

(ORDER LIST: 557 U.S.)

MONDAY, JUNE 29, 2009

CERTIORARI -- SUMMARY DISPOSITIONS

08-40 HIRKO, JOSEPH V. UNITED STATES

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 *Yeager v. United States*, 557 U.S. ____ (2009).

08-8082 HOWE, JOSHUA 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 *Yeager v. United States*, 557 U.S. ____ (2009).

08-9121 BLOMQUIST, LEE E. 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 Sixth Circuit for further consideration in light of *Chambers v. United States*, 555 U.S. ____ (2009).

08-9958 MARTINEZ, EFREN V. UNITED STATES

The motion of petitioner to expedite consideration of the petition for a writ of certiorari is granted. 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 *Flores-Figueroa v. United States*, 556 U.S. ____ (2009).

ORDERS IN PENDING CASES

08M88 SEALED PETITIONER V. UNITED STATES

The motion for leave to file a petition for a writ of certiorari under seal with redacted copies for the public record is granted.

08M89 PEEBLES, KEVIN W. V. EVANS, WARDEN

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

08M90 ABELE, MEL V. NOAH, DOUGLAS, ET AL.

The motion for leave to proceed as a veteran is denied.

08M91 MOE, PHILIP A. V. HOLDER, ATT'Y GEN.

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

08-9180 SKLAR, MICHAEL, ET UX. V. CIR

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until July 20, 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.

08-9783 IN RE ARTHUR PORTER

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

08-10110 DOLAN, GARY V. SUNGARD

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until July 20, 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

08-645 ABBOTT, TIMOTHY M. V. ABBOTT, JACQUELYN V.

08-661 AMERICAN NEEDLE, INC. V. NATIONAL FOOTBALL LEAGUE, ET AL.

The petitions for writs of certiorari are granted.

08-1196 WEYHRAUCH, BRUCE V. UNITED STATES

The petition for a writ of certiorari is granted limited to the following question: Whether, to convict a state official for depriving the public of its right to the defendant's honest services through the non-disclosure of material information, in violation of the mail-fraud statute (18 U.S.C. §§1341 and 1346), the government must prove that the defendant violated a disclosure duty imposed by state law.

08-1200 JERMAN, KAREN L. V. CARLISLE, McNELLIE, RINI, ET AL.

08-1214 GRANITE ROCK COMPANY V. INT'L BHD. OF TEAMSTERS, ET AL.

The petitions for writs of certiorari are granted.

08-810 CONKRIGHT, SALLY L., ET AL. V. FROMMERT, PAUL J., ET AL.

The motion of Business Roundtable for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is granted.

CERTIORARI DENIED

08-576 FIN-AG, INC. V. PIPESTONE LIVESTOCK AUCTION

08-603 VOS, LEO, ET AL. V. BARG, MICHAEL F.

08-626 LEVEL 3 COMMUNICATIONS, LLC V. ST. LOUIS, MO

08-640 FEDERAL INSURANCE CO., ET AL. V. SAUDI ARABIA, ET AL.

08-759 SPRINT TELEPHONY PCS, L.P. V. SAN DIEGO COUNTY, CA, ET AL.

08-785 AGASINO, MARIA S. V. HOLDER, ATT'Y GEN., ET AL.

08-803) ALFIERI, MATTHEW D., ET AL. V. CONKRIGHT, SALLY L., ET AL.

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08-826) PIETROWSKI, KENNETH, ET AL. V. CONKRIGHT, SALLY L., ET AL.

08-852 ILLIG, SARAH, ET AL. V. UNITED STATES

08-863 STRATMAN, OMAR V. SALAZAR, SEC. OF INTERIOR

08-951 TAVORY, OREN V. NTP, INC.

08-1113 MCKNIGHT, LEROY, ET AL. V. GENERAL MOTORS CORP.

08-1123 CHEVRONTEXACO CORP., ET AL. V. ECUADOR, ET AL.

08-1129 PINNICK, MILVERTHA, ET AL. V. CORBOY & DEMETRIO, P.C., ET AL.

08-1130) TRUTH, ET AL. V. KENT SCHOOL DISTRICT, ET AL.

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08-1268) KENT SCHOOL DISTRICT, ET AL. V. TRUTH, ET AL.

08-1201 ABLE TIME, INC. V. UNITED STATES

08-1202 IMS HEALTH, INC., ET AL. V. AYOTTE, ATT'Y GEN. OF NH

08-1203 QUANTA COMPUTER, INC., ET AL. V. RICOH COMPANY, LTD.

08-1206 ANDREWS, BRYAN, ET UX. V. CHEVY CHASE BANK

08-1212 BOUDREAUX, JEAN, ET AL. V. LA DEPT. OF TRANSP., ET AL.

