

(ORDER LIST: 595 U.S.)

MONDAY, MARCH 21, 2022

CERTIORARI -- SUMMARY DISPOSITIONS

21-648 HEDICAN, EDWARD V. WALMART STORES EAST, ET AL.

The petition for a writ of certiorari is granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Seventh Circuit for further consideration in light of *Cameron v. EMW Women's Surgical Center, P.S.C.*, 595 U. S. ____ (2022).

21-6412 STAMPE, REBECCA V. UNITED STATES

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of the position asserted by the Solicitor General in her brief for the United States filed on February 25, 2022.

ORDERS IN PENDING CASES

21M90 LEWIS, GORDON R. V. LUMPKIN, DIR., TX DCJ

21M91 SANDLAIN, JOSEPH V. UNITED STATES

The motions to direct the Clerk to file petitions for writs of certiorari out of time are denied.

21M92 INGRAM, BOBBY L. V. UNITED STATES

The motion for leave to file a petition for a writ of certiorari with the supplemental appendix under seal is granted.

21M93 GILLIARD, ADRIAN C. V. LUMME, COURTNEY, ET AL.
The motion for leave to proceed as a veteran is denied.

21M94 L'HEUREUX, JAMES R. V. WEST VIRGINIA
The motion for leave to file a petition for a writ of certiorari with the supplemental appendix under seal is granted.

21M95 COTTON, MAURICE V. GRAHAM, SUPT., GRAHAM
The motion to direct the Clerk to file a petition for a writ of certiorari out of time is denied.

21-1086) MERRILL, AL SEC. OF STATE, ET AL. V. MILLIGAN, EVAN, ET AL.
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21-1087) MERRILL, AL SEC. OF STATE, ET AL. V. CASTER, MARCUS, ET AL.

Upon consideration of the motion to modify or amend the question presented, the question presented in these cases is amended as follows: Whether the State of Alabama's 2021 redistricting plan for its seven seats in the United States House of Representatives violated section 2 of the Voting Rights Act, 52 U. S. C. §10301.

21-6358 YOUNG, MICHAEL A. V. LAMONT, NED, ET AL.

21-6561 ARANOFF, GERALD V. ARANOFF, SUSAN
The motions of petitioners for reconsideration of orders denying leave to proceed *in forma pauperis* are denied.

21-6829 DONMEZ, IBRAHIM V. NYC DEPT. OF CONSUMER, ET AL.
The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until April 11, 2022, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

CERTIORARI DENIED

21-417 SULZER MIXPAC AG V. A&N TRADING CO., ET AL.

21-437 PONE, YAO V. BD. OF CTY. COMMISSIONERS
21-460 MYRES, APRIL D. V. UNITED STATES
21-520 HAWKINS, GERALD H., ET AL. V. HAALAND, SEC. OF INTERIOR
21-618 JONES, ARMAND V. MISSISSIPPI
21-677 BURNS, DONALD V. PALM BEACH, FL
21-682 SHIVERS, MACKIE L. V. UNITED STATES, ET AL.
21-688 MONTILLA, NERIS, ET AL. V. FANNIE MAE, ET AL.
21-735 JIM OLIVE PHOTOGRAPHY V. UNIVERSITY OF HOUSTON SYSTEM
21-843 SELLARS, CATHY, ET AL. V. CRST EXPEDITED, INC.
21-851 NARANG, RICHA V. UNITED STATES
21-859 MT STATE LEGISLATURE, ET AL. V. McLAUGHLIN, BETH
21-866 REALGY, LLC V. LINDENBAUM, ROBERTA, ET AL.
21-877 THACKER, ROSS V. UNITED STATES
21-888 INTEL CORPORATION V. VLSI TECHNOLOGY LLC, ET AL.
21-967 Nwinee, PIUS B. V. ST. LOUIS DEV. DISABILITY
21-969 COULTER, JEAN V. PAULISICK, GERRI V., ET AL.
21-976 WILSON, GREGORY T. V. FLORIDA
21-977 KOVACEVICH, ROBERT E. V. FINCH, GORDON, R., ET AL.
21-979 YOUNG, CARLA V. LUNDSTROM, BRIAN, ET AL.
21-980 JENNINGS, BRAD V. NASH, DANIEL F., ET AL.
21-981 TRINH, LAN TU V. FINEMAN, DAVID
21-986 VANDERVEER, DONALD A. V. EAST HAMPTON ZONING BD., ET AL.
21-988 CRAWFORD, MARLA V. HENRICO CTY. PUBLIC SCH., ET AL.
21-989 COULTER, JEAN V. PAUL L. DUNBAR COMM., ET AL.
21-991 BERBER, DIANA V. WELLS FARGO BANK, N.A., ET AL.
21-999 BLESSETT, JOE V. TX OFFICE OF THE ATT'Y GEN.
21-1000 BRACE, CLIFFORD A. V. SPEIER, STEVEN M., ET AL.
21-1002 LOPEZ, ARTHUR V. HSBC BANK USA, N.A., ET AL.

