

(ORDER LIST: 549 U.S.)

MONDAY, MARCH 5, 2007

CERTIORARI -- SUMMARY DISPOSITIONS

05-809 ADAMS, WARDEN V. ZAMORA, JAVIER

The motion of respondent for leave to proceed *in forma pauperis* is granted. 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 Ninth Circuit for further consideration in light of *Whorton v. Bockting*, 549 U. S. ____ (2007).

06-595 HARPER, TYLER C., ET AL. V. POWAY SCHOOL DISTRICT, ET AL.

The motion of Kelsie J. Harper for leave to intervene is denied. Petitioner seeks review of the judgment of the United States Court of Appeals for the Ninth Circuit, which affirmed the district court's denial of petitioner's motion for a preliminary injunction. The district court, however, has now entered final judgment dismissing petitioner's claims for injunctive relief as moot. We have previously dismissed interlocutory appeals from the denials of motions for temporary injunctions once final judgment has been entered. See *Pacific Telephone & Telegraph Co. v. Kuykendall*, 265 U. S. 196, 205-206 (1924); *Shaffer v. Carter*, 252 U. S. 37, 44 (1920). In this case, vacatur of the prior judgment is also appropriate to " 'clea[r] the path for future relitigation of the issues between the parties and [to] eliminat[e] a judgment, review of which was prevented through happenstance.' " *Anderson v. Green*, 513 U. S.

557, 560 (1995) (*per curiam*) (quoting *United States v. Munsingwear, Inc.*, 340 U. S. 36, 40 (1950)) (alterations in original). 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 Ninth Circuit with instructions to dismiss the appeal as moot. See *United States v. Munsingwear, Inc.*, *supra*. Reported below: 445 F. 3d 1166. Justice Breyer dissents.

06-8851 POTEATE, MARY E. V. CALIFORNIA

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 Court of Appeal of California, First Appellate District for further consideration in light of *Cunningham v. California*, 549 U. S. ___ (2007).

ORDERS IN PENDING CASES

06M70 JOHNSON-MELVIN, ANITA L. V. MELVIN, WILLIE V.

06M71 PIERCE, RONALD G. V. SOARES, WARDEN, ET AL.

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

06M72 HOLSTON, ANDREW V. SUBERS, JUDGE, 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.

06M73 IN RE ALI

The motion for leave to file a petition for a writ of habeas corpus under seal is granted.

05-1157 CREDIT SUISSE SEC. (USA), ET AL. V. BILLING, GLEN, ET AL.

The motion of the Solicitor General for leave to participate

in oral argument as *amicus curiae* and for divided argument is granted. The motion of respondent Milton Pfeiffer for divided argument is denied. The Chief Justice took no part in the consideration or decision of these motions.

06-278 MORSE, DEBORAH, ET AL. V. FREDERICK, JOSEPH

The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

06-376 HINCK, JOHN F., ET UX. V. UNITED STATES

The motion of petitioners to dispense with printing the joint appendix is granted.

06-480 LEEGIN CREATIVE LEATHER PRODUCTS V. PSKS, INC., ET AL.

The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted. The motion of New York State, et al. for leave to participate in oral argument as *amici curiae* and for divided argument is granted.

06-1169 HAMDAN, SALIM A. V. GATES, SEC. OF DEFENSE, ET AL.

The motion of petitioners to expedite consideration of the petition for a writ of certiorari is denied. Justice Souter and Justice Breyer would grant the motion to expedite consideration.

06-5247 FRY, JOHN F. V. PLILER, WARDEN

06-5306 BOWLES, KEITH V. RUSSELL, WARDEN

The motions of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument are granted.

06-8120 BRENDLIN, BRUCE E. V. CALIFORNIA

The motion of petitioner for appointment of counsel is granted. Elizabeth M. Campbell, Esq., of Sacramento, California, is appointed to serve as counsel for the petitioner in this case.

