

ORDERS FOR OCTOBER 6, 2008, THROUGH
MARCH 6, 2009

OCTOBER 6, 2008

Appeals Dismissed

No. 07-1458. DEAN ET AL. *v.* LEAKE, CHAIRMAN, NORTH CAROLINA STATE BOARD OF ELECTIONS, ET AL. Appeal from D. C. E. D. N. C. dismissed for want of jurisdiction. Reported below: 550 F. Supp. 2d 594.

No. 07-1460. RILEY, GOVERNOR OF ALABAMA *v.* PLUMP. Appeal from D. C. M. D. Ala. dismissed for want of jurisdiction.

Certiorari Granted—Vacated and Remanded

No. 07-1154. MCCLELLAN *v.* UNITED STATES. C. A. 4th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Gall v. United States*, 552 U.S. 38 (2007). Reported below: 257 Fed. Appx. 654.

No. 07-1334. IMPROV WEST ASSOCIATES ET AL. *v.* COMEDY CLUB, INC., ET AL. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Hall Street Associates, L. L. C. v. Mattel, Inc.*, 552 U.S. 576 (2008). Reported below: 514 F. 3d 833.

No. 07-10481. WILSON *v.* UNITED STATES. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Gall v. United States*, 552 U.S. 38 (2007). Reported below: 254 Fed. Appx. 561.

No. 07-10984. HOLMAN *v.* UNITED STATES. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Begay v. United States*, 553 U.S. 137 (2008). Reported below: 265 Fed. Appx. 757.

No. 07-11443. BANOS *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Motion of petitioner for leave to proceed *in forma pau-*

October 6, 2008

555 U. S.

peris granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Giles v. California*, 554 U. S. 353 (2008).

Certiorari Dismissed

No. 07–10169. FEURTADO *v.* DUNIVANT, UNITED STATES MARSHAL, ET AL. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 244 Fed. Appx. 81.

No. 07–10632. NALI *v.* CITY OF GROSS POINTE WOODS, MICHIGAN, ET AL. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 07–10634. MUHAMMAD *v.* VARGAS ET AL. Ct. App. Cal., 2d App. Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As 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.

No. 07–10707. STOLLER *v.* SOCIETY FOR THE PREVENTION OF TRADEMARK ABUSE. C. A. Fed. Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 260 Fed. Appx. 267.

No. 07–11004. CURIALE *v.* CASANOVAS ET AL. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As 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.

555 U.S.

October 6, 2008

No. 07–11185. *ROBERSON v. GRAZIANO*. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As 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. Reported below: 269 Fed. Appx. 334.

No. 07–11249. *GIBSON, AKA WILLIS v. UNITED STATES*. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 255 Fed. Appx. 721.

No. 07–11262. *GUTIERREZ BRUNO v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 07–11368. *PEABODY v. UNITED STATES ET AL.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 263 Fed. Appx. 560.

No. 08–5170. *BARRITT v. TRANT*. C. A. D. C. Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As 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. Reported below: 262 Fed. Appx. 283.

No. 08–5296. *MINNIECHESKE v. DANNHOFF ET AL.* C. A. 7th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk

October 6, 2008

555 U. S.

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.

No. 08–5329. *BROWN v. BEARD*, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 08–5442. *CURIALE v. POTTER*, POSTMASTER GENERAL (two judgments). C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As 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.

No. 08–5455. *ROLLE v. HANKINSON*, JUDGE, CIRCUIT COURT OF FLORIDA, SECOND JUDICIAL CIRCUIT. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 08–5457. *AWALA v. UNITED STATES*. C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As 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.

No. 08–5496. *LAFOUNTAIN v. HOWES*, WARDEN. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

555 U.S.

October 6, 2008

No. 08–5531. *ROLLE v. SHERRILL ET AL.* C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–5858. *MATHISON v. WILEY, WARDEN.* C. A. 10th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As 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. Reported below: 281 Fed. Appx. 845.

No. 08–5873. *PERKINS v. UNITED STATES.* C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari before judgment dismissed. See this Court’s Rule 39.8.

Miscellaneous Orders

No. 08A69. *CORDERO v. DELANO ET AL.* C. A. 2d Cir. Application for injunction and stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. 07M73. *FRANCIS v. JOINT FORCE HEADQUARTERS NATIONAL GUARD ET AL.*;

No. 07M74. *FRANCIS v. JOINT FORCE HEADQUARTERS NATIONAL GUARD ET AL.*;

No. 07M78. *DANTZLER v. POPE ET AL.*;

No. 07M80. *R. D. v. FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES*;

No. 07M81. *DRAKE v. DELTA AIR LINES, INC.*;

No. 08M1. *BERBERICK v. WOLFINSOHN ET VIR*;

No. 08M2. *DELIGIANNIS v. APPELLATE DIVISION, SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES*;

No. 08M3. *JOHNSON v. POINTE COUPEE PARISH POLICE JURY*;

No. 08M5. *DONELON, COMMISSIONER OF INSURANCE FOR LOUISIANA v. LOUISIANA DIVISION OF ADMINISTRATIVE LAW*;

No. 08M6. *TAIRU v. UNITED STATES*;

No. 08M7. *MOORE v. NEW YORK*;

October 6, 2008

555 U. S.

No. 08M8. ROBINSON *v.* ADVENTIST HEALTH SYSTEM, DBA FLORIDA HOSPITAL ORLANDO, ET AL.;

No. 08M11. SMITH *v.* UNITED STATES;

No. 08M12. POIRIER *v.* THURMER, WARDEN, ET AL.;

No. 08M13. NORTON *v.* MUKASEY, ATTORNEY GENERAL, ET AL.;

No. 08M14. HUNTER *v.* WILLIAMS-SONOMA DIRECT ET AL.;

No. 08M15. DOUGLAS *v.* CONNELL, SUPERINTENDENT, ONEIDA CORRECTIONAL FACILITY; and

No. 08M16. OSBORN *v.* OSBORN. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 07M75. TODD *v.* EVANS, WARDEN. Motion to direct the Clerk to file petition for writ of certiorari out of time under this Court's Rule 14.5 denied.

No. 07M76. CAIRNS *v.* JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS;

No. 07M79. TUCKER *v.* UNITED STATES; and

No. 08M9. SEALED APPELLANT *v.* UNITED STATES. Motions for leave to file petitions for writs of certiorari under seal with redacted copies for the public record granted.

No. 07M77. WILSON *v.* CALIFORNIA; and

No. 08M10. FULLER *v.* TEXAS. Motions for leave to proceed *in forma pauperis* without affidavits of indigency executed by petitioners granted.

No. 08M4. BEAUDETTE *v.* DEPARTMENT OF THE TREASURY. Motion for leave to proceed as a veteran denied.

No. 65, Orig. TEXAS *v.* NEW MEXICO. Motion of the River Master for fees and reimbursement of expenses granted, and the River Master is awarded a total of \$6,673.16 for the period July 1, 2007, through June 30, 2008, to be paid equally by the parties. [For earlier order herein, see, *e. g.*, 552 U. S. 804.]

No. 06–1249. WYETH *v.* LEVINE. Sup. Ct. Vt. [Certiorari granted, 552 U. S. 1161.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 06–11206. CHAMBERS *v.* UNITED STATES. C. A. 7th Cir. [Certiorari granted, 553 U. S. 1003.] Motion of petitioner for leave to file volume II of the joint appendix under seal granted.

555 U.S.

October 6, 2008

No. 07–526. *CARCIERI, GOVERNOR OF RHODE ISLAND, ET AL. v. KEMPTHORNE, SECRETARY OF THE INTERIOR, ET AL.* C. A. 1st Cir. [Certiorari granted, 552 U.S. 1229.] Motions of petitioners Donald L. Carcieri, Governor of Rhode Island, State of Rhode Island, and Town of Charlestown for divided argument denied. Motion of Narragansett Indian Tribe for leave to participate in oral argument as *amicus curiae* and for divided argument denied.

No. 07–591. *MELENDEZ-DIAZ v. MASSACHUSETTS*. App. Ct. Mass. [Certiorari granted, 552 U.S. 1256.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 07–772. *WADDINGTON, SUPERINTENDENT, WASHINGTON CORRECTIONS CENTER v. SARAUSAD*. C. A. 9th Cir. [Certiorari granted, 552 U.S. 1256.] Motion of respondent for appointment of counsel granted. Patricia Novotny, Esq., of Seattle, Wash., is appointed to serve as counsel for respondent in this case.

No. 07–1015. *ASHCROFT, FORMER ATTORNEY GENERAL, ET AL. v. IQBAL ET AL.* C. A. 2d Cir. [Certiorari granted, 554 U.S. 902.] Motion of the Acting Solicitor General to dispense with printing the joint appendix granted.

No. 07–1059. *UNITED STATES v. EURODIF S. A. ET AL.*; and
No. 07–1078. *USEC INC. ET AL. v. EURODIF S. A. ET AL.* C. A. Fed. Cir. [Certiorari granted, 553 U.S. 1003.] Motion of the Acting Solicitor General to file two volumes of the joint appendix under seal granted.

No. 07–1122. *ARIZONA v. JOHNSON*. Ct. App. Ariz. [Certiorari granted, 554 U.S. 916.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 07–1239. *WINTER, SECRETARY OF THE NAVY, ET AL. v. NATURAL RESOURCES DEFENSE COUNCIL, INC., ET AL.* C. A. 9th Cir. [Certiorari granted, 554 U.S. 916.] Motion of the Acting Solicitor General to file one volume of the joint appendix under seal granted.

No. 07–1315. *KNOWLES, WARDEN v. MIRZAYANCE*. C. A. 9th Cir. [Certiorari granted, 554 U.S. 932.] Motion of petitioner to dispense with printing the joint appendix granted.

October 6, 2008

555 U. S.

No. 07–1327. ALBERTSON’S INC. ET AL. *v.* KANTER ET AL. Sup. Ct. Cal.; and

No. 07–1489. TRAINER WORTHAM & CO., INC., ET AL. *v.* BETZ. C. A. 9th Cir. The Acting Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 07–8515. IN RE OSWALD. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [552 U. S. 1177] denied.

No. 07–8521. HARBISON *v.* BELL, WARDEN. C. A. 6th Cir. [Certiorari granted, 554 U. S. 917.] Joint motion to dispense with printing the joint appendix granted.

No. 07–10097. CENSKE *v.* DEPARTMENT OF JUSTICE ET AL. C. A. 6th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [553 U. S. 1016] denied.

No. 07–10194. STOLLER *v.* ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION. Sup. Ct. Ill. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [553 U. S. 1063] denied.

No. 07–10486. TEDDER *v.* CULLIVER, WARDEN. C. A. 11th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [554 U. S. 915] denied.

No. 07–10992. POTEET, INDIVIDUALLY AND AS NEXT FRIEND OF POTEET, A MINOR *v.* TOWN OF FLOWER MOUND, TEXAS. Ct. App. Tex., 2d Dist.;

No. 07–11192. KING *v.* MARRIOTT INTERNATIONAL, INC. C. A. 4th Cir.;

No. 07–11307. NOBLE *v.* MUKASEY, ATTORNEY GENERAL. C. A. 2d Cir.;

No. 07–11386. ABIDAUD *v.* MUKASEY, ATTORNEY GENERAL. C. A. 1st Cir.;

No. 07–11411. MOBASHER *v.* BRONX COMMUNITY COLLEGE OF THE CITY UNIVERSITY OF NEW YORK ET AL. C. A. 2d Cir.;

No. 07–11555. SWAKEEN *v.* NEW YORK CITY HEALTH AND HOSPITALS CORP. App. Div., Sup. Ct. N. Y., 1st Jud. Dept.;

No. 08–5003. LACY *v.* NATIONAL RAILROAD PASSENGER CORPORATION. C. A. 3d Cir.;

No. 08–5382. TATUM *v.* CURTIS ET AL. App. Ct. Mass.;

555 U.S.

October 6, 2008

No. 08–5512. TROUT *v.* VIRGINIA. Sup. Ct. Va.;
No. 08–5694. BUCK *v.* UNITED STATES. C. A. 5th Cir.;
No. 08–5786. YEAZEL *v.* UNITED STATES. C. A. 7th Cir.; and
No. 08–5935. IN RE WOLF. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until October 27, 2008, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

No. 07–11154. IN RE ADAMS. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [554 U.S. 916] denied.

No. 07–10375. IN RE FARLEY;
No. 07–11189. IN RE BRADFORD;
No. 07–11349. IN RE DESPENZA;
No. 07–11397. IN RE SCHMIDT;
No. 07–11479. IN RE DAVILA;
No. 07–11614. IN RE BRADFORD;
No. 08–5130. IN RE MORRIS;
No. 08–5199. IN RE DURHAM;
No. 08–5353. IN RE MCGUIGAN;
No. 08–5511. IN RE HERNANDEZ ET AL.;
No. 08–5551. IN RE BELSER;
No. 08–5555. IN RE THOMAS;
No. 08–5604. IN RE CARTER;
No. 08–5615. IN RE RUSTON;
No. 08–5765. IN RE HARRIS;
No. 08–5773. IN RE GORE;
No. 08–5785. IN RE WEST;
No. 08–5847. IN RE WARREN;
No. 08–5890. IN RE BROWN; and
No. 08–5980. IN RE KING. Petitions for writs of habeas corpus denied.

No. 08–5072. IN RE BENNETT;
No. 08–5085. IN RE GEFFKEN; and
No. 08–5140. IN RE EMBREY. Motions of petitioners for leave to proceed *in forma pauperis* denied, and petitions for writs of habeas corpus dismissed. See this Court’s Rule 39.8.

No. 07–1587. IN RE RICHARDS;
No. 07–7072. IN RE MCCLOUD;

October 6, 2008

555 U. S.

- No. 07-10607. IN RE HUNT;
No. 07-10644. IN RE CHAVIS;
No. 07-10772. IN RE HENDERSON;
No. 07-10789. IN RE ZARWELL;
No. 07-10843. IN RE WARREN;
No. 07-11023. IN RE OCASIO;
No. 07-11149. IN RE WARREN;
No. 07-11164. IN RE RUSTON;
No. 07-11236. IN RE FIELDS;
No. 07-11312. IN RE WARD ET UX.;
No. 07-11388. IN RE ANAYA;
No. 07-11453. IN RE FOOSE;
No. 07-11588. IN RE OCASIO;
No. 07-11600. IN RE DARNE;
No. 07-11601. IN RE DARNE;
No. 08-5031. IN RE RE;
No. 08-5117. IN RE LATTAKER;
No. 08-5257. IN RE BUSH;
No. 08-5391. IN RE OCASIO;
No. 08-5406. IN RE SHUSTERMAN;
No. 08-5467. IN RE HUNT;
No. 08-5923. IN RE TERRY; and
No. 08-5928. IN RE SPEARS. Petitions for writs of mandamus denied.
- No. 07-11367. IN RE ROLLE;
No. 07-11378. IN RE ROLLE;
No. 07-11419. IN RE ROLLE; and
No. 07-11465. IN RE BARKCLAY. Motions of petitioners for leave to proceed *in forma pauperis* denied, and petitions for writs of mandamus dismissed. See this Court's Rule 39.8.
- No. 07-10541. IN RE ENGLE;
No. 07-10681. IN RE SHORT;
No. 07-11275. IN RE DUKES;
No. 08-5398. IN RE SCOTT; and
No. 08-5758. IN RE ARMSTRONG. Petitions for writs of mandamus and/or prohibition denied.
- No. 08-5205. IN RE WOERTH. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus and/or prohibition dismissed. See this Court's

555 U.S.

October 6, 2008

Rule 39.8. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 08–5949. IN RE RICH. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus and/or prohibition dismissed. See this Court’s Rule 39.8.

Certiorari Denied

No. 07–661. MARULANDA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 226 Fed. Appx. 709.

No. 07–1042. LETT *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 483 F. 3d 782.

No. 07–1097. GOLDBLATT *v.* EBERT, TRUSTEE. C. A. 5th Cir. Certiorari denied. Reported below: 253 Fed. Appx. 340.

No. 07–1109. KICKAPOO TRADITIONAL TRIBE OF TEXAS *v.* TEXAS ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 497 F. 3d 491.

No. 07–1112. BUCHANAN, BY AND THROUGH BREWINGTON, PLENARY GUARDIAN OF THE PERSON *v.* ILLINOIS. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 374 Ill. App. 3d 1127, 944 N. E. 2d 926.

No. 07–1159. METZ *v.* CSX TRANSPORTATION, INC. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 969 So. 2d 1022.

No. 07–1160. EQUAL ACCESS FOR EL PASO, INC., ET AL. *v.* HAWKINS, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS COMMISSIONER OF THE TEXAS HEALTH AND HUMAN SERVICES COMMISSION. C. A. 5th Cir. Certiorari denied. Reported below: 509 F. 3d 697.

No. 07–1165. OVERLAND ET AL. *v.* LOS ANGELES COUNTY, CALIFORNIA, ET AL. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 07–1189. HAINS ET AL. *v.* LOGSDON. C. A. 6th Cir. Certiorari denied. Reported below: 492 F. 3d 334.

No. 07–1221. PENA-MURIEL *v.* MUKASEY, ATTORNEY GENERAL. C. A. 1st Cir. Certiorari denied. Reported below: 489 F. 3d 438.

October 6, 2008

555 U.S.

No. 07–1226. *WAYTEC ELECTRONICS CORP. v. ROHM & HAAS ELECTRONIC MATERIALS, LLC, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 255 Fed. Appx. 754.

No. 07–1229. *GHERINI, INDIVIDUALLY AND AS SUCCESSOR IN INTEREST TO THE ESTATE OF GHERINI, DECEASED v. LAGAMARSINO ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 258 Fed. Appx. 81.

No. 07–1232. *BAIDA v. FIRST UNUM LIFE INSURANCE CO. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 29.

No. 07–1234. *LONG ISLAND SAVINGS BANK, FSB, ET AL. v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 503 F. 3d 1234.

No. 07–1249. *RANKIN v. CALIFORNIA.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 07–1251. *ALEXANDER v. UNITED STATES*; and
No. 07–10255. *MOON v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 512 F. 3d 359.

No. 07–1254. *STRAUB v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 508 F. 3d 1003.

No. 07–1256. *WILD WAVES, LLC v. NICKELS MIDWAY PIER, LLC, DEBTOR.* C. A. 3d Cir. Certiorari denied. Reported below: 255 Fed. Appx. 633.

No. 07–1259. *HAAS ET AL. v. QUEST RECOVERY SERVICES, INC., ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 247 Fed. Appx. 670.

No. 07–1262. *BUSSELL v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 504 F. 3d 956.

No. 07–1265. *PALMER v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 507 F. 3d 300.

No. 07–1270. *SILVA v. BOWIE STATE UNIVERSITY.* C. A. 4th Cir. Certiorari denied. Reported below: 235 Fed. Appx. 115.

No. 07–1273. *DELFINO ET UX. v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 510 F. 3d 468.

555 U.S.

October 6, 2008

No. 07-1274. *CROSS v. RELIANCE STANDARD LIFE INSURANCE CO. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 708.

No. 07-1281. *KAY ET AL. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 513 F. 3d 432.

No. 07-1282. *SNODGRASS v. ROBINSON ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 512 F. 3d 999.

No. 07-1289. *PARM ET AL. v. SHUMATE, SHERIFF, EAST CARROLL PARISH, LOUISIANA.* C. A. 5th Cir. Certiorari denied. Reported below: 513 F. 3d 135.

No. 07-1295. *LEWIS v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 498 F. 3d 393.

No. 07-1303. *TRANSLOGIC TECHNOLOGY, INC. v. DUDAS, DIRECTOR, PATENT AND TRADEMARK OFFICE.* C. A. Fed. Cir. Certiorari denied. Reported below: 504 F. 3d 1249.

No. 07-1310. *VALENZUELA GRULLON v. MUKASEY, ATTORNEY GENERAL, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 509 F. 3d 107.

No. 07-1317. *EVANS v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied. Reported below: 256 Fed. Appx. 616.

No. 07-1318. *HAMILTON COUNTY PUBLIC DEFENDER COMMISSION ET AL. v. POWERS.* C. A. 6th Cir. Certiorari denied. Reported below: 501 F. 3d 592.

No. 07-1322. *HERNANDEZ v. MUKASEY, ATTORNEY GENERAL.* C. A. 11th Cir. Certiorari denied. Reported below: 513 F. 3d 1336.

No. 07-1328. *ACUNA, INDIVIDUALLY AND AS ADMINISTRATRIX AD PROSEQUENDUM OF THE ESTATE OF ACUNA, DECEASED v. TURKISH ET AL.* Sup. Ct. N. J. Certiorari denied. Reported below: 192 N. J. 399, 930 A. 2d 416.

No. 07-1330. *T-MOBILE USA, INC. v. LOWDEN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 512 F. 3d 1213.

No. 07-1331. *T-MOBILE USA, INC. v. JANDA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 727.

October 6, 2008

555 U.S.

No. 07–1336. *WILCOX ET AL. v. UNITED STATES EX REL. STONER*. C. A. 9th Cir. Certiorari denied. Reported below: 502 F. 3d 1116.

No. 07–1337. *CALDERON-DOMINGUEZ, AKA CALDERON v. MUKASEY, ATTORNEY GENERAL*. C. A. 5th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 671.

No. 07–1341. *POLICASTRO v. KONTOGIANNIS ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 262 Fed. Appx. 429.

No. 07–1346. *FEDERAL EXPRESS CORP., DBA FEDEX EXPRESS v. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION*. C. A. 4th Cir. Certiorari denied. Reported below: 513 F. 3d 360.

No. 07–1347. *ALEXANDER v. BRIGHAM & WOMEN'S PHYSICIANS ORGANIZATION, INC., ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 513 F. 3d 37.

No. 07–1348. *BOLDT v. BOLDT*. Sup. Ct. Ore. Certiorari denied. Reported below: 344 Ore. 1, 176 P. 3d 388.

No. 07–1350. *WISNIEWSKI v. RODALE, INC.* C. A. 3d Cir. Certiorari denied. Reported below: 510 F. 3d 294.

No. 07–1351. *TAL ET AL. v. DCR FUND I, L. L. C., ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 139.

No. 07–1354. *BUDD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 496 F. 3d 517.

No. 07–1355. *VILLAGE OF MUNDELEIN, ILLINOIS v. WISCONSIN CENTRAL RAILROAD*. Sup. Ct. Ill. Certiorari denied. Reported below: 227 Ill. 2d 281, 882 N. E. 2d 544.

No. 07–1357. *GILLISPIE v. MARINA CLUB OF TAMPA, HOMEOWNERS ASSN. INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 264 Fed. Appx. 805.

No. 07–1358. *SPRINT SPECTRUM L. P., DBA SPRINT PCS GROUP, ET AL. v. HALL, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED*. App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 376 Ill. App. 3d 822, 876 N. E. 2d 1036.

555 U.S.

October 6, 2008

No. 07-1359. *LAMPKIN-ASAM v. VOLUSIA COUNTY SCHOOL BOARD ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 274.

No. 07-1361. *AROCHO, AS ADMINISTRATRIX OF THE ESTATE OF VERAS, ET AL. v. LEHIGH COUNTY, PENNSYLVANIA, ET AL.* Commw. Ct. Pa. Certiorari denied. Reported below: 922 A. 2d 1010.

No. 07-1362. *MARTINEZ-GUERRERO v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 262 Fed. Appx. 664.

No. 07-1365. *SLADE v. GEORGIA.* Ct. App. Ga. Certiorari denied. Reported below: 287 Ga. App. 34, 651 S. E. 2d 352.

No. 07-1366. *STANTON ET AL. v. ARIZONA LIFE COALITION ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 515 F. 3d 956.

No. 07-1367. *MALLIOS v. STANDARD INSURANCE CO. ET AL.* Ct. App. Tex., 14th Dist. Certiorari denied. Reported below: 237 S. W. 3d 778.

No. 07-1368. *PARKER ET AL. v. HURLEY ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 514 F. 3d 87.

No. 07-1370. *LONG JOHN SILVER'S, INC. v. COLE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 514 F. 3d 345.

No. 07-1371. *CAMBRIDGE LITERARY PROPERTIES, LTD. v. W. GOEBEL PORZELLANFABRIK G.M.B.H. & Co. KG. ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 510 F. 3d 77.

No. 07-1380. *OWENS, AS CONSERVATOR OF KING, AN INCAPACITATED PERSON v. NATIONAL HEALTH CORP. ET AL.* Sup. Ct. Tenn. Certiorari denied. Reported below: 242 S. W. 3d 437.

No. 07-1383. *SHISINDAY, AKA THOMAS v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 511 F. 3d 514.

No. 07-1384. *SUNDERLAND v. WASHINGTON DEPARTMENT OF SOCIAL AND HEALTH SERVICES.* Ct. App. Wash. Certiorari denied. Reported below: 138 Wash. App. 276, 156 P. 3d 940.

October 6, 2008

555 U. S.

No. 07-1385. *LONG, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF LONG v. CITY AND COUNTY OF HONOLULU, HAWAII, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 511 F. 3d 901.

No. 07-1386. *KANNAPIEN ET AL. v. QUAKER OATS CO. ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 507 F. 3d 629.

No. 07-1387. *STROMAN REALTY, INC. v. WERCINSKI, COMMISSIONER, ARIZONA DEPARTMENT OF REAL ESTATE.* C. A. 5th Cir. Certiorari denied. Reported below: 513 F. 3d 476.

No. 07-1388. *NOLAN v. BOEING CORP.* Ct. App. Wash. Certiorari denied. Reported below: 136 Wash. App. 1020.

No. 07-1391. *VONNER v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 516 F. 3d 382.

No. 07-1392. *DRUTIS ET AL. v. QUEBECOR WORLD (USA), INC.* C. A. 6th Cir. Certiorari denied. Reported below: 499 F. 3d 608.

No. 07-1393. *FARQUHARSON v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 07-1395. *VARGAS v. LOCAL UNION NO. 32B-32J ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 251 Fed. Appx. 702.

No. 07-1396. *ELSHINNAWY v. ASTRUE, COMMISSIONER OF SOCIAL SECURITY.* C. A. 3d Cir. Certiorari denied. Reported below: 244 Fed. Appx. 459.

No. 07-1397. *STEVENSON v. UNITED STATES.* C. A. Armed Forces. Certiorari denied. Reported below: 66 M. J. 15.

No. 07-1398. *SOWARDS v. OHIO.* Ct. App. Ohio, Gallia County. Certiorari denied. Reported below: 2007-Ohio-4863.

No. 07-1399. *SCHEIB ET UX. v. MELLON BANK ET AL.* C. A. 3d Cir. Certiorari denied.

No. 07-1401. *CALLAHAN ET AL. v. CIRCUIT CITY STORES, INC.* Ct. App. La., 1st Cir. Certiorari denied. Reported below: 971 So. 2d 1116.

No. 07-1404. *NUIJTEN v. DUDAS, UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND DIRECTOR, PATENT*

555 U.S.

October 6, 2008

AND TRADEMARK OFFICE. C. A. Fed. Cir. Certiorari denied. Reported below: 500 F. 3d 1346.

No. 07-1405. *OLSON v. CONTINENTAL RESOURCES, INC., ET AL.* Ct. Civ. App. Okla. Certiorari denied.

No. 07-1407. *YONG ZHU v. MASSACHUSETTS INSTITUTE OF TECHNOLOGY.* App. Ct. Mass. Certiorari denied. Reported below: 70 Mass. App. 1103, 874 N. E. 2d 505.

No. 07-1408. *BROWN v. FISHER ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 251 Fed. Appx. 527.

No. 07-1412. *ALLEN v. ARIZONA.* Ct. App. Ariz. Certiorari denied. Reported below: 216 Ariz. 320, 166 P. 3d 111.

No. 07-1413. *MUNCHINSKI v. SOLOMON, DISTRICT ATTORNEY, FAYETTE COUNTY, PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 07-1414. *EVERSON ET UX. v. DOUGHTON, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS JUDGE, SUPERIOR COURT OF ALLEGANY/ROCKINGHAM COUNTY, NORTH CAROLINA.* C. A. 4th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 229.

No. 07-1415. *CAMPBELL v. PHELPS, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 515 F. 3d 172.

No. 07-1416. *SKOORKA v. KEAN UNIVERSITY ET AL.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 07-1417. *STEVENS v. UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF GEORGIA.* C. A. 11th Cir. Certiorari denied.

No. 07-1418. *SANCHEZ v. SANCHEZ.* Ct. App. Tex., 4th Dist. Certiorari denied.

No. 07-1420. *COX v. CALIFORNIA*; and

No. 07-1431. *COX v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 07-1422. *HURLEY ET UX. v. BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 257 Fed. Appx. 726.

