## (ORDER LIST: 556 U.S.)

#### MONDAY, JUNE 8, 2009

## CERTIORARI -- SUMMARY DISPOSITIONS

08-983 SERNA-GUERRA, JOSE A. V. HOLDER, ATT'Y GEN.

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 Fifth Circuit for further consideration in light of *Chambers* v. *United States*, 555 U.S. \_\_\_ (2009).

08-8197 SMITH, ROBERT J. 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 Fourth Circuit for further consideration in light of *United States* v. *Booker*, 543 U.S. 220 (2005).

#### ORDERS IN PENDING CASES

08M80 LOCKETT, ELLIS V. ADAMS, WARDEN

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

08M81 BELL, THURSTON P. V. PENNSYLVANIA, ET AL.

The motion to direct the Clerk to file an Original Action is denied.

08M82 McMILLIAN, CHARLES J. V. CAROCHI, WARDEN, ET AL.

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

O8-1120 AM. HOME PRODUCTS CORP., ET AL. V. FERRARI, MARCELO A., ET AL.

The Solicitor General is invited to file a brief in this

case expressing the views of the United States.

## **CERTIORARI GRANTED**

08-1107 HERTZ CORPORATION V. FRIEND, MELINDA, ET AL.

The petition for a writ of certiorari is granted.

08-1119 ) MILAVETZ, GALLOP & MILAVETZ V. UNITED STATES

08-1225 ) UNITED STATES V. MILAVETZ, GALLOP & MILAVETZ

The petitions for writs of certiorari are granted. The cases are consolidated and a total of one hour is allotted for oral argument.

## **CERTIORARI DENIED**

08-846	NAVAJO NATION, ET AL. V. U. S. FOREST SERVICE, ET AL.
08-894	SNYDER, DONAL M., ET AL. V. UNITED STATES
08-945	EMPRESS CASINO JOLIET CORP. V. GIANNOULIAS, ALEXI
08-968	HOUSTON, JAMES E. V. UNITED STATES
08-981	YUSUF, FATHI Y. M., ET AL. V. UNITED STATES, ET AL.
08-1098	MADSEN, NANCY V. JP MORGAN CHASE BANK, N.A.
08-1102	McCLUNG, DANIEL, ET UX. V. SUMNER, WASHINGTON
08-1104	TANKERSLEY, KENDALL V. UNITED STATES
08-1220	HENDERSON, GLENN V. ROBERTSON, DR., ET AL.
08-1221	PERRY, ANGELA, ET AL. V. MIRFASIHI, MAV, ET AL.
08-1231	NAACP, ET AL. V. BILLUPS, EVON, ET AL.
08-1240	ARIZONA, EX REL. THOMAS V. ARELLANO, JUDGE, ETC., ET AL.
08-1247	STAR NORTHWEST, INC. V. KENMORE, WA, ET AL.
08-1252	MITRANO, PETER P. V. SUPREME COURT OF NH
08-1256	CHEESE, JACQUELINE V. UNITED STATES
08-1260	KOZLOWSKI, L. DENNIS, ET AL. V. NEW YORK

- 08-1274 SODOMSKY, KENNETH F. V. PENNSYLVANIA
- 08-1305 PEQUENO, JUAN V. SCHMIDT, MICHAEL B.
- 08-1326 FERNANDEZ, MARIA C. V. HAYDEN, MICHAEL V.
- 08-1333 McRAE, SYLVIA E. V. EVANS, SAMUEL L.
- 08-1336 LINVILLE, HAROLD G. V. MINNESOTA
- 08-1357 VICKNAIR, KENNETH V. UNITED STATES
- 08-1364 YUNQUE, ORLANDO V. UNITED STATES
- 08-1367 REYEROS, JORGE, ET AL. V. UNITED STATES
- 08-1380 JOHNSTON, SHARON V. UNITED STATES
- 08-1381 MARQUEZ, DIANA, ET AL. V. UNITED STATES
- 08-8142 DIX, GEORGE V. UNITED PARCEL SERVICE, INC.
- 08-8521 LOPEZ, JOSE R. V. UNITED STATES
- 08-8798 SATTAZAHN, DAVID A. V. PENNSYLVANIA
- 08-8890 VERA-RODRIGUEZ, MAURICIO I. V. UNITED STATES
- 08-8988 ) ODEH, MOHAMED S. V. UNITED STATES
- 08-9998 ) AL-'OWHALI. MOHAMED R. V. UNITED STATES
- 08-8993 MARTIN, MARK A. V. HOLDER, ATT'Y GEN.
- 08-9008 DURONIO, ROGER F. V. HOLDER, ATT'Y GEN., ET AL.
- 08-9061 PILLADO-CHAPARRO, EDUARDO V. UNITED STATES
- 08-9159 HOWARD, WINFRED V. INOVA HEALTH CARE SERVICES
- 08-9571 ELLISON, WILBUR L. V. BLACK, MARTY, ET AL.
- 08-9572 CHRISTY, MICHAEL V. MILGRAM, ATT' Y GEN. OF NJ
- 08-9581 FEROLA, MICHAEL J. V. RUSHTON, WARDEN
- 08-9584 LEE, MELVIN V. NEW YORK
- 08-9586 ZAVALA, SALVADOR V. TEXAS
- 08-9587 YODER, GARY V. McWILLIAMS, WARDEN
- 08-9590 MILES, TOM V. SCUTT, WARDEN
- 08-9594 WRIGHT, KENACE F. V. CATES, JACK, ET AL.

