

TUESDAY, MAY 26, 2009

CERTIORARI -- SUMMARY DISPOSITIONS

- 07-827 ) HASTY, FORMER WARDEN V. IQBAL, JAVAID
- 07-1150 ) SAWYER, KATHLEEN H., ET AL. V. IQBAL, JAVAID, ET AL.

The Court reversed the judgment below in *Ashcroft v. Iqbal*, 556 U.S. \_\_\_\_ (2009). Therefore, the petitions for writs of certiorari are granted and the cases are remanded to the United States Court of Appeals for the Second Circuit for further proceedings.

- 07-958 HUNTER, MELVIN E., ET AL. V. HYDRICK, JAMES A., ET AL.

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 *Ashcroft v. Iqbal*, 556 U.S. \_\_\_\_ (2009).

- 08-8235 GRIFFIN, TRAVIS F. 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 Eleventh Circuit for further consideration in light of *Chambers v. United States*, 555 U.S. \_\_\_\_ (2009).

**CERTIORARI GRANTED**

08-905 MERCK & CO., INC., ET AL. V. REYNOLDS, RICHARD, ET AL.

The petition for a writ of certiorari is granted.

**CERTIORARI DENIED**

08-801 MOJICA, YLUMINADA, ET AL. V. SEBELIUS, SEC. OF H&HS

08-866 NEVADA V. HARTE, SHAWN R.

08-904 HENSLEY, PAMELA S., ET VIR V. UNITED STATES

08-961 MCKINNEY, SHERRY, ET AL. V. PARSONS, JUSTIN

08-1010 DAIMLERCHRYSLER CORPORATION V. FLAX, JEREMY, ET AL.

08-1078 EAST FIRST STREET, ET AL. V. BD. OF ADJUSTMENTS, ET AL.

08-1093 TONG, TU MY V. BROWNSTEIN & ASSOC., ET AL.

08-1164 HOUSE OF REALTY, INC. V. MIDWEST CITY, OK, ET AL.

08-1166 MADDEN, ROBERT P. V. ARIZONA

08-1177 HAYES LEMMERZ, ET AL. V. LACKS INDUSTRIES, INC.

08-1178 REID, DONNA, ET AL. V. NEW HAMPSHIRE INDEMNITY CO.

08-1182 WILMINGTON HOSPITALITY, LLC V. NEW CASTLE COUNTY, DE

08-1208 CALIFORNIA, ET AL. V. SAN PASQUAL BAND OF MISSION IND.

08-1218 GAGNON, KEVIN V. ASSET MARKETING SYSTEMS, INC.

08-1241 McLEAN, BRANDIE V. JOHN MCGINNIS, ET AL.

08-1248 SNEATHEN, GEORGE C. V. FLORIDA

08-7997 MAY, DAVID V. UNITED STATES

08-8131 PIERSON, GRAEME V. UNITED STATES

08-8487 GAREY, EDDIE M. V. UNITED STATES

08-8823 PAYNE, MAX L. V. ALLEN, COMM'R, AL DOC

08-8857 WILLIAMS, ERIC L. V. UNITED STATES

08-8864 KENNEDY, CHRISTOPHER V. PENNSYLVANIA

08-8944 SAUNDERS, TIMOTHY V. ALABAMA

08-9298 RILEY, JAMES W. V. CARROLL, WARDEN, ET AL.

08-9304 STOREY, KENNETH L. V. KNOX COUNTY, TN, ET AL.  
08-9311 LILLARD, CECIL C. V. SERVICE SOLUTIONS CORP., ET AL.  
08-9318 WHITE, RONNIE V. CAIN, WARDEN  
08-9320 TONES, ROYRY G. V. QUARTERMAN, DIR., TX DCJ  
08-9321 WILSON, CRAIG V. ILLINOIS  
08-9324 CHRISTY, CARL R. V. BRADSHAW, SHERIFF, ET AL.  
08-9325 CARTER, JOEL V. SMITH, WARDEN  
08-9326 DIXIE, KEVIN L. V. BOWEN CENTER, ET AL.  
08-9327 CLOUD, JAMES E. V. BECKSTROM, WARDEN  
08-9336 EDELBACHER, PETER T. V. CALDERON, WARDEN, ET AL.  
08-9343 BRYAN, T. TERELL V. BOSTICK, CLERK, ETC.  
08-9359 MUNIZ, FRANK M. V. JANECKA, WARDEN  
08-9369 WARREN, HUBERT V. TEXAS  
08-9370 TAYLOR, ANTHONY R. V. REYNOLDS, WARDEN  
08-9371 WALKER, DEMARIO V. MISSISSIPPI  
08-9372 SMITH, BRIAN L. V. TEXAS  
08-9373 RICHARDSON, MICHAEL H. V. QUARTERMAN, DIR., TX DCJ  
08-9374 RAMOS, WILLIAM V. NEW YORK, ET AL.  
08-9377 DUNKLE, HERBERT B. V. VIRGINIA  
08-9383 KIMBLE, LIREAN V. OKLAHOMA  
08-9387 ROUSH, ANDREW V. BURT, WARDEN  
08-9388 K. W. V. HUDSON COUNTY DEPT. HUM. SERV.  
08-9394 CARTER, HAROLD D. V. LEMPKE, SUPT., FIVE POINTS  
08-9395 PEREZ, MIKE V. GRIFFIN, JOHN J., ET AL.  
08-9398 JOHNSON, PATRICK L. V. McNEIL, SEC., FL DOC, ET AL.  
08-9400 HUGHES, KENNETH V. HAVILAND, WARDEN  
08-9405 HIPPLER, PAUL M. V. MINNESOTA  
08-9406 FRANKS, DOUGLAS O. V. BURT, WARDEN

