## Michigan Law Review

Vol. 99, No. 1

October 20

VOCES

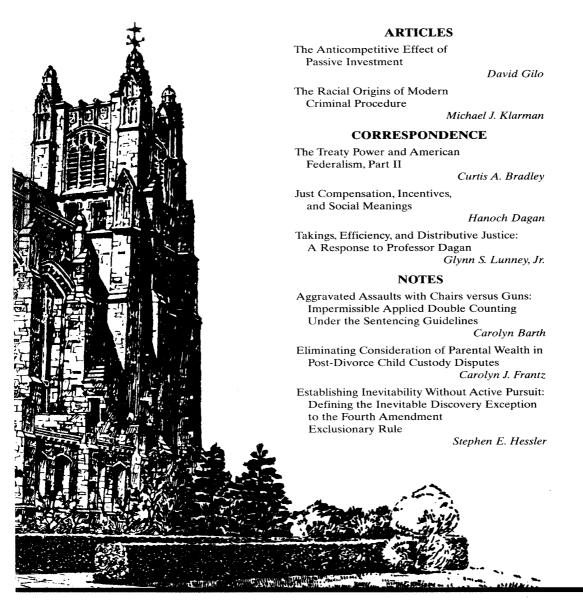
B. DATOS

## **CONTENTS ARTICLES**

The Anticompetitive Effect of	
Passive Investment	1
The Racial Origins of Modern	
Criminal Procedure	48
CORRESPONDENCE	
The Treaty Power and American	
FEDERALISM, PART II	98
Just Compensation, Incentives, and	
Social Meanings	134
Takings, Efficiency, and Distributive Justice:	
A RESPONSE TO PROFESSOR DAGAN Glynn S. Lunney, Jr.	157
NOTES	
Aggravated Assaults with Chairs versus Guns:	
IMPERMISSIBLE APPLIED DOUBLE COUNTING	
Under the Sentencine Guidelines Carolyn Barth	183
Eliminating Consideration of Parental	
Wealth in Post-Divorce Child	
CHETODY DISPUTES	216

Copyright © 2000 by The Michigan Law Review Association

## Michigan Law Review



Vol. 99, No. 1

October 2000

Establishing Inevitability Without	
ACTIVE PURSUIT: DEFINING THE	
INEVITABLE DISCOVERY EXCEPTION	
TO THE FOURTH AMENDMENT	
Exclusionary Rule	238
RECENT BOOKS	
Books Received	279

Copyright © 2000 by the Michigan Law Review Association. Except where otherwise expressly provided, the author of each article and Note in this issue has granted permission for copies of that article or Note to be made for educational use, provided that (i) copies are distributed at or below cost; (ii) the author and the *Michigan Law Review* are identified; (iii) prior written notice of the use is given to the Michigan Law Review Association; and (iv) proper notice of copyright is affixed to each copy.

The design on the cover is taken from an etching of The University of Michigan Legal Research Building.

Michigan Law Review (ISSN 0026-2234) is published monthly in October, November, December, February, March, May, June, and August. Subscriptions: United States, \$50 per year in advance, eight numbers; Foreign, \$60. Editorial and Business Offices: Hutchins Hall, 625 S. State St., Ann Arbor, Michigan 48109-1215; 734/764-0542 (Editorial); 734/763-5870 (Business); 734/647-5817 (Fax). Internet Address: http://www.law.umich.edu/pubs/journals/mlr/>. Periodicals postage paid at Ann Arbor, Michigan, and additional mailing offices. POSTMASTER: send address changes to Michigan Law Review, Hutchins Hall, 625 S. State St., Ann Arbor, Michigan 48109-1215.

Printed at Joe Christensen, Inc., Lincoln, Nebraska 68521.

Recent Volumes: Single Issues \$8, Book Review \$14, and Special Issues \$10, post-paid, at Editorial and Business Offices.

Volumes 1 through 92, as well as single issues in those volumes, are available in printed and microform from William S. Hein & Co., Inc., 1285 Main Street, Buffalo, New York 14209.

Indexed and abstracted in PAIS International.

Because back stock of the *Review* is turned over to a dealer, back numbers are available to the *Review* for a short time only. We must therefore ask that subscribers report the nonreceipt of copies within six months of the mailing date.

We gladly consider unsolicited manuscripts for publication. Citations in manuscripts should follow the form prescribed in *The Bluebook: A Uniform System of Citation* (16th ed. 1996) and *The Chicago Manual of Style* (14th ed. 1993). We regret that we can return only those manuscripts for which we receive postage and handling fees of \$3.50 for first-class and \$1.50 for special fourth-class mail.