October 6, 2008

555 U. S.

No. 07-1424. *GALLEGOS v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 300.

No. 07-1425. *TURNER v. PERRY COUNTY COAL CORP. ET AL.* Ct. App. Ky. Certiorari denied. Reported below: 242 S. W. 3d 658.

No. 07-1429. *LUCERO v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 246 S. W. 3d 86.

No. 07-1430. *MCCLASKEY v. LA PLATA R-II SCHOOL DISTRICT ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 256 Fed. Appx. 867.

No. 07-1433. *STEWART v. CHILDERS*, JUDGE, CIRCUIT COURT OF KENTUCKY, KNOTT, AND MAGOFFIN COUNTIES. C. A. 6th Cir. Certiorari denied.

No. 07-1435. *MATTHEWS v. MILITARY DEPARTMENT, STATE OF LOUISIANA*. Ct. App. La., 1st Cir. Certiorari denied. Reported below: 970 So. 2d 1089.

No. 07-1436. *CATE*, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION *v. ANDERSON*. C. A. 9th Cir. Certiorari denied. Reported below: 516 F. 3d 781.

No. 07-1438. *WESTBOUND RECORDS, INC. v. JUSTIN COMBS PUBLISHING ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 507 F. 3d 470.

No. 07-1440. *BEECHER ET AL. v. STATE ELECTRICAL WORK EXAMINING BOARD*. App. Ct. Conn. Certiorari denied. Reported below: 104 Conn. App. 655, 934 A. 2d 852.

No. 07-1441. *BOZE v. BALLEW*. C. A. 5th Cir. Certiorari denied. Reported below: 259 Fed. Appx. 644.

No. 07-1442. *STEIN v. DISCIPLINARY BOARD OF THE SUPREME COURT OF NEW MEXICO*. Sup. Ct. N. M. Certiorari denied. Reported below: 143 N. M. 462, 177 P. 3d 513.

No. 07-1443. *LANE v. TEXAS*. Ct. App. Tex., 12th Dist. Certiorari denied.

555 U.S.

October 6, 2008

No. 07-1444. *MATEEN ET AL. v. DICUS*. Ct. App. Ga. Certiorari denied. Reported below: 286 Ga. App. 760, 650 S. E. 2d 272.

No. 07-1445. *DORN v. UNITED STATES ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 249 Fed. Appx. 164.

No. 07-1446. *VEGA-SANTIAGO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 519 F. 3d 1.

No. 07-1450. *ASSOCIATION OF CIVILIAN TECHNICIANS, NEW YORK STATE COUNCIL v. FEDERAL LABOR RELATIONS AUTHORITY*. C. A. D. C. Cir. Certiorari denied. Reported below: 507 F. 3d 697.

No. 07-1451. *TANTAY v. MUKASEY, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied.

No. 07-1452. *YANAI, WARDEN v. GIRTS*. C. A. 6th Cir. Certiorari denied. Reported below: 501 F. 3d 743.

No. 07-1454. *FASHION VALLEY MALL, LLC v. NATIONAL LABOR RELATIONS BOARD*. Sup. Ct. Cal. Certiorari denied. Reported below: 42 Cal. 4th 850, 172 P. 3d 742.

No. 07-1455. *FEDORA INC. ET AL. v. THOMAS*. Ct. App. D. C. Certiorari denied. Reported below: 928 A. 2d 699.

No. 07-1456. *FORRESTER v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 156 Cal. App. 4th 1021, 67 Cal. Rptr. 3d 740.

No. 07-1457. *CAPUTO ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 517 F. 3d 935.

No. 07-1462. *BISCHOFF v. LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT ET AL.* C. A. 6th Cir. Certiorari denied.

No. 07-1463. *HALL v. CONTINENTAL AIRLINES, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 252 Fed. Appx. 650.

No. 07-1465. *TYRER v. CITY OF SOUTH BELOIT, ILLINOIS*. C. A. 7th Cir. Certiorari denied. Reported below: 516 F. 3d 659.

No. 07-1470. *UNITED STATES STEEL CORP. ET AL. v. CANADIAN LUMBER TRADE ALLIANCE ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 517 F. 3d 1319.

October 6, 2008

555 U.S.

No. 07-1471. *YEE v. STATE COURT ADMINISTRATIVE OFFICE ET AL.* C. A. 6th Cir. Certiorari denied.

No. 07-1472. *KNUBBE v. PORTFOLIO RECOVERY ASSOCIATES.* Cir. Ct. Wayne County, Mich. Certiorari denied.

No. 07-1473. *BISKUPSKI v. MUKASEY, ATTORNEY GENERAL.* C. A. 3d Cir. Certiorari denied. Reported below: 503 F. 3d 274.

No. 07-1475. *SKELTON v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 514 F. 3d 433.

No. 07-1476. *ROYAL SURPLUS LINES INSURANCE CO. v. NORTHFIELD INSURANCE CO.* C. A. 9th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 508.

No. 07-1477. *MORSOVILLO v. EIGHTH JUDICIAL DISTRICT COURT OF NEVADA, CLARK COUNTY, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 263 Fed. Appx. 642.

No. 07-1478. *HATCH v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 514 F. 3d 145.

No. 07-1479. *INDYWAY INVESTMENT v. OPRI ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 07-1480. *LANG v. PAULSON, SECRETARY OF THE TREASURY.* C. A. 5th Cir. Certiorari denied. Reported below: 260 Fed. Appx. 668.

No. 07-1481. *KING v. STATE RESOURCES CORP. ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 233 Fed. Appx. 1.

No. 07-1484. *KEMP, CHAIRMAN, OKLAHOMA TAX COMMISSION, ET AL. v. OSAGE NATION.* C. A. 10th Cir. Certiorari denied. Reported below: 260 Fed. Appx. 13.

No. 07-1485. *SMITH, WARDEN, ET AL. v. AL-AMIN.* C. A. 11th Cir. Certiorari denied. Reported below: 511 F. 3d 1317.

No. 07-1487. *NAVARRETE v. GEORGIA.* Sup. Ct. Ga. Certiorari denied. Reported below: 283 Ga. 156, 656 S. E. 2d 814.

No. 07-1488. *DENNETT v. CENTRAL INTELLIGENCE AGENCY.* C. A. 2d Cir. Certiorari denied. Reported below: 252 Fed. Appx. 343.

555 U.S.

October 6, 2008

No. 07-1490. *TIBER SHIPPING LLC ET AL. v. BP OIL INTERNATIONAL LTD. ET AL.* C. A. 5th Cir. Certiorari denied.

No. 07-1491. *CRAWFORD, DIRECTOR, MISSOURI DEPARTMENT OF CORRECTIONS, ET AL. v. ROE.* C. A. 8th Cir. Certiorari denied. Reported below: 514 F. 3d 789.

No. 07-1492. *KLAMATH TRIBES OF OREGON ET AL. v. PACIFIC CORP.* C. A. 9th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 575.

No. 07-1493. *ZAPIEN v. CALIFORNIA.* Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 07-1494. *SABZEVARI v. RELIABLE LIFE INSURANCE CO.* C. A. 5th Cir. Certiorari denied. Reported below: 264 Fed. Appx. 392.

No. 07-1495. *CERQUEIRA v. AMERICAN AIRLINES, INC.* C. A. 1st Cir. Certiorari denied. Reported below: 520 F. 3d 1.

No. 07-1496. *WHALEY v. CALIFORNIA EMPLOYMENT DEVELOPMENT DEPARTMENT.* Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 07-1497. *WHEATON v. MERIT SYSTEMS PROTECTION BOARD.* C. A. Fed. Cir. Certiorari denied. Reported below: 267 Fed. Appx. 927.

No. 07-1498. *KONAN v. SENDEL ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 239 Fed. Appx. 780.

No. 07-1499. *McKENNA v. KRUSE, DBA SECURITY MORTGAGE BROKERS.* Sup. Ct. Colo. Certiorari denied. Reported below: 178 P. 3d 1198.

No. 07-1500. *SULLIVAN ET AL. v. CITY OF AUGUSTA, MAINE.* C. A. 1st Cir. Certiorari denied. Reported below: 511 F. 3d 16.

No. 07-1502. *ROBERTS v. MAINE DEPARTMENT OF HEALTH AND HUMAN SERVICES ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 471.

No. 07-1503. *GUTCH v. FEDERAL REPUBLIC OF GERMANY.* C. A. D. C. Cir. Certiorari denied. Reported below: 255 Fed. Appx. 524.

October 6, 2008

555 U. S.

No. 07-1505. *GARCIA ET AL. v. SANTA CLARA COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 588.

No. 07-1506. *BELL v. BELL, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 512 F. 3d 223.

No. 07-1507. *MAXIMUM COMFORT, INC. v. LEAVITT, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 512 F. 3d 1081.

No. 07-1508. *WALSTON v. WALSTON ET AL.* Ct. App. Tex., 10th Dist. Certiorari denied.

No. 07-1509. *ANTHONY, ADMINISTRATRIX OF THE SUCCESSION OF BANKSTON v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 520 F. 3d 374.

No. 07-1510. *DEHNING v. CHILD DEVELOPMENT SERVICES OF FREMONT COUNTY ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 75.

No. 07-1511. *CRUMP v. CHRISTIE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 260 Fed. Appx. 544.

No. 07-1512. *LUCAS ET AL. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 516 F. 3d 316.

No. 07-1513. *SCHICK v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 258 Fed. Appx. 370.

No. 07-1514. *TOKARZ, DBA J. J. STORE v. LOT POLISH AIRLINES, AKA POLSKIE LINIE LOTNICZE.* C. A. 2d Cir. Certiorari denied. Reported below: 258 Fed. Appx. 377.

No. 07-1515. *DANIELS ET UX. v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 269 Fed. Appx. 976.

No. 07-1516. *BLIGE ET AL. v. DAVIS.* C. A. 2d Cir. Certiorari denied. Reported below: 505 F. 3d 90.

No. 07-1517. *PURNELL v. CEDARS-SINAI MEDICAL CENTER ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 07-1518. *PERKINS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

555 U.S.

October 6, 2008

No. 07-1519. *McRAE, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF EVANS, DECEASED v. EVANS*. C. A. 4th Cir. Certiorari denied. Reported below: 254 Fed. Appx. 201.

No. 07-1520. *CHEN XIANG v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 268 Fed. Appx. 139.

No. 07-1521. *CREED v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 372 Ark. 221, 273 S. W. 3d 494.

No. 07-1522. *CLARK v. PEREZ, SUPERINTENDENT, BEDFORD HILLS CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 510 F. 3d 282.

No. 07-1523. *LEE v. LOUISIANA*. Ct. App. La., 1st Cir. Certiorari denied. Reported below: 964 So. 2d 967.

No. 07-1525. *DAVIDSON ET UX. v. GROSSMAN ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 343.

No. 07-1526. *CEMCO INVESTORS, LLC, ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 515 F. 3d 749.

No. 07-1528. *TRIBBETT v. MARYLAND*. Ct. App. Md. Certiorari denied. Reported below: 403 Md. 638, 943 A. 2d 1260.

No. 07-1530. *LOS ANGELES SCOTTISH RITE CENTER, LLC v. CITY OF LOS ANGELES, CALIFORNIA, ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 156 Cal. App. 4th 108, 67 Cal. Rptr. 3d 207.

No. 07-1531. *HERMAN, TRUSTEE, ET AL. v. MEISELMAN*. C. A. 1st Cir. Certiorari denied. Reported below: 516 F. 3d 5.

No. 07-1532. *WEINSTEIN ET AL. v. CITY OF NEW YORK DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT ET AL.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 39 App. Div. 3d 764, 832 N. Y. S. 2d 443.

No. 07-1533. *KANOVSKY v. MONTEFIORE MEDICAL CENTER ET AL.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 40 App. Div. 3d 938, 834 N. Y. S. 2d 671.

No. 07-1534. *DEE v. MAINE*. Sup. Jud. Ct. Me. Certiorari denied.

October 6, 2008

555 U. S.

No. 07–1535. *DEE v. WYOMING*. Sup. Ct. Wyo. Certiorari denied. Reported below: 177 P. 3d 218.

No. 07–1536. *LEE v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 976 So. 2d 109.

No. 07–1537. *STRYKER CORP. v. TRIMED, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 514 F. 3d 1256.

No. 07–1538. *MORSE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 264 Fed. Appx. 618.

No. 07–1540. *ROW v. ROW, NKA DEESE, ET AL.* Ct. App. N. C. Certiorari denied. Reported below: 185 N. C. App. 450, 650 S. E. 2d 1.

No. 07–1541. *AHMED v. OHIO*. Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 07–1542. *KELLY v. BASS PRO OUTDOOR WORLD, LLC, DBA BASS PRO SHOPS OUTDOOR WORLD*. Ct. App. Mo., Eastern Dist. Certiorari denied. Reported below: 245 S. W. 3d 841.

No. 07–1543. *THURNER v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 7th Cir. Certiorari denied. Reported below: 255 Fed. Appx. 90.

No. 07–1544. *TKACHIK v. COMERICA, INC., ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 443.

No. 07–1545. *WATSON v. WATSON ET AL.* Ct. App. Ky. Certiorari denied.

No. 07–1546. *AMERICAN COALITION OF LIFE ACTIVISTS ET AL. v. PLANNED PARENTHOOD OF THE COLUMBIA/WILLAMETTE, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 518 F. 3d 1013.

No. 07–1548. *R. D. M. v. TENNESSEE DEPARTMENT OF CHILDREN'S SERVICES*. Ct. App. Tenn. Certiorari denied.

No. 07–1549. *RIGBY v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 66 M. J. 291.

No. 07–1551. *DE LEON ET AL. v. SHIH WEI NAVIGATION CO. LTD. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 487.

555 U.S.

October 6, 2008

No. 07-1552. *STUPAKOFF ET AL. v. OTTO (GMBH & Co. KG) ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 269 Fed. Appx. 56.

No. 07-1553. *CITY OF THE DALLES, OREGON v. T. R.* Sup. Ct. Ore. Certiorari denied. Reported below: 344 Ore. 282, 181 P. 3d 758.

No. 07-1555. *SCHEERER, AKA RUDOLF v. MUKASEY, ATTORNEY GENERAL, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 513 F. 3d 1244.

No. 07-1557. *DANIELS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 251 Fed. Appx. 610.

No. 07-1558. *DAVET ET UX. v. BANK ONE-CLEVELAND, N. A.* C. A. 6th Cir. Certiorari denied.

No. 07-1560. *VARNER v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 510.

No. 07-1561. *AVILA-SANCHEZ v. MUKASEY, ATTORNEY GENERAL.* C. A. 9th Cir. Certiorari denied. Reported below: 509 F. 3d 1037.

No. 07-1562. *CHUN ET AL. v. NEW JERSEY ET AL.* Sup. Ct. N. J. Certiorari denied. Reported below: 194 N. J. 54, 943 A. 2d 114.

No. 07-1563. *CONDIT v. CHASE BANK, FKA BANK ONE.* C. A. 6th Cir. Certiorari denied.

No. 07-1564. *DIONISIO v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 503 F. 3d 78.

No. 07-1565. *DRURY v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 507 F. 3d 1295.

No. 07-1567. *LOWERY, A MINOR, ET AL. v. EUVERARD ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 497 F. 3d 584.

No. 07-1570. *HALLIMAN ET VIR v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 07-1571. *FUENTES v. VIRGINIA.* Sup. Ct. Va. Certiorari denied.

October 6, 2008

555 U.S.

No. 07-1572. *WOOD v. DEL GIORNO ET AL.* Ct. App. La., 4th Cir. Certiorari denied. Reported below: 974 So. 2d 95.

No. 07-1573. *JAMES v. MISSISSIPPI BAR.* Sup. Ct. Miss. Certiorari denied. Reported below: 962 So. 2d 528.

No. 07-1574. *GARZA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 264 Fed. Appx. 369.

No. 07-1575. *NEELY v. CITY OF RIVERDALE, GEORGIA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 251 Fed. Appx. 632.

No. 07-1576. *RIDGE CHRYSLER JEEP, LLC, DBA MARQUETTE CHRYSLER JEEP v. DAIMLERCHRYSLER FINANCIAL SERVICES AMERICAS LLC.* C. A. 7th Cir. Certiorari denied. Reported below: 516 F. 3d 623.

No. 07-1577. *THANE INTERNATIONAL, INC., ET AL. v. MILKOWSKI ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 519 F. 3d 879.

No. 07-1578. *MALAN v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 10th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 117.

No. 07-1580. *HAGEN v. MACDONALD, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 241 Fed. Appx. 373.

No. 07-1581. *WILEY v. GLASSMAN, CHAIRMAN OF THE BROADCASTING BOARD OF GOVERNORS.* C. A. D. C. Cir. Certiorari denied. Reported below: 511 F. 3d 151.

No. 07-1582. *COMMISSIONER OF INTERNAL REVENUE v. ESTATE OF JELKE, DECEASED, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 507 F. 3d 1317.

No. 07-1583. *NAM PYO KIM v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 270 Fed. Appx. 74.

No. 07-1585. *MAHMUD v. OBERMAN.* C. A. 11th Cir. Certiorari denied. Reported below: 262 Fed. Appx. 935.

No. 07-1586. *DUMAS ET AL. v. BARCOSH, LTD.* C. A. 5th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 347.

555 U.S.

October 6, 2008

No. 07-1588. *ESTATE OF TUCKER ET AL. v. INTERSCOPE RECORDS, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 515 F. 3d 1019.

No. 07-1589. *WAGNER ET AL. v. WORLD BOTANICAL GARDENS, INC.* Sup. Ct. Nev. Certiorari denied. Reported below: 124 Nev. 1516, 238 P. 3d 863.

No. 07-1590. *SCHLESINGER, AKA POLLACK, ET AL. v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 514 F. 3d 277 and 261 Fed. Appx. 355.

No. 07-1591. *QUIGLEY v. UNITED STATES.* Ct. App. D. C. Certiorari denied. Reported below: 928 A. 2d 731.

No. 07-1593. *DYKSTRA, COMMISSIONER, DEPARTMENT OF CONSUMER AFFAIRS OF THE CITY OF NEW YORK, ET AL. v. AUTOMOBILE CLUB OF NEW YORK.* C. A. 2d Cir. Certiorari denied. Reported below: 520 F. 3d 210.

No. 07-1594. *RIVERA v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 505 F. 3d 349.

No. 07-1595. *GOETZ ET AL. v. AMERICAN EXPRESS Co.* C. A. 2d Cir. Certiorari denied. Reported below: 515 F. 3d 156.

No. 07-1596. *GONZALEZ v. SOUTH DAKOTA.* 1st Jud. Cir., Yankton County, S. D. Certiorari denied.

No. 07-1597. *SHAH v. HELEN HAYES HOSPITAL ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 252 Fed. Appx. 364.

No. 07-1599. *EISEN v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied. Reported below: 913 A. 2d 940.

No. 07-1600. *ALLISON ET UX. v. STATE FARM MUTUAL AUTOMOBILE INSURANCE Co.* C. A. 9th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 627.

No. 07-1603. *CASPER v. SMG, FKA SPECTACOR MANAGEMENT GROUP, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 262 Fed. Appx. 449.

No. 07-1604. *ABAD v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 514 F. 3d 271.

October 6, 2008

555 U. S.

No. 07-1605. *MICHIGAN FINANCIAL INVESTMENTS, L. L. C. v. DETROIT BUILDING AUTHORITY ET AL.* Sup. Ct. Mich. Certiorari denied. Reported below: 480 Mich. 897, 738 N.W. 2d 766.

No. 07-1606. *MARX v. TEXAS.* Ct. App. Tex., 9th Dist. Certiorari denied.

No. 07-1609. *GORDON v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 513 F. 3d 659.

No. 07-1610. *GAMMINO v. SOUTHWESTERN BELL TELEPHONE, L. P.* C. A. Fed. Cir. Certiorari denied. Reported below: 267 Fed. Appx. 949.

No. 07-1611. *PEQUENO v. SCHMIDT.* C. A. 5th Cir. Certiorari denied.

No. 07-1612. *BOISE CASCADE CORP. v. OREGON.* Ct. App. Ore. Certiorari denied. Reported below: 216 Ore. App. 338, 174 P. 3d 587.

No. 07-1614. *SANDBERG v. CITY OF WHEATON, ILLINOIS.* App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 377 Ill. App. 3d 1148, 953 N. E. 2d 86.

No. 07-9041. *ANGEL v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 250 Fed. Appx. 44.

No. 07-9359. *KELLY v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 260 Fed. Appx. 629.

No. 07-9456. *JOHNSON v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 495 F. 3d 951.

No. 07-9534. *AUSBURN v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 502 F. 3d 313.

No. 07-9626. *BROWNING v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 232 Fed. Appx. 289.

No. 07-9678. *YOUNG v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

555 U.S.

October 6, 2008

No. 07-9723. *HEMMERLE v. SCHRIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 495 F. 3d 1069.

No. 07-9741. *MARTIN v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 248.

No. 07-9793. *IWANEJKO v. COHEN & GRIGSBY, P. C., ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 249 Fed. Appx. 938.

No. 07-9800. *HUBBARD v. UNITED STATES.* C. A. 1st Cir. Certiorari denied.

No. 07-9806. *DOWNING v. THOMPSON, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 07-9819. *SALGADO v. HAWS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 714.

No. 07-9849. *BAKER v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 07-9894. *WATSON v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 498 F. 3d 429.

No. 07-9900. *SOLTERO v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 510 F. 3d 858.

No. 07-9931. *BAKER v. UNITED STATES.* C. A. 7th Cir. Certiorari denied.

No. 07-9958. *NORRIS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 07-9993. *CRAWFORD v. HOOKS, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 244 Fed. Appx. 300.

No. 07-9998. *GONZALEZ v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 257 Fed. Appx. 932.

No. 07-10030. *CLARK v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 257 Fed. Appx. 991.

October 6, 2008

555 U. S.

No. 07–10039. *AYOUB v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 498 F. 3d 532.

No. 07–10067. *BUTTERWORTH v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 511 F. 3d 71.

No. 07–10081. *SMITH v. MILLS, SUPERINTENDENT, EASTERN OREGON CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied. Reported below: 510 F. 3d 1127.

No. 07–10108. *BROADUS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 256 Fed. Appx. 689.

No. 07–10137. *HARROD v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 183 Ariz. 519, 218 P. 3d 268.

No. 07–10170. *HEARING v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 253 Fed. Appx. 874.

No. 07–10225. *BAKER v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 970 So. 2d 948.

No. 07–10234. *UPTON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 512 F. 3d 394.

No. 07–10239. *RICKETTS v. MUKASEY, ATTORNEY GENERAL*. C. A. 3d Cir. Certiorari denied.

No. 07–10270. *SIBLEY v. FLORIDA BAR*. Sup. Ct. Fla. Certiorari denied. Reported below: 979 So. 2d 221.

No. 07–10282. *SCHWARTZ v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 511 F. 3d 403.

No. 07–10320. *SALINAS-CAMPOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 693.

No. 07–10336. *RILEY v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 932 A. 2d 868.

No. 07–10338. *MBODJ v. MUKASEY, ATTORNEY GENERAL*. C. A. 6th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 837.

No. 07–10384. *LAFFERTY v. UTAH*. Sup. Ct. Utah. Certiorari denied. Reported below: 175 P. 3d 530.

555 U.S.

October 6, 2008

No. 07-10408. *MCBIRNEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 741.

No. 07-10436. *NAVARRO-RAMIREZ v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 07-10458. *FORD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 509 F. 3d 714.

No. 07-10467. *CONROY v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 972 So. 2d 181.

No. 07-10475. *LODEN v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 971 So. 2d 548.

No. 07-10498. *COOPER v. DALLAS POLICE ASSN. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 735.

No. 07-10511. *WHITE v. TRAPP ET AL.* C. A. 6th Cir. Certiorari denied.

No. 07-10524. *COOK v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied.

No. 07-10526. *STEELE v. ALLEN*. C. A. 6th Cir. Certiorari denied.

No. 07-10540. *COLEMAN v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 07-10543. *REYES SANTANA v. SCHRIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 264 Fed. Appx. 622.

No. 07-10550. *WASHINGTON v. UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT*. C. A. 9th Cir. Certiorari denied. Reported below: 255 Fed. Appx. 144.

No. 07-10551. *WASHINGTON v. UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT*. C. A. 9th Cir. Certiorari denied. Reported below: 255 Fed. Appx. 144.

No. 07-10552. *BROWN v. DONALD, COMMISSIONER, GEORGIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

October 6, 2008

555 U. S.

No. 07–10555. *WORTHINGTON v. ADVOCATE HEALTH CARE, DBA BETHANY HOSPITAL*. C. A. 7th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 484.

No. 07–10562. *PINEDA v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 07–10568. *BRASURE v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 42 Cal. 4th 1037, 175 P. 3d 632.

No. 07–10569. *JOHNSON v. BELLEQUE, SUPERINTENDENT, OREGON STATE PENITENTIARY*. C. A. 9th Cir. Certiorari denied. Reported below: 235 Fed. Appx. 561.

No. 07–10572. *CHASE v. TEXAS*; and
No. 07–10583. *CHASE v. TEXAS*. Ct. App. Tex., 2d Dist. Certiorari denied.

No. 07–10578. *RICHARDSON v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 07–10579. *STRONG v. SULLIVAN, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 489.

No. 07–10582. *ALLEN v. CLARK*. C. A. 11th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 815.

No. 07–10584. *ROARK v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 975 So. 2d 429.

No. 07–10587. *DUPREE v. ALTON ET AL.* C. A. 7th Cir. Certiorari denied.

No. 07–10589. *DREW v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 254 Fed. Appx. 172.

No. 07–10590. *FAUCONIER v. ROBINSON, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 234 Fed. Appx. 129.

No. 07–10592. *LUGO v. LEVINE ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 259 Fed. Appx. 237.

No. 07–10595. *THOMAS v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 07–10605. *HUNTER v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 243 S. W. 3d 664.

555 U.S.

October 6, 2008

No. 07-10616. *HOWARD v. EPPS, COMMISSIONER, MISSISSIPPI DEPARTMENT OF CORRECTIONS*. C. A. 5th Cir. Certiorari denied. Reported below: 250 Fed. Appx. 73.

No. 07-10619. *HARRISON v. CAMPBELL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 254 Fed. Appx. 644.

No. 07-10622. *HARLEY v. MONTGOMERY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 256 Fed. Appx. 621.

No. 07-10623. *CALHOUN v. MCKEE, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 07-10625. *CEDENO v. TEXAS*. Ct. App. Tex., 1st Dist. Certiorari denied.

No. 07-10627. *JONES v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 987 So. 2d 1156.

No. 07-10628. *PARTHEMORE v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied.

No. 07-10629. *MCCLLOUD v. ALMAGER, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 250 Fed. Appx. 780.

No. 07-10635. *VERDE-EB v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 201 Fed. Appx. 516.

No. 07-10637. *MORRISON v. OHIO*. Ct. App. Ohio, Muskingum County. Certiorari denied. Reported below: 2007-Ohio-3799.

No. 07-10638. *MAHOGANY v. SUPREME COURT OF LOUISIANA ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 262 Fed. Appx. 636.

No. 07-10641. *PRIBLE v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 245 S. W. 3d 466.

No. 07-10643. *MILLER v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 07-10645. *CORNELIUS v. POLLARD, WARDEN*. C. A. 7th Cir. Certiorari denied.

October 6, 2008

555 U. S.

No. 07-10646. *CARR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 513 F. 3d 1164.

No. 07-10647. *CAZARES-OLIVAS ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 515 F. 3d 726.

No. 07-10649. *SOUTHWORTH v. CORRECTIONAL MEDICAL SERVICES*. C. A. 8th Cir. Certiorari denied. Reported below: 258 Fed. Appx. 917.

No. 07-10651. *RAMOS v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 07-10653. *SEWARD v. PROVINCE, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 729.

No. 07-10654. *RAGAS v. LOUISIANA*. Ct. App. La., 5th Cir. Certiorari denied. Reported below: 960 So. 2d 266.

No. 07-10659. *WHITE v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 07-10662. *VU ANH LE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 512 F. 3d 128.

No. 07-10664. *McKINNEDY v. McMASTER, ATTORNEY GENERAL OF SOUTH CAROLINA*. C. A. 4th Cir. Certiorari denied.

No. 07-10665. *MILLER v. GEORGIA* (two judgments). Ct. App. Ga. Certiorari denied.

No. 07-10667. *ROBINSON v. COAKLEY, ATTORNEY GENERAL OF MASSACHUSETTS, ET AL.* App. Ct. Mass. Certiorari denied. Reported below: 69 Mass. App. 1111, 869 N. E. 2d 633.