21-1004 CODY, LEON, ET UX. V. SUPERIOR COURT OF CA, ET AL.

21-1005 HEAT ON-THE-FLY, LLC, ET AL. V. ENERGY HEATING, LLC, ET AL.

21-1015 CAO, ANGELA V. BSI FINANCIAL SERVICES, ET AL.

21-1016 CHROSTOWSKI, ANDREW H. V. CLARKE, DIR., VA DOC

21-1018 COLTON, NICOLE V. FEHRER AUTOMOTIVE, NORTH AM., LLC

21-1020 TINGLING, JANET V. ED. CREDIT MANAGEMENT, ET AL.

21-1024 BRYSK, MIRIAM V. HERSKOVITZ, HENRY, ET AL.

21-1029 YOUNG, GEOFFREY M. V. EDELEN, ADAM, ET AL.

21-1038 KENNEY, JOHN B. V. SAN DIEGO, CA, ET AL.

21-1042 MINNICK, DAVID V. WINKLESKI, WARDEN

21-1072 DeMOCKER, STEVEN C. V. ARIZONA

21-1075 ENGLAND, MANDY V. COLSON, ANNISSA

21-1076 THAMILSELVAN, SIVAGNAM V. THAMILSELVAN, VIJAYALAKSHMI

21-1092 PERRY, AARON E. V. TENNESSEE

21-1095 I AM SCHOOL, INC. V. MOUNT SHASTA, CA

21-1105 GARCIA, JANA V. WY DEPT. OF HEALTH

21-1109 CARSON, JOSEPH P. V. MSPB

21-1117 WATKINS, REGINALD, ET AL. V. U.S. BANK NATIONAL ASSN., ET AL.

21-1118 MOORE, DUIANETE V. UNITED STATES

21-1122 YOUNG, GEOFFREY M. V. McGRATH, AMY

21-1127 SAMISH INDIAN NATION V. WASHINGTON, ET AL.

21-1135 KUBUROVICH, GOYKO G. V. UNITED STATES

21-1142 DOMEN, JAMES, ET AL. V. VIMEO, INC.

21-1149 PHOENIX LIGHT SF DAC, ET AL. V. U.S. BANK NATIONAL ASSOC.

21-5511) SANCHEZ, JOSE C., ET AL. V. UNITED STATES
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21-6282) FAZAH, TANNOUS V. UNITED STATES

21-5991) FACKRELL, RICKY A. V. UNITED STATES
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21-5995) CRAMER, CHRISTOPHER E. V. UNITED STATES

