

(ORDER LIST: 572 U. S.)

MONDAY, APRIL 21, 2014

CERTIORARI -- SUMMARY DISPOSITIONS

13-796 LG ELECTRONICS, INC., ET AL. V. INTERDIGITAL COMM, LLC, 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 with instructions to dismiss the case as moot. See *United States v. Munsingwear, Inc.*, 340 U. S. 36 (1950).

13-7264 AJOKU, KELECHI 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 Ninth Circuit for further consideration in light of the confession of error by the Solicitor General in his brief for the United States filed on March 10, 2014. Justice Scalia would deny the petition for a writ of certiorari.

13-7357 RUSSELL, RODNEY L. 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 First Circuit for further consideration in light of the confession of error by the Solicitor General in his brief for the United States filed on March 10, 2014. Justice Scalia would deny the petition for a

writ of certiorari.

13-7621 WILLAN, DAVID V. OHIO

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 Supreme Court of Ohio for further consideration in light of *Alleyne v. United States*, 570 U. S. \_\_\_\_ (2013).

13-7698 SHAEFFER, PHILLIP A. 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 his brief for the United States filed on March 10, 2014.

13-7916 GREER, JULIUS 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 Third Circuit for further consideration in light of *Alleyne v. United States*, 570 U. S. \_\_\_\_ (2013).

#### ORDERS IN PENDING CASES

13M96 BENAVIDES, GEORGE A. V. SHINSEKI, SEC. OF VA

The motion for leave to proceed as a veteran is denied.

13M97 WALLS, JOSEPH M. V. DELAWARE

13M98 CORRIGAN, ANDREW V. STELLAR MANAGEMENT, ET AL.

The motions to direct the Clerk to file petitions for writs

of certiorari out of time are denied.

13M99 DE ACEVEDO, ANA RUTH A. V. HEALTHCARE SERVICES, 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.

13M100 SCHWEDER, JON A. V. ARROYO, D., ET AL.

13M101 WOODARD, EUGENIA M. V. TEXAS SOUTHERN UNIVERSITY

13M102 STAUB, DAVID V. CARNIVALE, DAVID J.

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

13M103 E. M. B. R. V. S. M., ET UX.

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

13M104 CHAUDHRY, MUHAMMAD Z. V. JOHNSON, SEC. OF HOMELAND

The motion for leave to proceed as a veteran is denied.

13M105 GARRIGA, YANIEL V. HACKBARTH, JOSEPH

13M106 DRAKE, GARNETT L. V. HEDGPETH, WARDEN

13M107 ADAMS, LaFAYE V. FEDEX GROUND PACKAGE, ET AL.

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

13M108 POTTER, JERRY V. FL DEPT. OF ENVTL. PROTECTION

The motion for leave to proceed as a veteran is denied.

13-1158 VOGT, DOUGLAS V. USDC WD WA

The motion of petitioner to expedite consideration of the petition for a writ of certiorari and for leave to file an affidavit under seal is denied.

13-7938 TATE, JAMES L. V. FLORIDA

13-8168 LAI, DENNIS C. V. IPSON, ET AL.

13-8197 SOLAN, DAVID V. ZICKEFOOSE, WARDEN

13-8341 TASSONE, BRUCE E. V. FOXWOODS RESORT CASINO, ET AL.

The motions of petitioners for reconsideration of orders denying leave to proceed *in forma pauperis* are denied.

13-8691 BAILEY, EDDY R. V. MORENO, Y., ET AL.

13-8709 BEACH-MATHURA, LORNA V. MIAMI-DADE PUBLIC SCHOOLS, ET AL.

13-8804 ELLIS, ERNEST R. V. SHINSEKI, SEC. OF VA

13-8980 HOLMES, NATHANIEL V. TENDERLOIN HOUSING, ET AL.

The motions of petitioners for leave to proceed *in forma pauperis* are denied. Petitioners are allowed until May 12, 2014, 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**

13-604 HEIEN, NICHOLAS B. V. NORTH CAROLINA

13-628 ZIVOTOFKY, MENACHEM B. V. KERRY, SEC. OF STATE

The petitions for writs of certiorari are granted.

13-7120 JOHNSON, SAMUEL V. UNITED STATES

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted.

#### **CERTIORARI DENIED**

13-645 MACH MINING, LLC V. SEC. OF LABOR, ET AL.

13-674 MOORE, LISABETH, ET AL. V. HAWKER BEECHCRAFT CORP.

13-701 YAMAN, ISMAIL O. V. YAMAN, LINDA M.