No. 07-10668. *CALDWELL v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 07-10673. *GIBSON v. CHARLESTON COUNTY DETENTION CENTER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 258 Fed. Appx. 610.

No. 07-10674. *SIMMONS v. NEWTON ET AL.* C. A. 9th Cir. Certiorari denied.

555 U.S.

October 6, 2008

No. 07-10682. *DAVIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 514 F. 3d 596.

No. 07-10684. *PARKER v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 14 So. 3d 203.

No. 07-10685. *EZELL v. CASON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 07-10687. *MILLER v. JOHNSON, DEPUTY WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 07-10688. *PEEK v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 07-10699. *SCHRADER v. ALLEN*. Ct. App. N. M. Certiorari denied.

No. 07-10708. *GOSS v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 361 N. C. 610, 651 S. E. 2d 867.

No. 07-10709. *FRATILA v. BOUDLOCHE*. C. A. 5th Cir. Certiorari denied.

No. 07-10715. *VASQUEZ-MONTALBAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 263 Fed. Appx. 822.

No. 07-10718. *UMPHREY v. MISSOURI*. Ct. App. Mo., Eastern Dist. Certiorari denied. Reported below: 242 S. W. 3d 437.

No. 07-10721. *ROCKMAN v. CHAMBERS, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 07-10722. *SAWYER v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 07-10723. *RICE v. BRADY, SUPERINTENDENT, OLD COLONY CORRECTIONAL CENTER*. C. A. 1st Cir. Certiorari denied.

No. 07-10725. *LEMANSKI v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

October 6, 2008

555 U.S.

No. 07–10727. *GEARY v. WILSON ET AL.* C. A. 3d Cir. Certiorari denied.

No. 07–10729. *McKEEVER v. ERCOLE, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 07–10733. *SESSA v. KERESTES, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MAHANAY.* C. A. 3d Cir. Certiorari denied.

No. 07–10735. *FOX v. MICHIGAN ET AL.* C. A. 6th Cir. Certiorari denied.

No. 07–10737. *GALLAHER v. SOUTHERN TUBE FORM, LLC, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 07–10738. *THOMPSON v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 07–10740. *GENTRY v. CASON, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 07–10742. *SCHILS v. WASHTENAW COUNTY, MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 07–10743. *SCHILS v. WASHTENAW COUNTY, MICHIGAN, ET AL.* Ct. App. Mich. Certiorari denied.

No. 07–10744. *BRADLEY v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 923.

No. 07–10745. *BRODERICK v. MUKASEY, ATTORNEY GENERAL.* C. A. 9th Cir. Certiorari denied. Reported below: 250 Fed. Appx. 793.

No. 07–10746. *BAUBLITZ v. INGHAM CIRCUIT JUDGE.* Ct. App. Mich. Certiorari denied.

No. 07–10752. *SOROKA v. GARCIA, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 584.

No. 07–10754. *WILLIAMS v. WALKER, DIRECTOR, ILLINOIS DEPARTMENT OF CORRECTIONS.* App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 374 Ill. App. 3d 1145, 944 N. E. 2d 933.

555 U.S.

October 6, 2008

No. 07-10759. *LERMA v. COOK ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 262 Fed. Appx. 667.

No. 07-10761. *BROWN v. AYERS, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 503 F. 3d 1006.

No. 07-10762. *AGOSKY v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 516 F. 3d 280.

No. 07-10764. *BELCHER v. WELLS FARGO BANK, N. A.* App. Ct. Conn. Certiorari denied.

No. 07-10765. *BUCKNER v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 376 Ill. App. 3d 251, 876 N. E. 2d 87.

No. 07-10767. *WISDOM v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 07-10768. *WADHWA v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 07-10769. *JEFFERSON v. MCDANIEL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 07-10770. *GABRILL v. UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA.* C. A. 9th Cir. Certiorari denied.

No. 07-10771. *GABRILL v. UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA.* C. A. 9th Cir. Certiorari denied.

No. 07-10774. *PUENTES FERNANDEZ v. MUKASEY, ATTORNEY GENERAL.* C. A. 4th Cir. Certiorari denied. Reported below: 502 F. 3d 337.

No. 07-10775. *MEADOR v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 07-10777. *STRICKLAND v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, ET AL.* C. A. 5th Cir. Certiorari denied.

October 6, 2008

555 U. S.

No. 07-10778. *RODRIGUEZ v. BROWN*, ATTORNEY GENERAL OF CALIFORNIA, ET AL. C. A. 9th Cir. Certiorari denied.

No. 07-10779. *KRUEGER v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 07-10782. *SCHILS v. WASHTENAW COUNTY*, MICHIGAN. Ct. App. Mich. Certiorari denied.

No. 07-10784. *SMITH v. MICHIGAN*. Certiorari denied.

No. 07-10790. *YORK v. CITIFINANCIAL MORTGAGE CO., INC.* Ct. App. Ind. Certiorari denied. Reported below: 870 N. E. 2d 588.

No. 07-10792. *STRUM v. PALAKOVICH*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SMITHFIELD, ET AL. C. A. 3d Cir. Certiorari denied.

No. 07-10793. *BULLETTE v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 07-10797. *BROTHERS v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 07-10808. *HIGGENBOTHAM v. CAIN*, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 07-10809. *MAHOGANY v. MUWWAKKIL ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 259 Fed. Appx. 681.

No. 07-10811. *GRANDE-DORANTES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 243 Fed. Appx. 12.

No. 07-10814. *VAN STUYVESANT v. BERBARY*, SUPERINTENDENT, COLLINS CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 07-10815. *VAZQUEZ-AVILA ET AL. v. MUKASEY*, ATTORNEY GENERAL. C. A. 9th Cir. Certiorari denied. Reported below: 246 Fed. Appx. 517.

No. 07-10816. *SOTO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 269 Fed. Appx. 22.

555 U.S.

October 6, 2008

No. 07–10818. *FREEMAN v. SOUTH CAROLINA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 254 Fed. Appx. 959.

No. 07–10820. *HENRY v. MUKASEY, ATTORNEY GENERAL.* C. A. 9th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 503.

No. 07–10821. *FAVORS v. MICHIGAN.* Cir. Ct. Wayne County, Mich. Certiorari denied.

No. 07–10824. *MCCRORY v. WENDLING, ST. CLAIR COUNTY PROSECUTOR, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 07–10825. *COTTON v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 07–10828. *SHUSTERMAN v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 258 Fed. Appx. 403.

No. 07–10830. *BEASLEY v. ARIZONA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 256 Fed. Appx. 953.

No. 07–10836. *EIRBY v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 515 F. 3d 31.

No. 07–10837. *CRAMER v. CALIFORNIA* (two judgments). Sup. Ct. Cal. Certiorari denied.

No. 07–10840. *HUERTAS v. CITY OF CAMDEN, NEW JERSEY, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 245 Fed. Appx. 168.

No. 07–10846. *MEJIA-RESTREPO v. MUKASEY, ATTORNEY GENERAL.* C. A. 11th Cir. Certiorari denied.

No. 07–10848. *WRIGHT v. TRANSPORTATION SECURITY ADMINISTRATION.* C. A. 11th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 894.

No. 07–10849. *MCINTIRE v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 516 F. 3d 576.

No. 07–10852. *SANTOS v. MUKASEY, ATTORNEY GENERAL.* C. A. 1st Cir. Certiorari denied. Reported below: 516 F. 3d 1.

October 6, 2008

555 U. S.

No. 07–10853. *MERCK v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 975 So. 2d 1054.

No. 07–10854. *KAO v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 07–10857. *LOGGINS v. KANSAS*. Ct. App. Kan. Certiorari denied. Reported below: 38 Kan. App. 2d xviii, 162 P. 3d 65.

No. 07–10858. *SIEBER v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 07–10859. *MOLLIKA v. ROSSI-MOLLIKA*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 07–10860. *JOHNSON v. MCBRIDE, WARDEN*. Certiorari denied.

No. 07–10863. *EGGERS v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 07–10867. *CARRAZCO v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 976 So. 2d 1121.

No. 07–10871. *TIMSON v. SAMPSON ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 518 F. 3d 870.

No. 07–10873. *WILSON v. MUKASEY, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 508.

No. 07–10874. *MOCK v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 07–10876. *BUTTLES v. BATTLE, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 07–10877. *AUSTER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 517 F. 3d 312.

No. 07–10878. *BLOUNT v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 219.

No. 07–10881. *DAVIS v. SOUTH CAROLINA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 307.

555 U.S.

October 6, 2008

No. 07–10884. *CLARK v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied.

No. 07–10885. *CONARD v. LAWLER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 07–10888. *MCCRAY v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 218 Ariz. 252, 183 P. 3d 503.

No. 07–10891. *SMITH v. LITTLE ET AL.* C. A. 6th Cir. Certiorari denied.

No. 07–10893. *MACK v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 07–10894. *PAYNE v. FRIEL, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 724.

No. 07–10895. *MEDLEY v. TURNER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 07–10896. *JOHNSON v. WOODS, SUPERINTENDENT, UP-STATE CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 07–10898. *COOK v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 843.

No. 07–10899. *NORRIS v. OHIO*. Ct. App. Ohio, Muskingum County. Certiorari denied.

No. 07–10901. *SINGLETON v. CULLIVER, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 07–10903. *SMITH v. INDIANA*. Ct. App. Ind. Certiorari denied.

No. 07–10904. *SAMPSON v. KNOWLES, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 07–10906. *ELLIS v. PROVINCE, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 705.

No. 07–10910. *COVELLI ET UX. v. BENSON*. C. A. 9th Cir. Certiorari denied. Reported below: 258 Fed. Appx. 151.

October 6, 2008

555 U. S.

No. 07–10911. *MENDOZA v. RUNNELS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 251 Fed. Appx. 406.

No. 07–10915. *SABEDRA v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 07–10916. *ALDRIDGE v. TEXAS*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 07–10917. *ARZOLA v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 07–10920. *BARTON v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 240 S. W. 3d 693.

No. 07–10923. *MACK v. BROWN, ATTORNEY GENERAL OF CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 596.

No. 07–10925. *STOLLER v. TEPPER*. Sup. Ct. Ill. Certiorari denied.

No. 07–10927. *MOTEN v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 14 So. 3d 200.

No. 07–10928. *MCDONALD v. HUDSON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 07–10933. *HER v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 07–10934. *HUMBLES v. BUSS, SUPERINTENDENT, INDIANA STATE PRISON*. C. A. 7th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 459.

No. 07–10936. *HIDDENS v. LEIBOLD ET VIR.* Ct. App. Ohio, Montgomery County. Certiorari denied. Reported below: 2007-Ohio-2972.

No. 07–10938. *KIENZLE v. OHIO*. Ct. App. Ohio, Lorain County. Certiorari denied. Reported below: 2007-Ohio-4346.

No. 07–10940. *MOORE v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 517 F. 3d 781.

555 U.S.

October 6, 2008

No. 07-10942. *HAO CHI NGUYEN v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 07-10943. *AKERS v. KESZEI ET AL.* C. A. 8th Cir. Certiorari denied.

No. 07-10945. *BRANCH v. FRANKLIN ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 573.

No. 07-10950. *CALL v. BRANKER, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 254 Fed. Appx. 257.

No. 07-10951. *DOUGLAS v. MCKUNE, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 263 Fed. Appx. 666.

No. 07-10952. *CUMMINGS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 07-10953. *MITCHELL, AKA MUHAMMAD v. UNITED STATES ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 07-10955. *GUNNEL v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 07-10957. *FARROW v. ERCOLE, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 07-10958. *FEASTER v. MARYLAND*. Ct. App. Md. Certiorari denied.

No. 07-10961. *HILL v. JONES, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 242 Fed. Appx. 633.

No. 07-10962. *HERTZ v. CAROTHERS ET AL.* Sup. Ct. Alaska. Certiorari denied. Reported below: 174 P. 3d 243.

No. 07-10963. *HUBBARD v. KERESTES, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MAHANAY*. C. A. 3d Cir. Certiorari denied.

No. 07-10964. *GRANT v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 357 Ark. 91, 161 S. W. 3d 785.

October 6, 2008

555 U.S.

No. 07–10966. *GANS v. ROZUM*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SOMERSET, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 267 Fed. Appx. 178.

No. 07–10969. *RUBEROE v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 07–10970. *DANDAR v. GOOD*, WARDEN, ET AL. C. A. 3d Cir. Certiorari denied.

No. 07–10972. *HILL v. HILLIER ET AL.* C. A. 4th Cir. Certiorari denied.

No. 07–10973. *DOYLE v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 07–10977. *JOHNSON v. COOPER*, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 07–10978. *BYRD v. KELCHNER*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT CAMP HILL, ET AL. C. A. 3d Cir. Certiorari denied.

No. 07–10979. *JACKSON v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 352.

No. 07–10980. *SANCHEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 692.

No. 07–10981. *BARRY v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 07–10983. *ROHN v. WILSON ET AL.* C. A. 3d Cir. Certiorari denied.

No. 07–10987. *TUGGLE v. KRAMER*, ACTING WARDEN, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 56.

No. 07–10993. *MOFFETT v. CULLIVER*, WARDEN. C. A. 11th Cir. Certiorari denied.

No. 07–10994. *YU LIN v. UNIVERSITY OF NEBRASKA-LINCOLN*. C. A. 8th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 485.

555 U.S.

October 6, 2008

No. 07–10995. *LEWIS v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 07–10996. *JOHNSON v. WASHINGTON*. Ct. App. Wash. Certiorari denied.

No. 07–10997. *MARIANO-SANTOS v. MILLS, SUPERINTENDENT, EASTERN OREGON CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 593.

No. 07–10998. *SHAUN XIN XU v. McLAUGHLIN RESEARCH INSTITUTE FOR BIOMEDICAL SCIENCES, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 249 Fed. Appx. 517.

No. 07–11000. *WASHINGTON v. UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT*. C. A. 9th Cir. Certiorari denied.

No. 07–11002. *CIDLOWSKI v. DEPARTMENT OF STATE*. C. A. 9th Cir. Certiorari denied. Reported below: 256 Fed. Appx. 63.

No. 07–11003. *DORSEY v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 176 Md. App. 755.

No. 07–11005. *DORSEY v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 969 So. 2d 378.

No. 07–11006. *BARNETT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 260 Fed. Appx. 206.

No. 07–11008. *BELL v. GEORGETOWN UNIVERSITY HOSPITAL*. C. A. D. C. Cir. Certiorari denied. Reported below: 279 Fed. Appx. 5.

No. 07–11009. *BRADFORD v. CELLXION, LLC*. C. A. 5th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 508.

No. 07–11013. *MATA v. TEXAS*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 07–11014. *MARSHALL v. MORGAN*. C. A. 6th Cir. Certiorari denied. Reported below: 260 Fed. Appx. 789.

No. 07–11015. *MARTINEZ v. DISTRICT ATTORNEY OF PHILADELPHIA ET AL.* C. A. 3d Cir. Certiorari denied.

October 6, 2008

555 U. S.

No. 07–11016. *MORRISON v. VAUGHN*, SUPERINTENDENT, ODOM CORRECTIONAL INSTITUTION. C. A. 4th Cir. Certiorari denied. Reported below: 256 Fed. Appx. 598.

No. 07–11017. *MCDONALD v. MISSISSIPPI*. Ct. App. Miss. Certiorari denied. Reported below: 976 So. 2d 942.

No. 07–11018. *MORRISON v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 07–11022. *JONES v. PENNSYLVANIA BOARD OF PROBATION AND PAROLE*. Sup. Ct. Pa. Certiorari denied. Reported below: 592 Pa. 65, 922 A. 2d 906.

No. 07–11024. *TIGER v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 07–11027. *STRICKLAND v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 07–11029. *SATERSTAD v. STOVER ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 249 Fed. Appx. 955.

No. 07–11034. *LESTER v. AYERS*. C. A. 9th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 725.

No. 07–11035. *THOMAS v. JOHNSON*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 332.

No. 07–11036. *TAYLOR v. BEARD*, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 504 F. 3d 416.

No. 07–11037. *WATKINS v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 245 S. W. 3d 444.

No. 07–11038. *POSELEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 613.

No. 07–11040. *BOMBASI v. GROUNDS ET AL.* C. A. 5th Cir. Certiorari denied.

No. 07–11042. *DAVIS v. FEDERAL BUREAU OF PRISONS ET AL.* C. A. D. C. Cir. Certiorari denied.

555 U.S.

October 6, 2008

No. 07–11043. *BURRELL v. LACLAIR*, SUPERINTENDENT, GREAT MEADOW CORRECTIONAL FACILITY, ET AL. C. A. 2d Cir. Certiorari denied.

No. 07–11047. *TATE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 516 F. 3d 459.

No. 07–11048. *CAMPBELL v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 266 Fed. Appx. 23.

No. 07–11049. *WRIGHT-BEY v. NORTH CAROLINA*. C. A. 4th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 266.

No. 07–11050. *WILLIAMS v. TRISTAN ET AL.* C. A. 9th Cir. Certiorari denied.

No. 07–11052. *SMITH v. MISSISSIPPI DEPARTMENT OF CORRECTIONS*. C. A. 5th Cir. Certiorari denied.

No. 07–11053. *REYNA v. MONROE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 262 Fed. Appx. 577.

No. 07–11054. *JONES v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 07–11055. *JOHNSON v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 07–11056. *ROSE v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 123 Nev. 24, 163 P. 3d 408.

No. 07–11059. *SANCHO v. RAMIREZ ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 07–11060. *GOINS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 516 F. 3d 416.

No. 07–11061. *GUERRA v. ALAMEDA POLICE DEPARTMENT ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 07–11066. *GIBBS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 714.

No. 07–11068. *HENDERSON v. FABIAN*, COMMISSIONER, MINNESOTA DEPARTMENT OF CORRECTIONS. Ct. App. Minn. Certiorari denied.

October 6, 2008

555 U. S.

No. 07–11069. *HAYES v. FELKER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 07–11070. *GUTIERREZ v. GARCIA, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 259 Fed. Appx. 941.

No. 07–11072. *KOZOMAN v. HAYNES ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 546.

No. 07–11075. *LOWERY v. CUMMINGS, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 255 Fed. Appx. 409.

No. 07–11077. *BRADBERRY v. ARPAIO, SHERIFF, MARICOPA COUNTY, ARIZONA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 262 Fed. Appx. 787.

No. 07–11080. *BROWN v. NOOTH, SUPERINTENDENT, SNAKE RIVER CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 630.

No. 07–11084. *THORNTON v. EVANS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 07–11085. *VINES v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 571.

No. 07–11086. *RAILE v. ZAVARAS, EXECUTIVE DIRECTOR, COLORADO DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 237 Fed. Appx. 331.

No. 07–11088. *WILLIAMS v. VAZQUEZ, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 07–11093. *CASTILLOUX v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 07–11095. *ADAMS v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 07–11096. *GRAHAM v. RHODE ISLAND*. Sup. Ct. R. I. Certiorari denied. Reported below: 941 A. 2d 848.

No. 07–11099. *CASTILLO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 324.

555 U.S.

October 6, 2008

No. 07–11100. *OTIS v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 306 Wis. 2d 125, 740 N.W. 2d 901.

No. 07–11103. *COVINGTON v. SMITH ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 259 Fed. Appx. 871.

No. 07–11104. *FRESQUEZ v. CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 07–11106. *GREEN v. REYNOLDS, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 07–11107. *HUTCHINS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 07–11108. *FORD v. JENKS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 262 Fed. Appx. 94.

No. 07–11109. *HOLT v. LIMESTONE COUNTY SHERIFF’S DEPARTMENT ET AL.* Ct. Civ. App. Ala. Certiorari denied. Reported below: 19 So. 3d 923.

No. 07–11110. *HOOPER v. B&R PROPERTY MANAGEMENT CO. ET AL.* C. A. 9th Cir. Certiorari denied.

No. 07–11112. *WILSON-X v. MARYLAND DEPARTMENT OF HUMAN RESOURCES ET AL.* Ct. App. Md. Certiorari denied. Reported below: 403 Md. 667, 944 A. 2d 509.

No. 07–11115. *JEEP v. JONES ET AL.* C. A. 8th Cir. Certiorari denied.

No. 07–11116. *JANOE v. RACKAUCKAS ET AL.* C. A. 9th Cir. Certiorari denied.

No. 07–11118. *KNIGHT v. MCCOLLUM, ATTORNEY GENERAL OF FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 07–11119. *JOHNSON v. BOARD OF BAR OVERSEERS OF MASSACHUSETTS ET AL.* App. Ct. Mass. Certiorari denied. Reported below: 70 Mass. App. 1113, 877 N. E. 2d 279.

No. 07–11123. *THLANG v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

October 6, 2008

555 U.S.

No. 07-11124. *WILLIAMS v. SHARRETT ET AL.* C. A. 6th Cir. Certiorari denied.

No. 07-11125. *WISE v. WASHINGTON.* Ct. App. Wash. Certiorari denied.

No. 07-11126. *THOMAS v. FLORIDA.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 932 So. 2d 1204.

No. 07-11128. *ASTROP v. BRUNSWICK.* C. A. 4th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 269.

No. 07-11129. *ASSENBERG v. ANACORTES HOUSING AUTHORITY.* C. A. 9th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 643.

No. 07-11130. *PERRY v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 270.

No. 07-11131. *MENDOZA-MENDOZA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 365.

No. 07-11132. *BOCHICCIO v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 07-11133. *BERBER-TINOCO v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 510 F. 3d 1083.

No. 07-11134. *STUPKA v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 731.

No. 07-11135. *MULHOLLAND v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 07-11136. *TURNER v. MOONEYHAM ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 335.

No. 07-11137. *TILLMAN v. SALAZAR, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 07-11138. *WOLLISTON v. FLORIDA.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 961 So. 2d 1141.

No. 07-11139. *GOLDBLUM v. KERESTES, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MAHANOEY, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 510 F. 3d 204.

555 U.S.

October 6, 2008

No. 07–11141. *GREEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 1.

No. 07–11142. *GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 378.

No. 07–11143. *CORTEZ v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 07–11144. *JONES v. CITY OF NEW YORK, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 07–11145. *JOHNSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 529.

No. 07–11146. *JOHNSON v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 513 F. 3d 1328.

No. 07–11147. *YOUNG v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 07–11148. *CRAWFORD v. TEXAS* (two judgments). Ct. Crim. App. Tex. Certiorari denied.

No. 07–11150. *WALTERS v. HUNT, CHAIRMAN, GEORGIA BOARD OF PARDONS AND PAROLES, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 07–11151. *COLLIER v. MUNTEZ, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 672.

No. 07–11152. *DEBROW v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 07–11153. *BOONE v. VASBINDER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 07–11155. *MURPHY v. MINNESOTA*. Ct. App. Minn. Certiorari denied.

No. 07–11156. *PHILLIPS v. UNITED PARCEL SERVICE, INC.* C. A. 5th Cir. Certiorari denied.

No. 07–11157. *SANTOS v. CONNECTICUT*. App. Ct. Conn. Certiorari denied. Reported below: 104 Conn. App. 599, 935 A. 2d 212.

October 6, 2008

555 U. S.

No. 07-11158. *AGHAHOWA v. MUKASEY, ATTORNEY GENERAL*. C. A. 3d Cir. Certiorari denied. Reported below: 272 Fed. Appx. 142.

No. 07-11159. *CLARK v. ROBERTS, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 07-11160. *TORREY v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 07-11161. *WRIGHT v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 07-11162. *SABATER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 270 Fed. Appx. 219.

No. 07-11163. *SCAFF-MARTINEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 07-11165. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 07-11166. *SEYMOUR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 07-11167. *RIMMER v. TENNESSEE*. Sup. Ct. Tenn. Certiorari denied. Reported below: 250 S. W. 3d 12.

No. 07-11168. *MARTINEZ v. CONWAY, SUPERINTENDENT, ATTICA CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 07-11169. *WILLIAMS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 520 F. 3d 414.

No. 07-11170. *TIMMONS v. MANATT, PHELPS & PHILLIPS, LLP, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 07-11171. *WILKINS v. SCRIBNER, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 263 Fed. Appx. 638.

No. 07-11172. *MATYE v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied. Reported below: 158 Cal. App. 4th 921, 70 Cal. Rptr. 3d 342.

No. 07-11173. *MARTINEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 593.

555 U.S.

October 6, 2008

No. 07–11174. *ABRAHAM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 858.

No. 07–11175. *BAKER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 508 F. 3d 1321.

No. 07–11176. *AGUILAR v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 512 F. 3d 485.

No. 07–11177. *KILGORE v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 976 So. 2d 1066.

No. 07–11178. *RODRIGUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 259 Fed. Appx. 270.

No. 07–11179. *SMITH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 245.

No. 07–11180. *SUTTLES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 07–11181. *ROUNTREE v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 07–11182. *GONZALEZ v. SABOL, WARDEN*. C. A. 1st Cir. Certiorari denied. Reported below: 517 F. 3d 29.

No. 07–11184. *HEDRICK v. HALL, SUPERINTENDENT, TWO RIVERS CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied.

No. 07–11186. *GARNETT v. VIRGINIA*. Sup. Ct. Va. Certiorari denied. Reported below: 275 Va. 397, 657 S. E. 2d 100.

No. 07–11187. *BUTTERS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 773.

No. 07–11190. *ALMASHLEH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 624.

No. 07–11193. *MARTINEZ v. GARCIA, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 509.

No. 07–11194. *MASON v. SMITH ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 225.

October 6, 2008

555 U. S.

No. 07–11195. *WHITTAKER v. MCDANIEL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 594.

No. 07–11196. *MARSHALL v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 07–11197. *LOPEZ v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 250 Fed. Appx. 381.

No. 07–11198. *WHITTINGTON v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 374 Ill. App. 3d 1132, 944 N. E. 2d 928.

No. 07–11199. *STEPHENS v. HOWERTON, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 750.

No. 07–11200. *SMITH v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 295.

No. 07–11201. *MCNEIL v. ADAMS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 07–11202. *POOLE v. RICH, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 165.

No. 07–11203. *NYEMA v. NEW JERSEY.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 07–11204. *CALDERON-SEGURA, AKA CALDERON v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 512 F. 3d 1104.

No. 07–11205. *CANNEL v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 517 F. 3d 1172.

No. 07–11207. *CHERRY v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 393.

No. 07–11208. *DIAZ v. INCH.* C. A. 10th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 802.

No. 07–11209. *COLE v. CALIFORNIA.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

555 U.S.

October 6, 2008

No. 07–11210. *HALL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 270 Fed. Appx. 123.

No. 07–11211. *MAGBY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 264 Fed. Appx. 857.

No. 07–11212. *KABLITZ v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 975 So. 2d 545.

No. 07–11213. *MADYUN v. JACKSON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 07–11214. *JEFFERS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 07–11215. *THROWER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 07–11216. *THOMAS v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 975 So. 2d 1151.

No. 07–11217. *KING v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 266 Fed. Appx. 23.

No. 07–11218. *HODGES v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 506 F. 3d 1337.

No. 07–11219. *LESANE v. KENWORTHY, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 299.

No. 07–11220. *HAYNES v. HAVILAND, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 422.

No. 07–11221. *ROBINSON v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 07–11222. *RING v. HEREDIA, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 244 Fed. Appx. 181.

No. 07–11223. *SANCHEZ v. CONNOLLY, SUPERINTENDENT, FISHKILL CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 07–11224. *JACKSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 246 Fed. Appx. 478.

October 6, 2008

555 U.S.

No. 07–11225. *PATTERSON v. JOHNSON*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 257.

No. 07–11226. *SOBITAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 07–11227. *BILLUPS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 251 Fed. Appx. 152.

No. 07–11228. *AUSTIN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 256 Fed. Appx. 879.

No. 07–11229. *BEASON v. WILKERSON*, WARDEN. C. A. 5th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 109.

No. 07–11230. *BROWN v. THOMPSON*, WARDEN. C. A. 11th Cir. Certiorari denied.

No. 07–11231. *BUSH v. WELLS FARGO BANK*, N. A. Ct. App. Colo. Certiorari denied.

No. 07–11234. *HOLLIDAY v. MINNESOTA*. Sup. Ct. Minn. Certiorari denied. Reported below: 745 N. W. 2d 556.

No. 07–11235. *FORBES v. MCNEIL*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied.

No. 07–11237. *GARDNER v. OZMINT*, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Certiorari denied. Reported below: 511 F. 3d 420.

No. 07–11238. *GARLAND v. US AIRWAYS, INC., ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 270 Fed. Appx. 99.

No. 07–11239. *WAYNE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 07–11240. *ZANI v. UNITED STATES MARSHALS SERVICE ET AL.* C. A. 3d Cir. Certiorari denied.

No. 07–11241. *WEIR v. DORMIRE*, SUPERINTENDENT, JEFFERSON CITY CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied.

