appointed for him prior to any questioning if he so desires."<sup>5</sup>

Congress, in direct response to *Miranda*, enacted 18 U.S.C. § 3501 two years after that decision.<sup>6</sup> Ignoring the claim that it is difficult to tell what is voluntary and involuntary when a suspect is in custody, Congress simply required that evidence be admissible if the statement was voluntary.

1. 120 S. Ct. 2326 (2000).  
 2. 384 U.S. 436 (1966).

Done, but with errors on page. Internet





## Search by terms

Ukoliko u opciji "Search" unesemo samo ključnu reč "Miranda" dobićemo **21.403** rezultata.

Searching for: *(miranda) AND partof:(+journals) AND type:(article OR comments OR notes OR reviews OR legislation OR cases OR decisions OR external)*

**miranda: 21.403**

## Search by subject

Pretraživati možemo po oblastima: **Criminal Law and Procedure**

Searching for: *(miranda rule) AND partof:(+journals) AND subjects:(**"Criminal Law and Procedure"**)*

**miranda rule: 19195**

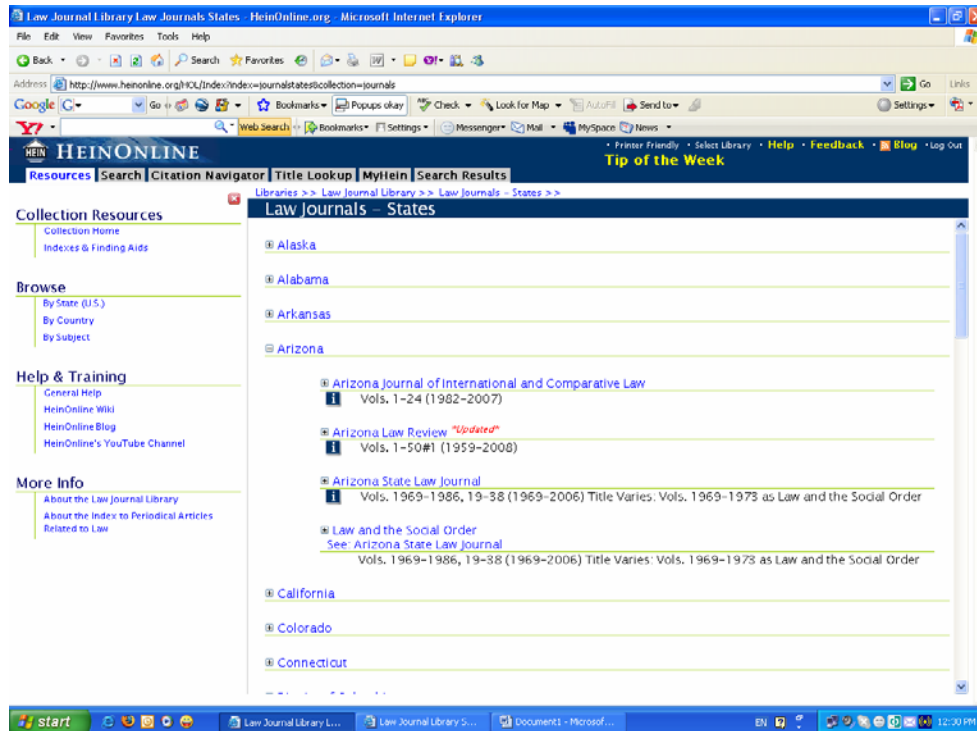
The screenshot shows a Microsoft Internet Explorer browser window displaying the HeinOnline search results page. The search query is: *(miranda) AND partof:(+journals) AND type:(article OR comments OR notes OR reviews OR legislation OR cases OR decisions OR external)*. The results are sorted by Relevance, showing 25 results. The first result is a legislative entry: "27 Am. J. Crim. L. 421 (1999-2000) Miranda Rule Is a Constitutional Rule: Dickerson v. United States [legislation] Matthews, Victoria Newsham". A preview of the text is visible, starting with "Miranda Rule is a Constitutional Rule Dickerson v United States In Dickerson v United States the United States Supreme Court upheld **Miranda** v Arizona 2 declaring that decision a constitutional rule which Congress cannot supersede. The Court held that although Congress enacted 18 U.S.C. 3501 to allow only voluntary confessions into evidence **Miranda** provided a constitutional requirement that the Court declined to overrule. The strict guidelines provided by **Miranda** exist to counter coerced statements. In **Miranda** the Court was concerned that coercion inherent in custodial interrogation blurs the line between voluntary and involuntary statements. Therefore the Court delineated the four warnings today known as **Miranda** Rights a suspect has the right to remain silent that anything he says can be used against him in a court of law that he has the right to the presence of an attorney and that if he cannot afford an attorney one will be appointed for him prior to any questioning if he so desires. 5 Congress in direct response to **Miranda** enacted 18 U.S.C. 3501 two years after that decision. 6 Ignoring the claim that it is difficult to tell what is voluntary and involuntary when a suspect is in custody Congress simply required that evidence be admissible if the statement was voluntary. 1 120 S.Ct. 2326 2000-2 384 U.S. 436 1966 3 See Dickerson 120

