

(ORDER LIST: 585 U.S.)

MONDAY, JUNE 18, 2018

CERTIORARI -- SUMMARY DISPOSITION

16-6259 GONZALEZ-LONGORIA, GREGORIO V. UNITED STATES

The petition for rehearing is granted. The order entered May 14, 2018, denying the petition for a writ of certiorari is vacated. 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 *Sessions v. Dimaya*, 584 U. S. ____ (2018).

ORDERS IN PENDING CASES

17M129 KELLY, JOSHUA V. UNITED STATES

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

17M130 SEALED APPELLANT V. SEALED APPELLEE

The motion for leave to file a petition for a writ of certiorari under seal with redacted copies for the public record is granted.

17-1285 ASSN. DES ELEVEURS, ET AL. V. BECERRA, ATT'Y GEN. OF CA

The Solicitor General is invited to file a brief in this case expressing the views of the United States.

17-7817 ZHOU, WEI V. MARQUETTE UNIVERSITY

17-8278 BAMDAD, MASOUD V. UNITED STATES

The motions of petitioners for reconsideration of orders

denying leave to proceed *in forma pauperis* are denied.

CERTIORARI GRANTED

17-949 STURGEON, JOHN V. FROST, BERT, ET AL.

17-1026 GARZA, GILBERTO V. IDAHO

17-1077 LORENZO, FRANCIS V. V. SEC

17-1091 TIMBS, TYSON V. INDIANA

The petitions for writs of certiorari are granted.

17-204 APPLE INC. V. PEPPER, ROBERT, ET AL.

The motion of ACT The App Association for leave to file a brief as *amicus curiae* is granted. The motion of Washington Legal Foundation for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is granted.

CERTIORARI DENIED

17-521 LAZAR, CAROLYN V. KRONCKE, MARK G.

17-931 CAZUN, YOSELIN L. V. SESSIONS, ATT'Y GEN.

17-955 HARKNESS, FURNISS V. SPENCER, SEC. OF NAVY

17-970 STANFORD, TRUDY V. BROWNE, LINDA, ET AL.

17-975 TOTAL GAS & POWER, ET AL. V. FERC, ET AL.

17-984 GARCIA GARCIA, CIRILO V. SESSIONS, ATT'Y GEN.

17-1007 IGARTUA, GREGORIO, ET AL. V. TRUMP, PRESIDENT OF U.S., ET AL.

17-1061 RICHMOND, SIMON N. V. COLEMAN CABLE, LLC, ET AL.

17-1098 PARKINSON, JOHN C. V. DEPT. OF JUSTICE

17-1105 AMERICAN COMMERCIAL LINES, LLC V. UNITED STATES

17-1142 MI GAMING CONTROL BOARD, ET AL. V. MOODY, JOHN, ET AL.

17-1151 DUQUESNE LIGHT HOLDINGS, INC. V. CIR

17-1154 COLEMAN, CALVIN V. UNITED STATES

17-1212 GARCIA GARCIA, VICTOR V. SESSIONS, ATT'Y GEN.

17-1225 CAMPANELLI, AMY P. V. ILLINOIS

17-1287 ROBERTS, MARCUS A., ET AL. V. AT&T MOBILITY LLC
 17-1291) BOKF, N.A. V. MOMENTIVE PERFORMANCE, ET AL.
)
 17-1292) WILMINGTON TRUST, N.A. V. MOMENTIVE PERFORMANCE, ET AL.
 17-1392 H.A.S. ELECTRICAL CONTRACTORS V. HEMPHILL CONSTRUCTION CO.
 17-1421 OPTA CORP., ET AL. V. DAEWOO ELECTRONICS AMERICA
 17-1425 M. H. V. J. K.
 17-1433 ELINZANO-GONZALES, MARIA J. V. SESSIONS, ATT' Y GEN.
 17-1444 ABERDEEN MARKETPLACE, INC. V. NANNI, JOHN
 17-1450 BERGDOLL, JOHN G. V. TORRES, PA SEC. OF STATE, ET AL.
 17-1452 DEN HOLLANDER, ROY V. CBS NEWS INC., ET AL.
 17-1495 ROBERTS, JOSEPH V. FNB SOUTH OF ALMA, GEORGIA
 17-1502 MANN, RANDEEP S. V. UNITED STATES
 17-1504 RICE, LARRY V. INTERFOOD, INC., ET AL.
 17-1527 CRAMPTON, HOLLY G. V. TX COMM'N FOR LAWYER DISCIPLINE
 17-1531 HAGER, SEAN J. V. UNITED STATES
 17-1539 KINNEY, CHARLES V. CLARK, MICHELE R.
 17-1540 M. C. V. OREGON DEPT. OF EDUCATION
 17-1573 CRAZY HORSE SALOON & RESTAURANT V. DEGIDIO, ALEXIS
 17-1579 BOUTTE, TREVOR V. UNITED STATES
 17-7383 ROBERSON, LOUIS V. UNITED STATES
 17-7420 HUGHES, TRAVONTE D. V. UNITED STATES
 17-7458 SWAGGERTY, FREDDIE C. V. UNITED STATES
 17-7542 NEDD, ALBERT V. UNITED STATES
 17-7645 BOATWRIGHT, TASMINE S. V. UNITED STATES
 17-7734 MENDOZA, JORGE M. V. UNITED STATES
 17-7773 GRAFTON, ROBERT M. V. UNITED STATES
 17-7796 DUNCAN, MARCO D. V. UNITED STATES
 17-7804 McHALE, ROBERT M. V. CAIN, SUPT., SNAKE RIVER

