

(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.

08-1120 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

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

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

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.

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.