The screenshot shows the HeinOnline "Law Journals - Subjects" page. The page lists various law journals and their subjects. The subjects listed are: Contracts, Criminal Justice, and Criminal Law and Procedure. Under "Criminal Law and Procedure", there are several entries: "American Bar Association, Section of Criminal Law, Program and Committee Reports 1932-1955 All Published", "American Criminal Law Quarterly See: American Criminal Law Review Vols. 1-43 (1962-2006) Title Varies: Vols. 1-9 (1963-1970) as American Criminal Law Quarterly", "American Criminal Law Review Vols. 1-43 (1962-2006) Title Varies: Vols. 1-9 (1963-1970) as American Criminal Law Quarterly", "American Journal of Criminal Law Vols. 1-34#1 (1972-2006)", "American Journal of Police Vols. 1-15 (1981-1996) All Published; Merged with Police Studies: The International Review of Police Development to form Policing: An International Journal of Police Strategies & Management", and "American Journal of Policing See: Policing: An International Journal of Police Strategies & Management Vols. 1-24 (1978-2001) Title Varies: Vols. 1-19 (1978-1996) as Police Studies: The International Review of Police Development; Vols. 1-15 (1981-1996) as American Journal of Police".

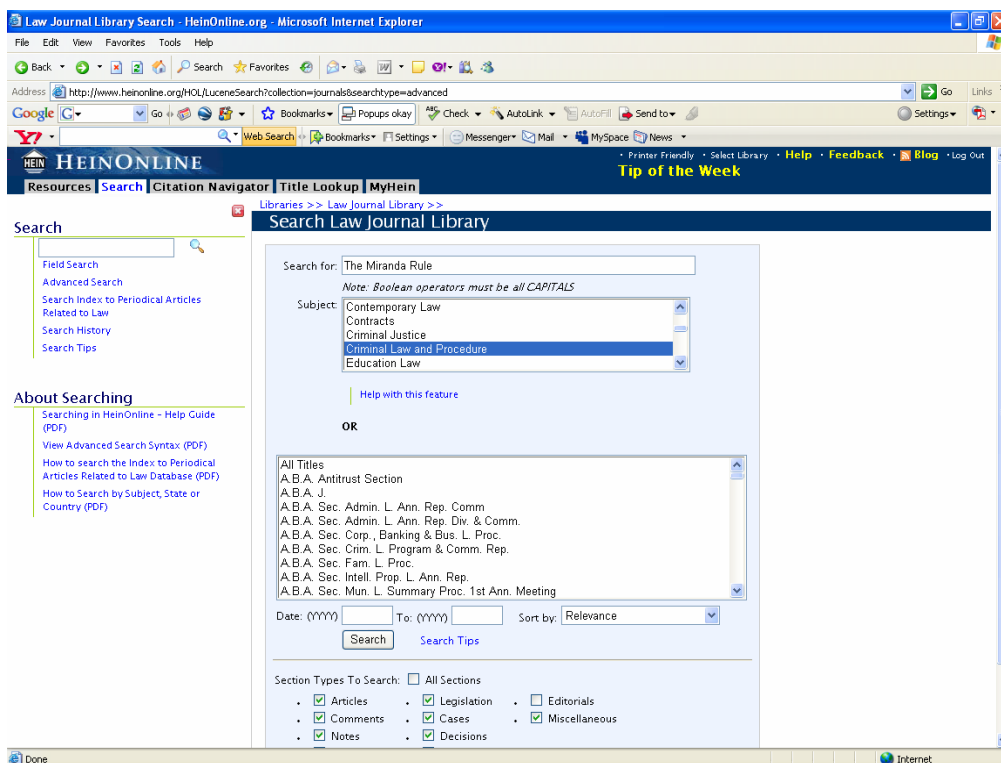
HeinOnline baza nudi mogućnost pretraživanja i po sledećim kriterijumima:

- Search by state (US)
- Search by Country
- Search by Subject

Izborom opcije "Search by state (US)": **Arizona**, program će izlistati časopise koji izlaze u ovoj američkoj državi.



Izborom opcije "Search by subject": **Criminal Law and Procedure**, dobićemo izlistane časopise iz ove oblasti.



Primenom *Bulovih operatora* dobićemo sledeće rezultate za upit **Miranda**:

Searching for: (**miranda AND rule**) AND partof:(+journals) AND type:(article OR comments OR notes OR reviews OR legislation OR cases OR decisions OR external)

**miranda AND rule: 19099**

Searching for: (**miranda OR rule**) AND partof:(+journals) AND type:(article OR comments OR notes OR reviews OR legislation OR cases OR decisions OR external)

**miranda OR rule: 589609**

Searching for: (**miranda NOT rule**) AND partof:(+journals) AND type:(article OR comments OR notes OR reviews OR legislation OR cases OR decisions OR external)

**miranda NOT rule: 2304**

Searching for: (**mirand AND decision**) AND partof:(+journals) AND type:(article OR comments OR notes OR reviews OR legislation OR cases OR decisions OR external)

**miranda AND decision: 43**

Searching for: (**mirand AND decision**) AND partof:(+journals) AND type:(article OR comments OR notes OR reviews OR legislation OR cases OR decisions OR external)

**miranda OR decision: 22945**

Searching for: (**miranda NOT decision**) AND partof:(+journals) AND type:(article OR comments OR notes OR reviews OR legislation OR cases OR decisions OR external)

**miranda NOT decision: 1386**

Searching for: ("**Miranda v. Arizona**") AND partof:(+journals) AND type:(article OR comments OR notes OR reviews OR legislation OR cases OR decisions OR external)

**"miranda v. arizona": 9706**

Searching for: (**Miranda v. Arizona AND decision**) AND partof:(+journals) AND type:(article OR comments OR notes OR reviews OR legislation OR cases OR decisions OR external)

**miranda v. arizona AND decision: 78519**

Searching for: (**miranda AND case**) AND partof:(+journals) AND type:(article OR comments OR notes OR reviews OR legislation OR cases OR decisions OR external)

**miranda AND case: 152**

Searching for: (**miranda OR case**) AND partof:(+journalssampler) AND type:(article OR comments OR notes OR reviews OR legislation OR cases OR decisions OR external)

**miranda OR case: 5390**

Searching for: (**miranda NOT case**) AND partof:(+journalssampler) AND type:(article OR comments OR notes OR reviews OR legislation OR cases OR decisions OR external)

**miranda NOT case: 3**

Searching for: ("**miranda v. arizona**" AND decision) AND partof:(+journalssampler) AND type:(article OR comments OR notes OR reviews OR legislation OR cases OR decisions OR external)

**"miranda v. arizona" AND decision: 78**

Searching for: ("**miranda v. arizona**" OR decision) AND partof:(+journalssampler) AND type:(article OR comments OR notes OR reviews OR legislation OR cases OR decisions OR external)

