

(ORDER LIST: 556 U.S.)

MONDAY, APRIL 6, 2009

CERTIORARI -- SUMMARY DISPOSITION

08-5641 MOSLEY, DAROYCE L. V. QUARTERMAN, DIR., TX DCJ

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 Fifth Circuit for further consideration in light of *Harbison v. Bell*, 556 U.S. ____ (2009).

ORDERS IN PENDING CASES

08M73 TRIMBLE, TIMOTHY E. V. FLORIDA

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

08-7449 ROLLE, RANDALL L. V. McNEIL, SEC., FL DOC

08-7614 TAYLOR, CLAY B. V. SMITH, LEVIE

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

08-8465 HAUN, DIANA V. CATE, SEC., CA DOC

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until April 27, 2009, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

CERTIORARI GRANTED

08-970 PERDUE, GOV. OF GA, ET AL. V. KENNY A., ET AL.

The petition for a writ of certiorari is granted limited to

Question 1 presented by the petition.

CERTIORARI DENIED

08-818 ADENA REG. MED. CENTER, ET AL. V. JOHNSON, ACTING SEC. OF H&HS
08-822 McLAUGHLIN, SCOTT A. V. MISSOURI
08-948 ANDERSON, HENRY J. V. LOUISIANA
08-955 CYGNUS TELECOMMUNICATIONS TECH. V. TELESYS COMMUNICATIONS
08-957 RHONE, JAMES H. V. TEXAS
08-963 YANG, YINGLONG, ET AL. V. CARTERET REDEVELOPMENT AGENCY
08-965 METRO. GOVT. OF NASHVILLE, TN V. PETTY, BRIAN
08-966 OHIO MIDLAND, INC., ET AL. V. PROCTOR, GORDON, ET AL.
08-971 RICCI, ROBERT S., ET AL. V. PATRICK, GOV. OF MA, ET AL.
08-973 TOWNSEND, ROBERT D. V. UNIVERSITY OF ALASKA, ET AL.
08-976 KENNEDY, MICHAEL M. V. GRATTAN TOWNSHIP, MI, ET AL.
08-984 CATSKILL DEVELOPMENT, L.L.C. V. HARRAH'S OPERATING CO., ET AL.
08-985 COUSHATTA TRIBE OF LOUISIANA V. MEYER & ASSOCIATES, INC.
08-988 HARRELL, MATTHEW V. HONOLULU, HI
08-989 LEONARD, HAROLD L. V. EDUCATORS MUTUAL LIFE INS. CO.
08-990 MAHER, RALPH J. V. RETIREMENT BD. OF QUINCY, ET AL.
08-991 WHITE, FRANKIE, ET AL. V. COCA-COLA COMPANY
08-994 BIKKANI, PRASAD V. LEE, ROTAN E., ET AL.
08-997 DeLON, WELBON A. V. NEW & OBSERVER PUBLISHING CO.
08-1002 WEISSBURG, DIANE B. V. LOS ANGELES CTY. CIVIL, ET AL.
08-1012 KAY, LEE A. V. JOHNSON, ACTING SEC. OF H&HS
08-1013 KELLOGG, IREANE V. ENERGY SAFETY SERVICES, INC.
08-1026 HAHN, BERTRAM V. UNITED STATES
08-1028 MESSER, PAUL, ET AL. V. DEPT. OF H&HS
08-1031 EGYPTIAN GODDESS, INC. V. SWISA, INC., ET AL.
08-1055 ZHOU, WEI V. MARQUETTE UNIVERSITY