21-6054 KOZIOL, BENJAMIN V. UNITED STATES
21-6077 McCRAY, TORRI V. UNITED STATES
21-6212 DE LA TORRIENTE, ANTHONY V. UNITED STATES
21-6223 MERCADO-GRACIA, AARON M. V. UNITED STATES
21-6238 BROADNAX, DONALD V. HAMM, COMM'R, AL DOC
21-6319 MARTINEZ, ERIC V. UNITED STATES
21-6344 SNYDER, JOSEPH J. V. McDONOUGH, SEC. OF VA
21-6385 DOSTAL, EDWARD J. V. BASIN ELECTRIC POWER, ET AL.
21-6481 WILSON, GENERAL G. V. WISCONSIN
21-6519 DRISKILL, JESSE V. MISSOURI
21-6559 KAYER, GEORGE R. V. SHINN, DIR., AZ DOC
21-6580 JOHNSON, KEVIN V. STEELE, WARDEN
21-6593 HOOPER, MURRAY V. SHINN, DIR., AZ DOC
21-6639 GIEBELL, JACQUELINE V. HEARTLAND NURSING FACILITY
21-6657 DUDLEY, JOSHUA R. V. UNITED STATES
21-6688 McNEILL, FREDDIE V. SHOOP, WARDEN
21-6765 OMBE, HITOSHI V. COOK, GEORGE, ET AL.
21-6782 A. M. V. COLORADO
21-6791 JAVAHERI, DARYOUSH V. U.S. BANK N.A., ET AL.
21-6792 LESLIE, PAULINE V. BODKIN, ALEXANDER, ET AL.
21-6805 CHAPMAN, LOUIS R. V. SMITH, PHYLLIS, ET AL.
21-6806 WAND, ARMIN V. BOUGHTON, WARDEN
21-6807 SALARY, DAVIS V. CALIFORNIA
21-6810 JODIE T. V. ILLINOIS
21-6813 WASHINGTON, RONALD C. V. LUMPKIN, DIR., TX DCJ
21-6818 LAWSON, ARRON V. OHIO
21-6820 DIXON, CLARENCE W. V. SHINN, DIR., AZ DOC
21-6822 BARBER, JAMES E. V. HAMM, COMM'R, AL DOC

21-6828 MITCHELL, JAMES J. V. FLORIDA
21-6830 CHEN, HUY-YING V. JPMORGAN CHASE BANK, ET AL.
21-6835 MA, ROLAND V. GALLERY BELLTOWN CONDO ASSN.
21-6837 RAGIN, JOHN M. V. CIRCUIT COURT OF VA
21-6841 BENSON, ADA M. V. HEMET POLICE DEPT.
21-6842 BENSON, ADA M. V. CENSUS 2020, ET AL.
21-6848 LOPEZ, JUAN M. V. OKLAHOMA
21-6850 VILLAFANA, JACQUES P. V. PADRICK, WARDEN
21-6853 BELSSNER, CHARLES N. V. GITTINGS, LINDA
21-6854 BYRD, JOE V. BANK OF NY MELLON, ET AL.
21-6855 ANDRICH, DEVIN V. MEYERS, JEROME F., ET AL.
21-6857 BLANDFORD, REGINALD E. V. NEW YORK
21-6865 LANGFORD, JUSTIN O. V. BAKER, WARDEN
21-6867 THORPE, GWENDOLYN V. ONEMAIN FINANCIAL
21-6869 OBERWISE, EDWARD V. DIXON, SEC., FL DOC, ET AL.
21-6870 DUMOND, DANIEL V. FLORIDA
21-6871 PRICE, ALAN V. FLORIDA
21-6872 PERRY, OLAJUWON V. FLORIDA
21-6873 TORRES, JUAN J. V. ILLINOIS
21-6877 ALDRIDGE, ALISHA D. V. TEXAS
21-6881 BRESSI, AARON J. V. McCLOUD, TRACY, ET AL.
21-6889 LOWERY, MICHAEL D. V. OKLAHOMA
21-6891 JOHNSON, JABARI J. V. BOYD, KATHLEEN, ET AL.
21-6892 JOHNSON, JABARI J. V. SMITH, JANET, ET AL.
21-6893 JOHNSON, JABARI J. V. CLAYHURST, HAROLD, ET AL.
21-6895 BOYKIN, MARSHAUN V. ILLINOIS
21-6898 STEVENS, JASPER, ET AL. V. WHITMORE, ROBERT S.
21-6899 ALBERTS, JOHN B. V. PERRY, WARDEN