08-1233 BROOKSHIRE BROTHERS, ET AL. V. DAYCO PRODUCTIONS, INC., ET AL.

08-1244 NIXON, GOV. OF MO, ET AL. V. PHELPS-ROPER, SHIRLEY L.

08-1254 ZURICH AMERICAN INS. CO. V. LEXINGTON COAL CO., LLC

08-1304 FRANKLIN COUNTY POWER, ET AL. V. SIERRA CLUB

08-1308 HING, EILEEN C. V. HING, GLENN F.

08-1311 PULLIAM, WARREN L., ET AL. V. BANK OF AMERICA, ET AL.

08-1312 FOSTER, JUNE V. GRANITE BROADCASTING CORP.

08-1316 MAYO, JANICE E. V. CITIBANK SOUTH DAKOTA, N.A.

08-1318 SCHNEIDER, B. MICHAEL V. RYLAND GROUP

08-1327 HARRIS-BRUNSON, LINDA V. JENKINS, JAMES
08-1329 FIA CARD SERVICES V. PARKS, LINDA S.
08-1339 OSTERBUR, JAMES F. V. UNITED STATES, ET AL.
08-1342 MORRISSEY, MICHAEL J., ET AL. V. LESNIAK, ROBERT, ET AL.
08-1382 BUSHATI, ADNAN, ET AL. V. HOLDER, ATT'Y GEN.
08-1390 ESTATE OF LANDERS V. SEBELIUS, SEC. OF H&HS
08-1398 CARY, RICHARD, ET AL. V. UNITED STATES
08-1411 ROSE, STUART W. V. ILLINOIS
08-1416 MOORMAN, ROSS G. V. UNUMPROVIDENT CORP., ET AL.
08-1419 EWING, COLBY E. V. DISTRICT COURT OF MAINE, ET AL.
08-1420 COALITION OF WATERSHED TOWNS V. EPA, ET AL.
08-1442 BESTOR, ANDREW S. V. FBI
08-1480 UDDIN, MOHAMMED V. UNITED STATES
08-1481 VALLEE, RICHARD V. UNITED STATES
08-8242 CASAREZ, MARIO R. V. UNITED STATES
08-8440 BEN-YISRAYL, OBADYAH V. LEVENHAGEN, SUPT., IN
08-8726 DEAN, MARTHELL N. V. UNITED STATES
08-8992 MALOUF, MICHAEL V. UNITED STATES
08-9181 REA-HERRERA, MIGUEL V. UNITED STATES
08-9391 VINCENT, DAVID V. UNITED STATES
08-9454 BROWN, MICHAEL V. ALABAMA
08-9550 BELISLE, RICHARD A. V. ALABAMA
08-9580 IZAGUIRRE-MEZA, MARIA V. UNITED STATES
08-9678 WOETKO, TINA M., ET VIR V. WELT, ALAN, ET AL.
08-9931 STREATER, THEODORE V. TEXAS
08-9936 K'NAPP, ERIC CHARLES R. V. KNOWLES, MIKE, ET AL.
08-9943 WARD, WILLIAM V. IL DOC
08-9946 JONES, DONALD N. V. CALIFORNIA

08-9947 OSBORNE, GLENN V. CAIN, WARDEN
08-9951 BENGE, JOHN H. V. DELOY, WARDEN, ET AL.
08-9952 BURTON, TERRY J. V. CALIFORNIA, ET AL.
08-9953 BOSTIC, CLIFTON V. FLORIDA
08-9956 CASSELL, MARK A. V. FIRST CENTURY BANK, N.A.
08-9957 LEWIS, TIMOTHY L. V. TEXAS
08-9964 ZIBBELL, JEFFREY, ET UX. V. MI DEPT. OF HUMAN SERVICES
08-9968 ARIZMENDI, ALFREDO V. TEXAS
08-9969 ARIZMENDI, ALFREDO V. TEXAS
08-9970 ARIZMENDI, ALFREDO V. TEXAS
08-9974 GRAHAM, CLIFFORD V. V. McDANIEL, WARDEN, ET AL.
08-9980 SONACHANSINGH, DAVID V. NEW YORK
08-9982 SOKOLSKY, MARK S. V. COURT OF APPEAL OF CA, ET AL.
08-9987 PERRY, MOSHE V. PERRY, CORI L.
08-10001 SAUNDERS, HERMAN V. KELLY, SUPT., MS
08-10006 SLOVINEC, JOSEPH V. AMERICAN UNIVERSITY
08-10009 OUELLETTE, ROGER V. FLORIDA
08-10021 WILLIAMS, DAVID M. V. DELAWARE
08-10023 SONG, JEE H. V. CALIFORNIA
08-10024 DAVIS, WILLIAM F. V. FLORIDA
08-10034 BALLARD, DAVID L. V. SIMIEN, NICHOLAS, ET AL.
08-10035 BUTLER, JAMES P. V. HOWES, WARDEN
08-10039 WILLIFORD, ROBERT L. V. ILLINOIS
08-10044 HENDRICKSON, KEVIN L. V. WASHINGTON
08-10048 MEADOR, DAVID V. NORTH DAKOTA
08-10051 EDDINS, DARNELL V. METRISH, WARDEN
08-10054 EVANS, VERNELL R. V. McDANIEL, WARDEN, ET AL.
08-10058 MILES, COCHISE V. NORRIS, DIR., AR DOC