13-704 HERDEN, GREG, ET AL. V. UNITED STATES

13-744 NATALE, JOHN V. UNITED STATES

13-806 ARIZONA, ET AL. V. VALLE DEL SOL, ET AL.

13-807 BROWN, FRANKLIN V. UNITED STATES

13-815 SIMMONS, JEFF, ET AL. V. SABINE RIVER AUTHORITY, ET AL.  
13-841 SCOTT, GOV. OF FL V. AMERICAN FEDERATION OF STATE  
13-924 GARCIA, EFRAIM V. PALMER, WARDEN  
13-925 SLATER, GLENN B. V. DIR., NJ DIVISION OF TAXATION  
13-929 HAYWOOD, JOHN D. V. SAINT MICHAEL'S COLLEGE, ET AL.  
13-942 LASKIN, SHARON, ET AL. V. SIEGEL, VERONICA, ET AL.  
13-943 KORNMANN, GARY, ET AL. V. FAULKNER, DENNIS  
13-945 SMITH, JULIE A. V. ROWELL, JULIE R.  
13-957 PARRIS, JERRAL V. CUMMINS POWER SOUTH  
13-958 MITRANO, PETER P. V. JP MORGAN CHASE BANK, ET AL.  
13-969 ADEYEMO, MONISOLA A., ET AL. V. KERRY, SEC. OF STATE, ET AL.  
13-971 U.S. BANK TRUST NAT. ASSN. V. AMR CORPORATION, ET AL.  
13-974 LeMASTERS, DONALD F. V. OHIO  
13-987 THOMASON, MARILYNN V. BAGLEY, JOHN K., ET AL.  
13-998 HAMMOND, CHENELL V. KMART CORP., ET AL.  
13-1022 JOHNSTON & JOHNSTON V. CONSECO LIFE INSURANCE COMPANY  
13-1027 ROOT, LOUISE V. FAIRFAX COUNTY, VA  
13-1029 ESTATE OF C. A., ET AL. V. CASTRO, PAUL, ET AL.  
13-1048 KING, JASON W. V. UNITED STATES, ET AL.  
13-1078 BOLUS, ROBERT C. V. PENNSYLVANIA  
13-1081 MARINO, JORY V. NORTH CAROLINA  
13-1085 COLE, JOE E. V. MISSISSIPPI  
13-1090 ONEBEACON INS. CO., ET AL. V. PLANT INS. CO., ET AL.  
13-1094 HOBBS, EARL V. CALIFORNIA, ET AL.  
13-1097 DAUENHAUER, LARRY J. V. UNITED STATES  
13-1108 MARTSOLF, JAMES V. CHRISTIE, LISA S., ET AL.  
13-1114 McCLAMMA, KYLE E. V. UNITED STATES  
13-1122 BEVERLY, KENNETH B. V. UNITED STATES

13-1128 TOLLIVER, MICHAEL S. V. UNITED STATES  
13-1132 NICKERSON, CASSANDRA B. V. UNITED STATES  
13-1151 THOMAS, C. DOUGLASS, ET AL. V. PIPPIN, JACK D.  
13-7016 JERNIGAN, BETZAIDA V. SHINSEKI, SEC. OF VA  
13-7047 CASTILLO, ANNA V. CREWS, SEC., FL DOC  
13-7399 QUINN, KEENAN V. UNITED STATES  
13-7429 MORALES, WILIHTON A. V. UNITED STATES  
13-7521 VALDAVINOS-TORRES, JORGE V. UNITED STATES  
13-7709 TODD, CHARLES W. V. HEALEY, GEORGE P.  
13-7723 ABERNATHY, GARY V. COZZA-RHODES, WARDEN  
13-7769 SIMARD, SHAWN V. UNITED STATES  
13-7773 RICE, CHARLES V. TENNESSEE  
13-7789 BUSTOS, ERNEST V. RUBERA, PAUL S., ET AL.  
13-7875 KEHOE, CHEVIE O. V. UNITED STATES  
13-8111 MILLER, MARIANNA V. UNITED STATES  
13-8203 BERRIOS-RAMIREZ, VIRGILIO V. UNITED STATES  
13-8306 TAYLOR, JAMES B. V. UNITED STATES  
13-8318 MARTINEZ-CANADA, JUAN V. UNITED STATES  
13-8325 HERNANDEZ-HERNANDEZ, REYNALDO V. UNITED STATES  
13-8446 ROSIOREANU, CLEOPATRA V. NEW YORK, NY  
13-8464 EMBODY, LEONARD V. COOPER, ROBERT E.  
13-8545 CROMARTIE, RAY J. V. CHATMAN, WARDEN  
13-8548 BUTLER, JODY V. LOUISIANA  
13-8550 SARTAIN, DANNY V. MONTANA  
13-8560 VAN PELT, RONALD V. ILLINOIS  
13-8564 SPAULDING, JOHN C. V. POITIER, JOSEPH, ET AL.  
13-8572 GALZINSKI, HARALD M. V. McDONALD, WARDEN  
13-8573 SUTTON, NICHOLAS T. V. CARPENTER, WARDEN