**"miranda v. arizona" OR decision: 4367**

Law Journal Library (Sampler) - HeinOnline.org - Microsoft Internet Explorer

Address: http://heinonline.org/HOL/Page?set\_as\_cursor=70men...tab=results&handle=hein.journals:cj9436id=2020collection=journalsampler&items=miranda%20v.%20arizona&termtype=phrase

272 COLUMBIA JOURNAL OF TRANSNATIONAL LAW [43:269]

I. A BACKGROUND TO AND SYNOPSIS OF *UNITED STATES V. BIN LADEN*

Understanding why *United States v. Bin Laden* is an opinion that should not be followed requires some grasp of the law of confessions (specifically the *Miranda* doctrine, as it has been developed by subsequent courts) as well as a knowledge of the facts of *Bin Laden*.

A. The Legal Background to *United States v. Bin Laden: The Miranda Doctrine*

Prior to *Miranda*, there existed no uniform, national requirement that police inform suspects of any rights prior to interrogation.<sup>14</sup> In general, defendants' confessions were excluded from trials only if they had been coerced in violation of the voluntariness standard, which had grown out of the Fifth and Fourteenth Amendments.<sup>15</sup> Where confessions were not actively coerced, courts generally admitted them, except for in rare cases where confessions were excluded because of violations of the Sixth Amendment's right to counsel.<sup>16</sup> *Miranda* fundamentally altered the law of confessions by mandating that, henceforth, courts would have

14. See generally Yale Kamisar, *Equal Justice in the Gatehouses and the Mansions of American Criminal Procedure: from Powell to Gideon, from Escobedo to . . . (1965), in THE MIRANDA DEBATE: LAW, JUSTICE, AND POLICING* 25 (Richard A. Leo and George C. Thomas III eds., 1998) (advocating the implementation of a warning/waiver requirement). Against this backdrop, it is hard to accept the *Miranda* Court's claim that its holding was "not an innovation in [the Court's] jurisprudence." *Miranda v. Arizona*, 384 U.S. 436, 442 (1966).

15. See U.S. CONST. amend. V ("No person shall be . . . compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due

Done

start

RAD - Microsoft Word

heinOnline - Microsof...

http://heinonline.org/...

Law Journal Library (...)

EN

Law Journal Library (Sampler) Search - HeinOnline.org - Microsoft Internet Explorer

Address: http://heinonline.org/HOL/Livew/Search?specialcollection=items=miranda&NOT+a=decision&journal=byyear=byyear=sortBy=date&collection=journalsampler&searchtype=advanced&do\_btn=Search&sections=articles

HEINONLINE

Resources | Search | Citation Navigator | Title Lookup | MyTein

Tip of the Week

Search Law Journal Library (Sampler)

Searching for: (miranda NOT decision) AND partof (+journalsampler) AND (volshetrname:!) AND type:(article OR comments OR notes OR reviews OR legislation OR cases OR decisions OR contents OR external)

Modify Your Search Search Within These Results Run This Search in Other Collections

Sort By: Volume Date (Ascending) 25 Results Re-Display Results

Results 1-2 of 2 matches displayed, sorted by "Volume Date (Ascending)".

1. 44 Law Libr. J. 83 (1951)  
Bibliography of Civil and Commercial Codes [article]  
McLauri, Helen  
View Matching Text Pages | Print/Download Options

2. 60 Law Libr. J. 288 (1967)  
Membership News [notes]  
View Matching Text Pages | Print/Download Options

Turn to page 288  
966 and Librarian 1966 1967 ALTAGRACIA MIRANDA a new member is Librarian Cataloguing Department University of Puerto Rico School of Law Library Miss Miranda holds the B.S. degree from the Universit