08-10060 NAJERA, ERNEST S. V. MARTEL, ACTING WARDEN
08-10062 WHEETLEY, DAVID A. V. BLOOM, SARA, ET VIR
08-10065 BROCK, JERMAINE T. V. MICHIGAN
08-10066 BURTON, WAYNE V. BARRETT, DIR., SAN JACINTO CTY.
08-10069 CLAUSEN, CARL J. V. FLORIDA
08-10097 TRAVIS, WALTER V. KNIGHT, SUPT., PENDLETON
08-10103 SWEENEY, LEO V. YATES, WARDEN
08-10121 RUBIO, JORGE A. V. TENNESSEE
08-10124 PANTANELLI, LENA V. STATE FARM FIRE & CASUALTY CO.
08-10126 LAY, JOHN R. V. McDONNELL, BOB
08-10130 BYARS, RANDALL V. WASHINGTON MUTUAL BANK, ET AL.
08-10159 ISLAND, EDWARD V. ILLINOIS
08-10173 VEGTER, TERESA V. CANADA LIFE ASSURANCE CO.
08-10181 VALDEZ, TITO D. V. WOODFORD, JEANNE, ET AL.
08-10200 MARLIN, TERRY L. V. PROSPER, WARDEN
08-10202 MORNINGSTAR, JEFFREY A. V. HANEY, WARDEN
08-10207 AKINS, WILLIAM V. UNITED STATES
08-10218 CONNER, DONNA M. V. LIONS GATE ENTERTAINMENT CORP.
08-10224 DEAN, GARY S. V. NEW HAMPSHIRE DOC
08-10226 MOORE, GREGG V. ILLINOIS
08-10229 WEAVER, RICKY L. V. FLORIDA
08-10231 ACKERMAN, JOYCE L., ET VIR V. UNION SECURITY INSURANCE CO.
08-10233 SMITH, MARCUS V. ILLINOIS
08-10239 COUCH, KEITH E. V. FLORIDA
08-10317 RICHARDSON, MEKA R. V. KS DOC, ET AL.
08-10322 RAILLEY, RICKY V. WEBB, WARDEN
08-10452 MOSELEY, CARL S. V. BRANKER, WARDEN, ET AL.
08-10463 EL, KWAME V. UNITED STATES

08-10468 NEWBURY, MICHAEL J. V. MAINE
08-10494 DIGGS, JOSEPH V. PLILER, WARDEN, ET AL.
08-10536 DiGIANNI, WILLIAM V. BLOOMBERG, MAYOR, ET AL.
08-10562 GREGORY, DANA P. V. UNITED STATES
08-10566 BIERI, LEONARD V. UNITED STATES
08-10568 ALONZA-MENDOZA, JACINTO V. UNITED STATES
08-10570 JONES, MICHAEL A. V. UNITED STATES
08-10573 TAYLOR, EDWARD V. UNITED STATES
08-10579 WINDER, WILLIE E. V. UNITED STATES
08-10580 ZGRZEPSKI, JOHN V. UNITED STATES
08-10581 WOLFSON, ALLEN V. UNITED STATES, ET AL.
08-10589 GONZALEZ, DIANA V. UNITED STATES
08-10598 DIAZ-SANTANA, MANUEL A. V. UNITED STATES
08-10599 SALAZAR-RAMIREZ, ROSALIO V. UNITED STATES
08-10601 VILLEGAS, RAFAEL V. UNITED STATES
08-10602 WILLIAMS, NOAH L. V. UNITED STATES
08-10608 RAMEY, JERRY W. V. UNITED STATES
08-10609 SENAT, WOODY V. UNITED STATES
08-10610 RIDEOUT, JOSHUA J. V. UNITED STATES
08-10613 JOHNSON, DOUGLAS P. V. UNITED STATES
08-10615 BIGGINS, KEITH L. V. UNITED STATES
08-10621 CASTILLO, FRANCISCO C. V. UNITED STATES
08-10622 BISHOP, JAMES Z. V. UNITED STATES
08-10623 LEWIS, ALMA V. UNITED STATES
08-10627 DAVIS, RALPH D. V. UNITED STATES
08-10628 BROWN, JOHN S. V. UNITED STATES
08-10630 BEDELL, JOSUE V. UNITED STATES
08-10633 McCONNELL, JOSEPH T. V. UNITED STATES