13-8575 BONTY, MILES O. V. RAMSEY, J., ET AL.  
13-8576 FEINGOLD, ALLEN L. V. DISCIPLINARY BOARD  
13-8580 TODD, JIMMY V. RUSSELL, WARDEN  
13-8583 WORTHY, MARVIN V. NEW JERSEY  
13-8595 GAINES, KENNETH V. TENNESSEE  
13-8599 REQUENA, ADRIAN M. V. CLINE, SAM  
13-8602 WILLIAMS, CARLOS J. V. WA DOC, ET AL.  
13-8603 WILKIN, ROBERT E. V. DENNEY, WARDEN  
13-8607 WHEELER, MARY A. V. JOHNSON, WARDEN, ET AL.  
13-8609 SANCHEZ, PEDRO V. ILLINOIS  
13-8615 MORGAN, REGINALD V. JAVOIS, LAURENT D.  
13-8616 GLOVER, ROY V. TEXAS  
13-8619 HOLBROOK, TEX V. BALLARD, WARDEN  
13-8623 TONG, SHONG-CHING V. CHO, THOMAS, ET AL.  
13-8632 TILLMAN, ANTHONY D. V. LOUISIANA  
13-8633 TUCOVIC, JASMINA V. WAL-MART STORES EAST, ET AL.  
13-8635 O'BLOCK, DAVID M. V. FLORIDA  
13-8638 MANEY, BILLY R. V. NEELY, SUPT., PIEDMONT  
13-8639 MOLINA, RICHARD K. V. CALIFORNIA  
13-8643 SMITH, JARMAAL V. LEWIS, WARDEN, ET AL.  
13-8647 MACIEL, LUIS P. V. CALIFORNIA  
13-8650 ALMANZAR, SANTOS V. TEXAS  
13-8652 AMADO, ROBERT V. PARAMO, WARDEN  
13-8653 BOLDEN, DARELL W. V. BARNES, BERNEITA  
13-8654 PATKINS, DAVID C. V. SUBIA, WARDEN  
13-8656 SCOTT, SHAN L. V. COOPER, DR., ET AL.  
13-8658 LANDRITH, BRET V. BANK OF NEW YORK MELLON, ET AL.  
13-8660 WILLIAMS, SAMUEL H. V. RUSSELL, WARDEN, ET AL.

13-8663 CARR, FRED C. V. ALLIED WASTE SYSTEMS, ET AL.  
13-8669 WHITNEY, RICKY V. BERGHUIS, WARDEN, ET AL.  
13-8670 T. E. V. FL DEPT. OF CHILDREN, ET AL.  
13-8671 BOUDREAUX, JASON P. V. CREWS, SEC., FL DOC  
13-8674 BROWNLEE, TERRENCE V. CALIFORNIA  
13-8675 CARAWAY, RORY V. PARAMO, WARDEN  
13-8676 DORSEY, DERRELL V. ILLINOIS  
13-8677 WILLIAMS, BRIAND V. VENTURA COUNTY, CA, ET AL.  
13-8678 WHITING, GLORIA J. V. BONAZZA, LARRY A., ET AL.  
13-8679 DRIESSEN, ROCHELLE V. HOME LOAN STATE BANK  
13-8684 OWENS, ORIEN A. V. BOWERSOX, WARDEN  
13-8686 NEALY, DARYL V. OKLAHOMA  
13-8689 DRAKE, SAM V. HUBBARD, WARDEN, ET AL.  
13-8692 CEARA, RAFAEL V. DIRUSSO, MARY C.  
13-8694 BRASHEARS, JOHN V. CAIN, WARDEN  
13-8698 SAMHA, IBRAHIM V. LAGANA, WARDEN, ET AL.  
13-8713 ROSS, ALVIN R. V. SCHWARZENEGGAR, ARNOLD, ET AL.  
13-8730 SIMPSON, MARCUS V. HAMILTON COUNTY BOARD OF COMM'RS  
13-8732 GOFORTH, PAMELA, ET VIR V. DEPT. OF EDUCATION  
13-8774 CHAVEZ, JOEL V. ILLINOIS  
13-8776 CLARK, JONATHON V. MACLAREN, WARDEN  
13-8782 BROWNE, JASON E. V. BAKER, WARDEN, ET AL.  
13-8795 COLESON, JIMMY E. V. CREWS, SEC., FL DOC  
13-8807 WILSON, JOH-NER T. V. CHANDLER, WARDEN  
13-8816 BURRELL, FREDDIE D. V. MISSISSIPPI  
13-8818 TATE, FRANK E. V. HETZEL, WARDEN  
13-8819 McKEITHER, KEVIN V. FOLINO, LOUIS, ET AL.  
13-8823 STOGNER, BORIS V. CAIN, WARDEN