08-1057 CHAPLAINCY OF FULL GOSPEL CHURCH V. DEPT. OF NAVY, ET AL.
08-1058 KRAMER, WAYNE, ET AL. V. THOMAS, DAVID, ET AL.
08-1063 ROWLEY, JOYCE E. V. NORTH MYRTLE BEACH, SC, ET AL.
08-1111 BURTON, CHARLES W. V. UNITED STATES
08-1126 McBEE, EARL V. UNITED STATES
08-6504 FIELDS, EDWARD L. V. UNITED STATES
08-6836 DUNCAN, JOHN R. V. TENNESSEE
08-7139 CERNO, STEVE V. UNITED STATES
08-7465 SMULLS, HERBERT V. ROPER, SUPT., POTOSI
08-7512 GABRION, MARVIN C. V. UNITED STATES
08-7634 MITCHELL, WILLIE J. V. QUARTERMAN, DIR., TX DCJ
08-7741 HARDY, LESTER V. BENNETT, BOYD, ET AL.
08-7785 HALE, DELANO V. OHIO
08-8455 EDWARDS, JAMES B. V. TOWNSEL-MUNDAY, MARY
08-8457 CARREON, MOISES P. V. DEXTER, WARDEN
08-8462 CAESAR, MATTIE V. McNEIL, SEC., FL DOC, ET AL.
08-8473 WRIGHT, LENN E. V. QUARTERMAN, DIR., TX DCJ
08-8475 HILL, JAMAR A. V. FLORIDA
08-8478 FULLER, GEORGE V. V. HARRIS COUNTY, TX
08-8479 PANG, KENNETH L. V. CALIFORNIA
08-8482 BATSHEVER, VICTOR V. OKIN, AVERY E.
08-8483 ABU-JAMAL, MUMIA V. BEARD, SEC., PA DOC, ET AL.
08-8492 GREEN, TOMMY L. V. FLORIDA
08-8495 GRATE, JOSEPH M. V. JOHNSON, DIR., VA DOC
08-8498 THOMPSON, NIJAYAH V. CALIFORNIA
08-8499 HISCOX, MICHAEL R. V. CALIFORNIA
08-8501 MERCADO, ARMANDO V. SCRIBNER, WARDEN
08-8505 HERNANDEZ, CHRISTIAN G. V. TEXAS

08-8509 GRUNDY, ALLAN D. V. DAILEY, WARDEN
08-8512 HOEFS, RICK W. V. OREGON
08-8513 GRIFFIN, CHARLIE J. V. KELLY, MESSAMORE
08-8516 ECHEVARRIA, ELECTO V. FLORIDA
08-8520 STEPPE, BERNARD A. V. SHERIFF OF SAN BERNARDINO
08-8522 LOSH, WILLIAM V. MINNESOTA
08-8527 BURGESS, REGINALD V. HARTFORD LIFE INSURANCE
08-8528 BURGESS, REGINALD P. V. SUPERIOR COURT OF CA
08-8533 BEY, SAKIMA I. V. SOUTH CAROLINA
08-8539 YOUNG, ROBERT P. V. ILLINOIS
08-8542 MANDANAPU, PRAVEEN K. V. VIRGINIA
08-8547 COOPER, TERESA W. V. DALLAS POLICE ASSOCIATION
08-8548 ECHENDU, CHIMENIEM O. V. TEXAS
08-8550 DENEM, ROLLIN J. V. CALIFORNIA
08-8556 PELLEZ, ADRIAN M. V. FLORIDA
08-8557 MATTOX, TODD V. DAVIS, WARDEN
08-8558 JAMES, DERRICK G. V. FLORIDA
08-8561 SWANSON, CHERYL L. V. BOY SCOUTS OF AMERICA, ET AL.
08-8564 PEREZ, GUILLERMO V. PENNSYLVANIA
08-8565 BLUFF, FEROSA V. UTAH, ET AL.
08-8566 BRANDY, ELLIOTT V. V. EVANS, WARDEN, ET AL.
08-8578 CAMPBELL, MICHAEL A. V. NELSON, WARDEN
08-8589 WILSON, THEOPHALIS V. DiGUGLIELMO, SUPT., GRATERFORD
08-8625 SMALLS, BENJAMIN V. SMITH, SUPT., SHAWANGUNK
08-8632 BOLUS, ROY J. V. SMITH, SUPT., SHAWANGUNK
08-8634 NESBITT, THOMAS E., ET AL. V. NE BOARD OF PAROLE, ET AL.
08-8657 SLOVINEC, JOSEPH V. AMERICAN UNIVERSITY
08-8703 ACOSTA, PABLO V. U.S. MARSHALS SERVICES, ET AL.