08-10637 TAYLOR, TERRELL M. V. UNITED STATES
08-10638 JOHNSON, SHANADOA W. V. UNITED STATES
08-10642 JOHNSON, ANDRE J. V. UNITED STATES
08-10648 SIFFORD, THOMAS D. V. UNITED STATES
08-10649 RIVERA-MARRERO, FREDDY V. UNITED STATES
08-10651 CALDWELL, GREGORY V. UNITED STATES
08-10653 WILLIAMS, PEDRO V. UNITED STATES
08-10654 WARRANT, SHANE T. V. UNITED STATES
08-10655 WARD, DAN L. V. UNITED STATES
08-10656 TAYLOR, MARIOUS D. V. UNITED STATES
08-10657 CARDENAS-LUNA, FERNANDO V. UNITED STATES
08-10660 ANCELMO-SANTOS, CELESTINO V. UNITED STATES
08-10663 WALKER, TIMOTHY M. V. UNITED STATES
08-10669 KINGCADE, TELLY V. UNITED STATES
08-10677 LITTLEHEAD, GERALD L. V. UNITED STATES
08-10688 BELL, CLARENCE V. UNITED STATES

The petitions for writs of certiorari are denied.

08-448 CABLE NEWS NETWORK, INC., ET AL. V. CSC HOLDINGS, INC., ET AL.

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

08-1089 WINKELMAN, JEFFREY, ET AL. V. PARMA CITY SCHOOL DISTRICT

The motion of American Occupational Therapy Association, et al. for leave to file a brief as *amici curiae* out of time is denied. The petition for a writ of certiorari is denied.

08-9933 BELL-BOSTON, KAREEMAH V. CAPITAL HILL HYATT REGENCY

08-9950 BELL-BOSTON, KAREEMAH V. GEORGE WASHINGTON HOSPITAL

08-9999 BELL-BOSTON, KAREEMAH V. SUPERIOR COURT OF DC

08-10012 JAFFE, SOL V. ARIZONA
08-10043 GLASS, LEIGH-DAVIS V. FORDNEY, MARILYN T., ET AL.
08-10605 DeWILLIAMS, GARY D. V. UNITED STATES
08-10674 THOMAS, CHARLES B. V. UNITED STATES

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

08-10735 IN RE CURTIS BLACKWELL, JR.
08-10766 IN RE 1 STARR DALTON

The petitions for writs of habeas corpus are denied.

MANDAMUS DENIED

08-10574 IN RE CLARENCE WALLACE

The petition for a writ of mandamus is denied.

08-9972 IN RE MARCOS L. ORTIZ

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

08-1045 TAYLOR, CAROLYN V. TODD, WALTER, ET AL.
08-1118 KONARSKI, FRANK, ET AL. V. TUCSON, AZ, ET AL.
08-7832 SPEED, ROBERT V. UNITED STATES
08-8664 MELVIN, EDWARD V. UNITED STATES
08-8861 RAIHALA, MICHAEL V. CASS COUNTY DISTRICT JUDGE
08-8983 SMITH, CHRISTOPHER C. V. BERGHUIS, WARDEN
08-9001 SUTTON, SYDNEY C. V. NC DEPT. OF LABOR
08-9017 CURRY, CARLINE M. V. MANSFIELD, OH, ET AL.
08-9126 STEWART, LAVERTIS V. CHANDLER, WARDEN

08-9175 SPINDLE, THOMAS W. V. UNITED STATES
08-9177 SCIPPIO, STEVEN V. V. UNITED STATES
08-9215 CLANTON, E. E. V. MUIRFIELD HOLDINGS, LTD., ET AL.
08-9225 STONE, CARL V. CHASE, WARDEN
08-9258 JONES, EDWARD C. V. CATE, SEC., CA DOC, ET AL.
08-9294 DONOVAN, CANWOOT V. McNEIL, SEC., FL DOC
08-9305 STACKHOUSE, RICHARD V. PENNSYLVANIA
08-9350 HOLDER, LINDA V. SHINSEKI, SEC. OF VA, ET AL.
08-9457 DANIELS, GARY V. V. UNITED STATES
08-9739 CONARD, BILL W. V. UNITED STATES

The petitions for rehearing are denied.