

(ORDER LIST: 566 U.S.)

MONDAY, MARCH 26, 2012

CERTIORARI -- SUMMARY DISPOSITIONS

10-1240 THALER, DIR., TX DCJ V. ARNOLD, ANTHONY C.

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is granted. The judgment is vacated, and the case is remanded remanded to the United States Court of Appeals for the Fifth Circuit for further consideration in light of *Lafler v. Cooper*, 566 U.S. \_\_\_\_ (2012).

10-1557 THURMER, WARDEN V. KERR, WILLIAM R.

The motion of respondent for leave to proceed *in forma pauperis* is granted. 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 *Lafler v. Cooper*, 566 U.S. \_\_\_\_ (2012).

10-8629 SMITH, OSCAR V. COLSON, WARDEN

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 *Martinez v. Ryan*, 566 U.S. \_\_\_\_ (2012).

10-10543 LOVELL, JOY V. DUFFEY, SHERRI

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 *Cullen v. Pinholster*, 563 U.S. \_\_\_\_ (2011).

10-11031 CANTU, IVAN A. V. THALER, DIR., TX DCJ

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 Fifth Circuit for further consideration in light of *Martinez v. Ryan*, 566 U.S. \_\_\_\_ (2012).

11-725 ASSN. FOR MOLECULAR PATHOLOGY V. MYRIAD GENETICS, 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 Federal Circuit for further consideration in light of *Mayo Collaborative Services v. Prometheus Laboratories, Inc.*, 566 U.S. \_\_\_\_ (2012).

11-5067 MIDDLEBROOKS, DONALD R. V. COLSON, WARDEN

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 *Martinez v. Ryan*, 566 U.S. \_\_\_\_ (2012).

11-6589 RODRIGUEZ, CECILIA C. V. OKLAHOMA

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 Court of Criminal Appeals of Oklahoma for further consideration in light of *Missouri v. Frye*, 566 U.S. \_\_\_\_ (2012).

11-6969 NEWBURY, DONALD K. V. THALER, DIR., TX DCJ

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 Fifth Circuit for further consideration in light of *Martinez v. Ryan*, 566 U.S. \_\_\_\_ (2012).

11-7978 WOODS, DWAYNE A. V. HOLBROOK, SUPT., WA

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 Ninth Circuit for further consideration in light of *Martinez v. Ryan*, 566 U.S. \_\_\_\_ (2012).

#### ORDERS IN PENDING CASES

11M87 KAETZ, WILLIAM F. V. KAETZ, CORNELIA A.

11M88 JENNINGS, DOUGLAS V. UNITED STATES

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

11M89 KIRSCH, WILLIAM J. V. O'NEIL, PATRICK L., ET AL.

The motion to direct the Clerk to file a petition for a writ of certiorari out of time under Rule 14.5 is denied.

11M90 ARIAS, LUIS V. UNITED STATES

The motion to direct the Clerk to file a petition for a writ of certiorari out of time is denied. Justice Kagan took no part in the consideration or decision of this motion.

11-798 AM. TRUCKING ASSN., INC. V. LOS ANGELES, CA, ET AL.

The Solicitor General is invited to file a brief in

this case expressing the views of the United States.

11-8363 IN RE ROCHELLE M. EVANS  
11-8384 PETERSON, JOHN K. V. SEAMAN, PANDITA  
11-8406 BIRDETTE, JAMES A. V. GA DEPT. OF TRANSPORTATION  
11-8501 HAN, JUNFENG, ET AL. V. GUO, JIANONG, ET AL.  
11-8505 FISHER, NANCY V. VIZIONCORE, INC., ET AL.  
11-8521 AREF, KHAIRY V. HICKMAN, RODERICK Q., ET AL.

The motions of petitioners for leave to proceed *in forma pauperis* are denied. Petitioners are allowed until April 16, 2012, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

**CERTIORARI GRANTED**

11-817 FLORIDA V. HARRIS, CLAYTON

The motion of National Police Canine Association, et al. for leave to file a brief as *amici curiae* is granted. The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is granted.