Turn to page 290  
f Missouri Law Librarian Miss ALTAGRACIA MIRANDA University of Puerto Rico Law Library R

start

Internet

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represented intention, although the mendacity of an alien's intentions may often be indicated by related misrepresentations at entry,<sup>74</sup> or by misrepresentations made to the American consul abroad in obtaining a nonimmigrant visitor's visa.<sup>75</sup> But scarcely should it be contended that the Government's difficulty in proof or refutation of proof should serve to mitigate a right to due process of law or other constitutional protections.<sup>76</sup>

In further support of its holding, the court urged that a limited application of Section 241(f) would be consistent with other sections of the Act which severely limit an alien's relief from deportation based on family ties. Three sections of the Act were cited as *in pari materia* to the court's strict construction of Section 241(f). Relief from deportation under each section is conditioned on an exercise of discretion by the

74. See *Gordon & Rosenzweig*, *supra* note 59, at § 3.10, 3-85.  
75. 439 F.2d at 248.  
76. *Vincent v. INS*, 448 F.2d at 844.

77. In her brief to the Ninth Circuit in the instant case, petitioner Gabuco-Flores alleged that she fraudulently represented to the American consul in the Philippines that she possessed a round-trip ticket to the United States, and that she held a greater amount of money than she actually possessed. These representations were evidence of a fraudulent intention, at entry, to remain permanently in the United States.

78. See, e.g., *Miranda v. Arizona*, 384 U.S. 439 (1966), where the Government bears a "heavy burden" in proving an intentional and intelligent waiver of the rights to remain silent and to have advice of counsel under the Fifth Amendment; and *Schnecko v. Buattomonte*, 412 U.S. 218 (1973), where the Government was required by the Fourth Amendment to prove voluntary consent to a warrantless search and seizure.

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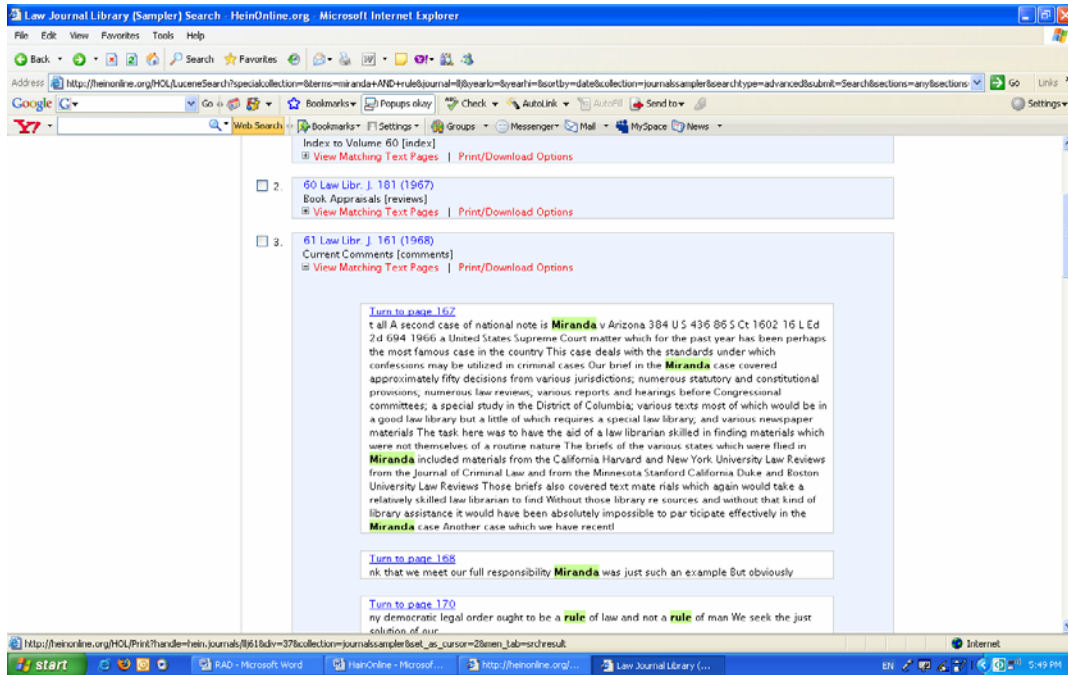
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