21-6900 BROWN, PATRICE E. V. SHINN, DIR., AZ DOC
21-6903 THOMAS, MICHEL V. GRUNDFOS, ET AL.
21-6904 THOMAS, MICHEL V. STAFFLINK, INC., ET AL.
21-6907 BALDWIN, LINDA V. ZURICH AM. INS. CO.
21-6932 DIXON, JOSHUA V. DIXON, SEC., FL DOC
21-6938 SUSSMAN, DAVID C. V. DIXON, SEC., FL DOC, ET AL.
21-6943 MS. T V. MONTGOMERY CTY. DEPT. OF HEALTH
21-6953 LUEVANO, JAIME V. CLINTON, HILLARY, ET AL.
21-6962 PLASTER, ROBERT E. V. BURGESS, MICHAEL
21-6965 RHODEN, LAWTIS D. V. PRICE, EXEC. DIR., STATE HOSP.
21-6970 WRIGHT, NIGEL K. V. RIVARD, WARDEN
21-6980 FOWLER, MICHAEL R. V. FOX, WARDEN
21-6986 ATLAS, JOHN V. COVELLO, WARDEN
21-6995 REGASSA, ADMASSU V. BRININGER, C., ET AL.
21-6997 CAINES, LUKE W. V. INTERIAN, M.
21-6999 RICHARDSON, SHAROC V. CAMPBELL, WARDEN
21-7016 GONZALEZ, TONY V. RHODE ISLAND
21-7028 PRIDE, FRED V. McDONOUGH, SEC. OF VA
21-7033 ALVARADO, OSCAR V. TICE, SUPT., SOMERSET, ET AL.
21-7073 COLLINS, NATHANIEL V. ALABAMA
21-7079 GLENN, REGINALD V. UNITED STATES
21-7094 GUTIERREZ, GUSTAVO G. V. UNITED STATES
21-7102 RIVAS-GARCIA, ELMER J. V. UNITED STATES
21-7107 NOWLAN, NINA L. V. NOWLAN, BRUCE G.
21-7110 FUNEZ-ZAPATA, JORGE A. V. UNITED STATES
21-7115 STAHLNECKER, ROBERT V. UNITED STATES
21-7117 ALLEN, FREDERICK V. UNITED STATES
21-7120 TELLES, DAVID J. V. UNITED STATES

21-7125 KAETZ, WILLIAM F. V. UNITED STATES
21-7128 RILEY, CORNELIUS V. UNITED STATES
21-7129 RAZO, ERIK Q. V. UNITED STATES
21-7133 SALEMME, FRANCIS P. V. UNITED STATES
21-7134 BELL, ANTHONY J. V. UNITED STATES
21-7135 DAWSON, DANIEL J. V. LARSON, WARDEN
21-7136 NESBITT, GREGORY V. UNITED STATES
21-7139 WILLIAMS, BRADLEY S. V. UNITED STATES
21-7140 GULLETT-EL, TAQUAN R. V. UNITED STATES
21-7147 ARZATE-GAMEROZ, SERGIO A. V. UNITED STATES
21-7148 BANES, MARK A. V. UNITED STATES
21-7149 ROMERO-SANDOVAL, PEDRO V. UNITED STATES
21-7151 JACKSON, QUENTIN V. UNITED STATES
21-7153 MILES, ARTHUR V. UNITED STATES
21-7156 HAWKINS, FLOYD A. V. UNITED STATES
21-7157 LUCAS, RICHARD V. UNITED STATES
21-7158 LOPEZ-RODRIGUEZ, ALFONSO V. UNITED STATES
21-7161 PASCHAL, DEJA V. CONNECTICUT
21-7162 LOPEZ, JOSE J. V. UNITED STATES
21-7163 RUTH, NATHANIEL V. UNITED STATES
21-7169 JAMES, LATWON V. UNITED STATES
21-7170 BOWERS, DEBORAH, ET AL. V. UNITED STATES
21-7174 GAMBOA-RIVERA, INOCENCIO V. UNITED STATES
21-7176 CHISHOLM, LEANDRA M. V. UNITED STATES
21-7183 DIAZ-BURGOS, RUTH V. UNITED STATES
21-7184 LANGLEY, RICHARD V. UNITED STATES
21-7188 BANKS, ELISHAY V. UNITED STATES
21-7190 TERRELL, JASON V. UNITED STATES

21-7191 LEIJA-PERALTA, ROSA V. UNITED STATES
21-7195 HIGGINS, JAMES L. V. UNITED STATES
21-7196 RAMIREZ, LUIS A. V. UNITED STATES
21-7210 WEBB, JAMES T. V. UNITED STATES
21-7214 TAYLOR, MARK A. V. VALENTINE, WARDEN
21-7225 LATTIMORE, MILTON V. ILLINOIS

The petitions for writs of certiorari are denied.

20-1426 EPIC SYSTEMS CORP. V. TATA CONSULTANCY, ET AL.

The petition for a writ of certiorari is denied. Justice Barrett took no part in the consideration or decision of this petition.