**CERTIORARI DENIED**

10-8116 FRYE, GALIN E. V. MISSOURI  
10-9742 COOK, DANIEL W. V. ARIZONA  
10-10782 WILLIAMS, MARCEL W. V. ARKANSAS  
10-11036 BALENTINE, JOHN L. V. TEXAS  
11-457 KITSAP ALLIANCE PROPERTY OWNERS V. CENTRAL PUGET SOUND  
11-561 SMITH, JUDY P., ET AL. V. FIELDS, ANDREA, ET AL.  
11-622 HTH CORP., ET AL. V. FRANKL, JOSEPH F.  
11-677 MOORE, DAVID L. V. GUERRERO, ESPERANZA, ET AL.

11-741 ) PHILIP MORRIS USA, ET AL. V. CAMPBELL, FRANKLIN D.  
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 11-756 ) R.J. REYNOLDS TOBACCO CO. V. CAMPBELL, FRANKLIN D.  
 11-752 R.J. REYNOLDS TOBACCO CO. V. GRAY, CAROLYN A.  
 11-754 R.J. REYNOLDS TOBACCO CO. V. MARTIN, MATHILDE  
 11-755 R.J. REYNOLDS TOBACCO CO. V. HALL, AMANDA J.  
 11-773 GUERRA, LIONEL V. SHINSEKI, SEC. OF VA  
 11-780 HOWARD, AARON L. V. WALGREEN CO.  
 11-782 MARINA POINT DEVELOP., ET AL. V. CNTR. FOR BIOLOGICAL DIVERSITY  
 11-786 NAMPA CLASSICAL ACADEMY, ET AL. V. GOESLING, WILLIAM, ET AL.  
 11-800 APOTEX INC., ET AL. V. ALLERGAN, INC., ET AL.  
 11-825 FREY, TIMOTHY A., ET AL. V. COMPTROLLER OF TREASURY OF MD  
 11-885 FREEMAN, MONTE K. V. MML BAY STATE LIFE INSURANCE CO.  
 11-886 KENNEDY, HAROLD L. V. TIMES PUBLISHING COMPANY  
 11-887 PIRILA, MARVIN, ET AL. V. THOMSON TOWNSHIP, MN, ET AL.  
 11-891 COUNTY OF LOS ANGELES, CA V. ASSN. FOR LOS ANGELES DEPUTY  
 11-892 ASTER, HERMAN V. ASTER, ZDENKA  
 11-893 LOUDERMILK, JOHN, ET UX. V. DANNER, MICHAEL, ET AL.  
 11-900 CABELL, ROBERT W. V. SONY ENTERTAINMENT, INC., ET AL.  
 11-906 POWERCOMM, LLC V. HOLYOKE GAS & ELECTRIC, ET AL.  
 11-910 JOHNSON, BRADLEY V. POWAY UNIFIED SCHOOL, ET AL.  
 11-914 HOUSTON, WILLIAM V. EASTON AREA SCHOOL DISTRICT  
 11-917 NUCOR CORPORATION, ET AL. V. BENNETT, CORNELIUS, ET AL.  
 11-918 SIWULA, JOHN T. V. HORNELLSVILLE, NY, ET AL.  
 11-924 RICK, JEANETTE, ET AL. V. WYETH, ET AL.  
 11-933 SILVA, LISA M. V. NEW BEDFORD, MA  
 11-990 H.D. SMITH WHOLESALE DRUG CO. V. SMITH, W. STEVE, ET AL.  
 11-1021 EDWARDS, VINNIE D. V. OHIO  
 11-1033 JOSEPH, JOEL D. V. ATT'Y GRIEVANCE COMMISSION OF MD