- 08-9597 BRANAM, DANNY J. V. TENNESSEE
- 08-9598 BENJAMIN, FRANKLIN A. V. SOUTH CAROLINA, ET AL.
- 08-9605 MARTIN, O. Z. V. ALAMEDA CTY. BD. OF SUPERVISORS
- 08-9612 RUVALCABA, JOSE J. V. BROWN, ATT'Y GEN. OF CA
- 08-9619 ADAMS, FRANK V. BURT, WARDEN
- 08-9622 HIEBER, GLENN R. V. STEARNS, CULLEN J.
- 08-9623 DAVIS, BRYAN V. SAN DIEGO, CA, ET AL.
- 08-9626 COLEMAN-BEY, ANDRE L. V. BOUCHARD, JOSEPH, ET AL.
- 08-9632 GROSS, VALERIE, ET AL. V. LINCOLN TOWNSHIP, MI, ET AL.
- 08-9641 WOOTEN, JAMES D. V. HOREL, WARDEN
- 08-9643 DIXON, MICHAEL A. V. GRUBBS, JUDGE, ETC.
- 08-9652 AUSTIN, RICKEY V. HARDIN, CHARLES, ET AL.
- 08-9655 SCANTLAND, GEORGE S. V. CLINTON TOWNSHIP POLICE DEPT.
- 08-9656 REYES, GERARDO V. CALIFORNIA
- 08-9665 HACKETT, RICHARD V. PENNSYLVANIA
- 08-9666 LIDDELL, EDWARD V. BOCK, WARDEN
- 08-9672 CLARK, PATRICK E. V. KELLY, SUPT., MS
- 08-9674 COOK, DAMON B. V. ADAMS, WARDEN
- 08-9677 DAVIS, TRINITY V. PRELESNIK, WARDEN
- 08-9686 BIGGINS, JAMES V. MINNER, RUTH, ET AL.
- 08-9689 JOHNSON, GARY V. TENNIS, SUPT., ROCKVIEW, ET AL.
- 08-9690 JAMES, TRAVIS V. SMITH, SUPT., SHAWANGUNK
- 08-9697 DAVIS, MELVIN V. TEXAS
- 08-9700 CASWELL, REGGIE D. V. NEW YORK
- 08-9702 D. H. V. OHIO
- 08-9755 McMANUS, KATHERINE A. V. ASTRUE, COMM'R, SOCIAL SEC.
- 08-9782 OTTO, MICHAEL A. V. SCHUETZLE, WARDEN
- 08-9793 BARRAQUIAS, RESTITUTO D. V. SHINSEKI, SEC. OF VA

- 08-9802 VISINAIZ, NICHOLAS F. V. ILLINOIS
- 08-9806 CAMBRIDGE, MICHEAL V. McNEIL, SEC., FL DOC, ET AL.
- 08-9816 COTTRELL, TIMOTHY B. V. McNEIL, SEC., FL DOC, ET AL.
- 08-9819 WATSON, WILLIE J. V. FLORIDA
- 08-9874 CASTLE, SY L. V. HARRINGTON, ACTING WARDEN
- 08-9879 SIMS, FRANK V. UNITED STATES
- 08-9881 SMITH, SCOTTIE D. V. DUFFEY, WARDEN
- 08-9895 AUSTIN, DONNIE J. V. UNITED STATES
- 08-9901 CARR, BRIAN P. V. REED, WA SEC. OF STATE, ET AL.
- 08-9955 BEY, JEROME F. V. UNITED STATES
- 08-10018 LOWE, MARK R. V. KAPLAN, ROMAN, ET AL.
- 08-10050 DOYLE, MICHAEL V. CELLA, SGT., ET AL.
- 08-10055 KARNOFEL, DELORES V. DWYCO XEROX OFFICE CENTER
- 08-10072 McHENRY, WILLIAM V. FLORIDA
- 08-10077 WILLIAMS, ROLAND V. BIDEN, ATT'Y GEN. OF DE
- 08-10155 RODRIGUEZ. NELSON V. UNITED STATES
- 08-10177 MOORE, GREGG V. USPS, ET AL.
- 08-10179 MERRYFIELD, DUSTIN J. V. TURNER, CORY, ET AL.
- 08-10182 DAWSON, NAIM V. UNITED STATES
- 08-10183 ELZAHABI, MOHAMAD V. UNITED STATES
- 08-10186 GARCIA, GUSTAVO F. V. UNITED STATES
- 08-10187 FARIAS-SANDOVAL, SILVIA S. V. UNITED STATES
- 08-10197 NICHOLS, JERRY C. V. UNITED STATES
- 08-10198 COUNCIL, HERBERT V. UNITED STATES
- 08-10199 JOCHUM, THOMAS L. V. UNITED STATES
- 08-10203 MILLER, MELVIN V. UNITED STATES
- 08-10204 JAMES, AKIUBER N. V. UNITED STATES
- 08-10206 BAGLEY, KENNETH V. UNITED STATES