No. 07–11242. *WATSON v. SMITH*, SUPERINTENDENT, SHAWAN-GUNK CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied. Reported below: 268 Fed. Appx. 86.

555 U.S.

October 6, 2008

No. 07–11243. *HUTCHINS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 777.

No. 07–11244. *HATTON v. BANK OF AMERICA*. C. A. 9th Cir. Certiorari denied. Reported below: 262 Fed. Appx. 58.

No. 07–11245. *GORDON v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 07–11246. *HAYES v. CHANDLER, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 07–11248. *HICKS v. CLARKE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 07–11250. *HUNT v. RODRIGUEZ-MENDOZA*. Ct. App. Tex., 3d Dist. Certiorari denied.

No. 07–11251. *HENDERSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 232.

No. 07–11252. *HOLMES v. DIGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 07–11253. *EWING v. BRANDON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 07–11254. *HIEU TRUNG NGUYEN v. RUNNELS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 07–11255. *McMILLEN v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MISSOURI*. C. A. 8th Cir. Certiorari denied.

No. 07–11256. *BOLANOS-MORALES, AKA VAZQUEZ-TORRES v. UNITED STATES* (Reported below: 269 Fed. Appx. 469); *AGUIRRE-CAVAZOS, AKA MARTINEZ-CAVAZOS v. UNITED STATES* (271 Fed. Appx. 406); and *PEREZ-VELA, AKA MENDOZA, AKA MENDOZA-PAZ, AKA PEREZ, AKA MENDOZAPAZ v. UNITED STATES* (273 Fed. Appx. 405). C. A. 5th Cir. Certiorari denied.

No. 07–11257. *BENGE v. DELOY, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied.

October 6, 2008

555 U. S.

No. 07–11258. *ATHON v. DIRECT MERCHANTS BANK*. C. A. 11th Cir. Certiorari denied. Reported below: 251 Fed. Appx. 602.

No. 07–11259. *BOX v. STEELE, SUPERINTENDENT, SOUTHEAST CORRECTIONAL CENTER, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 583.

No. 07–11260. *ALLARD v. ANDERSON, SHERIFF, GREENVILLE, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 260 Fed. Appx. 711.

No. 07–11261. *SHABAZZ v. TEXAS*. Ct. App. Tex., 13th Dist. Certiorari denied.

No. 07–11263. *HAWKINS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 499 F. 3d 703.

No. 07–11265. *GOLDWIRE, AKA COOK v. PALAKOVICH, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SMITHFIELD, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 274 Fed. Appx. 143.

No. 07–11266. *HIGHTOWER v. MCGRATH, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 253 Fed. Appx. 629.

No. 07–11267. *BABER v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 07–11268. *BROWN v. BELL, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 07–11269. *MCRAE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 317.

No. 07–11270. *CLEMENTS, AKA HERRON, AKA CLEMENTS-HERRON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 522 F. 3d 790.

No. 07–11271. *DAYE v. MCBRIDE, WARDEN*. Sup. Ct. App. W. Va. Certiorari denied. Reported below: 222 W. Va. 17, 658 S. E. 2d 547.

No. 07–11272. *LAUER v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

555 U.S.

October 6, 2008

No. 07-11273. *MONTAGUE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 260 Fed. Appx. 60.

No. 07-11274. *HIRSCH v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 07-11276. *CRAWFORD v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 274 Fed. Appx. 151.

No. 07-11277. *DIAZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 519 F. 3d 56.

No. 07-11278. *CANADY v. RUNNELS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 07-11279. *DUGGINS v. NORTH CAROLINA*. C. A. 4th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 316.

No. 07-11280. *GUZMAN v. FREY, WARDEN*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 376 Ill. App. 3d 1134, 952 N. E. 2d 727.

No. 07-11281. *MORALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 321.

No. 07-11282. *MARTIN v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. Reported below: 285 Conn. 135, 939 A. 2d 524.

No. 07-11283. *KARNOFEL v. ASTRUE, COMMISSIONER OF SOCIAL SECURITY*. C. A. 6th Cir. Certiorari denied.

No. 07-11284. *GOLLEHON v. MAHONEY, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 259 Fed. Appx. 1.

No. 07-11285. *MONARREZ v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 651.

No. 07-11286. *POLITANO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 522 F. 3d 69.

No. 07-11287. *MURILLO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 705.

No. 07-11288. *SETTLE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 395.

October 6, 2008

555 U. S.

No. 07–11289. RAMIREZ-MOLINA, AKA LOPEZ *v.* UNITED STATES (Reported below: 268 Fed. Appx. 338); NIETO-ESPARAZA *v.* UNITED STATES (268 Fed. Appx. 329); and ROSAS-FORTIS *v.* UNITED STATES (268 Fed. Appx. 326). C. A. 5th Cir. Certiorari denied.

No. 07-11290. RICHARDSON v. UNITED STATES. C. A. 5th Cir.
Certiorari denied. Reported below: 269 Fed. Appx. 493.

No. 07-11291. RIVAS-LOPEZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 279.

No. 07-11292. WHITE *v.* GAMMON, SUPERINTENDENT, MOBERLY CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied.

No. 07-11293. CORONADO *v.* JONES, DIRECTOR, OKLAHOMA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 517 F.3d 1212.

No. 07-11294. DEJESUS *v.* JONES, WARDEN. C. A. 6th Cir.
Certiorari denied.

No. 07-11295. RAMIREZ-NOLASCO *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 314.

No. 07-11297. STEVENS, AKA TROTTER *v.* MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied.

No. 07-11298. BRACERO *v.* FLORIDA. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 975 F. 3d 1135.

No. 07-11299. ABREGO, AKA DIAZ-TREVINO *v.* UNITED STATES (Reported below: 268 Fed. Appx. 329); BANEGAS-HERNANDEZ, AKA TINOCO GARCIA *v.* UNITED STATES (268 Fed. Appx. 328); CORONADO-MAJANO *v.* UNITED STATES (268 Fed. Appx. 319); DOROTEO-SOLANO *v.* UNITED STATES (268 Fed. Appx. 339); GRANT-MARTINEZ, AKA MARTINEZ-GRANT *v.* UNITED STATES (268 Fed. Appx. 336); JUAREZ-GODINA *v.* UNITED STATES (268 Fed. Appx. 334); PACHECO-SORIA, AKA RODRIGUEZ-RUIZ *v.* UNITED STATES (268 Fed. Appx. 330); PEREZ-GONZALEZ *v.* UNITED STATES (268 Fed. Appx. 331); RAMIREZ-RODRIGUEZ, AKA ZARATE *v.* UNITED STATES (268 Fed. Appx. 322); RIOS-ROSAS *v.* UNITED STATES (268 Fed. Appx. 322); RODRIGUEZ-RESENDEZ *v.* UNITED STATES (268 Fed. Appx. 322);

555 U.S.

October 6, 2008

STATES (268 Fed. Appx. 332); *SILLAS-CABELLO v. UNITED STATES* (268 Fed. Appx. 320); *TORRES, AKA LUGO v. UNITED STATES* (268 Fed. Appx. 334); *TORRES, AKA RODRIGUEZ, AKA TORRES-RODRIGUEZ v. UNITED STATES* (269 Fed. Appx. 382); and *VILLAR-REAL DE PARSONS v. UNITED STATES* (268 Fed. Appx. 327). C. A. 5th Cir. Certiorari denied.

No. 07–11300. *COOPER v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied.

No. 07–11303. *SHEEHY v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 07–11304. *RYLANDER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 524.

No. 07–11305. *GURROLA-RODRIGUEZ, AKA GURROLA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 732.

No. 07–11306. *McGOWAN v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 990 So. 2d 931.

No. 07–11308. *DAVIS v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 116 Ohio St. 3d 404, 880 N. E. 2d 31.

No. 07–11309. *YEARWOOD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 518 F. 3d 220.

No. 07–11310. *WALLACE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 07–11313. *POOLE v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 376 Ill. App. 3d 1139, 952 N. E. 2d 729.

No. 07–11314. *ROHN v. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 268 Fed. Appx. 190.

No. 07–11315. *SMITH v. McNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 871.

No. 07–11316. *PEPPER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 518 F. 3d 949.

October 6, 2008

555 U. S.

No. 07–11317. *BURNETTE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 518 F. 3d 942.

No. 07–11318. *ANDERSON v. COLORADO*. Ct. App. Colo. Certiorari denied.

No. 07–11319. *NAJERA-NAJERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 519 F. 3d 509.

No. 07–11320. *MCSTOOTS v. KENTUCKY*. Ct. App. Ky. Certiorari denied. Reported below: 245 S. W. 3d 790.

No. 07–11321. *LANDEROS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 436.

No. 07–11322. *KASZUBA v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 375 Ill. App. 3d 262, 873 N. E. 2d 556.

No. 07–11323. *JORDAN v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 07–11324. *LONG v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 377 Ill. App. 3d 1142, 953 N. E. 2d 83.

No. 07–11325. *RODRIGUEZ-MORALES v. UNITED STATES* (Reported below: 268 Fed. Appx. 369); and *AGUILAR-BARRAGAN v. UNITED STATES* (235 Fed. Appx. 255). C. A. 5th Cir. Certiorari denied.

No. 07–11326. *SOBARZO v. SCRIBNER, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 720.

No. 07–11327. *SPRAU v. ASTRUE, COMMISSIONER OF SOCIAL SECURITY*. C. A. 9th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 641.

No. 07–11328. *SKIPPER v. DORMIRE, SUPERINTENDENT, JEFFERSON CITY CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 07–11329. *REDD v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 07–11330. *EDWARDS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 511 F. 3d 956 and 514 F. 3d 860.

555 U.S.

October 6, 2008

No. 07–11331. *CURRY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 07–11332. *CORNELIUS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 824.

No. 07–11333. *GARCIA-FLORES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 650.

No. 07–11334. *INGRAM v. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 07–11335. *THOMAS v. THOMPSON*. C. A. 6th Cir. Certiorari denied.

No. 07–11337. *TRAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 519 F. 3d 98.

No. 07–11338. *MINER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 07–11339. *NEAL v. WEBB, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 07–11340. *BENITEZ v. POLLARD, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 07–11341. *BROWN v. PARKER, WARDEN*. Ct. Crim. App. Tenn. Certiorari denied.

No. 07–11342. *BOOTHES v. SANDERS, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 07–11343. *ARAGON-REYNA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 437.

No. 07–11344. *BLANKENSHIP v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 260 Fed. Appx. 562.

No. 07–11345. *MESA-LOPEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 274.

No. 07–11346. *BEVERLY v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied.

No. 07–11348. *DARNELL v. ANDERSON, SHERIFF, TARRANT COUNTY, TEXAS*. C. A. 5th Cir. Certiorari denied.

October 6, 2008

555 U. S.

No. 07–11350. *CREIGHTON v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 943 A. 2d 310.

No. 07–11351. *CADDELL v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 07–11353. *DIXON, AKA LEE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 262 Fed. Appx. 300.

No. 07–11354. *SUAREZ v. ORTIZ, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 07–11356. *PARKS v. PERRY, GOVERNOR OF TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 366.

No. 07–11357. *WILLIAMS v. GREGG ET AL.* Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 07–11358. *WILLIAMS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 07–11359. *WILLIAMS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 07–11360. *SAVAGE v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 976 So. 2d 1100.

No. 07–11361. *BOOKER v. ANDERSON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 07–11362. *ARREDONDO-HERNANDEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 07–11363. *CARBE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 258 Fed. Appx. 651.

No. 07–11364. *CONN v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 07–11365. *DANNER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 242 Fed. Appx. 14.

No. 07–11366. *DIGGS v. CITY OF OSCEOLA, ARKANSAS*. C. A. 8th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 469.

555 U.S.

October 6, 2008

No. 07–11369. *MERCADO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 270 Fed. Appx. 23.

No. 07–11370. *CORONA-VERBERA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 509 F. 3d 1105.

No. 07–11371. *CHARLES v. FARWELL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 263 Fed. Appx. 644.

No. 07–11372. *SNOWDEN v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 07–11373. *LOPEZ v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 07–11374. *KLYM v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 140 Wash. App. 1016.

No. 07–11375. *SALAS-ORTIZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 269 Fed. Appx. 33.

No. 07–11376. *SOGHA v. WILSON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 07–11377. *SCHMIDT v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 07–11379. *WATERMAN v. WASHINGTON*. Ct. App. Wash. Certiorari denied.

No. 07–11380. *TOLBERT v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 351.

No. 07–11381. *VICE v. ARIZONA*. Super. Ct. Ariz., County of Maricopa. Certiorari denied.

No. 07–11382. *WYNN v. COUNTY BOARD OF EDUCATION OF RICHMOND COUNTY ET AL.* C. A. 11th Cir. Certiorari denied.

No. 07–11383. *DIAZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 831.

No. 07–11384. *CARDONA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 388.

No. 07–11385. *JACKSON v. THOMPSON ET AL.* C. A. 6th Cir. Certiorari denied.

October 6, 2008

555 U. S.

No. 07–11387. *ALDAZ-TREVINO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 440.

No. 07–11389. *DWYER v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 07–11390. *EBERSOLE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 256 Fed. Appx. 603.

No. 07–11391. *PURVIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 07–11392. *MOORE v. RAFFAELE ET AL.* C. A. 2d Cir. Certiorari denied.

No. 07–11393. *PIERCE v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 07–11394. *GRIEBEL v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 93.

No. 07–11395. *SANTIAGO-BAEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 07–11396. *STRATTON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 282 Fed. Appx. 164.

No. 07–11398. *WEATHERLY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 525 F. 3d 265.

No. 07–11399. *HARRIS-RORIE v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 272 Fed. Appx. 1.

No. 07–11400. *WILLIAMS v. THURMER, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 07–11401. *PARKER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 555.

No. 07–11402. *KELLY v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 361.

No. 07–11403. *SMITH v. CALIFORNIA ET AL.* Ct. App. Cal., 5th App. Dist. Certiorari denied.

555 U.S.

October 6, 2008

No. 07-11404. *QUINLAN v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 976 So. 2d 1100.

No. 07-11405. *MORCOS v. MORCOS*. Sup. Ct. Va. Certiorari denied.

No. 07-11407. *KARL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 264 Fed. Appx. 550.

No. 07-11408. *TOVAR v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 07-11409. *MADONIA v. LACLAIR, SUPERINTENDENT, GREAT MEADOW CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 07-11412. *BANEY v. DEPARTMENT OF JUSTICE*. C. A. Fed. Cir. Certiorari denied. Reported below: 263 Fed. Appx. 892.

No. 07-11413. *AGWU v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 546.

No. 07-11414. *BETHEA v. VIRGINIA* (two judgments). Sup. Ct. Va. Certiorari denied.

No. 07-11415. *BRANSON v. GAY, WARDEN*. Ct. App. Ariz. Certiorari denied.

No. 07-11416. *BROOKS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 248 Fed. Appx. 77.

No. 07-11417. *ACKLES v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 07-11418. *BOND v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 932 A. 2d 249.

No. 07-11420. *REYNOLDS v. MCBRIDE, WARDEN*. Cir. Ct. Raleigh County, W. Va. Certiorari denied.

No. 07-11421. *JONES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 268.

No. 07-11422. *CLARK v. SNIEZEK, WARDEN*. C. A. 3d Cir. Certiorari denied. Reported below: 266 Fed. Appx. 212.

No. 07-11424. *GULLEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 526 F. 3d 809.

October 6, 2008

555 U.S.

No. 07–11426. *ZUNIGA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 07–11427. *MURRAY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 457.

No. 07–11428. *MURPHY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 07–11429. *VERDIN-GARCIA ET AL. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 516 F. 3d 884.

No. 07–11430. *VANCE v. INDIANA*. Ct. App. Ind. Certiorari denied. Reported below: 878 N. E. 2d 910.

No. 07–11431. *THOMAS v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 07–11432. *VIRSNieKS v. SMITH, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 521 F. 3d 707.

No. 07–11433. *HERNKE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 531.

No. 07–11434. *HERNANDEZ-HERNANDEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 519 F. 3d 1236.

No. 07–11435. *LAWRENCE v. BRANKER, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 517 F. 3d 700.

No. 07–11436. *KENFIELD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 695.

No. 07–11437. *LEONOR v. HOUSTON*. C. A. 8th Cir. Certiorari denied.

No. 07–11438. *JOHNSON v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 938 A. 2d 1115.

No. 07–11439. *NICARRY v. CANNADY, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS DEPUTY SHERIFF OF SEMINOLE COUNTY, FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 260 Fed. Appx. 166.

555 U.S.

October 6, 2008

No. 07-11440. *MOORE v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 07-11441. *ANGULO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 07-11442. *BROWN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 07-11444. *BUCK v. DEUTSCHE BANK NATIONAL TRUST CO., TRUSTEE FOR LONG BEACH MORTGAGE LOAN TRUST 2003-2, ET AL.* Ct. App. La., 1st Cir. Certiorari denied. Reported below: 973 So. 2d 181.

No. 07-11445. *JORDAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 298.

No. 07-11446. *JACKSON v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 07-11447. *RAMOS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 269 Fed. Appx. 22.

No. 07-11448. *SHORT v. LOUISIANA*. Ct. App. La., 3d Cir. Certiorari denied. Reported below: 958 So. 2d 93.

No. 07-11449. *STEPHENSON v. COLORADO*. Ct. App. Colo. Certiorari denied. Reported below: 165 P. 3d 860.

No. 07-11450. *MORALES v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 07-11451. *SCHRADER v. ALLEN*. Ct. App. N. M. Certiorari denied.

No. 07-11454. *RADICK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 891.

No. 07-11455. *RODRIGUEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 270 Fed. Appx. 28.

No. 07-11456. *QUANDT v. DELAWARE*. Sup. Ct. Del. Certiorari denied. Reported below: 933 A. 2d 1250.

No. 07-11457. *WHITTINGTON v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 546.

October 6, 2008

555 U. S.

No. 07–11459. *WILLIAMS v. NISH*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT WAYMART, ET AL. C. A. 3d Cir. Certiorari denied.

No. 07–11461. *MARTELL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 559.

No. 07–11462. *KING ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 261.

No. 07–11463. *LOPEZ-CORTEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 360.

No. 07–11464. *BLECHMAN v. WASHINGTON MUTUAL BANK ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 157 Cal. App. 4th 662, 69 Cal. Rptr. 3d 87.

No. 07–11466. *LEWIS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 519 F. 3d 822.

No. 07–11467. *KOSYLA v. CITY OF DES PLAINES, ILLINOIS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 256 Fed. Appx. 823.

No. 07–11468. *SANCHEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 519 F. 3d 1208.

No. 07–11469. *DAVIS v. ERCOLE*, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 07–11470. *DIAZ v. CONWAY*, SUPERINTENDENT, ATTICA CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied. Reported below: 515 F. 3d 149.

No. 07–11471. *HIMMELREICH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 265 Fed. Appx. 100.

No. 07–11472. *MERTENS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 716.

No. 07–11473. *ZUNIGA-HERNANDEZ v. OUTLAW*, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 07–11474. *WILLIAMS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

555 U.S.

October 6, 2008

No. 07-11475. *WARNER-FREEMAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 754.

No. 07-11476. *WARD v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 518 F. 3d 75.

No. 07-11477. *DAWSON v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 283 Ga. 315, 658 S. E. 2d 755.

No. 07-11478. *DE LA CERDA, AKA LOPEZ v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 07-11480. *SHORT v. JETT, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 07-11481. *RICHARD v. DiGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 07-11482. *SLATER v. McNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 260 Fed. Appx. 177.

No. 07-11483. *TELLEZ-MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 517 F. 3d 813.

No. 07-11484. *KITTRELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 338.

No. 07-11485. *LARSON v. BELLEQUE, SUPERINTENDENT, OREGON STATE PENITENTIARY*. C. A. 9th Cir. Certiorari denied. Reported below: 515 F. 3d 1057.

No. 07-11486. *LaFORTUNE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 520 F. 3d 50.

No. 07-11487. *MEDA-RODRIGUEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 264 Fed. Appx. 606.

No. 07-11488. *M. R. M. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 513 F. 3d 866.

No. 07-11489. *BUTLER v. UNITED STATES*; and

October 6, 2008

555 U.S.

No. 07–11602. *GORDON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 816.

No. 07–11490. *BAXTER v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 313.

No. 07–11491. *BILAAL v. MOORE, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 07–11492. *BRADY v. WASHINGTON*. Ct. App. Wash. Certiorari denied.

No. 07–11493. *WILSON v. HOUK, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 498 F.3d 491.

No. 07–11494. *KENNER v. BELL, WARDEN*. Sup. Ct. Tenn. Certiorari denied.

No. 07–11495. *MCANDERSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 262 Fed. Appx. 721.

No. 07–11496. *WILLIAMS v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF ARKANSAS*. C. A. 8th Cir. Certiorari denied.

No. 07–11497. *JOHNSON v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 244 S.W.3d 144.

No. 07–11498. *PARRA LOPEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 07–11499. *ROBINSON v. GONZELES*. C. A. 9th Cir. Certiorari denied.

No. 07–11500. *DODGE v. UTAH*. Ct. App. Utah. Certiorari denied.

No. 07–11501. *DINSIO v. FEDERAL BUREAU OF INVESTIGATION ET AL.* C. A. 2d Cir. Certiorari denied.

No. 07–11502. *DANIELSON v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 14 So.3d 201.

No. 07–11503. *KENDRICK v. OHIO*. Ct. App. Ohio, Montgomery County. Certiorari denied.

555 U.S.

October 6, 2008

No. 07–11504. *MARK v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 07–11505. *RIVERA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 238.

No. 07–11506. *STACY v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 07–11507. *TALLEY v. ALABAMA DEPARTMENT OF PUBLIC SAFETY ET AL.* (Reported below: 260 Fed. Appx. 177); and *TALLEY v. CITY OF MOODY, ALABAMA* (259 Fed. Appx. 280). C. A. 11th Cir. Certiorari denied.

No. 07–11508. *TAKAHASHI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 674.

No. 07–11510. *VOINCHE v. FINE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 373.

No. 07–11511. *HARDMAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 07–11512. *HARRIS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 313 Fed. Appx. 338.

No. 07–11513. *FREEMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 255 Fed. Appx. 722.

No. 07–11514. *HAMBLY v. WISCONSIN*. Sup. Ct. Wis. Certiorari denied. Reported below: 307 Wis. 2d 98, 745 N.W. 2d 48.

No. 07–11515. *HACKETT v. TAYLOR ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 260.

No. 07–11516. *FIELDS v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 285 Kan. viii, 175 P. 3d 267.

No. 07–11517. *HYPOLITE v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 07–11518. *HOLLOWAY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 257 Fed. Appx. 869.

No. 07–11519. *HARDAWAY v. LEWIS ET AL.* C. A. 9th Cir. Certiorari denied.

October 6, 2008

555 U. S.

No. 07–11520. *HARRISON v. ADAMS, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 257 Fed. Appx. 613.

No. 07–11521. *GUEYE v. AIRBORNE EXPRESS ET AL.* C. A. 6th Cir. Certiorari denied.

No. 07–11522. *GUEYE v. GUTIERREZ, SECRETARY OF COMMERCE.* C. A. 2d Cir. Certiorari denied. Reported below: 277 Fed. Appx. 70.

No. 07–11523. *HYLAND v. KOLHAGE ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 836.

No. 07–11524. *HARRIS v. ASHLAND HOME CONDOMINIUM.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 376 Ill. App. 3d 1132, 952 N. E. 2d 726.

No. 07–11525. *SAUER v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 234 Fed. Appx. 587.

No. 07–11526. *RICO-GOMEZ v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 261.

No. 07–11527. *WALLACE v. EASON, WARDEN.* C. A. 5th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 502.

No. 07–11528. *PINCKNEY v. SALAMON.* Ct. App. S. C. Certiorari denied.

No. 07–11529. *PILGRIM v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 662.

No. 07–11530. *STRAW v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 831.

No. 07–11531. *MCGOVNEY v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 386.

No. 07–11532. *MCARTY v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION.* Sup. Ct. Ark. Certiorari denied.

No. 07–11533. *YURISICH ET UX. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 700.

No. 07–11534. *THOMAS v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 253 Fed. Appx. 333.

555 U.S.

October 6, 2008

No. 07-11535. *BELL v. MEN'S STORE AT SAKS FIFTH AVENUE*. C. A. D. C. Cir. Certiorari denied.

No. 07-11536. *AVILA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 263 Fed. Appx. 585.

No. 07-11537. *BLACK v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 525 F. 3d 359.

No. 07-11538. *BROWN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 791.

No. 07-11539. *BADRUDDOZA v. UNITED STATES LAW ENFORCEMENT UNITS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 304.

No. 07-11540. *SANTANA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 837.

No. 07-11542. *STANKO v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 376 S. C. 571, 658 S. E. 2d 94.

No. 07-11543. *STINES v. EVANS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 07-11544. *MUNOZ v. PALAKOVICH, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SMITHFIELD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 07-11545. *BRANCH-WILLIAMS v. DEPARTMENT OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied.

No. 07-11546. *BROWN v. UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSEE*. C. A. 6th Cir. Certiorari denied.

No. 07-11547. *FRIESE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 698.

No. 07-11548. *GALLMAN v. CORBETT, ATTORNEY GENERAL OF PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 07-11549. *GOODMAN v. CALDWELL ET AL.* Cir. Ct. Kanawha County, W. Va. Certiorari denied.

No. 07-11551. *GUADARRAMA v. SUPERIOR COURT OF CALIFORNIA, IMPERIAL COUNTY ET AL.* Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

October 6, 2008

555 U.S.

No. 07–11552. *HOLMAN v. EBERT*. C. A. 2d Cir. Certiorari denied.

No. 07–11553. *WALKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 575.

No. 07–11554. *MORRIS v. ALES GROUP USA, INC., ET AL.* C. A. 2d Cir. Certiorari denied.

No. 07–11556. *RHODES v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 268.

No. 07–11557. *RAY v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 07–11558. *WATSON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 43 Cal. 4th 652, 182 P. 3d 543.

No. 07–11561. *MILLER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 520 F. 3d 504.

No. 07–11562. *MCCALVIN v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 07–11563. *CHASE v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 930 A. 2d 267.

No. 07–11564. *CHAVEZ-CALDERON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 494 F. 3d 1266.

No. 07–11566. *EATMON v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 992 So. 2d 64.

No. 07–11567. *MAYS v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 07–11568. *KIRKLAND v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 07–11569. *JIMMERSON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 07–11570. *JONES v. EPPS, COMMISSIONER, MISSISSIPPI DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 5th Cir. Certiorari denied.

555 U.S.

October 6, 2008

No. 07–11571. *LOCUST v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 260 Fed. Appx. 571.

No. 07–11572. *THOMPSON v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 07–11573. *WALL v. MAINE*. C. A. 1st Cir. Certiorari denied.

No. 07–11574. *DOWNING v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 929 A. 2d 848.

No. 07–11575. *ALCIVAR v. WYNNE, SECRETARY OF THE AIR FORCE*. C. A. 10th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 749.

No. 07–11576. *OCASIO v. MCDANIEL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 07–11577. *MEANS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 07–11578. *BANGA v. COUNTRYWIDE HOME LOANS ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 07–11579. *BLOOM v. KANSAS*. Sup. Ct. Kan. Certiorari denied.

No. 07–11580. *ACOSTA v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 07–11581. *BAFFORD v. TOWNSHIP APARTMENTS ASSN., LTD., ET AL.* C. A. 11th Cir. Certiorari denied.

No. 07–11582. *BARNER v. WINN, WARDEN*. C. A. 1st Cir. Certiorari denied.

No. 07–11583. *ARRICK v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 07–11585. *ROBERTS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 349.

No. 07–11586. *RUIZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 272 Fed. Appx. 19.

October 6, 2008

555 U. S.

No. 07–11587. *PETRUS v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 07–11589. *SHEARD v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 07–11590. *STEWART v. WORKMAN*, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 736.

No. 07–11591. *ROCKWELL v. PARKER*, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 783.

No. 07–11592. *TAYLOR v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 522 F. 3d 731.

No. 07–11593. *RIVAS v. UNITED STATES* (Reported below: 272 Fed. Appx. 370); *RUBIO-ALVAREZ*, AKA RUBIO, AKA ALVAREZ RUBIO, AKA RUBIO ALVAREZ, AKA ALVARES RUBIO *v. UNITED STATES* (272 Fed. Appx. 369); *SEGOVIA-PORTILLO v. UNITED STATES* (270 Fed. Appx. 367); and *MEDINA-REYES v. UNITED STATES* (272 Fed. Appx. 367). C. A. 5th Cir. Certiorari denied.

