



Here's the intro from this ["White Collar Briefly" blog](#) by Spencer Gottlieb: "White-collar criminal prosecutions frequently involve charges under the federal mail and wire fraud statutes. Those statutes criminalize using the mail system or interstate wires for "any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises." [18 U.S.C. § 1341](#) (mail fraud statute); [§ 1343](#) (wire fraud statute). But circuit courts are nearly evenly split on whether it is enough for an individual to fraudulently induce a fair commercial exchange or whether that individual must intend to inflict economic harm.

On June 17, 2024, the U.S. Supreme Court granted the petition for writ of certiorari in [Kousisis v. United States](#) to answer that question in its upcoming term. Merits briefing is expected to be complete on October 6. (A similar [petition](#) filed by the convicted former dean of Temple University's Fox School of Business is still pending.)

The case exposes a deep divide among the federal appellate courts on a touchstone of modern white-collar criminal liability—with potential far-reaching application for the criminal prosecution of individuals and corporations."

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