21-614 GREEN, BRIAN V. PIERCE COUNTY, WA

The motion of Liberty Justice Center for leave to file a brief as *amicus curiae* is granted. The motion of Cato Institute for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

21-868 OKLAHOMA V. FOSTER, KEVIN T.

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied.

21-1037 BRIGGS, STEVE W. V. CAMERON, JAMES, ET AL.

The petition for a writ of certiorari is denied. The Chief Justice took no part in the consideration or decision of this petition.

21-6809 WEST-EL, EDWARD S. V. MIDLAND FUNDING LLC

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8.

21-7086 WHITEFIELD, WILLIAM L. V. UNITED STATES

The petition for a writ of certiorari is denied. Justice Kagan took no part in the consideration or decision of this petition.

21-7143 GREGORY, JOHNNY B. V. UNITED STATES

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8. Justice Kagan took no part in the consideration or decision of this motion and this petition.

21-7164 PYNE, CHARLES V. UNITED STATES

The petition for a writ of certiorari is denied. Justice Kagan took no part in the consideration or decision of this petition.

HABEAS CORPUS DENIED

21-7141 IN RE TAQUAN R. GULLETT-EL

21-7202 IN RE MOHAMMED KWANING

The petitions for writs of habeas corpus are denied.

MANDAMUS DENIED

21-6801 IN RE JOHNNY McMAHON

21-6843 IN RE KEVIN BREWER

21-6845 IN RE WILLIE S. SMITH

21-6862 IN RE DANIEL JONES

The petitions for writs of mandamus are denied.

21-6880 IN RE ALLEN F. CALTON

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of mandamus is dismissed. See Rule 39.8. As the petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept

any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

REHEARINGS DENIED

20-1817 EZAKI GLICO, ET AL. V. LOTTE INTERNATIONAL AM., ET AL.
20-8356 HARRELL, SHAREE V. KIJAKAZI, COMM'R, SOCIAL SEC.
21-517 MARQUES, ANTOINETTE V. JPMORGAN CHASE, N.A.
21-739 SINGH, MANDEEP V. WON, HAERIM
21-5555 HARTWELL, ROSS A. V. LUMPKIN, DIR., TX DCJ
21-5881 IN RE MARJORIE CREAMER
21-5926 KUNIK, RIMMA V. NYC DEPT. OF EDUCATION, ET AL.
21-5951 BAUMGARTEN, STEVEN B. V. EVANS, ERIKA
21-6116 COBB, CHRISTOPHER D. V. UNITED STATES
21-6127 IN RE HOWARD GRIFFITH
21-6129 RAGIN, JOHN V. SUPREME COURT OF VA
21-6163 LYNCH, GERARD M. V. NEW YORK STATE JUSTICE CENTER
21-6173 SALU, ROTIMI V. NEW YORK STATE JUSTICE CENTER
21-6399 ANDERSON, DAVID W. V. STACY, ROGER L.
21-6410 SPECKMAN, STEVE H. V. LUMPKIN, DIR., TX DCJ
21-6591 SPOTTSVILLE, DANIEL V. GEORGIA

The petitions for rehearing are denied.

21-6522 BANERJEE, MITHUN V. BANK OF AMERICA

The motion for leave to file a petition for rehearing is denied.

Statement of ALITO, J.

SUPREME COURT OF THE UNITED STATES

SEATTLE’S UNION GOSPEL MISSION *v.*
MATTHEW S. WOODS

ON PETITION FOR WRIT OF CERTIORARI TO THE SUPREME
COURT OF WASHINGTON

No. 21–144. Decided March 21, 2022

The petition for a writ of certiorari is denied.

Statement of JUSTICE ALITO, with whom JUSTICE THOMAS joins, respecting the denial of certiorari.

The First Amendment gives “special solicitude to the rights of religious organizations” to operate according to their faith without government interference. *Hosanna-Tabor Evangelical Lutheran Church and School v. EEOC*, 565 U. S. 171, 189 (2012). In certain contexts, this autonomy requires courts to “stay out of employment disputes involving those holding certain important positions with churches and other religious institutions.” *Our Lady of Guadalupe School v. Morrissey-Berru*, 591 U. S. ____, ____ (2020) (slip op., at 11). Consistent with this constitutional principle, Congress has long exempted religious employers from federal employment laws that would otherwise interfere with their ability “to define and carry out their religious missions” by imposing “potential liability” for hiring practices that favor co-religionists. *Corporation of Presiding Bishop of Church of Jesus Christ of Latter-day Saints v. Amos*, 483 U. S. 327, 335–336 (1987); see also *id.*, at 342–343 (Brennan, J., concurring) (“a religious organization should be able to require that only members of its community perform those activities” that “constitute part of a religious community’s practice”).