13-8828 DAVIS, AMY V. CAVAZOS, WARDEN, ET AL.  
13-8831 CARD, CHARLES V. KEFFER, JOE, ET AL.  
13-8833 WUHOLO, KUBIE A. V. PREMO, SUPT., OR  
13-8840 VICTORINO, TROY V. FLORIDA  
13-8841 WEAVER, RONALD A. V. SHERMAN, ACTING WARDEN  
13-8843 THOMAS, SHARON V. NELMS, CHARLIE, ET AL.  
13-8846 PRINCE, CLOVIS V. CHOW, MICHELLE H.  
13-8861 COOPER, DAVID V. SANTIAGO, ADM'R, NJ  
13-8864 CONVILLE, MICHAEL J. V. DUNCAN, SEC. OF EDUCATION  
13-8869 LOCKHART, JERRY L. V. ILLINOIS  
13-8873 BOOSE, OTIS B. V. ILLINOIS  
13-8875 BRADFORD, LENARD V. MICHIGAN  
13-8892 JOVEL, JOSE V. HOLDER, ATT'Y GEN.  
13-8894 JACKSON, BILLY V. CREWS, SEC., FL DOC, ET AL.  
13-8896 QUILLEN, TERRANCE V. OHIO  
13-8904 CAIN, DARRYL W. V. MICHIGAN  
13-8909 TUFT, ROBERT A. V. TEXAS, ET AL.  
13-8910 PRICE, HERBERT V. CREWS, SEC., FL DOC  
13-8916 MARTIN, O. Z. V. MACOMBER, WARDEN  
13-8920 DIEKEMPER, JOSEPH W. V. EGGMAN, ROBERT  
13-8926 REED, JOHN V. ILLINOIS  
13-8933 ROHWEDER, WILLIAM V. NEVADA  
13-8935 WELCH, ERIC D. V. MICHIGAN  
13-8937 VINCENT, VERONICA V. UNITED STATES, ET AL.  
13-8942 MARTINEZ, MANUEL V. ILLINOIS  
13-8949 SCARBER, MARLON V. MICHIGAN  
13-8965 JONES, LORENZO V. PFISTER, WARDEN  
13-8966 JOHNSON, AHMAD V. NEW JERSEY

13-8968 DURAN, STEVE R. V. BRAVO, WARDEN, ET AL.  
13-8971 CASTNER, DAVID M. V. OHIO  
13-8972 CASSIDY, ROGER C. V. FLORIDA  
13-8991 EVANS, CURTIS C. V. MISSISSIPPI  
13-8992 CHAVEZ, RUDOLPH M. V. TRANI, WARDEN, ET AL.  
13-8997 SHEARER, TIMOTHY V. WETZEL, SEC., PA DOC, ET AL.  
13-8998 PHILLIPS, TYRESE A. V. NEBRASKA  
13-9010 GUTIERREZ, JOSE G. V. UNITED STATES  
13-9015 NEWBURY, MICHAEL V. MAINE  
13-9025 GRAJEDA, ARTHUR V. SCRIBNER, WARDEN  
13-9027 WHITLEY, CLYDE K. V. NORTH CAROLINA, ET AL.  
13-9032 HERNANDEZ, FELIX V. NEW YORK  
13-9035 FOSTON, JOHNNIE L. V. LAW, WARDEN, ET AL.  
13-9036 HELM, BRIAN V. FLORIDA  
13-9049 KINZLE, JEFFREY M. V. WASHINGTON  
13-9059 WANG, STANLEY X. V. CALIFORNIA  
13-9063 CONOVER, STRATTON V. FISHER, SUPT., SMITHFIELD  
13-9065 DIRDEN, RODERICK K. V. CALIFORNIA  
13-9082 HUNEYCUTT, JOSEPH V. NEELY, SUPT., PIEDMONT  
13-9087 TREJO-RUIZ, CARLOS J. V. UNITED STATES  
13-9094 DUNN, TOMMIE V. UNITED STATES  
13-9095 CORTEZ-VELEZ, MARIO V. UNITED STATES  
13-9100 BLACK, DARNELL V. UNITED STATES  
13-9103 YAHSI, BAHADIR V. UNITED STATES  
13-9107 VALENTINE, RICHARD V. UNITED STATES  
13-9108 TRIMINIO, JONATHAN V. UNITED STATES  
13-9109 THOMPSON, MICHELE R. V. UNITED STATES  
13-9110 WARREN, DARRYL E. V. UNITED STATES

