

(ORDER LIST: 556 U.S.)

MONDAY, APRIL 27, 2009

CERTIORARI -- SUMMARY DISPOSITIONS

07-7670 BALL, CLINT L. 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 Eighth Circuit for further consideration in light of *Gall v. United States*, 552 U.S. ___ (2007).

08-693 TESFAGABER, SOLOMON D. 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 Fourth Circuit for further consideration in light of *Nken v. Holder*, 556 U.S. ___ (2009).

08-8109 GUNTER, JOHNNY 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 Third Circuit for further consideration in light of *Spears v. United States*, 555 U.S. ___ (2009).

ORDERS IN PENDING CASES

132, ORIG. ALABAMA, ET AL. V. NORTH CAROLINA

The Reports of the Special Master are received and ordered filed. Exceptions to the Reports, with supporting briefs, may

be filed within 45 days. Replies, if any, with supporting briefs, may be filed within 30 days. Sur-reply briefs, if any, may be filed within 30 days.

07-1529 MONTEJO, JESSE J. V. LOUISIANA

The motion of petitioner for reargument is denied.

08-7683 PATTON, RODNEY M. V. HARRIS, WILVIS, ET AL.

The Solicitor General is invited to file a brief in this case expressing the views of the United States.

08-8012 MIERZWA, EDWARD, ET UX. V. UNITED STATES, ET AL.

The motion of petitioners for reconsideration of order denying leave to proceed *in forma pauperis* is denied.

CERTIORARI GRANTED

08-538 SCHWAB, WILLIAM G. V. REILLY, NADEJDA

The petition for a writ of certiorari is granted limited to Questions 1 and 2 presented by the petition.

08-674 NRG POWER MARKETING, ET AL. V. MAINE PUB. UTILITIES, ET AL.

08-911 KUCANA, AGRON V. HOLDER, ATT'Y GEN.

The petitions for writs of certiorari are granted.

CERTIORARI DENIED

08-17 MERCIER, LAURA V. OHIO

08-712 McELROY, JAMES H. V. TEXAS

08-731 MAGLUTA, SALVADOR V. UNITED STATES

08-807 LIEBERMAN, BRAD V. ILLINOIS

08-916 VFJ VENTURES, INC. V. SURTEES, COMM'R, AL DEPT OF REV.

08-919 ANDROS, JAMES L. V. GROSS, ELLIOT, M., ET AL.

08-922 JACKSON, JAMES, ET AL. V. BD. OF ZONING APPEALS, ET AL.

08-927 S. E., ET AL. V. GRANT CTY. BOARD OF ED., ET AL.

08-937 AVENTIS PHARMA S.A., ET AL. V. AMPHASTAR PHARMACEUTICALS, INC.

08-938 PHAR-MOR, INC. V. McKESSON CORP.

08-953 ROLLAND, TERRANCE V. TEXTRON, INC.

08-1050 JOHNSON, ALEX B. V. TEXAS

08-1054 HODGE, MILLICENT Y. V. NAVY YARD SUNOCO, ET AL.

08-1061 FAUGHT, BRIAN A. V. STEVENS, KAY, ET AL.

08-1066 NM COMM'R OF PUBLIC LANDS V. NM, EX REL. STATE ENGINEER

08-1067 HAYES, JAMES J. V. GENESEE CTY. EMPLOYESS, ET AL.

08-1069 BROWN, EARNESTINE O. V. REDEVELOPMENT AUTHORITY

08-1076 CLARK, JILL, ET AL. V. PAWLENTY, GOV. OF MN, ET AL.

08-1108 HAEG, DAVID S. V. ALASKA

08-1110 B.T. PRODUCE CO., INC., ET AL. V. DEPT. OF AGRICULTURE, ET AL.

08-1145 QUIK PAYDAY, INC. V. STORK, JUDI M., ET AL.