11-1043 KIVISTO, JUSSI K. V. SUPREME COURT OF IL  
 11-1048 RONCALLO, JOHN V. SIKORSKY AIRCRAFT CORP.  
 11-5941 SANDERS, DAVID L. V. KENTUCKY  
 11-6427 FOSTER, CLEVE V. TEXAS  
 11-6472 McGEHEE, JASON F. V. ARKANSAS  
 11-6594 TEMPLET, TONY V. UNITED STATES  
 11-6624 NEWBOLD, JOSEPH K. V. NORTH CAROLINA  
 11-6891 POLK, DARIUS V. ILLINOIS  
 11-7098 WHITE, ROBERT L. V. LONGINO, DEPUTY WARDEN, ET AL.  
 11-7120 DAKER, WASEEM V. WARREN, SHERIFF  
 11-7523 DUNCAN, JOSEPH E. V. UNITED STATES  
 11-7669 EL-MUMIT, ABDULLAH H. V. LOUISIANA  
 11-7838 ) GONZALES, JOHN A. V. CALIFORNIA  
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 11-8133 ) SOLIZ, MICHAEL V. CALIFORNIA  
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 11-8066 ) GIBSON, ELVIS V. USDC WD MO  
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 11-8067 ) McCORKLE, CHARLENE V. USDC WD MO  
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 11-8068 ) WATKINS, WARREN V. USDC WD MO  
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 11-8481 ) GOLDBLATT, LAWRENCE V. USDC WD MO  
 )  
 11-8352 VIVAS, GERMAN E. V. FL DEPT. OF CHILDREN & FAMILIES  
 11-8359 ZIBBELL, JEFFREY, ET UX. V. MI DEPT. OF HUMAN SERVICES  
 11-8369 McCALL, SILAS U. V. TEXAS  
 11-8374 JUDKINS, JONATHAN V. ILLINOIS  
 11-8376 BOOMER, GREGORY V. NEW YORK  
 11-8380 MILLER, HARRY W. V. TRAMMELL, WARDEN  
 11-8387 NAVA, JOSE A. V. KNOWLES, WARDEN  
 11-8388 McPHERSON, GREGORY P. V. THALER, DIR., TX DCJ  
 11-8390 SANCHEZ, ALBERT V. SCRIBNER, WARDEN  
 11-8393 RODRIGUEZ, LUCAS V. GRAHAM, SUPT., AUBURN

11-8396 WATFORD, IRONE V. WARREN, ADM'R, NJ, ET AL.  
11-8399 VANN, STANLEY V. OKLAHOMA  
11-8407 BAEZ, ROBERTO V. HUNT, GARLAND R., ET AL.  
11-8415 DAVIS, IVAN V. ROZUM, GERALD, ET AL.  
11-8416 EMMETT, BARRY P. V. McGUIRE, JASON, ET AL.  
11-8417 CRUMP, HORACE W. V. CARUSO, PATRICIA A., ET AL.  
11-8418 GHOLSON, LONNIE M. V. CLARKE, DIR., VA DOC  
11-8423 CODY, ROBERT L. V. THALER, DIR., TX DCJ  
11-8424 CONTRERAS, EDWIN V. URIBE, WARDEN  
11-8425 DUNN, DEMARCUS V. ILLINOIS  
11-8429 VELEZ, PEDRO V. THALER, DIR., TX DCJ  
11-8436 BROCK, NATHAN V. INDIANA  
11-8445 PLAISANCE, MANUEL V. LOUISIANA  
11-8447 AGUIRRE, BERNARDO V. V. CAMPBELL, WARDEN, ET AL.  
11-8448 BOTES, A. STEPHAN V. STEEL, BRIAN  
11-8450 CRUMMIE, JIMMIE V. FLORIDA  
11-8453 BROWN, KENNETH R. V. THALER, DIR., TX DCJ  
11-8457 ZINK, DAVID V. STEELE, WARDEN  
11-8460 JACOBOWITZ, IRWIN V. DARTMOUTH PUBLIC SCHOOLS, ET AL.  
11-8468 WESLEY M. V. SHEBOYGAN CTY. DEPT. OF H&HS  
11-8472 CHRISTIAN, ALFREDA V. WALGREEN COMPANY  
11-8475 ANDERSON, RONNELL L. V. COOPER, WARDEN  
11-8477 BILAL, JAMAAL A. V. WILKINS, DAVID, ET AL.  
11-8484 NICKERSON-MALPHER, MARGARET K. V. MAINE  
11-8487 BYRD, ROBERT A. V. THALER, DIR., TX DCJ  
11-8489 BROWN, ROBERT L. V. FLORIDA  
11-8492 BENSON, JAMES V. TIBBALS, WARDEN  
11-8493 GORDON, ROBERT V. THALER, DIR., TX DCJ