13-9111 WALLACE, WILLIAM V. FL DOC  
13-9112 PAYNE, RONALD V. DELAWARE  
13-9119 BLADE, RONNIE V. UNITED STATES  
13-9122 MITCHELL, WALLACE G. V. UNITED STATES  
13-9125 ROLAND, CHRISTOPHER V. UNITED STATES  
13-9131 NUNES, GORDON V. UNITED STATES  
13-9133 WHEELER, ROBERT V. CROSS, WARDEN  
13-9135 CALDWELL, FRED T. V. PHELPS, WARDEN, ET AL.  
13-9136 OLIVER, ALOYSIUS M. V. HARRINGTON, RICK  
13-9137 DARBY, ARTHUR L. V. UNITED STATES  
13-9140 BROADY, CARLOS M. V. UNITED STATES  
13-9144 HILL, VERNON J. V. UNITED STATES  
13-9146 COLBERT, CALVIN C. V. UNITED STATES  
13-9147 CASTRO, BENJAMIN S. V. UNITED STATES  
13-9149 MEDEARIS, JERMAINE T. V. UNITED STATES  
13-9153 TRUEBA, GUSTAVO D. V. UNITED STATES  
13-9154 YANDAL, MICHAEL A. V. UNITED STATES  
13-9158 TONEY, JOE M. V. UNITED STATES  
13-9160 SANTANA-GOMEZ, CESAR V. UNITED STATES  
13-9161 FORSTER, ROBERT W. V. UNITED STATES  
13-9162 GUY, DOMONICK V. EVANS, WARDEN  
13-9163 FONSECA, ERNESTO V. UNITED STATES  
13-9164 HUBBARD, ROBERT V. UNITED STATES  
13-9165 HUART, JEREMY J. V. UNITED STATES  
13-9166 GOMEZ-LOPEZ, MARIO V. UNITED STATES  
13-9167 GARCIA, FEDERICO V. UNITED STATES  
13-9168 GOMEZ, CESAR V. UNITED STATES  
13-9169 FLORES-LOPEZ, SAUL A. V. UNITED STATES

13-9171 GOMEZ, GERMAN R. V. UNITED STATES  
13-9172 HAMILTON, PARRIS V. DELAWARE  
13-9173 HUNTER, JIMMY E. V. UNITED STATES  
13-9174 HERNANDEZ-CARNALES, GEOVANNI V. UNITED STATES  
13-9177 JOHNSON, OSHAY V. DUFFY, WARDEN, ET AL.  
13-9178 LEONARD, JOSEPH A. V. UNITED STATES  
13-9181 ROBINSON, NOAH R. V. UNITED STATES  
13-9182 PORTER, AARON W. V. UNITED STATES  
13-9183 ORTIZ-MIRANDA, RAUL V. UNITED STATES  
13-9184 ADAMS, TERRY L. V. UNITED STATES  
13-9187 BROWN, JERMAINE V. UNITED STATES  
13-9190 MOJICA-RIVERA, JUAN M. V. UNITED STATES  
13-9193 SHEFFIELD, DONNIE W. V. UNITED STATES  
13-9203 CHAPMAN, FRED C. V. UNITED STATES  
13-9204 WILLIAMS, TREVOR V. UNITED STATES  
13-9206 ONEIL, RITA M. V. UNITED STATES  
13-9207 LANE, BERNARD V. UNITED STATES  
13-9209 LOPEZ, CARLOS V. UNITED STATES  
13-9212 ANDAVERDE-TINOCO, JOSE J. V. UNITED STATES  
13-9214 STRUNK, HARMON C. V. UNITED STATES  
13-9216 MENSAH, DAVID K. V. UNITED STATES  
13-9217 MOLINA, MIGUEL A. V. UNITED STATES  
13-9218 DOBBINS, DEMETRIUS D. V. MINNESOTA  
13-9220 MONDRAGON, ABRAHAM G. V. UNITED STATES  
13-9221 ONYESOH, LESLIE N. V. UNITED STATES  
13-9223 PEPE, VINCENT V. GRIFFIN, SUPT., SULLIVAN  
13-9224 NGUYEN, TIEN T. V. UNITED STATES  
13-9225 SMITH, DERRICK V. UNITED STATES