No. 07–11594. *SANCHEZ-CACERES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 362.

No. 07–11595. *DROW v. HOENISCH*, SHERIFF, MARATHON COUNTY, WISCONSIN. Ct. App. Wis. Certiorari denied. Reported below: 307 Wis. 2d 444, 745 N. W. 2d 88.

No. 07–11596. *CLOUD v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 19 So. 3d 259.

No. 07–11597. *McGOWAN v. MAINE*. Sup. Jud. Ct. Me. Certiorari denied.

No. 07–11598. *JOHNSON v. MCDANIEL*, ATTORNEY GENERAL OF ARKANSAS. Sup. Ct. Ark. Certiorari denied.

No. 07–11599. *BERTRAM v. NORTH DAKOTA*. Sup. Ct. N. D. Certiorari denied. Reported below: 747 N. W. 2d 136.

No. 07–11603. *GONZALEZ*, AKA MONGE-GONZALEZ *v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 212 Fed. Appx. 680.

555 U.S.

October 6, 2008

No. 07–11604. *GUTIERREZ-VALDIVIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 07–11605. *INNARELLI v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 524 F. 3d 286.

No. 07–11606. *HERNANDEZ-HERNANDEZ v. HALL, SUPERINTENDENT, TWO RIVERS CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied.

No. 07–11607. *HENDERSON v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 07–11608. *LOZANO v. HAWS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 07–11609. *HIRT v. HAYNES, JUDGE, 21ST JUDICIAL DISTRICT COURT OF MONTANA*. Sup. Ct. Mont. Certiorari denied. Reported below: 344 Mont. 552, 186 P. 3d 875.

No. 07–11610. *FELDER v. BUSS, SUPERINTENDENT, INDIANA STATE PRISON*. C. A. 7th Cir. Certiorari denied.

No. 07–11611. *NUNEZ-GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 388.

No. 07–11612. *JIMENEZ v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 07–11613. *PICKARD v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 935 A. 2d 19.

No. 07–11616. *THOMPSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 559.

No. 07–11617. *RIECHMANN v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 966 So. 2d 298.

No. 07–11618. *RODZIEWICZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 368.

No. 07–11620. *BROOKS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 847.

No. 07–11621. *AMMONS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 623.

October 6, 2008

555 U. S.

No. 07-11622. *CARTER v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 377 Ill. App. 3d 1140, 953 N. E. 2d 81.

No. 07-11623. *STOUT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 599 F. 3d 549.

No. 07-11624. *GARCIA-ARELLANO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 522 F. 3d 477.

No. 07-11625. *GILL v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 07-11626. *SMITH v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 272 Fed. Appx. 41.

No. 07-11627. *DAVIS v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 08-1. *DEVINCENTIS v. QUINN, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 647.

No. 08-2. *MARTIN v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 285 Kan. 994, 179 P. 3d 457.

No. 08-3. *AYAD ET AL. v. RADIO ONE, INC., ET AL.* Ct. App. Ohio, Cuyahoga County. Certiorari denied. Reported below: 2007-Ohio-2493.

No. 08-4. *TALIK v. FEDERAL MARINE TERMINALS, INC.* Sup. Ct. Ohio. Certiorari denied. Reported below: 117 Ohio St. 3d 496, 885 N. E. 2d 204.

No. 08-5. *VAKKER v. MUKASEY, ATTORNEY GENERAL*. C. A. 3d Cir. Certiorari denied. Reported below: 519 F. 3d 143.

No. 08-7. *CAIN v. TRANSOCEAN OFFSHORE USA, INC., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 518 F. 3d 295.

No. 08-9. *THOMPSON ET AL. v. GREENWOOD ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 507 F. 3d 416.

No. 08-10. *REYNOLDS ET AL. v. CITY OF NEW ORLEANS, LOUISIANA, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 331.

No. 08-11. *ATAMIAN v. RICH*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

555 U.S.

October 6, 2008

No. 08–12. *BLAKES v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–13. *ALMAHDI v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 450 Mass. 1005, 876 N. E. 2d 420.

No. 08–14. *LANSING v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 263 Fed. Appx. 849.

No. 08–15. *HARBURY v. HAYDEN, DIRECTOR, CENTRAL INTELLIGENCE AGENCY, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 522 F. 3d 413.

No. 08–16. *FEREGA v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 286 Ga. App. 808, 650 S. E. 2d 286.

No. 08–18. *STARR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 372.

No. 08–19. *MOOREFIELD v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 66 M. J. 170.

No. 08–20. *SLONE ET AL. v. MYERS ET AL.* Ct. App. Ga. Certiorari denied. Reported below: 288 Ga. App. 8, 653 S. E. 2d 323.

No. 08–23. *MATHESON v. GREGOIRE, GOVERNOR OF WASHINGTON, ET AL.* Ct. App. Wash. Certiorari denied. Reported below: 139 Wash. App. 624, 161 P. 3d 486.

No. 08–24. *PEPE v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 897 A. 2d 463.

No. 08–25. *HUBBY v. HUBBY ET AL.* App. Ct. Conn. Certiorari denied.

No. 08–28. *SCHAEFER v. WISCONSIN*. Sup. Ct. Wis. Certiorari denied. Reported below: 308 Wis. 2d 279, 746 N. W. 2d 457.

No. 08–29. *LUFKIN INDUSTRIES, INC. v. McCLAIN, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 519 F. 3d 264.

No. 08–30. *JONITES, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED, ET AL. v. EXELON CORP. ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 522 F. 3d 721.

October 6, 2008

555 U. S.

No. 08–32. *PRICE v. GKN AEROSPACE NORTH AMERICA, INC., ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 256 Fed. Appx. 853.

No. 08–34. *PENBERTHY ET AL. v. AT&T WIRELESS SERVICES, INC.* C. A. 11th Cir. Certiorari denied.

No. 08–36. *KIRLEW v. MUKASEY, ATTORNEY GENERAL.* C. A. 3d Cir. Certiorari denied. Reported below: 267 Fed. Appx. 125.

No. 08–41. *DUPRE v. TELXON CORP. ET AL.* Ct. App. Ohio, Summit County. Certiorari denied.

No. 08–42. *HILL v. WILSON, SUPERINTENDENT, WESTVILLE CORRECTIONAL FACILITY.* C. A. 7th Cir. Certiorari denied. Reported below: 519 F. 3d 366.

No. 08–43. *INTERNATIONAL RECTIFIER CORP. v. IXYS CORP.* C. A. Fed. Cir. Certiorari denied. Reported below: 515 F. 3d 1353.

No. 08–44. *COONEY, FKA ORLANDO v. ORLANDO.* App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 377 Ill. App. 3d 1148, 953 N. E. 2d 86.

No. 08–45. *BENEFIT RECOVERY, INC. v. DONELON, COMMISSIONER OF INSURANCE FOR LOUISIANA.* C. A. 5th Cir. Certiorari denied. Reported below: 521 F. 3d 326.

No. 08–46. *BOSTON SCIENTIFIC CORP. ET AL. v. CORDIS CORP.* C. A. Fed. Cir. Certiorari denied. Reported below: 511 F. 3d 1157.

No. 08–47. *RANGEL ET AL. v. MONTEREY COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–48. *SCHAAF ET AL. v. RESIDENTIAL FUNDING CORP. ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 517 F. 3d 544.

No. 08–49. *WILLIAMS v. J. P. MORGAN CHASE & CO. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 271 Fed. Appx. 121.

No. 08–50. *GRANITE STATE OUTDOOR ADVERTISING, INC. v. CITY OF ROSWELL, GEORGIA.* Sup. Ct. Ga. Certiorari denied. Reported below: 283 Ga. 417, 658 S. E. 2d 587.

555 U.S.

October 6, 2008

No. 08–51. *GREY v. DALLAS INDEPENDENT SCHOOL DISTRICT ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 342.

No. 08–53. *STAUNCH v. CONTINENTAL AIRLINES, INC.* C. A. 6th Cir. Certiorari denied. Reported below: 511 F. 3d 625.

No. 08–54. *ROSS v. WHITAKER ET AL.* Ct. App. N. C. Certiorari denied.

No. 08–55. *LOGIX COMMUNICATIONS, L. P., DBA LOGIX COMMUNICATIONS v. PUBLIC UTILITY COMMISSION OF TEXAS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 521 F. 3d 361.

No. 08–56. *SPAETH v. CHEROKEE CENTER FOR CHANGE, INC., ET AL.* Ct. App. Ga. Certiorari denied.

No. 08–57. *ANWAR v. UNITED STATES CITIZENSHIP & IMMIGRATION SERVICES.* C. A. 2d Cir. Certiorari denied. Reported below: 273 Fed. Appx. 62.

No. 08–60. *HOUSE v. UNITED STATES.* C. A. Armed Forces. Certiorari denied. Reported below: 66 M. J. 189.

No. 08–62. *PERSIK v. TUCCI LEARNING SOLUTIONS, INC., ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–64. *JOHNSON v. CONNECTICUT.* Sup. Ct. Conn. Certiorari denied. Reported below: 286 Conn. 427, 944 A. 2d 297.

No. 08–69. *ALLEN v. NEW ORLEANS POLICE DEPARTMENT.* Ct. App. La., 4th Cir. Certiorari denied. Reported below: 967 So. 2d 606.

No. 08–70. *BONNER ET UX. v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 522 F. 3d 804.

No. 08–72. *STRUBINGER v. PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION.* Commw. Ct. Pa. Certiorari denied.

No. 08–73. *RESHARD v. LANKENAU HOSPITAL ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 256 Fed. Appx. 506.

No. 08–75. *KANG v. PB FASTENERS.* C. A. 9th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 545.

October 6, 2008

555 U. S.

No. 08–78. *ALLISON v. CITIZENS FOR AFFORDABLE DENTURES ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–79. *RASCO v. POTTER, POSTMASTER GENERAL, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 279.

No. 08–80. *ROBINSON ET AL. v. SHEET METAL WORKERS' NATIONAL PENSION FUND, PLAN A, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 515 F. 3d 93.

No. 08–81. *GANESAN v. BRANNIGAN ET AL.* Ct. App. Tex., 11th Dist. Certiorari denied.

No. 08–83. *HOLMAN v. CLEMSON UNIVERSITY.* C. A. 4th Cir. Certiorari denied. Reported below: 264 Fed. Appx. 270.

No. 08–84. *GADOMSKI v. RENICO, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 258 Fed. Appx. 781.

No. 08–85. *PEREZ v. DEXTER, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 08–86. *DJUKIC v. TURNER.* Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 08–87. *REINSURANCE RESULTS, INC. v. INDIANA LUMBERMENS MUTUAL INSURANCE CO.* C. A. 7th Cir. Certiorari denied. Reported below: 513 F. 3d 652.

No. 08–89. *KARIMIAN ET AL. v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 244.

No. 08–92. *EGGERS v. MOORE ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 257 Fed. Appx. 993.

No. 08–93. *PALMER v. MARYLAND ET AL.* Ct. App. Md. Certiorari denied. Reported below: 404 Md. 591, 948 A. 2d 30.

No. 08–94. *PENNSYLVANIA v. MALLORY ET AL.* Sup. Ct. Pa. Certiorari denied. Reported below: 596 Pa. 172, 941 A. 2d 686.

No. 08–95. *STOYANOV ET AL. v. WINTER, SECRETARY OF THE NAVY, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 294.

555 U.S.

October 6, 2008

No. 08–96. *PINEY RUN PRESERVATION ASSN. v. COUNTY COMMISSIONERS OF CARROLL COUNTY, MARYLAND*. C. A. 4th Cir. Certiorari denied. Reported below: 523 F. 3d 453.

No. 08–97. *PIPER ET AL. v. BINION ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 436.

No. 08–98. *ROBERTSON ET VIR v. VENTURA COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 594.

No. 08–99. *SEVEN UP PETE VENTURE ET AL. v. SCHWEITZER, GOVERNOR OF MONTANA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 523 F. 3d 948.

No. 08–100. *SOUTH FORK BAND ET AL. v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 573.

No. 08–102. *AMIRMOKRI v. BODMAN, SECRETARY OF ENERGY*. C. A. 4th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 274.

No. 08–104. *GUNTER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 415.

No. 08–105. *MORENO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–107. *LABBE v. MUKASEY, ATTORNEY GENERAL*. C. A. 3d Cir. Certiorari denied. Reported below: 248 Fed. Appx. 398.

No. 08–109. *LAKE FOREST PARTNERS 2, INC. v. MICHIGAN DEPARTMENT OF TREASURY*. Sup. Ct. Mich. Certiorari denied. Reported below: 480 Mich. 1046, 743 N. W. 2d 881.

No. 08–110. *STEARMAN v. COMMISSIONER OF INTERNAL REVENUE*. C. A. D. C. Cir. Certiorari denied.

No. 08–111. *MICHAELS ET UX. v. TOWNSHIP OF MACOMB, MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 08–112. *CHRIST v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 513 F. 3d 762.

No. 08–113. *KUPER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 522 F. 3d 302.

October 6, 2008

555 U. S.

No. 08–114. *LARSON v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 66 M. J. 212.

No. 08–115. *SCHWINN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 464.

No. 08–116. *MANBECK v. KATONAH-LEWISBORO SCHOOL DISTRICT ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 264 Fed. Appx. 61.

No. 08–117. *THOMAS v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 66 M. J. 382.

No. 08–121. *SAMSUNG ELECTRONICS CO., LTD. v. RAMBUS INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 523 F. 3d 1374.

No. 08–122. *JEWELCOR INC. ET AL. v. KARFUNKEL ET AL., INDIVIDUALLY AND AS PARTNERS TRADING AS M & G EQUITIES*. C. A. 3d Cir. Certiorari denied. Reported below: 517 F. 3d 672.

No. 08–123. *FIASCHE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 520 F. 3d 694.

No. 08–124. *AMIRMOKRI v. DEPARTMENT OF ENERGY*. C. A. Fed. Cir. Certiorari denied. Reported below: 264 Fed. Appx. 900.

No. 08–126. *VIGIL v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 523 F. 3d 1258.

No. 08–127. *JOHNSON v. CITY OF SHOREWOOD, MINNESOTA, ET AL.* Ct. App. Minn. Certiorari denied.

No. 08–128. *LEWIS v. DEPARTMENT OF AGRICULTURE*. C. A. Fed. Cir. Certiorari denied. Reported below: 268 Fed. Appx. 952.

No. 08–129. *ELMES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 264 Fed. Appx. 776.

No. 08–130. *GIBSON v. ADA COUNTY, IDAHO, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 686.

No. 08–131. *HILLIARD, TRUSTEE, H. DAVID AND BONITA HILLIARD LIVING TRUST v. JACOBS*. Ct. App. Ind. Certiorari denied. Reported below: 874 N. E. 2d 1060.

555 U.S.

October 6, 2008

No. 08–133. *THE CADLE CO. v. FRIEDHEIM ET UX.* C. A. 5th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 450.

No. 08–136. *SHARMA v. SHARMA.* App. Ct. Mass. Certiorari denied. Reported below: 71 Mass. App. 1111, 881 N. E. 2d 828.

No. 08–137. *AL-ARIAN v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 514 F. 3d 1184.

No. 08–141. *GEORGE v. OHIO.* Ct. App. Ohio, Hamilton County. Certiorari denied.

No. 08–142. *MENDEZ v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 528 F. 3d 811.

No. 08–144. *WEBSTER v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 9th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 674.

No. 08–147. *YATES v. DISTRICT OF COLUMBIA.* C. A. 4th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 312.

No. 08–149. *KING v. NEW YORK STATE DIVISION OF PAROLE ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 260 Fed. Appx. 375.

No. 08–153. *VIAR v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 266.

No. 08–156. *DAY v. UNITED STATES.* C. A. D. C. Cir. Certiorari denied. Reported below: 524 F. 3d 1361.

No. 08–157. *GEGAJ v. MUKASEY, ATTORNEY GENERAL.* C. A. 2d Cir. Certiorari denied. Reported below: 262 Fed. Appx. 343.

No. 08–158. *HERNANDEZ v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 291.

No. 08–160. *JACOBS ET AL. v. TAPSCOTT ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 483.

No. 08–161. *ORIENT OVERSEAS CONTAINER LINE LIMITED ET AL. v. ROYAL INSURANCE COMPANY OF AMERICA ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 525 F. 3d 409.

No. 08–162. *TENESACA DELGADO v. MUKASEY, ATTORNEY GENERAL.* C. A. 2d Cir. Certiorari denied. Reported below: 516 F. 3d 65.

October 6, 2008

555 U. S.

No. 08–170. *ADAMS v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 66 M. J. 255.

No. 08–173. *LAWRENCE v. DEPARTMENT OF THE INTERIOR ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 525 F. 3d 916.

No. 08–175. *ZONE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–176. *MILLER v. DAVIS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 521 F. 3d 1142 and 272 Fed. Appx. 628.

No. 08–178. *MILLER-JENKINS v. MILLER-JENKINS*. Sup. Ct. Vt. Certiorari denied. Reported below: 183 Vt. 647, 949 A. 2d 1082.

No. 08–179. *ECHOSTAR COMMUNICATIONS CORP. ET AL. v. TiVo, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 516 F. 3d 1290.

No. 08–187. *DAVID v. MONSANTO Co. ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 516 F. 3d 1009.

No. 08–191. *GOODSON v. NATIONAL ASSOCIATION OF LETTER CARRIERS, AFL–CIO, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 798.

No. 08–193. *HART v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 66 M. J. 273.

No. 08–200. *GRICE, TRUSTEE OF THE HARLEY A. GRICE REVOCABLE TRUST, ET AL. v. VERMONT ELECTRIC POWER Co., INC.* Sup. Ct. Vt. Certiorari denied. Reported below: 184 Vt. 132, 956 A. 2d 561.

No. 08–202. *BATTON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 363.

No. 08–203. *LEWIS v. MUKASEY, ATTORNEY GENERAL*. C. A. 4th Cir. Certiorari denied. Reported below: 262 Fed. Appx. 544.

No. 08–211. *SMITH, COUNTY EXECUTIVE, BALTIMORE COUNTY, MARYLAND, ET AL. v. AES SPARROWS POINT LNG, LLC, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 527 F. 3d 120.

555 U.S.

October 6, 2008

No. 08–232. *DANESHVAR v. GRAPHIC TECHNOLOGY, INC.* C. A. 10th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 126.

No. 08–238. *POINDEXTER ET AL. v. ILLINOIS EX REL. ILLINOIS DEPARTMENT OF HUMAN SERVICES ET AL.* Sup. Ct. Ill. Certiorari denied. Reported below: 229 Ill. 2d 194, 890 N. E. 2d 410.

No. 08–239. *MANCI v. BALL, KOONS & WATSON ET AL.* Sup. Ct. Ala. Certiorari denied. Reported below: 995 So. 2d 161.

No. 08–247. *YARBROUGH v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 80.

No. 08–254. *RAMMELKAMP v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 270 Fed. Appx. 35.

No. 08–265. *REED v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 357.

No. 08–5002. *JONES v. SOCIAL SECURITY ADMINISTRATION.* C. A. 9th Cir. Certiorari denied. Reported below: 256 Fed. Appx. 68.

No. 08–5004. *LIMBRICK v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 367.

No. 08–5005. *PALMER v. CAIN, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 08–5006. *NORTHCUTT v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 266 Fed. Appx. 129.

No. 08–5007. *ORTIZ v. CALIFORNIA.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 08–5008. *WATSON v. CAIN, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 08–5009. *WILLIAMS v. WEATHERSBEE, COMMANDANT, UNITED STATES DISCIPLINARY BARRACKS, FORT LEAVENWORTH, KANSAS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 684.

No. 08–5010. *WEBB v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

October 6, 2008

555 U. S.

No. 08–5011. *ROSE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 522 F. 3d 710.

No. 08–5012. *ESPIN v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 953 So. 2d 781.

No. 08–5013. *CHARITY v. CARROLL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–5014. *ROGERS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–5015. *DELEON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 316.

No. 08–5016. *CARMON v. HUDSON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–5017. *JACKSON v. LEUTZOW ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–5018. *TAYLOR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 601.

No. 08–5019. *DAVIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 847.

No. 08–5021. *GONZALES v. TAFOYA, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 515 F. 3d 1097.

No. 08–5022. *MARTIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 522 F. 3d 607.

No. 08–5023. *KARANJA v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 176 Md. App. 758.

No. 08–5024. *STOVER v. CITY OF SHORELINE, WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 139 Wash. App. 1007.

No. 08–5026. *RODRIGUEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–5027. *DUNHAM v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 708.

555 U.S.

October 6, 2008

No. 08–5028. *CAMPBELL v. ILLINOIS*. App. Ct. Ill., 3d Dist. Certiorari denied. Reported below: 377 Ill. App. 3d 1155, 953 N. E. 2d 89.

No. 08–5029. *BATAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 622.

No. 08–5030. *BURROWS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 905.

No. 08–5032. *SHELL v. SCHWARTZ ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 981 So. 2d 1200.

No. 08–5033. *DAVENPORT v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 935 A. 2d 8.

No. 08–5036. *HARMON v. BOOHER, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 704.

No. 08–5037. *HARPER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 527 F. 3d 396.

No. 08–5038. *HAHN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 90.

No. 08–5039. *VALENCIA v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 43 Cal. 4th 268, 180 P. 3d 351.

No. 08–5041. *PARKER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 952.

No. 08–5042. *HAMMONDS v. MCGRATH, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 687.

No. 08–5043. *MITCHELL v. KERESTES, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MAHANAY*. C. A. 3d Cir. Certiorari denied.

No. 08–5045. *SIMPSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–5046. *QUICK v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

October 6, 2008

555 U. S.

No. 08–5047. *RANDLE v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–5048. *RICO-SERRANO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 430.

No. 08–5049. *OLVERA JIMENEZ v. TEXAS*. Ct. App. Tex., 3d Dist. Certiorari denied. Reported below: 240 S. W. 3d 384.

No. 08–5050. *MACPHAIL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 258 Fed. Appx. 127.

No. 08–5051. *LEE v. KAYE, CHIEF JUDGE, COURT OF APPEALS OF NEW YORK, ET AL.* Ct. App. N. Y. Certiorari denied. Reported below: 10 N. Y. 3d 902, 891 N. E. 2d 302.

No. 08–5052. *JOHNSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 519 F. 3d 816.

No. 08–5053. *AGUILAR-RAMIREZ, AKA OLVERA-RAMIREZ v. UNITED STATES* (Reported below: 272 Fed. Appx. 366); *LEMUS-MORALES v. UNITED STATES* (272 Fed. Appx. 362); and *VIZCARRA-CHAIDEZ v. UNITED STATES* (272 Fed. Appx. 373). C. A. 5th Cir. Certiorari denied.

No. 08–5054. *ZAMORA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 441.

No. 08–5055. *JOHNSON v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–5056. *LONG NECK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 08–5057. *AGOSTO-GRAULAU v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–5058. *ANDERSON v. MCDANIEL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–5059. *GARNER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 487.

No. 08–5060. *LINARES v. FISCHER, COMMISSIONER, NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES*. C. A. 2d Cir. Certiorari denied.

555 U.S.

October 6, 2008

No. 08–5061. *JONES v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–5062. *MORALES v. SHANNON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT FRACKVILLE, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–5063. *VANDIVERE v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 08–5064. *TRIMUAR v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 08–5065. *WARDLAW v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–5066. *ALLEN v. AMERICAN SIGNATURE FURNITURE, INC., DBA VALUE CITY FURNITURE*. C. A. 7th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 507.

No. 08–5067. *PALMA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 511 F. 3d 1311.

No. 08–5068. *JACKSON v. CAROLINAS HEALTHCARE SYSTEM ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 263.

No. 08–5070. *SMITH v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 450 Mass. 395, 879 N. E. 2d 87.

No. 08–5071. *MCKINZIE v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 858.

No. 08–5073. *DE ARMAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–5074. *BIROS v. HOUK, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–5075. *BARR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 256 Fed. Appx. 283.

October 6, 2008

555 U. S.

No. 08–5076. *PAYNE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 585.

No. 08–5077. *FRAZIER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–5078. *HUBBELING v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–5079. *FARIAS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 730.

No. 08–5080. *GRAY v. MOORE, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 520 F. 3d 616.

No. 08–5081. *GREEN v. SIRMONS, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 08–5083. *GALLAGHER v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 980 So. 2d 1082.

No. 08–5084. *HURTADO v. PARKER, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 770.

No. 08–5087. *JONES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 370.

No. 08–5088. *WILLIAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 968.

No. 08–5089. *TAYLOR v. UNITED STATES ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–5090. *MCCARY v. LEWIS, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 255 Fed. Appx. 78.

No. 08–5091. *GORDON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 674.

No. 08–5092. *PERRY v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 980 So. 2d 490.

No. 08–5093. *LYNCH v. KELLEY, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 255 Fed. Appx. 718.

No. 08–5094. *LANGO v. SMITH, SUPERINTENDENT, SHAWANGUNK CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

555 U.S.

October 6, 2008

No. 08–5095. *JONES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–5096. *LIMON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 698.

No. 08–5097. *WILBON v. BOOKER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–5098. *SMITH v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–5099. *ROBINSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 528 F. 3d 110.

No. 08–5100. *SICKLER v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 932 A. 2d 263.

No. 08–5102. *D. P. S. v. LAWRENCE COUNTY JUVENILE OFFICE*. Ct. App. Mo., Southern Dist. Certiorari denied.

No. 08–5103. *GENDRON v. LAFLEER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–5104. *FREDRICK v. BECK, SECRETARY, NORTH CAROLINA DEPARTMENT OF CORRECTION*. C. A. 4th Cir. Certiorari denied. Reported below: 262 Fed. Appx. 540.

No. 08–5105. *HOLLOWAY v. COURT OF APPEAL OF CALIFORNIA, SECOND APPELLATE DISTRICT*. C. A. 9th Cir. Certiorari denied.

No. 08–5106. *ZAYES v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 373 Ill. App. 3d 1156, 943 N. E. 2d 335.

No. 08–5107. *VAZQUEZ v. RUSHTON, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 262.

No. 08–5108. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 08–5109. *EMERSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 695.

No. 08–5110. *EKPO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 830.

October 6, 2008

555 U.S.

No. 08–5111. *BURRELL v. ALABAMA*. Sup. Ct. Ala. Certiorari denied.

No. 08–5112. *BANDA v. BURLINGTON COUNTY, NEW JERSEY, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 263 Fed. Appx. 182.

No. 08–5113. *RICHARDSON v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 936 A. 2d 836.

No. 08–5114. *RANDLE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–5115. *ROCKETTE v. REID, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 720.

No. 08–5116. *LATTAKER v. RENDELL, GOVERNOR OF PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 269 Fed. Appx. 230.

No. 08–5118. *BONES v. NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–5119. *BALDUINO-SILANO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 268 Fed. Appx. 200.

No. 08–5120. *CANO-MORALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 371.

No. 08–5121. *DORSEY, AKA DAWSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 769.

No. 08–5123. *DAVIS v. CARLTON, WARDEN*. Ct. App. Tenn. Certiorari denied.

No. 08–5124. *ALVAREZ-ESPINO v. UNITED STATES* (Reported below: 272 Fed. Appx. 375); *ESPINOZA v. UNITED STATES* (272 Fed. Appx. 374); *GALINDO AGUILERA v. UNITED STATES* (272 Fed. Appx. 377); *HINOJOS OROZCO v. UNITED STATES* (272 Fed. Appx. 363); *LOZANO-PEDROZA v. UNITED STATES* (272 Fed. Appx. 362); *PONCE-RUBIO v. UNITED STATES* (272 Fed. Appx. 365); *VERGARA-TORRES v. UNITED STATES* (272 Fed. Appx. 364); and *VASQUEZ-MORALES v. UNITED STATES* (272 Fed. Appx. 376). C. A. 5th Cir. Certiorari denied.

555 U.S.

October 6, 2008

No. 08–5125. *FRIEL v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–5126. *LOPEZ-CRUZ v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 08–5127. *FLINT v. JORDAN, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 514 F. 3d 1165.

No. 08–5128. *FOSTER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–5129. *MEDWAY v. SCHWARZENEGGER, GOVERNOR OF CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 257 Fed. Appx. 44.

No. 08–5131. *WHITE v. NEW YORK*. Ct. App. N. Y. Certiorari denied. Reported below: 10 N. Y. 3d 286, 886 N. E. 2d 156.

No. 08–5132. *WOODRING v. TEXAS*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 08–5133. *VILCHES-NAVARETTE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 523 F. 3d 1.

No. 08–5134. *MORRIS v. KRAMER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–5135. *OGBA ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 526 F. 3d 214.

No. 08–5137. *MOORE v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 978 So. 2d 1160.