11-8495 GREENE, TRAVERS A. V. NV DOC  
11-8497 HILLMAN, ROBERT L. V. EDWARDS, WILLIAM J.  
11-8498 GOODS, GREGORY V. CALIFORNIA  
11-8504 ITURRALDE, JORGE V. NEW JERSEY  
11-8507 GRAY, MARK W. V. CALIFORNIA  
11-8511 COSSIO, JOSE A. V. CASTRO, DENISSE, ET AL.  
11-8512 STOVER, JEFFREY V. LEE, SUPT., GREEN HAVEN  
11-8513 FAISON, JASON V. ARNONE, COMM'R, CT DOC  
11-8514 GASTON, DE'AUNDRAY V. NEVADA  
11-8515 GAMBLE, KIM L. V. SUBIA, WARDEN, ET AL.  
11-8516 FEIGER, ROBERT J. V. HICKMAN, RODERICK Q., ET AL.  
11-8519 REEVES, DAMION V. VIRGINIA  
11-8522 SORRELLS, JASON M. V. TEXAS  
11-8523 BURLEW, ROBERT C. V. HEDGPETH, WARDEN  
11-8536 AMAYA, REYNALDO V. TEXAS  
11-8537 BARKACS, JAMES R. V. ADAMS, WARDEN  
11-8538 BADUE, STEVE V. REEVE, KARI, ET AL.  
11-8543 SWAN, RALPH V. DELAWARE  
11-8563 BARRINO, TONY C. V. DEPT. OF TREASURY, ET AL.  
11-8565 ABULKHAIR, ASSEM A. V. ASTRUE, COMM'R, SOCIAL SEC.  
11-8580 ADAMS, BARRY W. V. McQUIGGIN, WARDEN  
11-8581 BARKER, ADAM A. V. KENTUCKY  
11-8584 KEESLING, PAUL L. V. CALIFORNIA  
11-8585 WESTON, WAYNE D. V. CAIN, WARDEN  
11-8586 LOGAN, DIANE V. SOCIAL SECURITY ADMINISTRATION  
11-8589 MACLIN, ROSS A. V. MICHIGAN  
11-8667 SIMS, DAVID S. V. WETZEL, SEC., PA DOC, ET AL.  
11-8672 MILLS, ALPHONSO V. WARREN, WARDEN



11-8720 CASSELL, HAROLD D. V. HOBBS, DIR., AR DOC  
11-8755 DAVIS, SAMUEL E. V. BARRETT, DAVID L.  
11-8757 LOZA, GILBERT V. RYAN, WARDEN, ET AL.  
11-8767 GETACHEW, ALEMAYEHU V. S & K FAMOUS BRANDS, INC.  
11-8791 WARREN, BRIAN A. V. MICHIGAN  
11-8793 ORTIZ, DAVID F. V. URIBE, WARDEN  
11-8794 NAJERA, ABIMAE V. CATE, SEC., CA DOC  
11-8804 ARNOLD, JESSIE V. TOOLE, WARDEN  
11-8805 BALTAZAR, ALFREDO O. V. YATES, WARDEN  
11-8819 CATON, DEBBIE G. V. KIMBLE, TIM  
11-8837 SMITH, DAVID L. V. SUPREME COURT OF CO  
11-8869 MONIZ, HOWARD A. V. McKEE, WARDEN  
11-8876 DESMOND, CHRISTOPHER R. V. DELAWARE  
11-8909 ESCAMILLA, RUDY V. CALIFORNIA  
11-8925 WIGGINS, ARAMIS G. V. UNITED STATES  
11-8927 WHITLEY, ANTONIO V. UNITED STATES  
11-8929 COLEMAN, WILLIAM A. V. UNITED STATES  
11-8931 REDDITT, JASON C. V. SHERROD, WARDEN  
11-8935 RICHARDSON, MICAH W. V. UNITED STATES  
11-8936 SOLER, ANIBAL V. MARTINEZ, WARDEN  
11-8937 RANGEL, ROQUE V. UNITED STATES  
11-8939 ZAPATA, ANGEL V. UNITED STATES  
11-8941 McDANIEL, KEITH V. UNITED STATES  
11-8946 BRAXTON, DAVID V. UNITED STATES  
11-8947 CEDENO, VALENTIN V. UNITED STATES  
11-8949 DIMACHE, ELIANER V. UNITED STATES  
11-8955 RIVERA-ROSADAO, JOSE V. UNITED STATES  
11-8956 BASS, CHRISTOPHER M. V. UNITED STATES