13-9227 RODRIGUEZ, ARIANNE V. UNITED STATES  
13-9228 VARGAS, ANICETO B. V. UNITED STATES  
13-9230 VASSAR, TRAVIS A. V. UNITED STATES  
13-9232 BAILEY, HANDY V. UNITED STATES  
13-9233 BISHOP, LEONARD V. UNITED STATES  
13-9237 LOPEZ, TONY V. UNITED STATES  
13-9238 LEYGA, FLORA V. SHINSEKI, SEC. OF VA  
13-9240 KOLUPA, SHANNON V. LaVALLEY, SUPT., CLINTON  
13-9241 SACKSITH, XANG V. EBBERT, WARDEN  
13-9242 BOOMER, RODNEY V. UNITED STATES  
13-9243 GLENN, ALEXAMUEL V. UNITED STATES  
13-9244 HARVEY, JOSEPH V. UNITED STATES  
13-9245 GOMEZ-BAUTISTA, SIXTO V. UNITED STATES  
13-9246 SINKLER, FREDDIE V. UNITED STATES  
13-9247 CARBARY, PRESTON L. V. UTTECHT, WARDEN  
13-9253 BENNETT, ROBERT V. UNITED STATES  
13-9255 McWAIN, DERWIN R. V. UNITED STATES  
13-9259 LOVE, TREVIS V. UNITED STATES  
13-9269 SESSION, DARYL V. UNITED STATES  
13-9271 ALVAREZ-MARQUEZ, EDUARDO V. UNITED STATES  
13-9279 GIULIANO, IGNATZIO V. DREW, WARDEN  
13-9286 FIGUEROA, JULIO V. UNITED STATES  
13-9294 KENNEY, JOHN V. THOMAS, WARDEN  
13-9295 LANG, BINDHU V. LACKNER, WARDEN  
13-9298 PENA, TOMMY V. UNITED STATES  
13-9299 MONZON, OSCAR V. UNITED STATES  
13-9303 CASTILLO FLORES, TOLENTINO V. UNITED STATES  
13-9304 COX, EARL W. V. UNITED STATES

13-9307 DYAB, ZACH Z. V. UNITED STATES  
13-9309 SALAZAR, JULIAN V. UNITED STATES  
13-9312 BLAIR TORBETT, DIANA V. HOLDER, ATT'Y GEN., ET AL.  
13-9314 LEWIS, ROBERT V. UNITED STATES  
13-9317 JOHNSON, ANTOINE V. UNITED STATES  
13-9318 KING, TYRONE V. UNITED STATES  
13-9319 LIVINGSTON, DONOVAN A. V. UNITED STATES  
13-9320 AGOLLI, ANNA M. V. OFFICE DEPOT, INC.  
13-9323 AGUILAR-LOPEZ, ANTONIO V. UNITED STATES  
13-9326 WHITE, PAUL A. V. UNITED STATES  
13-9327 WILLIAMS, OCTAVIOUS V. UNITED STATES  
13-9328 WILLIAMS, RONALD E. V. UNITED STATES  
13-9335 ELK SHOULDER, MARK S. V. UNITED STATES  
13-9336 SETTLES, FERNANDO A. V. UNITED STATES  
13-9337 CASH, NICKY V. UNITED STATES  
13-9340 BIFIELD, DANIEL E. V. UNITED STATES  
13-9342 ALVARADO, OSCAR A. V. UNITED STATES  
13-9348 WARREN, STEVEN C. V. UNITED STATES  
13-9349 WOODS, AARON J. V. UNITED STATES  
13-9352 OTTAVIANO, RONALD V. UNITED STATES  
13-9355 RAMIREZ-CRUZ, JUAN M. V. UNITED STATES  
13-9356 KENDRICK, SHARROD V. UNITED STATES  
13-9360 RIVERA, REBECA V. UNITED STATES  
13-9361 ALMARAZ-LUEVANO, JUAN M. V. UNITED STATES  
13-9362 BELL, GREGORY A. V. UNITED STATES  
13-9363 BALDERAS, BERNARDO V. UNITED STATES  
13-9366 SMITH, TEDDRICK L. V. UNITED STATES  
13-9367 BLANDING, ANTONIO V. UNITED STATES

13-9372 BESHEARS, DAMON B. V. UNITED STATES  
13-9373 CAPO-CARRILLO, ALEXANDER V. UNITED STATES  
13-9374 FERGUSON, JEFFREY R. V. LOMBARDI, DIR., MO DOC, ET AL.  
13-9383 FRAZIER, CRAIG V. UNITED STATES

The petitions for writs of certiorari are denied.