08-1148 MITRANO, PETER P. V. DC COURT OF APPEALS

08-1150 ABE, SHOLA V. MICHIGAN STATE UNIVERSITY

08-1168 DRACH, ROGER V. BRUCE, WARDEN

08-7940 VASQUEZ-TORRES, PLACIDO V. UNITED STATES

08-8034 SANTANA-AGUIRRE, DAVID V. UNITED STATES

08-8093 MINER, LLOYD W. V. UNITED STATES

08-8110 HERNANDEZ DOBLE, FELIX M. V. PUERTO RICO

08-8249 CARASI, PAUL J. V. CALIFORNIA

08-8284 VALLE, YOSVANNIS V. QUARTERMAN, DIR., TX DCJ

08-8294 BLACKMON, PATRICIA V. ALABAMA

08-8318 RHODES, THEOMAS V. UNITED STATES

08-8322 PRIETO, ARNOLD V. QUARTERMAN, DIR., TX DCJ

08-8335 JENNINGS, ROBERT M. V. TEXAS

08-8363 KING, CAROL S. V. LA DEPT. OF PUBLIC SAFETY, ET AL.

08-8429 LOTT, GREGORY V. BAGLEY, WARDEN

08-8840 HAMMONDS, ERIC R. V. ALABAMA

08-8845 GARCIA, JOSE, ET UX. V. MI CHILDREN'S INSTITUTE
08-8851 DEY, EUGENE A. V. BARNES, WARDEN
08-8853 CARDOSO, JULIO V. MASSACHUSETTS
08-8855 UHURU, DIALLO E. V. KHAN, ALAN, ET AL.
08-8861 RAIHALA, MICHAEL V. CASS COUNTY DISTRICT JUDGE
08-8868 BUGADO, PHILLIP V. WAGATSUMA, WARDEN, ET AL.
08-8873 OFUME, PHILLIP V. DEPT. OF HOMELAND SEC., ET AL.
08-8882 LoCONTE, DANIEL V. FLORIDA
08-8886 WALKER, WILLIE R. V. McNEIL, SEC., FL DOC
08-8896 ASEMANI, BILLY G. V. GREEN, WARDEN, ET AL.
08-8898 ASEMANI, BILLY G. V. IRAN, ET AL.
08-8899 PIZANO, ALVINO V. INDIANA
08-8900 OSCAR, RONEL V. FLORIDA
08-8901 SMITH, JERRY K. V. FLORIDA
08-8907 DELOZIER, MICHAEL V. SIRMONS, WARDEN
08-8908 COLEMAN, DAVID L. V. QUARTERMAN, DIR., TX DCJ
08-8911 SOSA, THOMAS V. QUARTERMAN, DIR., TX DCJ
08-8914 MIDDLETON, JOE N. V. QUARTERMAN, DIR., TX DCJ
08-8917 AVILES, ROBERTO A. V. CALIFORNIA
08-8918 ANTONSSON, ANNA K. V. KAST, JOHN
08-8922 BROWN, ALFRED D. V. TEXAS
08-8927 MYERS, RANDY L. V. MI DOC
08-8928 COOPER, ALBERT V. FLORIDA
08-8930 CASTELLANO, ANTONIO V. CALIFORNIA
08-8939 SHOATS, ERIC V. DAVIS, WARDEN
08-8942 JOHONS, LAMERLE R. V. KNOWLES, WARDEN
08-8946 BOWERS, JEFFREY V. ILLINOIS
08-8950 OWENS, CHARLES D. V. MISSISSIPPI

08-8953 WRIGHT, BENSON A. V. HOWES, WARDEN

08-8959 KISHOR, CHANDRA V. BROWN, ATT'Y GEN. OF CA, ET AL.

08-8961 RODRIGUEZ, CAROLYN V. WESTBANK

08-8962 WILLIAMS, PATRICK V. ZAMUDIO, C. P., ET AL.

08-8972 ACHAN, DONNIE R. V. TEXAS

08-9017 CURRY, CARLINE M. V. MANSFIELD, OH, ET AL.