CERTIORARI DENIED

05-7314 ANDERSON, DOUGLAS J. V. BOCK, WARDEN
05-7474 POWELL, DERRICK A. V. McDONOUGH, SEC., FL DOC
05-10360 ACKLEY, GARY D. V. WASHINGTON
05-11380 STEWARD, ANTHONY M. V. McDONOUGH, SEC., FL DOC
05-11552 LAVE, JOSEPH R. V. QUARTERMAN, DIR., TX DCJ
05-11761 EDWARDS, WILLIAM V. COLORADO
06-563 BRIGHT, JOHN V. WESTMORELAND COUNTY, PA, ET AL.
06-628 DUKES, DERRICK R. V. MINNESOTA
06-629 DIAZ, JORGE A. V. UNITED STATES
06-747 GILLARD, JOHN V. MITCHELL, WARDEN
06-749 MORRISON, JOSEPH, ET UX. V. UNITED STATES
06-765 NEW MEXICO V. ROMERO, DEL E., ET AL.
06-815 REIFERT, JAY V. S. CENT. WI MLS CORP., ET AL.
06-829 VERGES, WADE T. V. VERGES, DONNA S.
06-894 WALKER, STEPHEN J. V. NEW YORK, ET AL.
06-896 KAU-KAU TAKE HOME NO. 1 V. WICHITA, KS
06-897 JOHNSON, KENNETH W. V. DISTRICT OF COLUMBIA, ET AL.
06-903 LEE, CYNTHIA V. HAYDASH, SYLVIA
06-909 SMITH, PAMELA V. COCHRAN, DON
06-911 BARNES, MICHAEL J. V. JEDEVINE, KIM K.
06-921 REYAD, MOSTAFA V. BANK OF NEW YORK
06-928 SERAFINO, ANTONINO V. GONZALES, ATT'Y GEN., ET AL.

06-953 SMITH, TYRONE V. DORSEY, WARDEN
06-967 LIGHTHOUSE DISASTER RELIEF V. UNITED STATES
06-981 PRENTICE, DAVID V. DALCO ELECTRIC, INC.
06-992 STONE, MARILYN T., ET AL. V. JONES, TABITHA, ET AL.
06-1009 MILES, OPAL K. V. TEXAS
06-1044 FRANCHINI, JORGE V. UNITED STATES
06-1054 WHEELER, ROBERT J. V. MO DIR. OF REVENUE
06-1067 GADDIS, DAVID R. V. UNITED STATES
06-1070 LOPEZ, ARNOLDO V. UNITED STATES
06-6718 GORBY, OLEN C. V. FLORIDA
06-6785 BIRTS, BRODERICK V. UNITED STATES
06-6874 CHURCH, ANGELA V. MI DEPT. OF HUMAN SERVICES
06-7514 DE MARTINEZ, MARIA IRMA R. V. UNITED STATES
06-7895 DAVILA, NOEL V. UNITED STATES
06-7922 BARRETT, JACOB H. V. BELLEQUE, SUPT., OR, ET AL.
06-8022 NICKERSON, ANANIAS D. V. UNITED STATES
06-8099 JOHNSON, WILLIAM V. UNITED STATES
06-8104 ESTUPINAN, MANUEL V. UNITED STATES
06-8571 KLECKLEY, ROBERT V. McDONOUGH, SEC., FL DOC, ET AL.
06-8576 LaPINE, DARRIN V. RENICO, WARDEN
06-8583 EARL, RODRICK D. V. QUARTERMAN, DIR., TX DCJ
06-8587 DeHERRERA, PATRICK V. LeMASTER, WARDEN
06-8589 CLARK, DENNIS K. V. FLORIDA
06-8592 JONES, FREEZEL V. JACKSON, WARDEN
06-8593 MOSCOSO, RENE V. AYERS, ACTING WARDEN
06-8594 MOORE, CURTIS L. V. QUARTERMAN, DIR., TX DCJ
06-8597 aL GHASHIYAH, TAYR K. V. SCHNEITER, WARDEN
06-8599 JONES, ANDREW D. V. McDONOUGH, SEC., FL DOC