13-842 EXXON MOBIL CORP., ET AL. V. NEW YORK, NY, ET AL.  
13-966 GIANNANGELI, MARIE T. V. TARGET NATIONAL BANK

The petitions for writs of certiorari are denied. Justice Alito took no part in the consideration or decision of these petitions.

13-8590 NIXON, TRACY V. ABBOTT, ATT'Y GEN. OF TX, ET AL.  
13-8591 NIXON, TRACY V. GOLDMAN SACHS MORTGAGE CORP.  
13-8620 JONES, ANTHONY V. LEMKE, WARDEN  
13-8636 JONES, WALLACE C. V. FLORIDA

The motions of petitioners for leave to proceed *in forma pauperis* are denied, and the petitions for writs of certiorari are dismissed. See Rule 39.8.

13-8648 MARTINEZ, RAFAEL V. LaVALLEY, SUPT., CLINTON, ET AL

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

13-8661 THOMAS, JERRY L. V. CHESTER, WARDEN  
13-8752 ELLIS, HOWARD V. BENEDETTI, JAMES, ET AL.

The motions of petitioners for leave to proceed *in forma pauperis* are denied, and the petitions for writs of certiorari are dismissed. See Rule 39.8. As the petitioners have repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from

petitioners unless the docketing fees required by Rule 38(a) are paid and the petitions are submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

13-8903 DARBY, VONNIE D. V. REDMANN, WARDEN

13-8957 DARBY, VONNIE D. V. REDMANN, WARDEN, ET AL.

The motions of petitioner for leave to proceed *in forma pauperis* are denied, and the petitions for writs of certiorari are dismissed. See Rule 39.8.

13-9143 BROWN, RODERICK V. WALTON, WARDEN

13-9211 BROWN, JOHN S. V. UNITED STATES

13-9379 SOLANO-MORETA, JORGE J. V. UNITED STATES

The petitions for writs of certiorari are denied. Justice Kagan took no part in the consideration or decision of these petitions.

#### **HABEAS CORPUS DENIED**

13-1121 IN RE KAY E. FARLEY, II

13-9371 IN RE PAUL ADAMS

13-9415 IN RE JOHN T. FISHER

13-9445 IN RE ALBERTO HERNANDEZ

The petitions for writs of habeas corpus are denied.

13-9388 IN RE DON R. WHITE

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

#### **MANDAMUS DENIED**

13-960 IN RE CAROLE L. TAYLOR

The petition for a writ of mandamus is denied.



## REHEARINGS DENIED

13-475 SNYDER, EDWARD J. V. SMITH COLLEGE

13-666 JONES, JEAN L. V. HSBC

13-675 OZINAL, EROL V. JOHNS HOPKINS HEALTH, ET AL.

13-718 McBROOM, GRACIE V. DICKERSON, WAYNE

13-727 COX, RALPH V. DIRECTOR, OFFICE OF WORKERS

13-734 CHRISTIE, BRIAN T. V. OBAMA, PRESIDENT OF U.S.

13-757 JAFARI, EMMETT J. V. OLD DOMINION TRANSIT MAN CO.

13-774 SIEGEL, JEFFREY, ET AL. V. HYATT INTERNATIONAL, ET AL.

13-800 PATEL, RAJESH M. V. GA DEPT. OF BHDD

13-5319 GREEN, SPURGEON V. UNITED STATES

13-6734 IN RE SAMUEL RIVERA

13-6742 KIM, PAUL C. V. IRS

13-6955 EM, RICHMAN V. HARRINGTON, WARDEN

13-7096 ROGERS, WESLEY R. V. STEPHENS, DIR., TX DCJ

13-7334 PICKETT, RICKY V. ALLEN, KENNETH, ET AL.

13-7442 APONTE, RICHARD V. FLORIDA

13-7495 KNOX, HALIMAH V. DIXON CORR. INSTITUTE, ET AL.

13-7558 IN RE BILLY KIDWELL, ET UX.

13-7581 TOMPKINS, CURTIS T. V. ROGERS, DOROTHY, ET AL.

13-7604 KISSEL, ARTHUR V. UNITED STATES

13-7649 ROULHAC, CLARENCE V. JANEK, B. S.

13-7782 CHRISTOPHER, CLEO A. V. ST. VINCENT DE PAUL, ET AL.