08-9413 SHMELEV, PYOTR V. MINNESOTA  
08-9417 FRANKLIN, KEVIN E. V. QUARTERMAN, DIR., TX DCJ  
08-9418 HALL, WENDALL J. V. McNEIL, SEC., FL DOC, ET AL.  
08-9419 GONZALES, LUIS V. TEXAS  
08-9421 FRYER, ROY J. V. CURRY, WARDEN  
08-9426 ORSELLO, PAUL V. GAFFNEY, STEVEN D., ET AL.  
08-9447 HERRINGTON, CLIFFORD M. V. FRAZIER, WARDEN  
08-9451 RAISER, AARON V. BRIGHAM YOUNG UNIVERSITY  
08-9463 PEOPLES, DONTE V. BRUNSMAN, WARDEN  
08-9518 PIMENTAL, WILLIAM V. SPENCER, SUPT., NORFOLK  
08-9522 VU, DAT HUU V. KRAMER, WARDEN  
08-9541 VILLANUEVA, MIGUEL F. V. SALAZAR, WARDEN, ET AL.  
08-9591 MONTANEZ, RICHARD V. ADAMS, WARDEN  
08-9608 FIELDS, JIMMY L. V. UNITED STATES  
08-9611 LAWSON, KYLE J. V. YATES, WARDEN  
08-9618 BJARKO, JAMES V. SCHUETZLE, WARDEN  
08-9621 MACKENZIE, EDWARD V. NEW YORK  
08-9636 WILEY, BENNIE V. UNITED STATES  
08-9646 ROBERTSON, DARRYLE E. V. UNITED STATES  
08-9648 MIDDLETON, SAMUEL L. V. UNITED STATES  
08-9650 MUHAMMAD, AKEEM V. McNEIL, SEC., FL DOC  
08-9658 STEWARD, ALBERT V. INT'L LONGSHOREMAN'S ASSN.  
08-9660 WAY, SAMUEL R. V. UNITED STATES  
08-9662 HARRIS, MATTHEW V. SOUTH CAROLINA  
08-9675 DAVILA, KIRK M. V. UNITED STATES  
08-9688 JONES, DAVID D. V. CALIFORNIA  
08-9709 AGUILERA, ANTHONY S. V. CALIFORNIA  
08-9743 PONCE, JORGE E. V. CALIFORNIA

08-9827 EVANS, AUGUSTUS H. V. DELAWARE  
08-9832 HOWELL, BURL A. V. DELAWARE  
08-9836 ANDERSON, WALTER V. UNITED STATES  
08-9850 LOONEY, BURL, ET UX. V. CAMPBELL, ROBERT A., ET AL.  
08-9865 BRUNSTING, LANCE P. V. COLORADO  
08-9880 RICKS, TODD V. UNITED STATES  
08-9885 TURNER, NATHANIEL J. V. UNITED STATES  
08-9898 HERNANDEZ, WILLIAM V. UNITED STATES  
08-9905 JAMES, RONNIE V. UNITED STATES  
08-9906 KLEIN, ERIC V. UNITED STATES  
08-9909 ALARCON, GABRIEL E. V. CHASE HOME FINANCE LLC  
08-9913 McRAE, WILLIE J. V. UNITED STATES  
08-9914 WYATT, PHILLIP P. V. UNITED STATES  
08-9915 MASTERS, CHRISTOPHER D. V. UNITED STATES  
08-9916 LaROCCA, THOMAS V. FISHER, WARDEN  
08-9918 AVILA, AUGUSTIN V. UNITED STATES  
08-9919 BASHAM, JOHNNY R. V. UNITED STATES  
08-9920 BORDER, JUSTIN V. UNITED STATES  
08-9921 BUFORD, GEORGE W. V. MARBERRY, WARDEN  
08-9923 DADE, JOHN E. V. UNITED STATES  
08-9925 TAYLOR, ERIC E. V. UNITED STATES  
08-9930 EVANS, WILLIAM H. V. MUELLER, DIR., FBI  
08-9932 LATHAM, LARRY V. UNITED STATES  
08-9934 MARTINEZ, ROBERTO LUIS R. V. UNITED STATES  
08-9935 MANESS, WILBERT B. V. UNITED STATES  
08-9940 SIMS, ELIJAH J. V. UNITED STATES  
08-9941 SANCHEZ-GARCIA, MIGUEL A. V. UNITED STATES  
08-9945 VARELA-ZUBIA, ESAU V. UNITED STATES