17-7879 ALEXANDER, DESMOND V. UNITED STATES
17-8083 RUNNELS, TRAVIS T. V. DAVIS, DIR., TX DCJ
17-8134 ZACK, MICHAEL D. V. FLORIDA, ET AL.
17-8471 BLAIR, ALLEN R. V. YUM BRANDS, ET AL.
17-8473 SIMMONS, DUQUIE V. JOHNSON, ADM'R, NJ, ET AL.
17-8484 DUENAS, JONATHAN P. V. WASHINGTON
17-8489 OHIO, EX REL. MCKINNEY V. SCHMENK, JUDGE, DEFIANCE CTY.
17-8494 TYLER, LOU V. OCWEN LOAN SERVICING, ET AL.
17-8500 ALVARADO, JORGE V. JOHNSON, ADM'R, NJ, ET AL.
17-8504 CARPENTER, TRINA L. V. CHICAGO, IL, ET AL.
17-8506 BRIDGES, TERRY V. ILLINOIS
17-8513 VALDEZ PEREZ, IVAN V. CALIFORNIA
17-8516 O'NEAL, JACKIE L. V. CLARKE, DIR., VA DOC
17-8518 RAMOS, JOSE E. V. CONNECTICUT
17-8532 SINGH, RAJ, ET UX. V. FERNANDES, TAMMY
17-8535 BIGGS, JAY L. V. FERRERO, JOHN D.
17-8536 ARMAS, RICHARD B. V. OREGON
17-8537 BROADWAY, ROBERT C. V. VANNOY, WARDEN
17-8540 COLE, LORAN V. FLORIDA
17-8541 MCHENRY, ROYAL P. V. PARKING VIOLATION BUREAU
17-8548 CHILDRESS, TESSA V. CHARLESTON POLICE DEPT., ET AL.
17-8556 BONTRAGER, WILLIAM D. V. CO ATT'Y REGULATION COUNSEL
17-8566 SANDIA, RUBEN V. WALMART STORES
17-8586 AHMED, ABUBAKAR H. V. AZ DEPT. OF TRANSP., ET AL.
17-8635 VRH, AARON A. V. CALIFORNIA
17-8661 STANSELL, MICHAEL V. EPPINGER, WARDEN
17-8687 BROOKS, JEROME V. JOHNSON, ADM'R, NJ, ET AL.
17-8757 LEONARD, GLENN E. V. OREGON, ET AL.

17-8776 JOHNSON, CHARLES V. FLORIDA
17-8791 RHINES, CHARLES R. V. SOUTH DAKOTA
17-8878 RAYBON, JEROME V. UNITED STATES
17-8886 CASILLAS PRIETO, ALEJANDRO V. UNITED STATES
17-8890 PHILLIPS, ROBERT B. V. TRUMP, PRESIDENT OF U.S.
17-8891 McDUFF, GARY L. V. SEC
17-8897 LEE, SEAN V. BEASLEY, WARDEN
17-8904 HERRERA SANTA CRUZ, VICTOR V. UNITED STATES
17-8906 HICKS, DAVID A. V. BUREAU OF PRISONS
17-8912 SALAZAR-VALENCIA, ENRIQUE F. V. UNITED STATES
17-8914 RAMIREZ, SERGIO V. UNITED STATES
17-8925 CLARK, WOODROW A. V. UNITED STATES
17-8938 GILLS, LEON V. UNITED STATES
17-8943 JONES, RONALD D. V. UNITED STATES
17-8944 LESCH, ANTHONY R. V. UNITED STATES
17-8945 MATHIS, TONY D. V. UNITED STATES
17-8946 MALDONADO, JORGE V. UNITED STATES
17-8950 BENITEZ-REYNOSO, SERVANDO V. UNITED STATES
17-8952 CHAPMAN, KEVIN D. V. UNITED STATES
17-8959 GIBSON, EARNEST V. UNITED STATES
17-8974 BROWN, ROLAND V. PENNSYLVANIA
17-8976 COLBY, DANIEL V. UNITED STATES
17-8984 ALMONTE, MARCO V. UNITED STATES
17-8985 GAY, TONY V. UNITED STATES
17-8986 BERGER, MARK A. V. UNITED STATES
17-8987 BERRY, COREY D. V. UNITED STATES
17-8993 BREEDLOVE, NORMAN W. V. UNITED STATES
17-9001 LEWIS, TRAVIS S. V. UNITED STATES

