

Add punch with an extra-short sentence (or a fragment).

AN OCCASIONAL EXTRA-SHORT SENTENCE OR FRAGMENT can serve various purposes. Most obviously, it can provide variety and emphasis. It can also be useful for breaking up a long sentence, setting up a conclusion, linking to a new topic—any number of things, really.

When I started browsing through opinions, I was pleasantly surprised to

find many good examples. A very common one is “We disagree.” Some others:

- “So too here.”
- “Next, finality.”
- “We think not.”
- “That’s not all.” (Hooray for the contraction.)
- “Finally, the breathalyzer.”
- “None [of the arguments] is persuasive.”

- “Quite the contrary.”

Hats off, then, to judges’ willingness to add a bit of punch.

Now consider a few examples where an extra-short sentence might have worked nicely. I confess that they were more difficult to find than I first expected. And certainly none of the “before” examples could be criticized as stylistically flawed.

Before

“The dictionaries generally define the term ‘child neglect’ as failure by a responsible party to provide requisite care for a child, but they do not address whether the defendant’s mental state must be criminally negligent, knowing, or intentional, whether the targeted conduct must actually injure the child, or whether the perpetrator must be a child’s parent or legal guardian.”

“First, we consider whether the BIA’s interpretation of the statute is consistent with the statute’s text. Our review of dictionaries, statutory context, other provisions in federal civil codes, and state criminal statutes showed that crimes of child abuse and child neglect can include offenses that may be committed with criminal negligence, where a child is not injured but placed at a substantial risk of harm, and where the perpetrator may be someone other than a parent or legal guardian. Therefore, the BIA’s interpretation does not sharply depart from the relevant federal and state laws in place in 1996, or from other established sources of statutory meaning.”

“To recap, the facts there involved a Fourth Amendment claim against federal line-level investigative officers who allegedly entered and searched the plaintiff’s apartment, arrested him for alleged drug violations, manacled him in front of his family, threatened to arrest his family, and later interrogated, booked, and visually strip searched him—all without probable cause or a warrant and with excessive force. The facts of this case, on the contrary, involve Fourth Amendment claims against prosecutors, federal line-level investigative officers, and private, corporate employees acting under color of federal law, who are alleged to have jointly fabricated evidence in support of warrants to search a business investigated for copyright and money laundering violations, seized physical evidence (which was returned), and twice exceeded the scope of those warrants.”

After

“The dictionaries generally define the term ‘child neglect’ as failure by a responsible party to provide requisite care for a child. **But they don’t offer more.** They do not address whether . . .” [Note that a list might also have been good: “but they do not address whether (1) . . . , (2) . . . , (3)”]

“First, we consider whether the BIA’s interpretation of the statute is consistent with the statute’s text. **We think it is.** Our review of dictionaries, statutory context, other provisions in federal civil codes, and state criminal statutes showed that”

“To recap, the facts there involved a Fourth Amendment claim against federal line-level investigative officers who allegedly entered and searched the plaintiff’s apartment, arrested him for alleged drug violations, manacled him in front of his family, threatened to arrest his family, and later interrogated, booked, and visually strip-searched him—all without probable cause or a warrant and with excessive force. **The facts here are different.** They involve Fourth Amendment claims”



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