13-7825 JOHNSON, IRENN H. V. ULINE, INC.

13-7855 BLACK, ROBERT V. CALIFORNIA

13-7863 YBARRA, AMBER V. ARKANSAS

13-7864 DREW, ANDRE V. UNITED STATES

13-7922 BOZELKO, CHANDRA V. CONNECTICUT

13-7950 ARABZADEGAN, LUKE M. V. TEXAS  
13-7957 LONG, ORZELL V. SAN FRANCISCO, CA, ET AL.  
13-8085 BUTSCH, CLAYTON E. V. OBENLAND, SUPT., CLALLAM BAY  
13-8092 SECHLER, CHARLES J. V. UNITED STATES  
13-8108 OCHOA, MICHAEL R. V. RUBIN, ERIN  
13-8118 MATHIS, JERMAINE V. UNITED STATES  
13-8201 SWISHER, JERRY L. V. CREWS, SEC., FL DOC  
13-8285 DeSUE, MICHAEL C. V. FLORIDA  
13-8367 KELLER, GERALD V. FLORIDA  
13-8484 IN RE DERRICK GODFREY  
13-8624 WHITWORTH, RONALD L. V. UNITED STATES

The petitions for rehearing are denied.

13-8403 JOHNSON, MITCHELL S. V. UNITED STATES

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

Statement of BREYER, J.

NOTICE: This opinion is subject to formal revision before publication in the preliminary print of the United States Reports. Readers are requested to notify the Reporter of Decisions, Supreme Court of the United States, Washington, D. C. 20543, of any typographical or other formal errors, in order that corrections may be made before the preliminary print goes to press.

**SUPREME COURT OF THE UNITED STATES**

ABDUL AL QADER AHMED HUSSAIN, PETITIONER  
*v.* BARACK H. OBAMA, PRESIDENT OF  
THE UNITED STATES, ET AL.

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED  
STATES COURT OF APPEALS FOR THE DISTRICT OF  
COLUMBIA CIRCUIT

No. 13–638. Decided April 21, 2014

The petition for a writ of certiorari is denied.

Statement of JUSTICE BREYER respecting the denial of certiorari.

The Authorization for Use of Military Force (AUMF), passed in September 2001, empowers the President to “use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons.” §2(a), 115 Stat. 224. In *Hamdi v. Rumsfeld*, 542 U. S. 507 (2004), five Members of the Court agreed that the AUMF authorizes the President to detain enemy combatants. *Id.*, at 517–518 (plurality opinion); *id.*, at 587 (THOMAS, J., dissenting). In her opinion for a plurality of the Court, Justice O’Connor understood enemy combatants to include “an individual who . . . was part of or supporting forces hostile to the United States or coalition partners in Afghanistan and who engaged in an armed conflict against the United States there.” *Id.*, at 516 (internal quotation marks omit-

Statement of BREYER, J.

ted). She concluded that the “detention of individuals falling into the *limited category we are considering, for the duration of the particular conflict in which they were captured,*” is “an exercise of the ‘necessary and appropriate force’” that Congress authorized under the AUMF. *Id.*, at 518 (emphasis added). She explained, however, that the President’s power to detain under the AUMF may be different when the “practical circumstances” of the relevant conflict are “entirely unlike those of the conflicts that informed the development of the law of war.” *Id.*, at 521.

In this case, the District Court concluded, and the Court of Appeals agreed, that petitioner Abdul Al Qader Ahmed Hussain could be detained under the AUMF because he was “part of al-Qaeda *or* the Taliban at the time of his apprehension.” 821 F. Supp. 2d 67, 76–79 (DDC 2011) (internal quotation marks omitted; emphasis added); accord, 718 F. 3d 964, 966–967 (CA DC 2013). But even assuming this is correct, in either case—that is, irrespective of whether Hussain was part of al Qaeda *or* the Taliban—it is possible that Hussain was not an “individual who . . . was part of or supporting forces hostile to the United States or coalition partners *in Afghanistan* and *who engaged in an armed conflict against the United States there.*” 542 U. S., at 516 (emphasis added).

The Court has not directly addressed whether the AUMF authorizes, and the Constitution permits, detention on the basis that an individual was part of al Qaeda, or part of the Taliban, but was not “engaged in an armed conflict against the United States” in Afghanistan prior to his capture. Nor have we considered whether, assuming detention on these bases is permissible, either the AUMF or the Constitution limits the duration of detention.

The circumstances of Hussain’s detention may involve these unanswered questions, but his petition does not ask us to answer them. See Pet. for Cert. i. Therefore, I agree with the Court’s decision to deny certiorari.