17-9003 MORREO, TANYA M. V. UNITED STATES
17-9006 CAZIMERO, TURK K. V. UNITED STATES
17-9008 STANFORD, KENNETH R. V. UNITED STATES
17-9011 WASHINGTON, ROWN V. UNITED STATES
17-9013 PASILLAS, JUAN V. UNITED STATES
17-9017 ALLEN, JUAN D. V. UNITED STATES
17-9020 BOGAR, MICHAEL W. V. UNITED STATES
17-9021 COLON-RIVERA, ZULEYKA J. V. UNITED STATES
17-9026 JARAMILLO, JOSEPH R. V. UNITED STATES

The petitions for writs of certiorari are denied.

17-1078 PAULY, DANIEL T., ET AL. V. WHITE, RAY, ET AL.

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

17-1274 RYAN, DIR., AR DOC V. POYSON, ROBERT A.

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

17-1501 INTEGRIS HEALTH, INC. V. CATES, ELIZABETH

The motion of The American Hospital Association, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

17-1521 FURBER, CHARLES V. TAYLOR, SHELLY, ET AL.

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

17-8486 RUIZ-RIVERA, ANGEL V. ASSURED GUARANTEE CORP., ET AL.

17-8487 RUIZ-RIVERA, ANGEL V. LEX CLAIMS, LLC, ET AL.

The petitions for writs of certiorari before judgment are denied.

17-8955 JACKSON, ANDREW C. 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.

17-8992 DAVIS, EMERSON 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

17-1586 IN RE RONNIE M. LYLES

The petition for a writ of habeas corpus is denied.

MANDAMUS DENIED

17-1454 IN RE WILLIAM SCHEIDLER

The petition for a writ of mandamus is denied.

17-8469 IN RE ALASHEA RAA

The petition for a writ of mandamus and/or prohibition is denied.

REHEARINGS DENIED

17-1038 IN RE OLIVER V. DOUCE

17-1075 SCOPELLITI, ROSS V. TAMPA, FL

17-1199 WILSON, MARCIA V. HAWAII, ET AL.

17-1253 BEAVERS, JUSTIN T. V. SCHNEIDER NATIONAL, INC.

17-6978 FREDERICK, STEVEN D. V. PENNSYLVANIA

17-7474 GOUCH-ONASSIS, DEBORAH E. V. CALIFORNIA

17-7680 BURKE, ELIJAH V. FURTADO, GEORGE W. G.

17-7943 STANLEY, SLOAN V. WASHINGTON

17-8220 RUSSELL, RICHARD V. FLORIDA

The petitions for rehearing are denied.

17-7709 ALCORTA, RAYMOND V. UNITED STATES

The petition for rehearing is denied. Justice Gorsuch took no part in the consideration or decision of this petition.

SOTOMAYOR, J., dissenting

SUPREME COURT OF THE UNITED STATES

LEO LOUIS KACZMAR, III *v.* FLORIDA

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

No. 17–8148. Decided June 18, 2018

The petition for a writ of certiorari is denied.

JUSTICE SOTOMAYOR, dissenting from the denial of certiorari.

Like a number of other capital defendants in Florida, petitioner Leo Louis Kaczmar has raised an important Eighth Amendment challenge to his death sentence that went unaddressed by the Florida Supreme Court. Specifically, he argues that the jury instructions in his case impermissibly diminished the jurors’ sense of responsibility as to the ultimate determination of death, in violation of *Caldwell v. Mississippi*, 472 U. S. 320 (1985). I have thrice dissented from this Court’s unwillingness to intervene in the face of the Florida Supreme Court’s failure to address this important question. See *Guardado v. Florida*, 584 U. S. ___, ___ (2018); *Middleton v. Florida*, 583 U. S. ___, ___ (2018); *Truehill v. Florida*, 583 U. S. ___, ___ (2017). Recently, “[i]n light of the dissenting opinions to the denial of certiorari,” the Florida Supreme Court in another capital case finally set out to “explicitly address” the *Caldwell* claim. *Reynolds v. State*, ___ So. 3d ___, n. 8, 2018 WL 1633075, *5, n. 8 (Apr. 5, 2018) (*per curiam*). The resulting opinion, however, gathered the support only of a plurality, so the issue remains without definitive resolution by the Florida Supreme Court. Thus, for the reasons previously stated in *Truehill*, *Middleton*, and *Guardado*, I again respectfully dissent from the denial of certiorari.