Because of such federal statutory exemptions and their state analogs, we have yet to confront whether freedom for

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religious employers to hire their co-religionists is constitutionally required, though the courts of appeals have generally protected the autonomy of religious organization to hire personnel who share their beliefs. See, e.g., *Little v. Wuerl*, 929 F. 2d 944 (CA3 1991); *Kennedy v. St. Joseph's Ministries, Inc.*, 657 F. 3d 189 (CA4 2011); *EEOC v. Mississippi College*, 626 F. 2d 447 (CA5 1980); *Hall v. Baptist Mem. Health Care Corp.*, 215 F. 3d 618 (CA6 2000); *Killinger v. Samford Univ.*, 113 F. 3d 196 (CA11 1997).

But in this case the confrontation may be inevitable, as it involves an employment dispute between a religious employer and an applicant who was not hired because he disagreed with that employer's religious views. The Washington Supreme Court expressly declined to apply its state employment law exemption for religious entities to this dispute. Instead, it held that if that state exemption applied to employment decisions beyond those involving church ministers, such an exemption would violate the Washington State Constitution's protection for other individual rights and could become a "license to discriminate." Because of the interlocutory posture of this case, I concur in the denial of certiorari at this time. But the day may soon come when we must decide whether the autonomy guaranteed by the First Amendment protects religious organizations' freedom to hire co-religionists without state or judicial interference.

I

Petitioner Seattle's Union Gospel Mission (Mission) was founded in 1932 to care for those suffering from the economic hardships attending the Great Depression. App. to Pet. for Cert. 159a. The Mission is a tax-exempt community categorized as a church equivalent by the Internal Revenue Service under 26 U. S. C. §170(b)(1)(A)(i). It requires its paid staff to affirm its statement of faith, which declares "the Bible is the inspired, infallible, authoritative Word of God." App. to Pet. for Cert. 153a. Its employee handbook

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also requires staff to abide by the Mission’s understanding of the Bible by refraining from “[a]cts or language which are considered immoral or indecent according to traditional biblical standards,” including “extra-marital affairs, sex outside of marriage, [and] homosexual behavior.” *Id.*, at 160a, 162a.

In 2016, respondent Matthew Woods, a former summer intern and volunteer for the Mission, saw a job posting for a staff attorney position in the Mission’s legal aid clinic. He disclosed to the legal aid clinic’s staff that he identified as bisexual and was in a same-sex relationship, and he asked whether that would pose an obstacle to employment with the Mission. *Id.*, at 181a–182a, 200a–201a. The clinic’s director quoted the employee handbook and explained that Woods was not “able to apply,” but the director wished him well and later sent Woods a secular legal aid clinic’s job posting. *Id.*, at 122a, 184a, 197a–198a.

Woods nevertheless applied for the Mission’s staff attorney position to “protest” the Mission’s employment policy. *Id.*, at 127a. His application also disclosed that Woods was not an active member of a local church and could not provide a pastor’s name and contact information, as the application requested. Woods’s cover letter asked the Mission to “change” its religious practices. *Id.*, at 195a.

After he applied, the clinic’s director met Woods for lunch and confirmed that the Mission could not change its theology. *Id.*, at 147a. He explained that Woods’s employment application was not viable because he did not comply with the Mission’s religious lifestyle requirements, did not actively attend church, and did not exhibit a passion for helping clients develop a personal relationship with Jesus. The Mission hired a co-religionist candidate instead.

In 2017, Woods filed suit against the Mission in the Superior Court of King County. He alleged that the Mission violated Washington’s Law Against Discrimination

Statement of ALITO, J.