No. 08–5138. *PUMPHREY v. TEXAS*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 08–5139. *RAYFORD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–5141. *MOBLEY v. OHIO*. Ct. App. Ohio, Fairfield County. Certiorari denied. Reported below: 2007-Ohio-6101.

No. 08–5142. *MILLER v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 294.

October 6, 2008

555 U. S.

No. 08–5144. *WOODRUFF v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 331.

No. 08–5145. *MARTIN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–5146. *LOVATO v. TAPIA, WARDEN*. Dist. Ct. N. M., 2d Jud. Dist. Certiorari denied.

No. 08–5147. *MARTIN v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–5148. *SEELY v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 373 Ark. 141, 282 S. W. 3d 778.

No. 08–5149. *RODRIGUEZ v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–5153. *ESTRADA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 272 Fed. Appx. 134.

No. 08–5154. *GREGA v. HOFMANN, COMMISSIONER, VERMONT DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–5155. *LANG v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–5156. *REED v. CARROLL, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–5157. *SMASH v. PALMER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–5158. *RAY v. MITCHEM, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 807.

No. 08–5159. *ROBERTSON v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 08–5160. *SAFFOLD v. MENDOZA-POWERS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 263 Fed. Appx. 652.

No. 08–5161. *DADE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 600.

555 U.S.

October 6, 2008

No. 08–5162. *NEWTON v. ALABAMA*. Sup. Ct. Ala. Certiorari denied.

No. 08–5163. *FOTOPOULOS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 516 F. 3d 1229.

No. 08–5166. *BRAILEY v. VIRGINIA DEPARTMENT OF TAXATION*. Sup. Ct. Va. Certiorari denied.

No. 08–5167. *ENRIQUEZ v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–5168. *WILLIAMS v. BENNETT ET AL.* C. A. 8th Cir. Certiorari denied.

No. 08–5169. *KUPERMAN v. SUPREME COURT OF NEW HAMPSHIRE*. Sup. Ct. N. H. Certiorari denied.

No. 08–5171. *DEGRUY v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 08–5172. *DAVIS, AKA MILLER v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–5173. *CORNER v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 08–5174. *CADEN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–5175. *WISE v. WASHINGTON*. Ct. App. Wash. Certiorari denied.

No. 08–5176. *CALLES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 931.

No. 08–5177. *JOHNSON v. OHIO*. Ct. App. Ohio, Lucas County. Certiorari denied. Reported below: 2007-Ohio-3961.

No. 08–5178. *MARZULLO v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

October 6, 2008

555 U. S.

No. 08–5180. *McSHEPARD v. OHIO*. Ct. App. Ohio, Lorain County. Certiorari denied. Reported below: 2007-Ohio-6006.

No. 08–5181. *MANSFIELD v. DORMIRE, SUPERINTENDENT, JEFFERSON CITY CORRECTIONAL CENTER*. Sup. Ct. Mo. Certiorari denied.

No. 08–5182. *LAU v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–5183. *LAU v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–5184. *LAU v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–5185. *HILLIARD v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 272 Fed. Appx. 134.

No. 08–5186. *TURNER v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 307 Wis. 2d 444, 745 N. W. 2d 88.

No. 08–5187. *WILLIAMS v. PHILLIPS*. Sup. Ct. Fla. Certiorari denied. Reported below: 984 So. 2d 521.

No. 08–5188. *GOODELL v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 08–5189. *GREENHILL v. UNITED STATES ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 315.

No. 08–5190. *HAQUE v. FRY’S ELECTRONICS, INC.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 08–5191. *AL GHASHIYAH v. LITSCHER ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 654.

No. 08–5192. *RAGIN v. SNIEZEK, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–5193. *SPENCER v. KERESTES, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MAHANOEY, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–5194. *WISCHNEWSKY v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

555 U.S.

October 6, 2008

No. 08–5195. *SANCHEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–5196. *SENATOR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 08–5197. *WOODY v. TADLOCK, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–5198. *WALKER v. MAYNARD, SECRETARY, MARYLAND DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 541.

No. 08–5200. *PIERRE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 274 Fed. Appx. 152.

No. 08–5201. *LOPEZ-MATIAS ET AL. v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 522 F. 3d 150.

No. 08–5202. *JONES v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 523 F. 3d 31.

No. 08–5203. *MARTINEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 281 Fed. Appx. 39.

No. 08–5204. *MATA v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied. Reported below: 275 Neb. 1, 745 N. W. 2d 229.

No. 08–5206. *TOLER v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 968 So. 2d 563.

No. 08–5207. *REYES-LOPEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 616.

No. 08–5208. *RIOS-CORELLIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 08–5209. *SHANNON v. NEBRASKA*. Ct. App. Neb. Certiorari denied.

No. 08–5210. *COUSINS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–5212. *CERVANTEZ-VALERIO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 417.

October 6, 2008

555 U.S.

No. 08–5213. *ZUNI v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 733.

No. 08–5215. *BHADURI v. SUMMIT SECURITY SYSTEMS, INC.* C. A. 2d Cir. Certiorari denied. Reported below: 274 Fed. Appx. 42.

No. 08–5216. *AMATI v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 790.

No. 08–5217. *BRADEN v. PARKER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–5219. *AFRICA v. CONWAY, SUPERINTENDENT, ATTICA CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 08–5220. *ARAMBULA v. CALIFORNIA* (two judgments). Sup. Ct. Cal. Certiorari denied.

No. 08–5221. *BRADLEY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–5222. *BRADLEY v. MISSISSIPPI DEPARTMENT OF CORRECTIONS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 250.

No. 08–5223. *ALARCON-TAPIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 258 Fed. Appx. 657.

No. 08–5224. *BAILEY v. BRANDON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–5225. *GARCIA-BENITEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 296.

No. 08–5227. *LYONS v. PALMER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–5228. *DAVIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 275.

No. 08–5229. *ELFGEEH v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 515 F. 3d 100.

No. 08–5230. *DIAL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 524 F. 3d 783.

555 U.S.

October 6, 2008

No. 08–5231. *COLE v. BENNETT*, MAGISTRATE JUDGE, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 249.

No. 08–5232. *MATUL-ALVARADO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 743.

No. 08–5233. *MARQUARDT v. VANRYBROEK*. Sup. Ct. Wis. Certiorari denied.

No. 08–5234. *NOWELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 799.

No. 08–5235. *MCQUEEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 865.

No. 08–5237. *WEBBER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 259 Fed. Appx. 796.

No. 08–5238. *CASTRO v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 287.

No. 08–5239. *LEE v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 08–5240. *McKETHAN v. MANTELLO*, SUPERINTENDENT, COXSACKIE CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied. Reported below: 522 F. 3d 234.

No. 08–5241. *GUARINO v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 517 F. 3d 1067.

No. 08–5243. *FAIRMAN v. HUIBREGTSE*, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 08–5244. *RODRIGUEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 518.

No. 08–5245. *DRUMMOND v. MUKASEY*, ATTORNEY GENERAL. C. A. 2d Cir. Certiorari denied.

No. 08–5246. *ARTEAGA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–5247. *EDWARDS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 264 Fed. Appx. 139.

October 6, 2008

555 U. S.

No. 08–5248. *THINH CAO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 523 F. 3d 43.

No. 08–5249. *TERRY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 522 F. 3d 645.

No. 08–5250. *WILSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 356.

No. 08–5251. *WISDOM v. DICKERSON ET AL.* Sup. Ct. Nev. Certiorari denied. Reported below: 124 Nev. 1519, 238 P. 3d 867.

No. 08–5252. *PEARSON v. FINN ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–5253. *RODRIGUEZ-AMAYA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 521 F. 3d 437.

No. 08–5254. *MCDONNELL v. OREGON*. Sup. Ct. Ore. Certiorari denied. Reported below: 343 Ore. 557, 176 P. 3d 1236.

No. 08–5255. *MORRIS v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 292.

No. 08–5256. *ROJAS-VEGA v. HUGHES ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–5258. *VAN ANH v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 523 F. 3d 43.

No. 08–5259. *ALGHAZOULI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 517 F. 3d 1179.

No. 08–5260. *BLACKSHEAR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 235.

No. 08–5261. *ADAMS v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 928 A. 2d 731.

No. 08–5263. *GUTIERREZ-CRUZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 561.

No. 08–5264. *FLEMING v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 273 Fed. Appx. 87.

555 U.S.

October 6, 2008

No. 08–5265. *HAWKINS, AKA MCLENDON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 280 Fed. Appx. 117.

No. 08–5266. *HAYNER v. CITY OF WASHINGTON COURT HOUSE ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–5267. *HARRIS v. TRANSPORT WORKERS UNION LOCAL 100 ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–5268. *JONES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 278 Fed. Appx. 12.

No. 08–5269. *JACKSON v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 311 Wis. 2d 489, 750 N.W. 2d 519.

No. 08–5270. *MARTIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 523 F. 3d 281.

No. 08–5271. *LEMONS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 258.

No. 08–5272. *LONG v. ROBERTS, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 801.

No. 08–5273. *CASTRO, AKA MEJIA-MURCIA, AKA CASTRO-MEJIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 379.

No. 08–5275. *COSCO v. ABBOTT, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 263 Fed. Appx. 662.

No. 08–5276. *DANIELS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 254.

No. 08–5277. *RODRIGUEZ-VENEGAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 590.

No. 08–5278. *SCOTT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 652.

No. 08–5279. *SINGLETON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 236.

No. 08–5280. *REED v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 401.

October 6, 2008

555 U. S.

No. 08–5281. *SANDERS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 553.

No. 08–5282. *LAFAYELLE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 358.

No. 08–5283. *BURGESS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 311 Fed. Appx. 378.

No. 08–5284. *BULLIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 262 Fed. Appx. 496.

No. 08–5285. *AYALA v. MORGAN ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–5286. *AYYAR v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–5287. *BULLARD v. NORTH CAROLINA*. Gen. Ct. Justice, Super. Ct. Div., Davidson County, N. C. Certiorari denied.

No. 08–5289. *MCCOY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 272 Fed. Appx. 212.

No. 08–5290. *LUKE v. ALABAMA*. Sup. Ct. Ala. Certiorari denied.

No. 08–5291. *MCKINNEDY v. NEWELL*. Sup. Ct. S. C. Certiorari denied.

No. 08–5292. *POTTS v. FEDERAL BUREAU OF PRISONS*. C. A. 4th Cir. Certiorari denied. Reported below: 264 Fed. Appx. 266.

No. 08–5293. *DANIEL v. CONWAY, SUPERINTENDENT, ATTICA CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 08–5294. *VALDEZ v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–5295. *PRESTON v. COOPER, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 08–5297. *VEASEY v. CRIMINAL DISTRICT COURT NUMBER TWO, DALLAS COUNTY, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 410.

No. 08–5299. *JORDAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 690.

555 U.S.

October 6, 2008

No. 08–5300. *CANTU v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–5301. *SERAPHIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 752.

No. 08–5302. *VIET NGUYEN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 251 Fed. Appx. 214.

No. 08–5303. *WILLIS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–5304. *THOMAS v. SHANNON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT FRACKVILLE, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–5305. *CONTRERAS-SALDANA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 394.

No. 08–5306. *MONAHAN v. BURTT, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 216.

No. 08–5307. *VARGAS v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 08–5308. *YOUNG v. RUSHTON, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 216.

No. 08–5310. *THOMAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 809.

No. 08–5311. *WILSON v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 226.

No. 08–5312. *YANG ET UX. v. BUCH* (two judgments). Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 08–5313. *WILSON v. GALLARDO*. C. A. 5th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 367.

No. 08–5315. *McFARLAND v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 255 Fed. Appx. 462.

No. 08–5317. *NAPLES v. NAPLES*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 967 So. 2d 944.

October 6, 2008

555 U. S.

No. 08–5318. *EDELKIND v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 525 F. 3d 388.

No. 08–5319. *CADORNIGA-DOEING v. NSH/LONG ISLAND JEWISH HEALTH SYSTEM ET AL.* App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 41 App. Div. 3d 1132, 840 N. Y. S. 2d 442.

No. 08–5320. *DOVE v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied.

No. 08–5321. *DANIELS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–5322. *JACKSON v. PURKETT, SUPERINTENDENT, EASTERN RECEPTION, DIAGNOSTIC AND CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 08–5323. *MAXWELL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–5324. *RICHARDSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 346.

No. 08–5325. *RAMOS-CARDENAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 524 F. 3d 600.

No. 08–5326. *SHELTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–5327. *REVELES-ESPINOZA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 522 F. 3d 1044.

No. 08–5328. *STENSON v. UTTECHT, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. C. A. 9th Cir. Certiorari denied. Reported below: 504 F. 3d 873.

No. 08–5330. *ANDERSON v. TURNER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–5331. *BROWN v. ARTUS, SUPERINTENDENT, CLINTON CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 175 Fed. Appx. 430.

No. 08–5332. *ALBA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 512 F. 3d 500.

555 U.S.

October 6, 2008

No. 08–5333. *HAYES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 236.

No. 08–5334. *ANDERSON v. UNITED STATES*; and
No. 08–5360. *HEPPNER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 519 F. 3d 744.

No. 08–5335. *PATRIDGE v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 7th Cir. Certiorari denied. Reported below: 507 F. 3d 1092.

No. 08–5336. *SPRADLEY v. CALHOUN ET AL.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 980 So. 2d 495.

No. 08–5337. *RISQUET v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 276 Fed. Appx. 114.

No. 08–5338. *WILLIAMS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 08–5339. *VIERA v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 977 So. 2d 590.

No. 08–5340. *SILVO v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 08–5341. *TAYLOR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 172.

No. 08–5343. *CARTER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 524 F. 3d 1198.

No. 08–5344. *CERVANTES-RUBIO v. UNITED STATES* (Reported below: 275 Fed. Appx. 601); *SANDOVAL-HERNANDEZ, AKA SANCHEZ-PEREZ v. UNITED STATES* (275 Fed. Appx. 676); and *REYES-PLATERO, AKA PLATERO v. UNITED STATES* (278 Fed. Appx. 729). C. A. 9th Cir. Certiorari denied.

No. 08–5345. *EMORY v. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 565.

No. 08–5346. *BARRAGAN SANTANA, AKA GARCIA-BARRAGAN v. UNITED STATES* (Reported below: 276 Fed. Appx. 629); and

October 6, 2008

555 U. S.

MARTINEZ-NAVARRO *v.* UNITED STATES (285 Fed. Appx. 349).
C. A. 9th Cir. Certiorari denied.

No. 08–5347. ARANDA *v.* HERRERA. Ct. App. N. M. Certiorari denied.

No. 08–5348. SILVERIO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 524 F. 3d 358.

No. 08–5349. QUINONES ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 511 F. 3d 289.

No. 08–5350. STANFORD *v.* KENTUCKY. Ct. App. Ky. Certiorari denied. Reported below: 248 S. W. 3d 579.

No. 08–5351. WHIGHAM *v.* MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. Sup. Ct. Fla. Certiorari denied. Reported below: 984 So. 2d 521.

No. 08–5352. VAUGHAN *v.* NEW YORK. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 48 App. Div. 3d 1069, 850 N. Y. S. 2d 735.

No. 08–5354. ALI *v.* FLORIDA. Sup. Ct. Fla. Certiorari denied. Reported below: 985 So. 2d 1090.

No. 08–5355. UDOH *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 361.

No. 08–5356. AGUIRRE-LOPEZ *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 583.

No. 08–5357. BRATCHER *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 385.

No. 08–5358. BEJAR *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 616.

No. 08–5361. HOULIHAN *v.* MICHIGAN. Sup. Ct. Mich. Certiorari denied. Reported below: 480 Mich. 1165, 746 N. W. 2d 879.

No. 08–5363. GARCIA-ORTIZ *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 518 F. 3d 74.

No. 08–5364. GEE *v.* CHICAGO PUBLIC SCHOOLS. C. A. 7th Cir. Certiorari denied.

555 U.S.

October 6, 2008

No. 08-5365. HAYES, AKA JOHNSON *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 518 F. 3d 989.

No. 08-5366. HARRISON *v.* OLLISON, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 519 F. 3d 952.

No. 08-5367. HALE *v.* WALKER, WARDEN. Sup. Ct. Ga. Certiorari denied. Reported below: 283 Ga. 131, 657 S. E. 2d 227.

No. 08-5368. SANCHEZ-RUIZ *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 722.

No. 08-5369. CARSTARPHEN *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 264 Fed. Appx. 154.

No. 08-5370. EVANS *v.* THOMPSON, SUPERINTENDENT, MASSACHUSETTS CORRECTIONAL INSTITUTION AT SHIRLEY. C. A. 1st Cir. Certiorari denied. Reported below: 518 F. 3d 1.

No. 08-5371. POOLER *v.* FLORIDA. Sup. Ct. Fla. Certiorari denied. Reported below: 980 So. 2d 460.

No. 08-5372. LEWIS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 259.

No. 08-5373. CALDERO MARTINEZ *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 291.

No. 08-5374. DRAKE *v.* DONAT, WARDEN, ET AL. C. A. 9th Cir. Certiorari denied.

No. 08-5375. ESPINOZA *v.* ESTEP, WARDEN, ET AL. C. A. 10th Cir. Certiorari denied.

No. 08-5376. LARSON *v.* HAGERTY ET AL. Sup. Ct. N. D. Certiorari denied. Reported below: 756 N. W. 2d 344.

No. 08-5377. KELLER *v.* PORTER HOSPITAL ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 729.

No. 08-5378. FIORANI *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 241.

No. 08-5379. FRISON *v.* ILLINOIS. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 377 Ill. App. 3d 1141, 953 N. E. 2d 82.

October 6, 2008

555 U. S.

No. 08–5380. *GARRETT v. GEORGIA*. C. A. 11th Cir. Certiorari denied.

No. 08–5381. *VASQUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 837.

No. 08–5383. *PRICE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 516 F. 3d 597.

No. 08–5384. *MOORE v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 124 Nev. 1494, 238 P. 3d 840.

No. 08–5386. *WILDER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 492.

No. 08–5387. *PEROCESKI v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 520 F. 3d 886.

No. 08–5388. *CROSBY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 332.

No. 08–5389. *GARCIA v. UNITED STATES*; and

No. 08–5458. *VIAR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 347.

No. 08–5390. *POLK v. SHERRY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–5393. *THOMAS v. WYNDER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–5394. *LINDBERG v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–5395. *JONES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–5396. *THOMPSON v. CATTERSON, CLERK, UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–5397. *SOTO-PIEDRA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 525 F. 3d 527.

No. 08–5399. *RAY v. MINOR, WARDEN*. Sup. Ct. Mo. Certiorari denied.

555 U.S.

October 6, 2008

No. 08–5400. *YOUNG v. MCCANN, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–5401. *WILLIAMS v. LOUISIANA ATTORNEY DISCIPLINARY BOARD*. Sup. Ct. La. Certiorari denied. Reported below: 983 So. 2d 886.

No. 08–5402. *PETERSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 08–5403. *MILLHOUSE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–5404. *PARTHEMORE v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–5405. *SOLIS v. WARD, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 08–5408. *ZEHRUNG v. UNITED AUTO WORKERS LOCAL NO. 663*. C. A. 7th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 585.

No. 08–5409. *WILSON v. KEMNA, SUPERINTENDENT, CROSSROADS CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 08–5410. *WENCESLAO v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–5412. *McKINES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–5413. *NESBITT v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 08–5414. *RENNEKE v. ASTRUE, COMMISSIONER OF SOCIAL SECURITY*. C. A. 8th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 548.

No. 08–5415. *JONES v. PEAKE, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 257 Fed. Appx. 301.

No. 08–5416. *JONES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 899.

October 6, 2008

555 U.S.

No. 08–5417. *HUNG HA v. ROSS ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 08–5418. *HUNG HA v. SUPERIOR COURT OF CALIFORNIA, ALAMEDA COUNTY.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 08–5419. *HUNG HA v. HARRISON.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 08–5420. *WHITMILL v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–5421. *THREATT v. BIRKETT, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–5422. *BOYSTON v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 566.

No. 08–5423. *BEATY v. ILLINOIS.* App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 371 Ill. App. 3d 861, 880 N. E. 2d 237.

No. 08–5424. *BARNARD v. NORTH CAROLINA.* Sup. Ct. N. C. Certiorari denied. Reported below: 362 N. C. 244, 658 S. E. 2d 643.

No. 08–5425. *ABDULAH v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 523 F. 3d 757.

No. 08–5426. *BYRD v. WOODLAWN COMMUNITY DEVELOPMENT CORP.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 376 Ill. App. 3d 1143, 952 N. E. 2d 731.

No. 08–5427. *BACON v. NEVADA.* Sup. Ct. Nev. Certiorari denied. Reported below: 124 Nev. 1450, 238 P. 3d 793.

No. 08–5428. *BUCKLON v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–5429. *ATKINS v. MIDDLE RIVER REGIONAL JAIL MEDICAL DEPARTMENT ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 260 Fed. Appx. 558.

555 U.S.

October 6, 2008

No. 08–5430. *BREWSTER v. NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 48 App. Div. 3d 696, 852 N. Y. S. 2d 312.

No. 08–5431. *ADAMS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 08–5432. *BAKER v. DEPARTMENT OF THE ARMY*. C. A. Armed Forces. Certiorari denied. Reported below: 66 M. J. 468.

No. 08–5434. *EDWARDS v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 982 So. 2d 688.

No. 08–5435. *CONCHO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 398.

No. 08–5436. *EVANS v. HAWS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 620.

No. 08–5437. *SENGSATHEUANE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 355.

No. 08–5438. *SANDERS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 275 Fed. Appx. 121.

No. 08–5439. *SMITH v. PATRICK, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 588.

No. 08–5440. *SENAT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 854.

No. 08–5441. *SCUBA v. BRIGANO, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 527 F. 3d 479 and 259 Fed. Appx. 713.

No. 08–5443. *WHITE v. MCDANIEL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–5446. *MENDOZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 522 F. 3d 482.

No. 08–5447. *BRYAN P. v. LOS ANGELES COUNTY DEPARTMENT OF CHILDREN AND FAMILY SERVICES*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–5448. *WASHINGTON v. SAFER FOUNDATION*. C. A. 7th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 484.

October 6, 2008

555 U.S.

No. 08–5449. *BYRD v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 08–5450. *POWELL v. KELLER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 330.

No. 08–5451. *MORGAN v. DEPARTMENT OF MENTAL HEALTH ET AL.* C. A. 8th Cir. Certiorari denied.

No. 08–5453. *CASTLEBERRY v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 117 Ohio St. 3d 1475, 884 N. E. 2d 1108.

No. 08–5454. *GRANT v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. Reported below: 286 Conn. 499, 944 A. 2d 947.

No. 08–5456. *ABU-JAMAL v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 596 Pa. 219, 941 A. 2d 1263.

No. 08–5459. *TURNBULL v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–5460. *YOUNG v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 376 Ill. App. 3d 1141, 952 N. E. 2d 730.

No. 08–5461. *DYER v. OUTLAW, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–5462. *RUSSELL v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 982 So. 2d 642.

No. 08–5463. *SWANBERG v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 733.

No. 08–5464. *LEIFESTER v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–5465. *MARTIN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 262 Fed. Appx. 392.

No. 08–5466. *KEPNER v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

555 U.S.

October 6, 2008

No. 08–5468. *DREIZLER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–5469. *BRISENO-BENAVIDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 368.

No. 08–5471. *MORRIS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 276 Fed. Appx. 202.

No. 08–5472. *MORGRET v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 275 Fed. Appx. 118.

No. 08–5473. *PETERSEN v. RIVERVIEW POLICE DEPARTMENT ET AL.* Ct. App. Mich. Certiorari denied.

No. 08–5474. *RICE v. SMITH ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 264.

No. 08–5475. *CAVINESS v. FELKER, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 455.

No. 08–5476. *BURGEST v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 519 F. 3d 1307.

No. 08–5477. *BUONSIGNORE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–5478. *CHRISTIAN v. GANSHEIMER, WARDEN*. Sup. Ct. Ohio. Certiorari denied. Reported below: 118 Ohio St. 3d 235, 887 N. E. 2d 1175.

No. 08–5479. *CAMPBELL v. REYNOLDS, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 215.

No. 08–5480. *MILLEN v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 842 A. 2d 1264.

No. 08–5481. *CARL v. LAWLER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON*. C. A. 3d Cir. Certiorari denied.

No. 08–5482. *GRIFFIN v. VETERANS ADMINISTRATION REGIONAL OFFICE ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 258 Fed. Appx. 28.

October 6, 2008

555 U. S.

No. 08–5483. FIGARO *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 273 Fed. Appx. 161.

No. 08–5484. HOUSE *v.* QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 08–5485. GOODMAN *v.* WALKER, WARDEN. Sup. Ct. Ga. Certiorari denied.

No. 08–5486. GREEN *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 254 Fed. Appx. 994.

No. 08–5489. HUNT *v.* QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 357.

No. 08–5490. GALES *v.* CLINE, WARDEN, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 646.

No. 08–5491. FORD *v.* SOUTH CAROLINA ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 259.

No. 08–5492. TINAJERO-PORRAS *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 794.

No. 08–5493. MOORE *v.* KORMAN ET AL. C. A. 2d Cir. Certiorari denied.

No. 08–5494. JERRY *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 792.

No. 08–5495. MARSHALL *v.* ALABAMA. Ct. Crim. App. Ala. Certiorari denied. Reported below: 992 So. 2d 762.

No. 08–5497. RUSHWAM *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 684.

No. 08–5498. SMITH *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 282 Fed. Appx. 143.

No. 08–5499. CHOPRA *v.* CALIFORNIA. Ct. App. Cal., 1st App. Dist. Certiorari denied.

555 U.S.

October 6, 2008

No. 08–5500. *GONZALEZ v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 512 F. 3d 285.

No. 08–5501. *HULLETTE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 525 F. 3d 610.

No. 08–5502. *BLACKERT v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 980 So. 2d 497.

No. 08–5503. *BABBS v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied. Reported below: 162 Wash. 2d 477, 181 P. 3d 831.

No. 08–5504. *BILLMAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 257 Fed. Appx. 904.

No. 08–5505. *FLOURNOY v. ELLIS*. C. A. 11th Cir. Certiorari denied.

No. 08–5506. *GASKINS v. NOLAN ET AL.* C. A. 1st Cir. Certiorari denied.

No. 08–5507. *HOMER v. WALKER, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 08–5508. *FORD v. RODDA ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–5509. *HADLEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 258 Fed. Appx. 866.

No. 08–5510. *GOODE v. WATSON, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 266.

No. 08–5515. *GUILLEN-REYES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 390.

No. 08–5516. *FRAZIER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 740.

No. 08–5517. *DREWRY v. MAINE*. Sup. Jud. Ct. Me. Certiorari denied. Reported below: 946 A. 2d 981.

No. 08–5518. *COHETZALTITLA-PONCE, AKA AGUILAR-GONZALEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 730.

No. 08–5519. *DEARING v. MCDANIEL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 779.

October 6, 2008

555 U. S.

No. 08–5520. *MILLEN v. BURLINGTON COAT FACTORY*. C. A. 6th Cir. Certiorari denied.

No. 08–5521. *SANCHEZ-GALLARDO, AKA SALINAS-GONZALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 340.

No. 08–5523. *QUIROZ v. INDIANA*. Ct. App. Ind. Certiorari denied. Reported below: 879 N. E. 2d 1231.

No. 08–5524. *OCHOA-NAVARETTE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 555.

No. 08–5525. *STAHL v. OZMINT, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 221.

No. 08–5526. *SAMUELS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 730.

No. 08–5527. *SIMMONS v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 08–5528. *WOODBERRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 221.

No. 08–5529. *SYLVESTER, AKA SANDERS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 873.

No. 08–5532. *BOLDEN v. VIRGINIA*. Sup. Ct. Va. Certiorari denied. Reported below: 275 Va. 144, 654 S. E. 2d 584.

No. 08–5533. *BOWMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 296.

No. 08–5535. *BOUSMAN v. ADAMS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–5536. *WARDELL v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 218 Fed. Appx. 695.

No. 08–5537. *FABIAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–5538. *HENRY v. BROOKS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ALBION, ET AL.* C. A. 3d Cir. Certiorari denied.

555 U.S.

October 6, 2008

No. 08–5539. *CANNON v. CLINTON ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 08–5540. *MORALES v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 404.

No. 08–5541. *MYERS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 897.

No. 08–5542. *STARR v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 761.

No. 08–5544. *ROSAS-PULIDO v. UNITED STATES* (Reported below: 526 F. 3d 829); *CAMPOS v. UNITED STATES* (277 Fed. Appx. 505); *OCHOA-SALDANA v. UNITED STATES* (280 Fed. Appx. 374); and *MORA-GAONA v. UNITED STATES* (280 Fed. Appx. 403). C. A. 5th Cir. Certiorari denied.