08-9054 SALE, MICHAEL V. ALABAMA

08-9075 WHITE, NATHANIEL V. SOUTH CAROLINA

08-9083 SANTOS, RONALD R. V. McDANIEL, WARDEN, ET AL.

08-9085 CSECH, ROBERT R. V. IGNACIO, JOHN V., ET AL.

08-9090 DORSEY, JAMES L. V. McKUNE, WARDEN, ET AL.

08-9125 SMITH, BENNY R. V. McKUNE, WARDEN, ET AL.

08-9126 STEWART, LAVERTIS V. CHANDLER, WARDEN

08-9143 LOMAX, GLENDRICK V. McNEIL, SEC., FL DOC

08-9149 COLLIER, STEVEN W. V. BAYER, BOB

08-9166 HULL, ROGER W. V. MASTO, ATT'Y GEN. OF NV, ET AL.

08-9171 HOWARD, JAMIL V. CAMPBELL, WARDEN

08-9186 JACKSON, ANTHONY D. V. MARICOPA CTY. PUBLIC DEFENDER

08-9221 DUTIL, DAVID V. MURPHY, SUPT., MA TREATMENT

08-9270 GARBER, ROBERT V. LOS ANGELES, CA, ET AL.

08-9305 STACKHOUSE, RICHARD V. PENNSYLVANIA

08-9306 CRAVER, ANDRE R. V. FELKER, WARDEN, ET AL.

08-9385 LEE, HAROLD V. CERULLO, MERVA, ET AL.

08-9392) VASQUEZ, ERIC V. UNITED STATES
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08-9466) PERCEL, SUGENTINO V. UNITED STATES

08-9402 FIELDS, JIMMY L. V. UNITED STATES

08-9414 SPENCER, TIMOTHY W. V. McNEIL, SEC., FL DOC, ET AL.

08-9429 SHERMAN, ALTON V. UNITED STATES

08-9431 ZYOUT, MOHAMMED V. UNITED STATES
08-9436 BOGDAN, LEONARD P. V. UNITED STATES
08-9439 GRANDE, OSCAR A. V. UNITED STATES
08-9440 LORA, WILFREDO G. V. PEARSON, WARDEN
08-9457 DANIELS, GARY V. V. UNITED STATES
08-9460 HAMBERG, KRISTOPHER K. V. UNITED STATES
08-9465 MIDDLETON, TERRY V. EBBERT, WARDEN
08-9467 BURWELL, GREGORY W. V. UNITED STATES
08-9468 BARCLAY, TIONNE S. V. UNITED STATES
08-9469 BRADSHAW, LEONARD V. UNITED STATES
08-9470 BEARD, LIONEL R. V. UNITED STATES
08-9471 BERRY, C. WAYNE V. UNITED STATES
08-9473 REYES-HERNANDEZ, JOSUE G. V. UNITED STATES
08-9474 GORBEBY, MICHAEL S. V. UNITED STATES, ET AL.
08-9476 FUSELIER, DAVID V. MENIFEE, WARDEN, ET AL.
08-9485 GALVAN, LILLIAN V. UNITED STATES
08-9490 JACKSON, VINCENT V. UNITED STATES
08-9497 HOLLEY, RANDY V. UNITED STATES
08-9498 HART, DANNY R. V. UNITED STATES
08-9501 SHARPE, MICHAEL E. V. UNITED STATES
08-9505 HENDRIX, BRENTIS V. UNITED STATES
08-9506 HOWELL, JEREMY A. V. UNITED STATES
08-9508 ADJEI, RICHARD V. UNITED STATES
08-9509 BUCHANAN, BILLY J. V. UNITED STATES
08-9514 CASILLAS, CARLOS A. V. UNITED STATES
08-9515 WILFONG, NEIL J. V. UNITED STATES
08-9516 MENDEZ-HERNANDEZ, VICTOR T. V. UNITED STATES
08-9517 TOMAS, JESUS V. UNITED STATES