(WLAD), which forbids discrimination against sexual orientation in employment decisions. The Mission answered that entertaining the suit would violate the First Amendment's Religion Clauses. The Mission also argued that it fell into an express statutory exemption from the WLAD, which excludes "any religious or sectarian organization not organized for private profit" from its definition of "employer." Wash. Rev. Code §49.60.040(11) (2020). The Washington state trial court agreed, noting that the Mission "put applicants on notice" that employees must "accept the Mission's Statement of Faith" and that the staff attorney's duties would "extend beyond legal advice to include spiritual guidance and praying with the clients." App. to Pet. for Cert. 64a–65a. The trial court thus dismissed the suit based on the WLAD's statutory exemption.

The Washington Supreme Court granted Woods's petition for direct review and reversed. The court held that as applied to Woods's lawsuit, the WLAD's religious exemption would violate protections for sexual orientation and same-sex marriage implicit in the Washington Constitution's Privileges and Immunities Clause, Art. I, §12, unless the court narrowed the scope of the WLAD religious exemption. It thus reasoned that the State Constitution would not be "offended if WLAD's exception for religious organizations is applied concerning the claims of a 'minister' as defined by *Our Lady of Guadalupe* and *Hosanna-Tabor*." 197 Wash. 2d 231, 250, 481 P. 3d 1060, 1069 (2021).

Rather than enter a final judgment, the Washington Supreme Court concluded that a "material question of fact remains concerning whether the [Mission] staff attorneys qualify as ministers." *Id.*, at 252, 481 P. 3d, at 1070. It thus remanded for "the trial court to determine whether staff attorneys can qualify as ministers." *Ibid.*

II

The Washington Supreme Court's reasoning presumes

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that the guarantee of church autonomy in the Constitution’s Religion Clauses protects only a religious organization’s employment decisions regarding formal ministers. But our precedents suggest that the guarantee of church autonomy is not so narrowly confined. As early as 1872, our church-autonomy cases explained that “civil courts exercise no jurisdiction” over matters involving “theological controversy, church discipline, ecclesiastical government, or the conformity of the members of the church to the standard of morals required of them.” *Watson v. Jones*, 13 Wall. 679, 733 (1872). That is so because the Constitution protects religious organizations “from secular control or manipulation.” *Kedroff v. Saint Nicholas Cathedral of Russian Orthodox Church in North America*, 344 U. S. 94, 116 (1952). The religious organizations protected include churches, religious schools, and religious organizations engaged in charitable practices, like operating homeless shelters, hospitals, soup kitchens, and religious legal-aid clinics similar to the Mission’s—among many others.

Such religious groups’ “very existence is dedicated to the collective expression and propagation of shared religious ideals,” and “there can be no doubt that the messenger matters” in that religious expression. *Hosanna-Tabor*, 565 U. S., at 200–201 (ALITO, J., concurring). To force religious organizations to hire messengers and other personnel who do not share their religious views would undermine not only the autonomy of many religious organizations but also their continued viability. If States could compel religious organizations to hire employees who fundamentally disagree with them, many religious non-profits would be extinguished from participation in public life—perhaps by those who disagree with their theological views most vigorously. Driving such organizations from the public square would not just infringe on their rights to freely exercise religion but would greatly impoverish our Nation’s civic and religious life.

Statement of ALITO, J.

This case illustrates that serious risk. Woods applied for a position with the Mission not to embrace and further its religious views but to protest and fundamentally change them. The Washington Legislature sought to prevent its employment laws from being used in such a way by exempting “any religious or sectarian organization not organized for private profit” from its definition of a covered “employer.” Wash. Rev. Code §49.60.040(11); see Brief for 20 Current and Former Washington State Legislators as *Amici Curiae* 4–5. The Washington Supreme Court’s decision to narrowly construe that religious exemption to avoid conflict with the Washington Constitution may, however, have created a conflict with the Federal Constitution.

III

The Washington Supreme Court’s decision may warrant our review in the future, but threshold issues would make it difficult for us to review this case in this posture. The state court did not address whether applying state employment law to require the Mission to hire someone who is not a co-religionist would infringe the First Amendment. Further, respondent claims that the Washington Supreme Court’s decision is not a final judgment because of its interlocutory nature, see 28 U. S. C. §1257(a), while petitioner contends that we have jurisdiction under *Cox Broadcasting Corp. v. Cohn*, 420 U. S. 469, 477 (1975). Given respondent’s admission that “there is no prospect that this Court would be precluded from reviewing” these First Amendment questions “once there is a final state judgment,” Brief in Opposition 21–22, I concur in the denial of certiorari.