08-9954 BROYLES, DUSHONE L. V. UNITED STATES  
08-9959 DUNIGAN, JONAS M. V. UNITED STATES  
08-9961 DOWNS, JOHN W. V. UNITED STATES  
08-9963 VINAS, RICARDO A. V. UNITED STATES  
08-9965 PHILLIPS, ANDRE V. PENNSYLVANIA  
08-9967 ARMSTRONG, DERRICK V. UNITED STATES  
08-9973 GOODMAN, BRADFORD E. V. UNITED STATES  
08-9975 HERNANDEZ-CAUDILLO, JUAN F. V. UNITED STATES  
08-9978 FABEL, RICHARD A. V. UNITED STATES  
08-9979 RESTREPO-PEREZ, ISIDRO G. V. UNITED STATES  
08-9983 HERNANDEZ-FUNEZ, JOSE S. V. UNITED STATES  
08-9985 GOMEZ-CALDERA, RUBEN V. UNITED STATES  
08-9986 HENRIQUEZ-CASTILLO, YONSI J. V. UNITED STATES  
08-9989 FRAMPTON, MARION T. V. UNITED STATES  
08-9993 RICHARDS, RUSTY V. UNITED STATES  
08-9997 BATTIEST, ADAM S. V. UNITED STATES  
08-10002 SPARKS, DERRICK V. UNITED STATES  
08-10003 TUCKER, RORY V. UNITED STATES  
08-10005 WILLIAMS, CHRISTOPHER V. UNITED STATES  
08-10008 NEWMAN, JOHNNY V. UNITED STATES  
08-10011 LOUDD, HULON J. V. UNITED STATES  
08-10013 LOUIS, JACQUELIN V. UNITED STATES  
08-10014 LIEU, KIET T. V. UNITED STATES  
08-10020 TURNER, KATHERINE D. V. UNITED STATES  
08-10022 WARD, LANCELOT V. STANSBERRY, WARDEN  
08-10026 EASLEY, CORNELIUS V. UNITED STATES  
08-10027 DRIGGERS, PAUL W. V. UNITED STATES  
08-10031 JONES, JAMES A. V. UNITED STATES

08-10033 RHODES, WALTER J. V. UNITED STATES

08-10042 DEPENA, MANUEL V. UNITED STATES

The petitions for writs of certiorari are denied.

08-9403 HAFED, SHAABAN S. V. ISRAEL

08-9685 VEALE, DAVID T., ET AL. V. UNITED STATES, 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.

#### **HABEAS CORPUS DENIED**

08-10015 IN RE RODNEY H. S. KIM

08-10068 IN RE MATTHEW E. McCORMICK

08-10081 IN RE TIMOTHY J. SEEBOTH

The petitions for writs of habeas corpus are denied.

#### **MANDAMUS DENIED**

08-1192 IN RE CARLO E. JOHNSON

08-9437 IN RE GRACIELA N. BEVILACQUA-BOLLADA

The petitions for writs of mandamus are denied.

#### **PROHIBITION DENIED**

08-1170 IN RE JOHN K. WHITEFORD, ET AL.

The petition for a writ of prohibition is denied.

#### **REHEARINGS DENIED**

08-7626 HOFFMAN, DARIN W. V. FOLINO, SUPT., GREENE

08-7995 MAXWELL, EDWARD V. SMITH, DAVID

08-8047 THREADGILL, BRAD V. QUARTERMAN, DIR., TX DCJ

08-8183 ERVIN, RUFUS J. V. PURKETT, SUPT., EASTERN

08-8219 LATTIMORE, BRIAN K. V. WESTCHESTER CTY. MED. EXAMINER'S

08-8299 EBEH, EMMANUEL V. ST. PAUL TRAVELERS, ET AL.

08-8367 AKINWAMIDE, PATRICK O. V. TRANSPORTATION INSURANCE, ET AL.

08-8404       BANKS-BENNETT, SHIRLEY A. V. O'BRIEN, JOHNNY  
08-8411       SPEARS, CHRISTOPHER W. V. FORNISS, WARDEN, ET AL.  
08-8418       TIFFER, ROMAN E. V. WORKER'S COMPENSATION, ET AL.  
08-8502       PAYNE, HOWARD W. V. JOHNSON, DIR., VA DOC  
08-8533       BEY, SAKIMA I. V. SOUTH CAROLINA  
08-8657       SLOVINEC, JOSEPH V. AMERICAN UNIVERSITY  
08-8777       DePACK, ROY V. UNITED STATES

          The petitions for rehearing are denied.