11-8958 BRUNSON, JOEY L. V. UNITED STATES  
11-8964 RUSSELL, DALE V. UNITED STATES  
11-8967 RETANA, MILTON V. UNITED STATES  
11-8972 CASTRO, GILBERT V. UNITED STATES  
11-8977 THOMPSON, ANTWAN V. UNITED STATES  
11-8980 BURDETTE, WILLIAM L. V. UNITED STATES  
11-8982 BALOGUN, VALENTINE V. UNITED STATES  
11-8984 AYALA-ROMERO, DAVID V. UNITED STATES  
11-8988 LOPEZ, ROGELIO V. UNITED STATES  
11-8990 LITTLES, PAUL N. V. USDC MD PA  
11-9001 NEWMAN, DAVID R. V. UNITED STATES  
11-9004 ROLON, JULIO V. UNITED STATES  
11-9010 MCKOY, STERLING V. USDC D NE  
11-9019 DE LA CRUZ, LUIS V. UNITED STATES  
11-9020 RUSHIN, SAMUEL V. UNITED STATES  
11-9022 HARRIS, KEOKI K. V. UNITED STATES  
11-9041 MIDYETT, TYQUAN V. UNITED STATES  
11-9043 NADIRASHVILI, NIKOLAI V. UNITED STATES  
11-9045 MERTENS, ROBERT L. V. UNITED STATES

The petitions for writs of certiorari are denied.

11-904 SMITH, AMY K., ET VIR V. ABN AMRO MORTGAGE GROUP, ET AL.

The motion of respondents for leave to file a brief in opposition under seal with redacted copies for the public record is granted. The motion of petitioners for leave to file a reply brief under seal with redacted copies for the public record is granted. The petition for a writ of certiorari is denied.

11-8362 MARTIN, ROBERT V. USDC SD OH

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.

11-8602 CHING, WILKINS V. WARNER BROTHERS STUDIOS

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

11-8707 TATE, JAMES L. V. TUCKER, SEC., FL DOC, ET AL.

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.

11-8934 SOREIDE, ARNE 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.

11-8944 RADFORD, T'CHALLO V. UNITED STATES

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

11-8954 TROBEE, ADAM 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**

11-9063 IN RE ROBERT L. PATTERSON

The petition for a writ of habeas corpus is denied.

**MANDAMUS DENIED**

11-884 IN RE VICTOR DEL RIO  
11-894 IN RE CHARLOTTE I. LONDON  
11-920 IN RE CHARLES D. CATHCART, ET AL.  
11-8379 IN RE JOHN L. BRADIN  
11-8394 IN RE MICHAEL C. WARD

The petitions for writs of mandamus are denied.

11-8478 IN RE DONALD E. FLYNN

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.

11-8971 IN RE WESLEY J. CRAWFORD

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

**REHEARINGS DENIED**

11-745 IGARASHI, TOMOKO V. SKULL AND BONES, ET AL.  
11-5406 KAY, LISA R. V. THALER, DIR., TX DCJ  
11-7287 SHABAZZ, ISMAIL V. TUCKER, SEC., FL DOC  
11-7357 KURTZEMANN, DAVID M. V. THALER, DIR., TX DCJ  
11-7361 GARDNER, SANDRA J. V. UNITED STATES  
11-7404 HUDSON, LOY C. V. DEPT. OF TREASURY FINANCIAL  
11-7406 HENDRICKS, LARRY E. V. SCDPPPS

The petitions for rehearing are denied.