



**SUPREME COURT OF THE UNITED STATES**  
**GRANTED & NOTED LIST**  
**OCTOBER TERM 2004**

**02-1672 CFX JACKSON V. BIRMINGHAM BOARD OF EDUCATION**  
 Court: USCA-11 Grant: 6/14/04  
 Argument Date: 11/30/04 Decided: 3/29/05  
 Author: J. O'Connor Other: Thomas (D)  
 Result: **REVERSED AND REMANDED**

**03-184 )<sup>1</sup> CFX BALLARD V. CIR**  
**03-1034)<sup>2</sup> CFX ESTATE OF KANTER V. CIR**  
 Court: <sup>1</sup>USCA-11; <sup>2</sup>USCA-7 Grant: 4/26/04  
 Argument Date: 12/7/04 Decided: 3/7/05  
 Author: J. Ginsburg Other: Kennedy (C);  
 Chief Justice (D)  
 Result: **REVERSED AND REMANDED**

**03-287 CFX WILKINSON V. DOTSON**  
 Court: USCA-6 Grant: 3/22/04  
 Argument Date: 12/6/04 Decided: 3/7/05  
 Author: J. Breyer Other: Scalia (C); Kennedy (D)  
 Result: **AFFIRMED AND REMANDED**

**03-377 CFX KOONS BUICK PONTIAC GMC V. NIGH**  
 Court: USCA-4 Grant: 1/20/04  
 Argument Date: 10/5/04 Decided: 11/30/04  
 Author: J. Ginsburg Other: Stevens (C); Kennedy (C);  
 Thomas (C/J); Scalia (D)  
 Result: **REVERSED AND REMANDED**

**03-388 CFX BATES V. DOW AGROSCIENCES LLC**  
 Court: USCA-5 Grant: 6/28/04  
 Argument Date: 1/10/05 Decided: 4/27/05  
 Author: J. Stevens Other: Breyer (C);  
 Thomas (C/J/P, D/P)  
 Result: **VACATED AND REMANDED**

**NOTE:** \* Unanimous Court  
 \*\* Unanimous Court in Part  
 # Unanimous in Judgment



**SUPREME COURT OF THE UNITED STATES**  
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- 03-710\* CFX DEVENPECK V. ALFORD**  
 Court: USCA-9 Grant: 4/19/04  
 Argument Date: 11/8/04 Decided: 12/13/04  
 Author: J. Scalia  
 Result: **REVERSED AND REMANDED** (Chief Justice – no part)
- 03-725 CFY PASQUANTINO V. UNITED STATES**  
 Court: USCA-4 Grant: 4/5/04  
 Argument Date: 11/9/04 Decided: 4/26/05  
 Author: J. Thomas Other: Ginsburg (D)  
 Result: **AFFIRMED**
- 03-750 CFY SMALL V. UNITED STATES**  
 Court: USCA-3 Grant: 3/29/04  
 Argument Date: 11/3/04 Decided: 4/26/05  
 Author: J. Breyer Other: Thomas (D)  
 Result: **REVERSED AND REMANDED** (Chief Justice – no part in decision)
- 03-814\* CFX STEWART V. DUTRA CONSTRUCTION COMPANY**  
 Court: USCA-1 Grant: 2/23/04  
 Argument Date: 11/1/04 Decided: 2/22/05  
 Author: J. Thomas  
 Result: **REVERSED AND REMANDED** (Chief Justice – no part in decision)
- 03-855 CFX CITY OF SHERRILL V. ONEIDA INDIAN NATION OF NEW YORK**  
 Court: USCA-2 Grant: 6/28/04  
 Argument Date: 1/11/05 Decided: 3/29/05  
 Author: J. Ginsburg Other: Souter (C); Stevens (D)  
 Result: **REVERSED AND REMANDED**
- 03-878 )<sup>1</sup> CFH CLARK V. MARTINEZ**  
**03-7434)<sup>2</sup> CFH BENITEZ V. ROZOS, FIELD OFFICE DIR., MIAMI, FL**  
 Court: <sup>1</sup>USCA-9; <sup>2</sup>USCA-11 Grant: <sup>1</sup>3/1/04; <sup>2</sup>1/16/04  
 Argument Date: 10/13/04 Decided: 1/12/05  
 Author: J. Scalia Other: O'Connor (C); Thomas (D)  
 Result: <sup>1</sup>**AFFIRMED**; <sup>2</sup>**REVERSED – both cases REMANDED**