No. 08–5545. *SORRELLS v. TEXAS.* Ct. App. Tex., 5th Dist. Certiorari denied.

No. 08–5546. *RICHARDSON v. MCKIE, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 282.

No. 08–5547. *NEWTON v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 324.

No. 08–5548. *BELL v. REYNOLDS, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 319.

No. 08–5549. *ANDERSON v. BRUNSON, SUPERINTENDENT CLALLAM BAY CORRECTIONAL INSTITUTION.* C. A. 9th Cir. Certiorari denied.

No. 08–5550. *BELTON v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 520 F. 3d 80.

No. 08–5552. *DEERING, AKA WILLIAMS v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 08–5554. *DOE v. BREDESEN, GOVERNOR OF TENNESSEE, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 507 F. 3d 998.

October 6, 2008

555 U. S.

No. 08–5556. *GALLARDO v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 497 F. 3d 727.

No. 08–5558. *TOLLIVER v. BROWN, ATTORNEY GENERAL OF CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–5559. *THOMAS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 479.

No. 08–5560. *LIGHT-ROTH v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 139 Wash. App. 1093.

No. 08–5562. *SOWEWIMO v. WRIGHT, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–5566. *SMITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–5567. *BLACKEAGLE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 588.

No. 08–5569. *GRAY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 563.

No. 08–5570. *FIELDS v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 08–5571. *HUTSON v. GIURBINO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–5572. *FRIAS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 521 F. 3d 229.

No. 08–5573. *MEDELLIN v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 280 S. W. 3d 854.

No. 08–5575. *PETERS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 524 F. 3d 905.

No. 08–5577. *PRICE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 520 F. 3d 753.

No. 08–5579. *MCCREE v. SHERROD, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–5580. *RODRIGUEZ-RODRIGUEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 441 F. 3d 767.

555 U.S.

October 6, 2008

No. 08–5582. *JANICEK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–5583. *AKERS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 844.

No. 08–5586. *BLACKWELL v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–5588. *CAREY v. JOHNSON ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 250 Fed. Appx. 781.

No. 08–5589. *YOUNG v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–5590. *EGBUNE v. DISTRICT COURT OF COLORADO, ARAPAHOE COUNTY*. Sup. Ct. Colo. Certiorari denied.

No. 08–5591. *CARACCILO v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 259 Fed. Appx. 324.

No. 08–5592. *COTTEN v. OBERDIER ET AL.* Ct. App. Ohio, Franklin County. Certiorari denied.

No. 08–5593. *SMITH v. JOHNS, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 08–5594. *CASTON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–5595. *THOMAS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–5596. *WEIDNER v. FLORIDA ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 260 Fed. Appx. 252.

No. 08–5598. *MAPLES v. ATTORNEY GRIEVANCE COMMISSION*. Sup. Ct. Mich. Certiorari denied.

No. 08–5600. *CRUTCHER v. NEVADA ET AL.* Sup. Ct. Nev. Certiorari denied. Reported below: 124 Nev. 1460, 238 P. 3d 804.

No. 08–5601. *OCHOA-CANO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 331.

No. 08–5602. *RAY v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 124 Nev. 1502, 238 P. 3d 848.

October 6, 2008

555 U.S.

No. 08–5607. *COSME-GARCIA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–5611. *MARTINEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 525 F. 3d 211 and 277 Fed. Appx. 98.

No. 08–5613. *VALDEZ v. MCKUNE, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 735.

No. 08–5618. *MERICA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 267.

No. 08–5619. *DAY v. WOLLENHAUPT ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–5620. *CRAWFORD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 653.

No. 08–5621. *CURRAN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 525 F. 3d 74.

No. 08–5622. *DAIGLE v. DEPARTMENT OF VETERANS AFFAIRS ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 260 Fed. Appx. 406.

No. 08–5623. *CHATMON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–5625. *EFF v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 524 F. 3d 712.

No. 08–5629. *AGUIRRE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 521.

No. 08–5630. *ALI v. DEPARTMENT OF HEALTH AND HUMAN SERVICES*. C. A. 9th Cir. Certiorari denied. Reported below: 240 Fed. Appx. 211.

No. 08–5631. *AVALOS-PEREZ, AKA AVALOS-MELGAR v. UNITED STATES* (Reported below: 276 Fed. Appx. 608); *BARAJAS-TINOCO, AKA TINOCO-BARAJAS v. UNITED STATES* (276 Fed. Appx. 400); *CISNEROS v. UNITED STATES* (276 Fed. Appx. 600); *MERAZ-CHAVARRIA, AKA TORRES v. UNITED STATES* (276 Fed. Appx. 398); *PEREZ-VASQUEZ, AKA VASQUEZ-PEREZ, AKA PEREZ v. UNITED*

555 U.S.

October 6, 2008

STATES (277 Fed. Appx. 336); QUINTANA-HOLGUIN *v.* UNITED STATES (276 Fed. Appx. 40); and URIBE-SALAS *v.* UNITED STATES (276 Fed. Appx. 406). C. A. 5th Cir. Certiorari denied.

No. 08–5632. PRESSLEY *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 271.

No. 08–5633. OLSON *v.* PEAKE, SECRETARY OF VETERANS AFFAIRS. C. A. Fed. Cir. Certiorari denied. Reported below: 312 Fed. Appx. 321.

No. 08–5634. BUI PHU XUAN *v.* FORT WORTH STAR TELEGRAM. C. A. 5th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 452.

No. 08–5635. THEBEAU *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 662.

No. 08–5636. SMITH *v.* SHANNON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT FRACKVILLE, ET AL. C. A. 3d Cir. Certiorari denied.

No. 08–5637. JACKSON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 701.

No. 08–5640. MURESAN *v.* UNITED STATES TRUSTEE ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 455.

No. 08–5642. BAEZ *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied.

No. 08–5646. FERNANDEZ *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 518 F. 3d 1228.

No. 08–5648. FERMIN *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 277 Fed. Appx. 28.

No. 08–5650. HARRIS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 6.

No. 08–5651. FLORES-MOYA *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 662.

No. 08–5653. MAJOR *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 525 F. 3d 193.

October 6, 2008

555 U. S.

No. 08–5656. *PETE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 525 F. 3d 844 and 277 Fed. Appx. 730.

No. 08–5659. *INYAMA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 351.

No. 08–5660. *FONTENEAU v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 293.

No. 08–5662. *WITHERSPOON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 709.

No. 08–5663. *MARTINEZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 520 F. 3d 749.

No. 08–5664. *YONG TAN HUANG v. BELL ET AL.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 08–5665. *FREEMAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 258 Fed. Appx. 372.

No. 08–5668. *GREER v. BRUNSMAN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–5669. *GUYTON v. LEWIS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–5671. *MCGEE v. AUSTIN, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–5672. *SMITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–5673. *CLINE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 222 Fed. Appx. 644.

No. 08–5675. *McKOY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 283.

No. 08–5677. *NELSON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 43 Cal. 4th 1242, 185 P. 3d 49.

No. 08–5679. *SHOUPPE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–5680. *CARGILL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

555 U.S.

October 6, 2008

No. 08–5684. *SMITH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 655.

No. 08–5685. *RAMIREZ-MENDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 197.

No. 08–5686. *VITAGLIANO v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 520 F. 3d 694.

No. 08–5687. *TAYLOR v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 278 Fed. Appx. 108.

No. 08–5688. *WILLIAMS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 472.

No. 08–5689. *TEOUME-LESSANE v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 931 A. 2d 478.

No. 08–5690. *PENA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 702.

No. 08–5692. *BORG v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 690.

No. 08–5696. *BORKOWSKI v. ABOOD*. Sup. Ct. Ohio. Certiorari denied. Reported below: 117 Ohio St. 3d 347, 884 N. E. 2d 7.

No. 08–5699. *ARDILLA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 275 Fed. Appx. 39.

No. 08–5702. *PINDER v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied.

No. 08–5703. *MARIN-SOTO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 302.

No. 08–5704. *LEYBA v. HARTLEY, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 690.

No. 08–5705. *GILLESPIE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–5706. *GRAJEDA-SIFUENTES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 466.

No. 08–5708. *LAFLAM v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 277 Fed. Appx. 18.

October 6, 2008

555 U. S.

No. 08–5709. *McDANIEL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–5711. *LENTZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 524 F. 3d 501.

No. 08–5712. *KEMP v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–5713. *LEGG v. UNITED STATES*; and

No. 08–5714. *ROMANS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 512 F. 3d 326.

No. 08–5717. *TAUATI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 08–5718. *WOMACK v. CURRY, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 650.

No. 08–5722. *STEWART v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 649.

No. 08–5723. *STEVENS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 898.

No. 08–5724. *MARTIN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 526 F. 3d 926.

No. 08–5725. *JONES v. LARKIN*. Sup. Ct. Mo. Certiorari denied.

No. 08–5728. *MURPHY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 311.

No. 08–5730. *CLINTON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 757.

No. 08–5731. *CUTSINGER v. HAWAII*. Int. Ct. App. Haw. Certiorari denied. Reported below: 188 Haw. 68, 185 P. 3d 816.

No. 08–5732. *DAVIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 236.

No. 08–5734. *LEVON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–5737. *MILLER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 531 F. 3d 340.

555 U.S.

October 6, 2008

No. 08–5739. *REITER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–5742. *SIFFORD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 261.

No. 08–5743. *ABDULLAHI v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 520 F. 3d 890.

No. 08–5744. *BODKINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 294.

No. 08–5747. *BUCHANAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–5749. *BREHM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–5751. *WILLIAMS v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 942 A. 2d 1190.

No. 08–5753. *WOOD v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 526 F. 3d 82.

No. 08–5757. *BENSON v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF ARKANSAS*. C. A. 8th Cir. Certiorari denied.

No. 08–5759. *COCHRAN v. STEIN, UNITED STATES TRUSTEE*. C. A. 7th Cir. Certiorari denied.

No. 08–5761. *HOUSTON v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 229 Ill. 2d 1, 890 N. E. 2d 424.

No. 08–5762. *HUGHES v. YATES, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 520.

No. 08–5764. *GILBERT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 525 F. 3d 656.

No. 08–5770. *GORMLEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 289.

No. 08–5776. *COLEMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 340.

No. 08–5777. *EASKY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 807.

October 6, 2008

555 U.S.

No. 08–5781. *LASH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–5782. *MARO v. HOLINKA, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–5783. *KING v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 308 Wis. 2d 395, 746 N.W. 2d 605.

No. 08–5791. *KLOPF v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 264 Fed. Appx. 845.

No. 08–5795. *SCOTT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 969.

No. 08–5797. *BAXTER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–5798. *BOWEN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 527 F. 3d 1065.

No. 08–5799. *GANDIA, AKA GORDO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 276 Fed. Appx. 10.

No. 08–5800. *CONCHAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 383.

No. 08–5801. *GIBSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–5803. *RIVERA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 114.

No. 08–5807. *HOANG v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–5808. *HOWARD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 777.

No. 08–5809. *RANGEL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 433.

No. 08–5810. *SAWYER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 345.

No. 08–5816. *KORNICKI v. VINCENT, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT LAUREL HIGHLANDS, ET AL.* C. A. 3d Cir. Certiorari denied.

555 U.S.

October 6, 2008

No. 08–5818. *SOBIN v. DISTRICT OF COLUMBIA*. Ct. App. D. C. Certiorari denied. Reported below: 934 A. 2d 372.

No. 08–5820. *OCASIO v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied. Reported below: 71 Mass. App. 304, 882 N. E. 2d 341.

No. 08–5821. *STUBLER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 271 Fed. Appx. 169.

No. 08–5823. *HARRIS v. KERESTES, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MAHANOEY, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–5824. *JOHNSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 521 F. 3d 1019.

No. 08–5825. *BAILEY v. MINER, WARDEN, ET AL.* Ct. App. D. C. Certiorari denied.

No. 08–5826. *TOUA HONG CHANG v. MINNESOTA*. C. A. 8th Cir. Certiorari denied. Reported below: 521 F. 3d 828.

No. 08–5828. *WILLIAMSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–5829. *WRIGHT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 757.

No. 08–5830. *AGUILA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 752.

No. 08–5833. *DAVIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 263.

No. 08–5834. *THYER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–5835. *HOLLAND v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–5836. *MARCUSSE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 434.

No. 08–5840. *KING v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied. Reported below: 275 Neb. 899, 750 N. W. 2d 674.

October 6, 2008

555 U.S.

No. 08–5842. *SMITH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 647.

No. 08–5845. *SALAS-PAREDES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 889.

No. 08–5846. *AUSTIN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 281 Fed. Appx. 150.

No. 08–5854. *BROWN v. DEPARTMENT OF JUSTICE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 271 Fed. Appx. 142.

No. 08–5855. *BROWN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–5860. *WILLIAMS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 212.

No. 08–5862. *MARVIN v. MENIFEE, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–5863. *JAMESON v. HULICK, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–5865. *HARRIS v. TENNESSEE ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–5869. *MANGUAL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 267.

No. 08–5870. *COUNTESS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 244.

No. 08–5871. *ESPARZA-RAMOS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–5875. *ELLIS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 525 F. 3d 960.

No. 08–5876. *PROUSALIS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–5879. *LOPEZ-CUEVAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 758.

555 U.S.

October 6, 2008

No. 08–5883. *JOHNSON v. HUDSON, WARDEN*. Sup. Ct. Ohio. Certiorari denied. Reported below: 188 Ohio St. 3d 308, 888 N. E. 2d 1090.

No. 08–5884. *LOZANO-PEDROZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 362.

No. 08–5892. *VILLEGAS-DELGADILLO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 172.

No. 08–5893. *BECKER v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied. Reported below: 71 Mass. App. 81, 879 N. E. 2d 691.

No. 08–5895. *HALL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 343.

No. 08–5899. *SRIRAM v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 493.

No. 08–5900. *SOTO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 519 F. 3d 927.

No. 08–5901. *YOON SHIK PARK v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 278 Fed. Appx. 66.

No. 08–5902. *PEREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 966.

No. 08–5906. *EADY v. MORGAN, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 515 F. 3d 587.

No. 08–5909. *SCOTT v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 491.

No. 08–5912. *COPE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 527 F. 3d 944.

No. 08–5913. *DOWDELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 262.

No. 08–5914. *DAVIDSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 08–5916. *PARKS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 527.

October 6, 2008

555 U. S.

No. 08–5917. *ODUNZE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 567.

No. 08–5918. *JONES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 538.

No. 08–5919. *RANDOLPH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 259.

No. 08–5925. *DIEGO-BARRERA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 08–5927. *CAIN v. MENIFEE, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 420.

No. 08–5930. *MARTINEZ ACEVEDO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 570.

No. 08–5932. *BERNAL-PORTILLO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 536.

No. 08–5933. *ACOSTA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 543.

No. 08–5934. *PAJARDO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 548.

No. 08–5936. *NORWOOD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 259 Fed. Appx. 157.

No. 08–5938. *TABA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 282 Fed. Appx. 1.

No. 08–5941. *SANTIAGO-MELENDEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–5942. *LEI SHI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 525 F. 3d 709.

No. 08–5943. *RAMIREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 345.

No. 08–5944. *SMITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 449.

No. 08–5946. *MARQUEZ-RAMIREZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 847.

555 U.S.

October 6, 2008

No. 08–5948. *FUENTES-GONZALEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 692.

No. 08–5952. *SOWERS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–5953. *DRAKE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 450.

No. 08–5956. *SILVA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 282 Fed. Appx. 14.

No. 08–5960. *NEWTON v. DAVIS, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 44.

No. 08–5962. *REISS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 991.

No. 08–5963. *SIERRA-QUEZADA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 410.

No. 08–5966. *KING v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–5968. *BAZUAYE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 311 Fed. Appx. 382.

No. 08–5973. *ROBINSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 514.

No. 08–5974. *VIOLA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–5976. *WILLIAMS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 476.

No. 08–5977. *WEAVER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–5981. *MARTIN v. OUTLAW, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 08–5987. *DUNCAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 901.

No. 08–5988. *CAMPOS-MALDONADO, AKA CAMPOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 531 F. 3d 337.

October 6, 2008

555 U. S.

No. 08–5990. *PATINO-PRADO, AKA MARTINEZ, AKA AMADOR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 533 F. 3d 304.

No. 08–6008. *PIERRE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–6009. *MOYA-ALEGRIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 647.

No. 08–6011. *JARVIS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 08–6012. *SPRAGLING v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 370.

No. 08–6017. *SWAFFORD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 512 F. 3d 833.

No. 08–6018. *ONDILLA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 863.

No. 08–6019. *THOMPSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 280 Fed. Appx. 38.

No. 08–6021. *HAZEL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 239.

No. 08–6022. *FLORES-VASQUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 312.

No. 08–6024. *GUARDIOLA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 375.

No. 08–6025. *HILL v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 279 Fed. Appx. 90.

No. 08–6027. *HALL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 359.

No. 08–6031. *SALDARRIAGA-PALACIO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–6034. *WASHINGTON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 470.

No. 08–6035. *TYLER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 241 Fed. Appx. 779.

555 U.S.

October 6, 2008

No. 08–6038. *BROWN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 528 F. 3d 1030.

No. 08–6040. *ACCIME v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 897.

No. 08–6041. *ALCALA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–6043. *MARQUEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 610.

No. 08–6054. *CARROLL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 352.

No. 08–6057. *DIAZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 605.

No. 08–6061. *PENA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–6063. *WORTHON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 520 F. 3d 1173.

No. 08–6065. *SMITH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 143.

No. 08–6066. *ROSARIO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 280 Fed. Appx. 78.

No. 07–1182. *MICHIGAN CIVIL RIGHTS INITIATIVE COMMITTEE ET AL. v. COALITION TO DEFEND AFFIRMATIVE ACTION ET AL.* C. A. 6th Cir. Motions of Mountain States Legal Foundation and Citizens in Charge for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 501 F. 3d 775.

No. 07–1201. *HENDRIX v. HARRINGTON*. Sup. Ct. Kan. Motion of Alliance Defense Fund for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 285 Kan. 53, 169 P. 3d 1025.

No. 07–1213. *KENTUCKY v. LEACH ET UX*. Ct. App. Ky. Motion of respondents for leave to proceed *in forma pauperis* granted. Certiorari denied.

No. 07–1261. *DIRECTV, INC. v. HOA HUYNH ET AL.* C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in

October 6, 2008

555 U. S.

the consideration or decision of this petition. Reported below: 503 F. 3d 847.

No. 07-1434. DIXIE NATIONAL LIFE INSURANCE CO. ET AL. *v.* WARD, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED. C. A. 4th Cir. Motions of South Carolina Department of Insurance and National Association of Insurance Commissioners for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 257 Fed. Appx. 620.

No. 07-1466. BRITTON ET AL. *v.* BAYER CORP.; and

No. 07-1467. ALBERTONI ET AL. *v.* BAYER CORP. ET AL. C. A. 9th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of these petitions. Reported below: 318 Fed. Appx. 451.

No. 07-1482. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION *v.* MINES. C. A. 5th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 267 Fed. Appx. 356.

No. 07-1504. HOLLONBECK ET AL. *v.* UNITED STATES OLYMPIC COMMITTEE. C. A. 10th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 513 F. 3d 1191.

No. 07-1527. CITY OF GARLAND, TEXAS *v.* DEARMORE ET AL. C. A. 5th Cir. Motion of National League of Cities et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 519 F. 3d 517.

No. 07-1550. SOUTHWESTERN BELL TELEPHONE CO., DBA AT&T TEXAS *v.* TEXAS CABLE ASSN. ET AL. C. A. 5th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 265 Fed. Appx. 210.

No. 07-1568. NEW YORK *v.* HALL. Ct. App. N. Y. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 10 N. Y. 3d 303, 886 N. E. 2d 162.

No. 07-1579. MARIN ALLIANCE FOR MEDICAL MARIJUANA ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

555 U.S.

October 6, 2008

JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 259 Fed. Appx. 936.

No. 07-1592. DAMON ET UX. *v.* MOORE ET AL. C. A. 1st Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 520 F. 3d 98.

No. 07-1598. RUIZ RIVERA *v.* PFIZER PHARMACEUTICALS LLC. C. A. 1st Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 521 F. 3d 76.

No. 07-10652. SAAVEDRA *v.* CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, ET AL. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 262 Fed. Appx. 789.

No. 07-10690. AVERY *v.* WALL, DIRECTOR, RHODE ISLAND DEPARTMENT OF CORRECTIONS, ET AL. C. A. 1st Cir. Certiorari denied. JUSTICE SOUTER took no part in the consideration or decision of this petition.

No. 08-52. STEINBUCH *v.* HYPERION BOOKS ET AL. C. A. 8th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 518 F. 3d 580.

No. 08-262. HONEYWELL INTERNATIONAL INC. ET AL. *v.* HAMILTON SUNDSTRAND CORP. C. A. Fed. Cir. Certiorari denied. JUSTICE SOUTER took no part in the consideration or decision of this petition. Reported below: 523 F. 3d 1304.

No. 08-5143. ROSENDO VALDES *v.* UNITED STATES. C. A. 11th Cir. Certiorari before judgment denied.

No. 08-5530. MCCRAY *v.* RIOS, WARDEN. C. A. 6th Cir. Certiorari before judgment denied.

Rehearing Denied

No. 07-1144. STERNGASS *v.* TOWN OF WOODBURY, NEW YORK, ET AL., 553 U.S. 1033;

October 6, 7, 13, 14, 2008

555 U. S.

No. 07–1381. STERNGASS *v.* PALISADES INTERSTATE PARK COMMISSION ET AL., 554 U. S. 919; and

No. 07–9666. HERNANDEZ *v.* TEXAS, 553 U. S. 1036. Petitions for rehearing denied.

OCTOBER 7, 2008

Miscellaneous Order

No. 08A269. LIBERTARIAN PARTY ET AL. *v.* DARDENNE, SECRETARY OF STATE OF LOUISIANA. Application for stay, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

OCTOBER 13, 2008

Certiorari Denied

No. 08–6719 (08A317). COOEY *v.* STRICKLAND, GOVERNOR OF OHIO, ET AL. C. A. 6th Cir. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. Certiorari denied. Reported below: 544 F. 3d 588.

OCTOBER 14, 2008

Certiorari Granted—Reversed and Remanded. (See No. 07–10689, *ante*, p. 1.)

Certiorari Dismissed

No. 08–5624. COOMBS *v.* KELCHNER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT CAMP HILL, ET AL. C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As 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.

No. 08–6045. XIANGYUAN ZHU *v.* ST. FRANCIS HEALTH CENTER ET AL. C. A. 10th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further

555 U. S.

October 14, 2008

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. Reported below: 278 Fed. Appx. 825.

Miscellaneous Orders

No. 08M17. HAYES *v.* POTTER, POSTMASTER GENERAL;

No. 08M18. MURPHY *v.* CLARKE, COMMISSIONER, MASSACHUSETTS DEPARTMENT OF CORRECTION;

No. 08M19. MOORE *v.* POTTER, POSTMASTER GENERAL, ET AL.; and

No. 08M20. HENNEBERRY *v.* ING CAPITAL ADVISORS, LLC, ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 06–1457. MORGAN STANLEY CAPITAL GROUP INC. *v.* PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY, WASHINGTON, ET AL.; and

No. 06–1462. CALPINE ENERGY SERVICES, L. P., ET AL. *v.* PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY, WASHINGTON, ET AL., 554 U. S. 527. Motion of petitioners to retax costs granted. THE CHIEF JUSTICE took no part in the consideration or decision of this motion.

No. 07–588. ENTERGY CORP. *v.* RIVERKEEPER, INC., ET AL.;

No. 07–589. PSEG FOSSIL LLC ET AL. *v.* RIVERKEEPER, INC.; and

No. 07–597. UTILITY WATER ACT GROUP *v.* RIVERKEEPER, INC., ET AL. C. A. 2d Cir. [Certiorari granted, 552 U. S. 1309.] Motion of the Solicitor General for divided argument granted. Motion of respondents Rhode Island et al. for divided argument denied.

No. 07–1059. UNITED STATES *v.* EURODIF S. A. ET AL.; and

No. 07–1078. USEC INC. ET AL. *v.* EURODIF S. A. ET AL. C. A. Fed. Cir. [Certiorari granted, 553 U. S. 1003.] Motion of the Solicitor General for divided argument granted.

No. 07–1223. BELL *v.* KELLY, WARDEN. C. A. 4th Cir. [Certiorari granted, 553 U. S. 1031.] Motions of Former State Court Judges, National Association of Federal Defenders et al., and Vir-

October 14, 2008

555 U. S.

ginia Association of Criminal Defense Lawyers for leave to file briefs as *amici curiae* granted.

No. 08–5787. REYNOLDS *v.* H&R BLOCK SERVICES, INC., ET AL. C. A. 7th Cir.;

No. 08–6076. HARNED *v.* UNITED STATES. C. A. 4th Cir.; and

No. 08–6294. HARPER *v.* UNITED STATES. C. A. 5th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until November 4, 2008, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

No. 08–6265. IN RE WHEELER;

No. 08–6270. IN RE BOOS; and

No. 08–6321. IN RE WORD. Petitions for writs of habeas corpus denied.

No. 08–6243. IN RE CHARLES. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of habeas corpus dismissed. See this Court’s Rule 39.8. As 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.

No. 08–6360. IN RE DRABOVSKIY. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of habeas corpus dismissed. See this Court’s Rule 39.8.

No. 08–285. IN RE RICHARDSON; and

No. 08–6277. IN RE HAFED. Petitions for writs of mandamus denied.

No. 08–6142. IN RE FEURTADO. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus dismissed. See this Court’s Rule 39.8. As 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

555 U. S.

October 14, 2008

(1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

Certiorari Granted

No. 07-1437. CARLSBAD TECHNOLOGY, INC. *v.* HIF BIO, INC., ET AL. C. A. Fed. Cir. Certiorari granted. Reported below: 508 F. 3d 659.

Certiorari Denied

No. 07-8568. SHELTON *v.* PHELPS, WARDEN. C. A. 3d Cir. Certiorari denied. Reported below: 464 F. 3d 423.

No. 07-10559. PEREZ-LOPEZ *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 262 Fed. Appx. 974.

No. 07-10802. KELLOGG *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 510 F. 3d 188.

No. 07-10935. GODINO-MADRIGAL *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 355.

No. 07-11247. GABRILL *v.* LEAVITT, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL. C. A. 9th Cir. Certiorari denied.

No. 07-11264. FUTCH *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 518 F. 3d 887.

No. 07-11347. ALSTON *v.* FLORIDA. Sup. Ct. Fla. Certiorari denied. Reported below: 723 So. 2d 148.

No. 07-11352. COOPER *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 253.

No. 07-11619. RACHAL *v.* QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 371.

No. 08-106. DE LOS SANTOS MORA *v.* NEW YORK ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 524 F. 3d 183.

No. 08-139. HAYES ET AL. *v.* THOMAS & BETTS CORP. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 08-143. KIM *v.* CITY OF FEDERAL WAY, WASHINGTON, ET AL. Ct. App. Wash. Certiorari denied.

October 14, 2008

555 U. S.

No. 08–145. *WESLEY v. SOCIETY NATIONAL BANK ET AL.* Ct. App. Ore. Certiorari denied. Reported below: 216 Ore. App. 337, 172 P. 3d 304.

No. 08–150. *CASH v. NADA RETIREMENT ADMINISTRATORS, INC., DBA NADART.* C. A. 6th Cir. Certiorari denied.

No. 08–152. *TURINSKI ET AL. v. LOCAL 104 INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 269 Fed. Appx. 184.

No. 08–154. *TUSKUSKY v. DEPARTMENT OF CORRECTIONS TRAINING ACADEMY.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 08–155. *SKADDEN v. TARQUIS ALFONSO.* Sup. Ct. Tex. Certiorari denied. Reported below: 251 S. W. 3d 52.

No. 08–163. *MCCANN v. COCHRAN ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 526 F. 3d 1370.

No. 08–166. *STEPHENS v. ALBEMARLE COUNTY, VIRGINIA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 524 F. 3d 485.

No. 08–167. *HILL v. GEORGIA.* Ct. App. Ga. Certiorari denied. Reported below: 290 Ga. App. 140, 658 S. E. 2d 863.

No. 08–171. *CONNER v. STATE FARM MUTUAL AUTOMOBILE INSURANCE Co.* C. A. 6th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 438.

No. 08–174. *WANG v. PRUDENTIAL FINANCIAL CORP. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 362.