06-8602 PARADA, CARLOS V. FLORIDA
06-8603 BELLAMY, VERNON J. V. HALLMARK, DIR., OWCP, ET AL.
06-8608 BEATTIE, CHARLES K. V. PALMER, WARDEN
06-8612 CARR, DAVID V. HAINES, WARDEN
06-8613 SMITH, JOE L. V. McDONOUGH, SEC., FL DOC
06-8615 SMITH, THADDEUS E. V. CAREY, WARDEN
06-8625 HEALY, WAYNE B. V. SPENCER, SUPT., NORFOLK
06-8628 MORELAND, DESMOND M. V. SCRIBNER, WARDEN
06-8635 JOHNSON, PHILIP V. NEW YORK, NY, ET AL.
06-8640 TAYLOR, GLENN D. V. PENNSYLVANIA
06-8646 VILLAREAL, EUSEBIO S. V. CALIFORNIA
06-8651 BROWN, FOSTER L. V. McDONOUGH, SEC., FL DOC, ET AL.
06-8652 YOUNG, SEAN V. WOLFENBARGE, WARDEN
06-8653 BOZSIK, STEVEN A. V. HUDSON, WARDEN
06-8655 TATUM, JOHN F. V. YATES, WARDEN
06-8659 EARL, VINCENT B. V. GOULD, LIEUTENANT
06-8665 WILLIAMS, MARCELLE V. CALIFORNIA
06-8667 MCGEE, JEFFERSON, ET UX. V. SEAGRAVES, MARGARET, ET AL.
06-8677 RICHARD, JOHNNY V. QUARTERMAN, DIR., TX DCJ
06-8695 WILLIAMS, JOSEPH V. BROWN, LARRY
06-8697 GOBLE, LARRY G. V. JONES, DIR., OK DOC
06-8701 ISAAC, RODERICK V. DONALD, COMM'R, GA DOC, ET AL.
06-8714 FAGAN, DAMON V. CONNECTICUT
06-8721 DOMINGUEZ, FERNANDO V. CALIFORNIA
06-8739 EL, AUBREY J. V. VIRGINIA, ET AL.
06-8818 WALKER, GENEVIEVE V. BARNHART, COMM'R, SOCIAL SEC.
06-8827 STANLEY, DARREN C. V. CALIFORNIA
06-8834 WHITEHEAD, ARTIS V. TENNESSEE

06-8846 CHRIST, GABRIEL V. JAMROG, WARDEN
06-8876 WIMBLEY, WILL A. V. MCKUNE, WARDEN
06-8896 BROWN, JAMES L. V. NORTH CAROLINA
06-8898 BROWN, FLOYD M. V. KLEM, SUPT., MAHANAY, ET AL.
06-8919 POWE, MICHAEL L. V. CULLIVER, WARDEN
06-8922 MITCHELL, BLONDELL F. V. WILD, JENNIFER, ET AL.
06-8926 ABDULRAFI, MOHAMMAD J. V. BROWN, ATT'Y GEN. OF CA
06-8965 RICHARDS, MICHAEL V. TENNIS, SUPT., ROCKVIEW, ET AL.
06-8976 AGUIRRE, EUSTAQUIO Y. V. UNITED STATES
06-9004 BUSH, EARL G. V. FLORIDA
06-9039 DAVIS, GERALD W. V. HAYNES, WARDEN
06-9168 MCGEE, FREDDIE F. V. UNITED STATES
06-9170 MOORE, DRAKE V. UNITED STATES
06-9171 PARKES, JOHN V. UNITED STATES
06-9174 WILLIAMS, VINCENT V. UNITED STATES
06-9177 WEBB, DEREK L. V. UNITED STATES
06-9179 OESCH, JOHN R. V. UNITED STATES
06-9180 RAMIREZ, MARC V. WILLIAMSON, WARDEN
06-9184 TAYLOR, MILTON J. V. GARDNER, JUDGE, ETC., ET AL.
06-9187 ATRELLO, JEFFREY S. V. UNITED STATES
06-9188 BEER, ROBERT M. V. UNITED STATES
06-9189 BENNAFIELD, SHAUN L. V. UNITED STATES
06-9201 GORTON, JAMES E. V. UNITED STATES
06-9202 JACKSON, SEAN D. V. UNITED STATES
06-9203 CASTANEDA DE LA HOZ, FREDERICO V. UNITED STATES
06-9204 WILSON, MICHAEL V. UNITED STATES
06-9205 WILSON, EDWARD P. V. UNITED STATES
06-9207 CORLISS, ROGER F. V. UNITED STATES