08-9520 KIRTMAN, DERRICK E. V. UNITED STATES
08-9521 WILLIAMS, JOSEPH V. UNITED STATES
08-9523 WHITE, ROGER C. V. UNITED STATES
08-9525 THOMAS, NATHANIEL H. V. TAMEZ, WARDEN
08-9526 WILLIAMS, ERIC V. UNITED STATES
08-9528 JEFFERSON, RANDY V. UNITED STATES
08-9533 SEDANO, RAMON G. V. UNITED STATES
08-9536 PARKER, LAWRENCE V. SHINSEKI, SEC. OF VA
08-9542 WILSON, JAMES V. UNITED STATES
08-9546 RICCARDI, JAMES V. UNITED STATES
08-9549 ALLS, ANTONIO L. V. UNITED STATES
08-9556 MOORE, MALIK M. V. UNITED STATES
08-9557 VO, RICK V. UNITED STATES
08-9564 PALOS-LUNA, LUIS V. UNITED STATES
08-9566 SOTO-HINOJOSA, IGNACIO V. UNITED STATES

The petitions for writs of certiorari are denied.

08-790 DELMARVA POWER & LIGHT, ET AL. V. UNITED STATES, ET AL.

The motion of National Association of Regulatory Utility Commissioners for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

08-1072 GOLDEN BRIDGE TECHNOLOGY INC. V. MOTOROLA INC., 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.

08-8337 YOUNG, RICHARD G. V. BEARD, SEC., PA DOC, ET AL.

The motion of petitioner to defer consideration of the petition for a writ of certiorari is denied. The petition for a writ of certiorari is denied.

08-8791 PETERSEN, GEORGE V. V. GARRETT, CATHEY M., ET AL.

08-8876 KING, JACQUELINE M. V. PUBLIC SERVICE COMMISSION

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.

08-8879 WILSON, MARCUS V. HOREL, WARDEN

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

08-8940 KORNAFEL, STANLEY E. V. THOMAS, WILLIAM M.

08-9035 PICKERING-GEORGE, JOHN T. V. HOLDER, ATT'Y GEN., ET AL.

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. As the petitioners have repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioners unless the docketing fees required by Rule 38(a) are paid and the petitions are 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.

08-9081 WATERFIELD, FREDERICK L. V. FLORIDA

08-9443 HARRELL, DAVID V. RIVERA, WARDEN

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.

HABEAS CORPUS DENIED

08-9568 IN RE DANNY R. PAUL
08-9645 IN RE NICHOLAS E. CARDEN
08-9653 IN RE EDDIE MARTINEZ

The petitions for writs of habeas corpus are denied.

MANDAMUS DENIED

08-8862 IN RE ELIJAH RATCLIFF
08-8952 IN RE JIMMY TWILLEY, JR.

The motions of petitioners for leave to proceed *in forma pauperis* are denied, and the petitions for writs of mandamus are dismissed. See Rule 39.8.

REHEARINGS DENIED

08-6800 SMITH, BILLY R. V. FL DOC
08-7136 DUVERGE, CHARLOTINE V. UNITED STATES
08-7356 COLEMAN, WILLIAM F. V. QUARTERMAN, DIR., TX DCJ
08-7622 BLOCKER, COREY V. KELLEY, ELIZABETH, ET AL.
08-7625 SIMMONS, DAVID V. McWILLIAMS, WARDEN
08-7666 HOLT, MICHELLE V. KEO, LINDA
08-7751 KARNOFEL, DELORES V. KMART CORPORATION, ET AL.
08-7759 MURRAY, RICHARD J. V. DEPT. OF ARMY, ET AL.
08-7808 SCHWAB, SEAN V. WASHINGTON
08-8020 MORALES, JOSE L. V. ABT, LLC
08-8040 VIGLIOTTI, JACK V. ARTUS, SUPT., CLINTON
08-8073 WEAVER, MICHAEL T. V. FLORIDA
08-8083 FAN, ANGELA V. ROE, CHARLES R., ET AL.
08-8503 GARVIN, WILLIE D. V. UNITED STATES

The petitions for rehearing are denied.