08-8707 FRANCIS, JULIO E. V. McNEIL, SEC., FL DOC

08-8736 CARTER, ROBERT L. V. McDANIEL, WARDEN, ET AL.

08-8753 RIDLING, DANNY V. NORRIS, DIR., AR DOC

08-8760 JACKSON, LAWRENCE M. V. FRIEL, WARDEN

08-8776 DURAN, DANIEL A. V. COLORADO

08-8780 WATFORD, IRONE V. RICCI, ASSOC. ADM'R, NJ, ET AL.

08-8818 JACOBS, PHILLIP D. V. COLLINS, DIR., OH DOC, ET AL.

08-8834 SIMS, MICHAEL J. V. HOUSTON, DIR., NE DOC

08-8852 PLAYER, WARWICK V. REESE, LESLIE

08-8867 BASSETT, ROBERT V. INDIANA

08-8903 STOUT, CHARLES J. V. WAGNER, WARDEN, ET AL.

08-8954 MCGEE, JEFFREY V. HALL, WARDEN

08-8989 PENA, PEDRO V. UNITED STATES

08-8990 MELARA-GUZMAN, JORGE A. V. UNITED STATES

08-8994) THOMAS, LARRY V. UNITED STATES

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08-9011) WILLIAMS, DARNELL V. UNITED STATES

08-8998 SAMUELS, TERRY T. V. UNITED STATES

08-8999 REINHART, PAUL E. V. UNITED STATES

08-9014 BARTLEY, EVERTON V. UNITED STATES

08-9015 BROWN, DERRICK V. USDC WD TN

08-9016 MORRIS, JOE J. V. UNITED STATES

08-9018 HARDY, LAJUAN V. UNITED STATES

08-9021 DOE, JOHN V. UNITED STATES

08-9022 SANCHEZ-GUERRERO, ELOY V. UNITED STATES

08-9023 REYES-DE LEON, FELIX V. UNITED STATES

08-9024 CAPEHART, CLIFFORD V. UNITED STATES

08-9028 DIAZ, JORGE V. PASTRANA, WARDEN

08-9030 GRAY, MICHAEL W. V. UNITED STATES

08-9031 HARRIS, CHARLIE J. V. UNITED STATES
08-9036 ALEXANDER, DAMON V. UNITED STATES
08-9037 BRIMM, TROY D. V. UNITED STATES
08-9039 SMALLWOOD, MICHAEL V. UNITED STATES
08-9042 McKNIGHT, MARCO D. V. UNITED STATES
08-9046 FUTCH, JOHN R. V. UNITED STATES
08-9049 FASHEWE, OLABODE V. UNITED STATES
08-9050 HOLBDY, LEONARD V. UNITED STATES
08-9051 FLORENCE, ERSKINE J. V. UNITED STATES
08-9055 RODRIGUEZ-RAMOS, LUIS R. V. UNITED STATES
08-9057 LOFTUS, DONALD J. V. STATE BAR OF CA
08-9058 MARTIN, REGINALD V. OPM
08-9065 WOODBERRY, CHRISTOPHER R. V. UNITED STATES
08-9068 PICKENS, JOHN W. V. UNITED STATES
08-9069 JACKSON, FREDERICK E. V. UNITED STATES
08-9073 BACHILLER, MARIO V. UNITED STATES
08-9079 THOMAS, VINCENT V. UNITED STATES
08-9082 RODRIGUEZ, REYMUNDO V. UNITED STATES
08-9088 THOMAS, RODNEY G. V. UNITED STATES
08-9089 CLAY, ROBERT A. V. UNITED STATES
08-9091 LEVY, RAPHAEL R. V. UNITED STATES
08-9092 MAYS, COURTNEY V. UNITED STATES
08-9093 JOHNSON, DERRICK E. V. UNITED STATES
08-9094 OWENS, ALBERT V. UNITED STATES
08-9095 OHONME, GBENGA J. J. V. UNITED STATES
08-9097 NEWCOMB, DAVID E. V. UNITED STATES
08-9098 WILLIAMS, ANTOINE L. V. UNITED STATES
08-9105 MCGURN, LAMAR V. UNITED STATES