06-9208 STONE, JAMES A. V. UNITED STATES
06-9211 BIRD, FRANK L. V. UNITED STATES
06-9215 ERVIN, DEWAYNE V. UNITED STATES
06-9222 RICHARDSON, LOUIS C. V. HUMPHREYS, WARDEN
06-9223 SANTIAGO, WILLIAM V. UNITED STATES
06-9224 GARCIA, EDGAR A. V. UNITED STATES
06-9225 MARTINEZ, EDWARD V. UNITED STATES
06-9226 HOLDEN, GREGORY V. UNITED STATES
06-9227 FARIAS, JORGE V. V. UNITED STATES
06-9229 BECKER, HARRY V. UNITED STATES
06-9235 GARCIA-ALCAZAR, GONZALO V. UNITED STATES
06-9237 FUCHS, CLAYTON H. V. UNITED STATES
06-9238 HUTSON, KENYA M. V. UNITED STATES
06-9239 HARTRIDGE, THADDUSE L. V. UNITED STATES
06-9240 HONEYCUT, ANTHONY V. UNITED STATES
06-9241 FULLER, PAUL A. V. UNITED STATES
06-9242 CORNEJO, RAFAEL V. UNITED STATES
06-9246 DIXON, CHARLES V. ILLINOIS
06-9248 HARPER, ROBERT J. V. UNITED STATES
06-9249 HICKMAN, WALTER J. V. UNITED STATES
06-9258 JOYA-GUERRERO, JUAN C. V. UNITED STATES
06-9259 JONES, MARCUS D. V. UNITED STATES
06-9264 POSTADAN, MARVIN V. UNITED STATES
06-9269 WILLIAMS, SAMMIE L. V. UNITED STATES
06-9271 HINTZ, SCOTT V. UNITED STATES
06-9272 MILLER, MARK E. V. UNITED STATES
06-9273 MORGAN, CLINT C. V. UNITED STATES
06-9278 CHARLES, RANDOLPH V. UNITED STATES

06-9279 CHARLES, BERNARD A. V. UNITED STATES

06-9281 McCASKILL, LUTHER V. UNITED STATES

06-9283 WILLIAMS, LEE E. V. UNITED STATES

06-9285 BROWN, DAVID V. UNITED STATES

06-9286 ALEXANDER, CHRISTOPHER V. UNITED STATES

The petitions for writs of certiorari are denied.

05-644 NEW MEXICO V. FORBES, CHIEF JUDGE, ETC.

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

06-590 EBBERS, BERNARD J. V. UNITED STATES

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

06-882 ROLLINS, RICHARD, ET AL. V. FIRST MISSIONARY BAPTIST CHURCH

The motion of Missionary Baptist Minister's Union of St. Louis and Vicinty, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

06-944 AT&T CORP., ET AL. V. GAVIN, LILA T.

The motion of Peter J. Wallison for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

MANDAMUS DENIED

06-1007 IN RE LANAS E. TROXLER

06-9228 IN RE JEFFREY R. BERRY

The petitions for writs of mandamus are denied.

REHEARINGS DENIED

06-546 JENSEN, TOM V. SWEET HOME ONE CARE, ET AL.
06-6188 WINSTON, JOHN E. V. UNITED STATES
06-7104 CAGLE, ANDREA J. B. V. ST. JOHNS COUNTY SCHOOL DIST.
06-7124 WILLIAMS, LILLIE J. V. DES ARC CITY POLICE DEPT, ET AL.
06-7152 MITCHELL, MAURICE V. QUARTERMAN, DIR., TX DCJ
06-7530 MILLER, GREGORY V. McDONOUGH, SEC., FL DOC
06-7656 BLOM, DONALD A. V. USDC MN
06-7757 ALLEN, ROLAND V. GENERAL MOTORS CORPORATION
06-7778 AWALA, GBEKE M. V. GONZALES, ATT'Y GEN., ET AL.
06-7781 SCHATZKE, KEVIN V. HUMPHREYS, WARDEN
06-7815 VAN BUREN, ERIC M. V. UNITED STATES
06-7818 IN RE JAMES BUTLER
06-7845 DALEY, JOHN R. V. FED. BUREAU OF PRISONS
06-8302 PHILLIPS, JOHN J. V. UNITED STATES
06-8500 IN RE LaVERN BERRYHILL

The petitions for rehearing are denied.