08-10212	DICKERSON, WILLIS V. UNITED STATES
08-10220	VAN DE CRUIZE, GILLIAN V. UNITED STATES
08-10222	SEPULVEDA, JOSE E. V. UNITED STATES
08-10223	ROGERS, JUPITER L. V. UNITED STATES
08-10227	NESTON, ANDREW V. UNITED STATES
08-10228	LING, CHENG W. V. UNITED STATES
08-10232	MORETA, PEDRITO V. UNITED STATES
08-10238	DAVID, SHMUEL V. SCHULTZ, WARDEN
08-10240	ENGLISH, ANDRE V. UNITED STATES
08-10241	DAVILA, LOUIS M. V. UNITED STATES
08-10242	CEBALLOS-SILVA, JOSE F. V. UNITED STATES
08-10243	MARSH, MATTHEW V. UNITED STATES
08-10249	BUTERA, FRANK V. UNITED STATES
08-10250	BARRAGAN, JOAQUIN V. UNITED STATES
08-10251	GARCIA-RENTERIA, BENJAMIN V. UNITED STATES
08-10254	GREGORY, JEFFREY D., ET UX. V. BANKRUPTCY ADMINISTRATOR
	The petitions for writs of certiorari are denied.
08-824	PIETRANGELO, JAMES E. V. GATES, SEC. OF DEFENSE, ET AL.
	The motion of petitioner to strike the brief of the Cook
	respondents is denied. The motion of petitioner to seal
	Attachment A to the motion to strike is granted. The motion of
	the Cook respondents to withdraw the brief filed January 26,

08-1173 AMALGAMATED TRANSIT UNION V. DALLAS AREA RAPID TRANSIT

denied.

The motion of Amalgamated Transit Union for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

2009, is granted. The petition for a writ of certiorari is

08-1236 GIMBEL, JOHN V. CALIFORNIA, ET AL.

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

08-1237 SOUTH CAROLINA V. COUNCIL, DONNEY S.

08-1243 MICHIGAN V. SWAFFORD, KOBEAY Q.

The motions of respondents for leave to proceed *in forma* pauperis are granted. The petitions for writs of certiorari are denied.

08-9638 BELL-BOSTON, KAREEMAH V. SUPERIOR COURT OF DC

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. 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). Justice Stevens dissents. See id., at 4, and cases cited therein.

08-9667 GRIFFIN, CHARLIE J. V. GASH, OFFICER

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.

08-9671 AVERY, CLIFFORD E. V. WRENN, COMM'R, NH 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. Justice Souter took no part in the

consideration or decision of this motion and this petition.

08-9772 BAKER, ANTHONY V. McNEIL, SEC., FL DOC

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.

08-9860 VAN BUREN, IRVIN V. WALKER, WARDEN, ET AL.

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

#### HABEAS CORPUS DENIED

08-10420 IN RE JUNIES A. JENKINS

The petition for a writ of habeas corpus is denied.

08-10306 IN RE KAY E. FARLEY

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

08-9897 IN RE WAYNE BRUNSILIUS

The petition for a writ of mandamus is denied.

08-9603 IN RE CONSTANCE E. HADDAD

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). Justice Stevens dissents. See id., at 4, and cases cited therein.

08-9664 IN RE CARNELL McCREARY

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.

# **REHEARINGS DENIED**

08-704	BOLTON, TERRELL V. DALLAS, TEXAS
08-977	GREEN, RANDOLPH E. V. DEPT. OF LABOR, ET AL.
08-1005	ADAMS, JANET A. V. GOLDSMITH, JUDITH A.
08-1007	WIDTFELDT, JAMES V. VILSACK, SEC. OF AGRIC., ET AL.
08-8157	EDWARDS, AUBREY B. V. JOHNSON, DIR., VA DOC
08-8329	CARBONELL, SIXTO V. ANDY, DIANA
08-8415	SANCHEZ, TENCI V. WORKERS' COMPENSATION APP. BD.
08-8669	BATES, DARI V. BURATTI, RICHARD, ET AL.
08-8778	MOORE, BRENDA V. GREYHOUND LINES CORP.
08-8781	SUBLET, DONALD V. UNITED STATES
08-8809	ENNIS, WILLIAM V. UNITED STATES
08-8869	COOPER, JASON D. V. GEORGIA
08-9409	DUNLEA, WENDY V. UNITED STATES
08-9536	PARKER, LAWRENCE V. SHINSEKI, SEC. OF VA
	The petitions for rehearing are denied.
08-7630	HOPKINS, GLENN J. V. WHITE, IL SEC. OF STATE, ET AL.
	The motion for leave to file a petition for rehearing
	is denied.