08-9106 PEDRON, JOSE V. UNITED STATES
08-9107 JOHNSON, STEVIE W. V. USDC ED TX
08-9108 TATUM, CEDRIC R. V. UNITED STATES
08-9117 BEDFORD, MALCOLM T. V. UNITED STATES
08-9119 BERMUDEZ, RICO V. UNITED STATES
08-9124 SISK, RONALD E. V. UNITED STATES
08-9129 ZAMARRON-MARTINEZ, FRANCISCO V. UNITED STATES
08-9135 SAENZ-RIOS, HECTOR M. V. UNITED STATES
08-9136 SAMAS, ROCKY V. UNITED STATES
08-9138 WALKER, MILTON V. UNITED STATES
08-9140 PAGE-BEY, RICHARD D. V. UNITED STATES
08-9142 JONES, JASON V. UNITED STATES
08-9146 ESPARZA-MEDRANO, ANTONIO V. UNITED STATES
08-9147 DeFILIPPO, PATRICK V. UNITED STATES
08-9148 CARABALLO, LUIS V. UNITED STATES
08-9151 MULDROW, LEALON V. UNITED STATES
08-9153 SHELBY, DAMON C. V. UNITED STATES
08-9155 TYKARSKY, TODD V. UNITED STATES
08-9158 ADKINS, KILM V. UNITED STATES

The petitions for writs of certiorari are denied.

08-1022 VENTAS FINANCE I, LLC V. CA FRANCHISE TAX BOARD

The motion of Council on State Taxation for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

08-8471 TILLMAN, CHITUNDA V. NEW LINE CINEMA, ET AL.

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

08-8570 ANGEL, HARVEY D. V. TEXAS
08-8697 MAKAS, TIMOTHY V. MIRAGLIA, RICHARD, ET AL.
08-8831 BAILEY, DEMETRIUS V. RENDELL, EDWARD, ET AL.
08-8832 BAILEY, DEMETRIUS V. WAKEFIELD, DAVID

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.

08-9087 COVARRUBIAS, BENNY C. V. UNITED STATES

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

08-9123 PERKINS, VICTOR B. V. UNITED STATES

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.

HABEAS CORPUS DENIED

08-9144 IN RE RICKY L. BLOOMFIELD
08-9214 IN RE WILLIAM R. KERSHNER
08-9269 IN RE ROBERT GARRETT

The petitions for writs of habeas corpus are denied.

08-9103 IN RE STEVE SZAREWICZ

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

08-1115 IN RE ROBERT E. MARZETT

The petition for a writ of mandamus and/or prohibition is denied.

08-8463 IN RE DANNY R. DUNLAP

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.

08-9041 IN RE JIMMY DANOU

The petition for a writ of mandamus and/or prohibition is denied.

REHEARINGS DENIED

08-727 PATRICK, LESTER E. V. DEPT. OF VA

08-795 BISTAWROS, SAMUEL T. V. LICEA, RODOLFO

08-6879 FULLER, CURTIS V. BASAL, P., ET AL.

08-6895 BROWN, SHERWOOD V. SHERROD, JOSEPH M.

08-7219 RICHARDS, MELVIN J. V. THOMPSON, WARDEN

08-7353 PERRY, CARL A. V. ALLEN, COMM'R, AL DOC, ET AL.

08-7864 WILLIS, YVONNE V. DC HOUSING AUTHORITY

08-7992 JANOSSY, PAUL V. WASHINGTON MUTUAL BANK

08-8087 OLIVO, DOMINIC V. GREGOIRE, GOV. OF WA

The petitions for rehearing are denied.