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- 03-1116)<sup>1</sup> CFX GRANHOLM, GOV. OF MI V. HEALD**  
**03-1120)<sup>1</sup> CFX MI BEER & WINE WHOLESALERS V. HEALD**  
**03-1274)<sup>2</sup> CFX SWEDENBURG V. KELLY**  
 Court: <sup>1</sup>USCA-6; <sup>2</sup>USCA-2 Grant: 5/24/04  
 Argument Date: 12/7/04 Decided: 5/16/05  
 Author: J. Kennedy Other: Stevens (D); Thomas (D)  
 Result: <sup>1</sup>**AFFIRMED**; <sup>2</sup>**REVERSED AND REMANDED**
- 03-1160# CFX SMITH V. CITY OF JACKSON**  
 Court: USCA-5 Grant: 3/29/04  
 Argument Date: 11/3/04 Decided: 3/30/05  
 Author: J. Stevens Other: Scalia (C/P, C/J)  
 O'Connor (C/J)  
 Result: **AFFIRMED** (Chief Justice – no part in decision)
- 03-1164) CFX JOHANNIS, SEC. OF AGRIC. V. LIVESTOCK MARKETING**  
**03-1165) CFX NEBRASKA CATTLEMEN, INC. V. LIVESTOCK MARKETING**  
 Court: USCA-8 Grant: 5/24/04  
 Argument Date: 12/8/04 Decided: 5/23/05  
 Author: J. Scalia Other: Thomas (C); Breyer (C)  
 Ginsburg (C/J); Kennedy (D)  
 Souter (D)  
 Result: **VACATED AND REMANDED**
- 03-1230)<sup>1</sup> CSX AM. TRUCKING ASSNS. V. MI PUBLIC SERVICE COMM'N.**  
**03-1234)<sup>2</sup> CSX MID-CON FREIGHT SYS. V. MI PUBLIC SERVICE COMM'N.**  
 Court: CA-MI Grant: 1/14/05  
 Argument Date: 4/26/05 Decided: 6/20/05  
 Author: J. Breyer Other: <sup>1</sup>Scalia (C/J), Thomas (C/J);  
 Result: <sup>1</sup>**AFFIRMED**; <sup>2</sup>**AFFIRMED** <sup>2</sup>Kennedy (D)
- 03-1237\* CFX MERCK KGaA V. INTEGRA LIFESCIENCES I, LTD.**  
 Court: USCA-Fed. Grant: 1/7/05 (SOC & SB – no part)  
 Argument Date: 4/20/05 Decided: 6/13/05  
 Author: J. Scalia  
 Result: **VACATED AND REMANDED**

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**03-1293)\* CFY WHITFIELD V. UNITED STATES**

**03-1294)\* CFY HALL V. UNITED STATES**

Court: USCA-11

Argument Date: 11/30/04

Author: J. O'Connor

Result: **AFFIRMED**

Grant: 6/21/04

Decided: 1/11/05

**03-1388 CFX SPECTOR V. NORWEGIAN CRUISE LINE**

Court: USCA-5

Argument Date: 2/28/05

Author: J. Kennedy

Result: **REVERSED AND REMANDED**

Grant: 9/28/04

Decided: 6/6/05

Other: Ginsburg (C/P, C/J)

Thomas (C/P, D/P, C/J/P)

Scalia (D)

**03-1395 CFX TENET V. DOE**

Court: USCA-9

Argument Date: 1/11/05

Author: Chief Justice

Result: **REVERSED**

Grant: 6/28/04

Decided: 3/2/05

Other: Stevens (C); Scalia (C)

**03-1407\* CFX ROUSEY V. JACOWAY**

Court: USCA-8

Argument Date: 12/1/04

Author: J. Thomas

Result: **REVERSED AND REMANDED**

Grant: 6/7/04

Decided: 4/4/05

**03-1423# CFX MUEHLER V. MENA**

Court: USCA-9

Argument Date: 12/8/04

Author: Chief Justice

Result: **VACATED AND REMANDED**

Grant: 6/14/04

Decided: 3/22/05

Other: Kennedy (C); Stevens (C/J)











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**04-514 CFH BELL, WARDEN V. THOMPSON**

Court: USCA-6	Grant: 1/7/05
Argument Date: 4/26/05	Decided: 6/27/05
Author: J. Kennedy	Other: Breyer (D)
Result: <b>REVERSED</b>	

**04-563 CFH MAYLE, WARDEN V. FELIX**

Court: USCA-9	Grant: 1/7/05
Argument Date: 4/19/05	Decided: 6/23/05
Author: J. Ginsburg	Other: Souter (D)
Result: <b>REVERSED AND REMANDED</b>	

**04-603\* CFX GRABLE & SONS METAL PRODUCTS V. DARUE ENGINEERING**

Court: USCA-6	Grant: 1/7/05
Argument Date: 4/18/05	Decided: 6/13/05
Author: J. Souter	Other: Thomas (C)
Result: <b>AFFIRMED</b>	

**04-637\* CFH BRADSHAW, WARDEN V. STUMPF**

Court: USCA-6	Grant: 1/7/05
Argument Date: 4/19/05	Decided: 6/13/05
Author: J. O'Connor	Other: Souter (C); Thomas (C)
Result: <b>REVERSED IN PART, VACATED IN PART, AND REMANDED</b>	

**04-5286 CFH DODD V. UNITED STATES**

Court: USCA-11	Grant: 11/29/04
Argument Date: 3/22/05	Decided: 6/20/05
Author: J. O'Connor	Other: Stevens (D); Ginsburg (D)
Result: <b>AFFIRMED</b>	

**04-5293 CSH DECK V. MISSOURI**

Court: SC-MO	Grant: 10/18/04
Argument Date: 3/1/05	Decided: 5/23/05
Author: J. Breyer	Other: Thomas (D)
Result: <b>REVERSED AND REMANDED</b>	

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 # Unanimous in Judgment



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**CASE CODE KEY**

First Letter = Jurisdictional Grounds (ex. 99-804 CFY)

C - Certiorari  
A - Appeal  
Q - Certified Question

Second Letter = Court Below (ex. 99-804 CFY)

S - State  
F - U.S. Court of Appeals  
T - Three-Judge District Court  
M - U.S. Court of Appeals for the Armed Forces  
O - Other Court

Third Letter = Nature of Case (ex. 99-804 CFY)

X - Civil  
Y - Criminal  
H - Habeas Corpus or other collateral attack

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