No. 08–180. *NAWROCKI ET UX. v. NAWROCKI ET AL.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 08–185. *MCANDREW v. TEXAS.* Ct. App. Tex., 12th Dist. Certiorari denied.

No. 08–209. *HATTON v. GRIGAR.* C. A. 5th Cir. Certiorari denied. Reported below: 258 Fed. Appx. 706.

No. 08–213. *LOPEZ v. MUKASEY, ATTORNEY GENERAL.* C. A. 4th Cir. Certiorari denied. Reported below: 241 Fed. Appx. 958.

555 U. S.

October 14, 2008

No. 08–215. *NDREKA v. MUKASEY, ATTORNEY GENERAL*. C. A. 1st Cir. Certiorari denied. Reported below: 269 Fed. Appx. 13.

No. 08–216. *PURTELL ET UX. v. MASON*. C. A. 7th Cir. Certiorari denied. Reported below: 527 F. 3d 615.

No. 08–224. *KIRKLAND v. TAMPLIN ET AL.* Super. Ct. Madison County, Ga. Certiorari denied.

No. 08–228. *KIRKLAND v. KIRKLAND ET AL.* Super. Ct. Madison County, Ga. Certiorari denied.

No. 08–230. *PHU DUC NGUYEN v. PATRICK, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HOUTZDALE, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 279 Fed. Appx. 127.

No. 08–233. *WALLACE v. FEDERAL JUDGES OF THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 311 Fed. Appx. 524.

No. 08–241. *COHEN v. BEACHSIDE TWO-I HOMEOWNERS' ASSN. ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 534.

No. 08–248. *NOLLES ET AL. v. STATE COMMITTEE FOR THE REORGANIZATION OF SCHOOL DISTRICTS ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 524 F. 3d 892.

No. 08–252. *ENVIRONMENTAL CONSERVATION ORGANIZATION v. CITY OF DALLAS, TEXAS*. C. A. 5th Cir. Certiorari denied. Reported below: 529 F. 3d 519.

No. 08–253. *SIMON v. COOK ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 873.

No. 08–260. *BATES v. HARVEY*. C. A. 11th Cir. Certiorari denied. Reported below: 518 F. 3d 1233.

No. 08–277. *GLENN v. WALKER, DIRECTOR, ILLINOIS DEPARTMENT OF CORRECTIONS*. App. Ct. Ill., 3d Dist. Certiorari denied. Reported below: 377 Ill. App. 3d 1154, 953 N. E. 2d 88.

No. 08–279. *SQUIRE v. GEER ET AL.* Sup. Ct. Ohio. Certiorari denied. Reported below: 117 Ohio St. 3d 506, 885 N. E. 2d 213.

October 14, 2008

555 U. S.

No. 08–284. *COPELAND v. OHIO*. Ct. App. Ohio, Butler County. Certiorari denied. Reported below: 2007-Ohio-6168.

No. 08–286. *BELL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 282 Fed. Appx. 184.

No. 08–298. *BOHN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 430.

No. 08–299. *AGFA CORP. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 520 F. 3d 1326.

No. 08–308. *BLOWERS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 504.

No. 08–317. *SCHULZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 517 F. 3d 606.

No. 08–318. *GEDDINGS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 281.

No. 08–329. *HILDENBRAND ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 527 F. 3d 466.

No. 08–338. *FLAHERTY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 666.

No. 08–344. *BOGHGOSIAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 267 Fed. Appx. 35.

No. 08–346. *ROTH v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 267 Fed. Appx. 17.

No. 08–5035. *HOWARD v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 42 Cal. 4th 1000, 175 P. 3d 13.

No. 08–5069. *MALCOM v. HOUSTON, DIRECTOR, NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES*. C. A. 8th Cir. Certiorari denied. Reported below: 518 F. 3d 624.

No. 08–5309. *ROBINSON v. ILLINOIS*. C. A. 7th Cir. Certiorari denied.

No. 08–5553. *WILLIBY v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 663.

No. 08–5557. *CHU YOUNG YI v. TOMPKINS, WARDEN*. Super. Ct. Tattnall County, Ga. Certiorari denied.

555 U. S.

October 14, 2008

No. 08–5561. *MAZIN v. STEINBERG ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–5563. *MIESSE v. WASHINGTON.* Ct. App. Wash. Certiorari denied. Reported below: 139 Wash. App. 1034.

No. 08–5565. *SANDERS v. RHODES, ADMINISTRATIVE JUDGE, DISTRICT COURT OF PRINCE GEORGE’S COUNTY, MARYLAND.* Ct. Sp. App. Md. Certiorari denied. Reported below: 403 Md. App. 614, 943 A. 2d 1245.

No. 08–5568. *BOHON v. OKLAHOMA ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 82.

No. 08–5576. *NUNLEY v. SHERRY, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–5578. *MOOLTREY v. MASSACHUSETTS.* Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 450 Mass. 794, 882 N. E. 2d 309.

No. 08–5581. *LOPEZ v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–5585. *BUIE v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 08–5587. *OBIORAH v. HAYNES, SUPERINTENDENT, WARREN CORRECTIONAL INSTITUTION.* C. A. 4th Cir. Certiorari denied. Reported below: 264 Fed. Appx. 265.

No. 08–5597. *WILLIAMS v. OHIO.* Sup. Ct. Ohio. Certiorari denied. Reported below: 116 Ohio St. 3d 1516, 880 N. E. 2d 924.

No. 08–5603. *WENSEL v. HERNANDEZ, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–5606. *CARTER v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 980 So. 2d 473.

No. 08–5608. *MORENO-CUEVAS v. CONNECTICUT.* App. Ct. Conn. Certiorari denied. Reported below: 104 Conn. App. 288, 934 A. 2d 260.

No. 08–5609. *MARSH v. TENNESSEE.* Ct. Crim. App. Tenn. Certiorari denied.

October 14, 2008

555 U. S.

No. 08–5610. *JACKSON v. ROUSSEAU ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 754.

No. 08–5612. *CLAYTON v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION* (two judgments). C. A. 5th Cir. Certiorari denied.

No. 08–5614. *JEN-KANG YANG v. FIELDS ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–5616. *PARKER v. PARKER.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 976 So. 2d 104.

No. 08–5617. *MEINEKE v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 08–5626. *UMOREN v. McDONALD’S CORPORATION* (Reported below: 963 A. 2d 167); *UMOREN v. SOPHISTICAT ET AL.* (949 A. 2d 617); *UMOREN v. EXPRESS SHIPPING INTERNATIONAL* (949 A. 2d 617); and *UMOREN v. ALADEKOBA SOPHISTICAT ET AL.* (949 A. 2d 1113). Ct. App. D. C. Certiorari denied.

No. 08–5627. *TICE v. WILSON, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 276 Fed. Appx. 125.

No. 08–5628. *BROWN v. SIRMONS, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 515 F. 3d 1072.

No. 08–5638. *LYNN v. KANSAS.* Ct. App. Kan. Certiorari denied.

No. 08–5639. *LOWE v. SEARS, ROEBUCK & Co.* Ct. App. D. C. Certiorari denied. Reported below: 949 A. 2d 618.

No. 08–5643. *ADAMS v. HUNT, SUPERINTENDENT, COLUMBUS CORRECTIONAL INSTITUTION.* C. A. 4th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 264.

No. 08–5644. *ANTONSSON v. KAST.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 08–5647. *HALL v. NOOTH, SUPERINTENDENT, SNAKE RIVER CORRECTIONAL INSTITUTION.* C. A. 9th Cir. Certiorari denied.

555 U. S.

October 14, 2008

No. 08–5654. *LOPEZ-QUEZADA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 524 F. 3d 600.

No. 08–5655. *LUGO v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 714.

No. 08–5658. *ESPINAL v. TEXAS*. Ct. App. Tex., 1st Dist. Certiorari denied.

No. 08–5666. *GARCIA v. TEXAS*. Ct. App. Tex., 4th Dist. Certiorari denied. Reported below: 246 S. W. 3d 121.

No. 08–5667. *HAWKINS v. ROPER, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 08–5670. *OROZCO v. VOSS, DIRECTOR, COALINGA STATE HOSPITAL*. C. A. 9th Cir. Certiorari denied.

No. 08–5681. *HAYATULLAH v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–5682. *HAYNES v. WASHINGTON DEPARTMENT OF SOCIAL AND HEALTH SERVICES ET AL.* Ct. App. Wash. Certiorari denied.

No. 08–5691. *BEATY v. SCHRIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied. Reported below: 509 F. 3d 994.

No. 08–5695. *ABRAMS v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 971 So. 2d 1033.

No. 08–5697. *BALISTRERI v. METROPOLITAN LIFE INSURANCE CO.* C. A. 5th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 345.

No. 08–5700. *SULLIVAN v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 08–5707. *RIDDLE v. LIZ CLAIBORNE ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 270 Fed. Appx. 82.

No. 08–5715. *SEARS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

October 14, 2008

555 U. S.

No. 08–5719. *TAVIA v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–5720. *THERRIEN v. MARTIN, WARDEN, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–5726. *LOPEZ v. WALLACE ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 882.

No. 08–5727. *PITTS v. FOLINO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GREENE, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–5729. *EDMOND v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 08–5735. *LUSICK v. PALAKOVICH, STATE CORRECTIONAL INSTITUTION AT SMITHFIELD, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 270 Fed. Appx. 108.

No. 08–5736. *LAWRENCE v. ERICKSON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT RETREAT.* C. A. 3d Cir. Certiorari denied.

No. 08–5738. *DREHER v. POWER, ADMINISTRATOR, EAST JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 273 Fed. Appx. 127.

No. 08–5740. *JOHNSON v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–5741. *PERRY v. CITY OF MILWAUKEE HOUSING AUTHORITY ET AL.* C. A. 7th Cir. Certiorari denied.

No. 08–5745. *BENNING v. WEBSTER ET AL.* C. A. 10th Cir. Certiorari denied.

No. 08–5746. *BOYD v. ROWLEY, SUPERINTENDENT, MISSOURI EASTERN CORRECTIONAL CENTER, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 08–5748. *APODACA v. CALIFORNIA.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

555 U. S.

October 14, 2008

No. 08–5750. *BROWN v. KEMP, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–5752. *WILBON v. THOMAS ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–5754. *TURNER v. MISSISSIPPI.* Sup. Ct. Miss. Certiorari denied.

No. 08–5755. *VALENTINE v. DODD.* C. A. 4th Cir. Certiorari denied.

No. 08–5760. *DEJESUS v. LAFLER, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 594.

No. 08–5763. *GUEVARA v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 08–5769. *HAYES v. ANDERSON, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 08–5771. *GALLANO v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 377 Ill. App. 3d 1141, 953 N. E. 2d 82.

No. 08–5772. *FORD v. MARTEL.* C. A. 9th Cir. Certiorari denied. Reported below: 262 Fed. Appx. 777.

No. 08–5774. *VELAZQUEZ v. NEW YORK.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 47 App. Div. 3d 422, 848 N. Y. S. 2d 654.

No. 08–5775. *WATKINS v. VASBINDER, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 08–5778. *DOLENZ v. BRINKMANN ET AL.* Ct. App. La., 2d Cir. Certiorari denied. Reported below: 974 So. 2d 18.

No. 08–5779. *HORTON v. PARKER, WARDEN.* C. A. 10th Cir. Certiorari denied.

No. 08–5780. *FORTT v. ARTISTIC BEAUTY COLLEGE.* C. A. 10th Cir. Certiorari denied.

No. 08–5784. *FAUTENBERRY v. MITCHELL, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 515 F. 3d 614.

October 14, 2008

555 U. S.

No. 08–5789. *PEARL v. JONES*, DIRECTOR, OKLAHOMA DEPARTMENT OF CORRECTIONS. C. A. 10th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 677.

No. 08–5790. *McGEE v. McNEIL*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied.

No. 08–5792. *RAY v. ALLEN*, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied.

No. 08–5796. *SABEDRA v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 08–5802. *GRAYSON v. IOWA*. C. A. 8th Cir. Certiorari denied.

No. 08–5804. *DUGAS v. CAIN*, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 08–5806. *POEHL v. RANDOLPH ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 540.

No. 08–5811. *KASKE v. JONES*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 08–5812. *MARTINEZ v. ILLINOIS* (two judgments). App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 376 Ill. App. 3d 1138, 952 N. E. 2d 729 (first judgment); 377 Ill. App. 3d 1142, 953 N. E. 2d 83 (second judgment).

No. 08–5813. *JONES v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 378 Ill. App. 3d 1122, 955 N. E. 2d 184.

No. 08–5814. *SUMRELL v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 972 So. 2d 572.

No. 08–5815. *LYON v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 08–5819. *BARBER v. ZUERCHER*, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 08–5837. *JAMISON v. COSTCO WHOLESALE ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 738.

555 U. S.

October 14, 2008

No. 08–5839. *JUSTICE v. RALL ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 759.

No. 08–5843. *SCOTT v. BAZZLE, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 310.

No. 08–5844. *MOKE v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 235 Fed. Appx. 681.

No. 08–5849. *THOMAS v. NEW YORK.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 48 App. Div. 3d 314, 852 N. Y. S. 2d 83.

No. 08–5852. *WALKER v. KERNAN, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 08–5859. *PARVIZI v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–5864. *ALFARO v. CALIFORNIA.* C. A. 9th Cir. Certiorari denied.

No. 08–5867. *IVERSON v. MINNESOTA ET AL.* C. A. 8th Cir. Certiorari denied.

No. 08–5872. *PACHECO v. MASSACHUSETTS.* App. Ct. Mass. Certiorari denied. Reported below: 71 Mass. App. 1113, 882 N. E. 2d 871.

No. 08–5874. *MEADOWS v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION.* C. A. 8th Cir. Certiorari denied.

No. 08–5886. *NANCE v. FLORIDA.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 982 So. 2d 696.

No. 08–5905. *EVANS v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 249 Fed. Appx. 201.

No. 08–5907. *SITOMPUL v. MUKASEY, ATTORNEY GENERAL.* C. A. 10th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 696.

No. 08–5908. *OBRIECHT v. RAEMISCH, SECRETARY, WISCONSIN DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 517 F. 3d 489.

October 14, 2008

555 U. S.

No. 08–5910. *Downs v. Florida*. Sup. Ct. Fla. Certiorari denied. Reported below: 977 So. 2d 572.

No. 08–5931. *Brownlee v. California*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 08–5950. *Simmons v. Bush, President of the United States, et al.* C. A. D. C. Cir. Certiorari denied.

No. 08–5961. *Padron v. McNeil, Secretary, Florida Department of Corrections*. C. A. 11th Cir. Certiorari denied.

No. 08–5964. *Magdaleno v. Giurbino, Warden*. C. A. 9th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 528.

No. 08–5970. *Brower v. North Carolina*. Ct. App. N. C. Certiorari denied. Reported below: 186 N. C. App. 397, 651 S. E. 2d 390.

No. 08–5982. *Jefferson v. Bell, Warden*. C. A. 6th Cir. Certiorari denied.

No. 08–5985. *Fletcher v. Illinois*. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 376 Ill. App. 3d 1147, 952 N. E. 2d 732.

No. 08–5991. *Millington v. Temple University School of Dentistry*. C. A. 3d Cir. Certiorari denied. Reported below: 261 Fed. Appx. 363.

No. 08–5992. *Moody v. Kingston, Warden*. C. A. 7th Cir. Certiorari denied.

No. 08–5996. *Coleman v. California*. Sup. Ct. Cal. Certiorari denied.

No. 08–6010. *Policano v. Conway, Superintendent, Attica Correctional Facility*. C. A. 2d Cir. Certiorari denied. Reported below: 507 F. 3d 111.

No. 08–6013. *Shobe v. McKune, Warden*. C. A. 10th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 854.

No. 08–6015. *Bacas v. Geren, Secretary of the Army*. C. A. 5th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 329.

555 U. S.

October 14, 2008

No. 08–6016. *KITZMAN v. KANSAS*. Ct. App. Kan. Certiorari denied. Reported below: 38 Kan. App. 2d xxvii, 172 P. 3d 1221.

No. 08–6030. *SEARS v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 987 So. 2d 1215.

No. 08–6036. *ROSENBACH v. ILLINOIS*. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 378 Ill. App. 3d 1130, 955 N. E. 2d 188.

No. 08–6037. *BROWN v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 573.

No. 08–6049. *JAMES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 08–6050. *RYAN ET VIR v. ROMAN CATHOLIC BISHOP OF PROVIDENCE ET AL.* Sup. Ct. R. I. Certiorari denied. Reported below: 941 A. 2d 174.

No. 08–6051. *DENNY v. KANSAS*. Ct. App. Kan. Certiorari denied. Reported below: 38 Kan. App. 2d 724, 172 P. 3d 57.

No. 08–6056. *CAPERS v. ROGERS, ADMINISTRATOR, ADULT DIAGNOSTIC AND TREATMENT CENTER, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–6062. *GARCIA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 528 F. 3d 481.

No. 08–6067. *RUSSELL v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 537 F. 3d 6.

No. 08–6069. *GARCIA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 282 Fed. Appx. 14.

No. 08–6071. *HENRY v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 519 F. 3d 68.

No. 08–6072. *GILLIAN v. ERCOLE, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 08–6073. *GARZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 377.

October 14, 2008

555 U. S.

No. 08–6075. *HICKS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 976.

No. 08–6077. *HARNED v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 262.

No. 08–6078. *WHITE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 317.

No. 08–6082. *CLARKE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 280 Fed. Appx. 38.

No. 08–6084. *CROOK v. EL PASO INDEPENDENT SCHOOL DISTRICT*. C. A. 5th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 477.

No. 08–6087. *POLK v. MENIFEE, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 220.

No. 08–6088. *PENA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 534 F. 3d 92.

No. 08–6090. *ZANDI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 280 Fed. Appx. 56.

No. 08–6091. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 304.

No. 08–6092. *ZAMARRIPA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 311.

No. 08–6097. *GOMEZ v. UNITED STATES* (Reported below: 280 Fed. Appx. 374); *SANCHEZ-VASQUEZ v. UNITED STATES*; *RODRIGUEZ-RODRIGUEZ v. UNITED STATES* (503 F. 3d 381); *BLANCO-ACOSTA, AKA COSTA v. UNITED STATES* (281 Fed. Appx. 368); *GUZMAN-SALDIVAR v. UNITED STATES* (262 Fed. Appx. 594); and *GARCIA-GARCIA v. UNITED STATES* (281 Fed. Appx. 292). C. A. 5th Cir. Certiorari denied.

No. 08–6098. *ROBINSON v. MUKASEY, ATTORNEY GENERAL, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–6100. *PENTZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 101.

No. 08–6103. *JEREMIAH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 667.

555 U.S.

October 14, 2008

No. 08–6104. *MARTIS v. MCKUNE, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 734.

No. 08–6109. *SMITH v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 209.

No. 08–6111. *ROBLES-ROBLES, AKA ORTIZ-CABRERA, AKA LOPEZ-LOYA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 378.

No. 08–6116. *KING v. FEDERAL BUREAU OF PRISONS ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 285 Fed. Appx. 2.

No. 08–6117. *MONDAY v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 08–6121. *EDELEN v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 539 F. 3d 83.

No. 08–6124. *SPARROW v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 08–6126. *SERVIN-TERRASAS, AKA SERVIN v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 148.

No. 08–6130. *MARLER v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 527 F. 3d 874.

No. 08–6133. *SHIELDS v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 281 Fed. Appx. 100.

No. 08–6134. *AVILEZ-ZAMORA v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 554.

No. 08–6135. *BRENNAN v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 51.

No. 08–6137. *BENS v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 307.

No. 08–6138. *HALEY v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 529 F. 3d 1308.

October 14, 2008

555 U. S.

No. 08–6143. *FRANCIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–6144. *HOOPER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 929.

No. 08–6145. *GRAY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 528 F. 3d 1099.

No. 08–6147. *BELLO-JUAREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 646.

No. 08–6148. *BALLARDO-VILLAPUDUA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 203 Fed. Appx. 779.

No. 08–6149. *AGUIRRE-CALLES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 262 Fed. Appx. 855.

No. 08–6153. *COLEMAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 525 F. 3d 665.

No. 08–6157. *RODRIGUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–6161. *GRANT v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–6162. *GITERREZ MARTINEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 809.

No. 08–6163. *ECCLESTON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 521 F. 3d 1249.

No. 08–6164. *GUTIERREZ CARRASCO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 291.

No. 08–6166. *DICKERSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 733.

No. 08–6167. *DOMINGUEZ-RIVERA v. UNITED STATES* (Reported below: 280 Fed. Appx. 386); *MARTINEZ-SOTO v. UNITED STATES* (280 Fed. Appx. 372); *MEDRANO-MORA v. UNITED STATES* (280 Fed. Appx. 409); *MORENO-TEJEDA, AKA HERNANDEZ-CAMPOS v. UNITED STATES* (280 Fed. Appx. 379); *MOSQUERA-RENGIFO v. UNITED STATES* (280 Fed. Appx. 385); *ORTIZ-CORRAL v. UNITED*

555 U. S.

October 14, 2008

STATES (285 Fed. Appx. 114); and SOTO-CERVANTES, AKA MORALES ESTRADA *v.* UNITED STATES (281 Fed. Appx. 290). C. A. 5th Cir. Certiorari denied.

No. 08-6168. KELLY *v.* BUDGE, WARDEN, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 1.

No. 08-6169. LEE *v.* KENTUCKY CABINET FOR HEALTH AND FAMILY SERVICES ET AL. Ct. App. Ky. Certiorari denied.

No. 08-6171. PARRISH *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 387.

No. 08-6173. BELTRAN-GABITO *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 861.

No. 08-6174. BROWN *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 518.

No. 08-6176. BROWN *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 577.

No. 08-6177. EDWARDS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 236.

No. 08-6178. CASTRO *v.* DRUG ENFORCEMENT ADMINISTRATION ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 557.

No. 08-6179. BLANCO RUBIO *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 266.

No. 08-6180. IBN SHABAZZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 387.

No. 08-6181. STREET *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 531 F. 3d 703.

No. 08-6186. MENCHACA-VALLES *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 243.

No. 08-6187. PARKER *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied.

No. 08-6188. JENKINS *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 537 F. 3d 1.

October 14, 2008

555 U. S.

No. 08–6189. *MARTIN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 528 F. 3d 746.

No. 08–6191. *THOMAS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 244.

No. 08–6192. *CRAWFORD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 520 F. 3d 1072.

No. 08–6195. *HERNANDEZ-HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 383.

No. 08–6196. *IBANEZ-ESPINOSA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 490.

No. 08–6202. *HASSAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 271.

No. 08–6203. *GREER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 08–6206. *VIGIL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 730.

No. 08–6211. *PRATT v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 533 F. 3d 34.

No. 08–6212. *MCGLON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 257.

No. 08–6214. *CAPLAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 283 Fed. Appx. 61.

No. 08–6217. *CASTILLO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 992.

No. 08–6218. *QUINN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 871.

No. 08–6221. *SMITH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 278.

No. 08–6236. *HYPPOLITE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 282 Fed. Appx. 89.

No. 08–6237. *GALLAGHER v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

555 U. S.

October 14, 2008

No. 08–6238. *FINLEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–6239. *HALL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 259 Fed. Appx. 572.

No. 08–6240. *SAUNDERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 264.

No. 08–6241. *SPANGLE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 693.

No. 08–6242. *COOK v. DREW, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–6248. *ADAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 940.

No. 08–6254. *CHISOLM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 260.

No. 08–6262. *KEYS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 411.

No. 08–6263. *JONES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–6266. *HALL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 280 Fed. Appx. 241.

No. 08–6267. *BRUCE ET AL. v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 256 Fed. Appx. 520.

No. 08–6274. *RAMIREZ TORRES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 394.

No. 08–6275. *WONG v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 2.

No. 08–6279. *GIBSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 08–6280. *JACOBS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 311 Fed. Appx. 535.

No. 08–6281. *STUMPNER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

October 14, 2008

555 U. S.

No. 08–6285. *A. B. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 529 F. 3d 1275.

No. 08–6286. *BUI v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 381.

No. 08–6290. *MURPHY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–6292. *RUIDIAZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 529 F. 3d 25.

No. 08–6297. *ZHENG QU v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 615.

No. 08–6301. *TORRES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 245.

No. 08–6303. *DE LA CRUZ-CUEVAS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 581.

No. 08–6305. *RUELAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 528.

No. 08–6307. *PLAZA-UZETA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 522.

No. 08–6309. *SARSAK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 585.

No. 08–6317. *GRADINARIU v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 541.

No. 08–6319. *LOVE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 259.

No. 08–6322. *WINKELMAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–6325. *JACKSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 282 Fed. Appx. 999.

No. 08–6330. *O’KEEFE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–6332. *NAJERA-GORDILLO, AKA GONZALEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 461.

555 U. S.

October 14, 2008

No. 08–6341. *TYREE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 279 Fed. Appx. 31.

No. 08–6343. *MELVIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 215.

No. 08–6344. *WHITING v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 528 F. 3d 595.

No. 08–6345. *WHITE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 89.

No. 08–6349. *BENITEZ v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 08–6354. *WOODWARD v. ZENK, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 809.

No. 07–1390. *MARLOWE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 514 F. 3d 508.

JUSTICE SCALIA, dissenting.

Patrick Marlowe was a prison guard whose failure to provide needed medical care caused a prisoner's death. He was convicted of deprivation of constitutional rights in violation of 18 U. S. C. § 242. Under the then-applicable Sentencing Guidelines, the recommended sentence for civil rights violations was calculated using the base offense level of the crime underlying the civil rights violation. Since Marlowe's jury had not been asked to determine his mental state in connection with the death, the facts resolved by the jury verdict convicted him of no more than involuntary manslaughter through criminal negligence. The base offense level for that crime was 10, which, under the other circumstances of Marlowe's offense, would have produced a recommended sentence of 51 to 63 months. United States Sentencing Commission, Guidelines Manual § 2A1.4 (Nov. 2002). The District Judge, however, determined that Marlowe had possessed the "malice aforethought" required for second-degree murder, which increased the base offense level from 10 to 33, producing a Guidelines-recommended sentence of life. The District Judge sentenced Marlowe to life in prison.

October 14, 2008

555 U.S.

On appeal, the Sixth Circuit applied a presumption of reasonableness to the sentence¹ because, in light of the judge-found fact that Marlowe had possessed the state of mind required for second-degree murder, the sentence was consistent with the Guidelines. *United States v. Conatser*, 514 F. 3d 508, 526–527 (2008).² In other words, the Sixth Circuit found the life sentence lawful solely because of the judge-found fact that Marlowe had acted with malice aforethought. This falls short of what we have held the right to trial by jury demands: “Any fact (other than a prior conviction) which is necessary to support a sentence exceeding the maximum authorized by the facts established by a plea of guilty or a jury verdict must be admitted by the defendant or proved to a jury beyond a reasonable doubt.” *United States v. Booker*, 543 U.S. 220, 244 (2005).

I would grant the petition for certiorari, so that we may either forthrightly apply *Booker* or announce that the case is overruled.

No. 07–1486. PENNSYLVANIA *v.* DUNLAP. Sup. Ct. Pa. Certiorari denied. Reported below: 596 Pa. 147, 941 A. 2d 671.

CHIEF JUSTICE ROBERTS, with whom JUSTICE KENNEDY joins, dissenting.

North Philly, May 4, 2001. Officer Sean Devlin, Narcotics Strike Force, was working the morning shift. Undercover surveillance. The neighborhood? Tough as a three-dollar steak. Devlin knew. Five years on the beat, nine months with the Strike Force. He’d made fifteen, twenty drug busts in the neighborhood.

Devlin spotted him: a lone man on the corner. Another approached. Quick exchange of words. Cash handed over; small objects handed back. Each man then quickly on his own way.

¹For the reasons set forth in my separate opinion in *Rita v. United States*, 551 U.S. 338, 368 (2007) (concurring in part and concurring in judgment), I believe that it is improper for courts to review for substantive reasonableness sentences that are within the statutory limits. I give *stare decisis* effect, however, to the Court’s contrary holding in that case.

²Only one of the three-judge panel said that she would have upheld the sentence as reasonable even if it had been calculated as an upward departure from the Guidelines-recommended sentence. 514 F. 3d, at 528–532 (Moore, J., concurring in part and concurring in judgment). If substantive reasonableness review has any meaning, I doubt that a life sentence for negligent homicide could be sustained.

Devlin knew the guy wasn't buying bus tokens. He radioed a description and Officer Stein picked up the buyer. Sure enough: three bags of crack in the guy's pocket. Head downtown and book him. Just another day at the office.

* * *

That was not good enough for the Pennsylvania Supreme Court, which held in a divided decision that the police lacked probable cause to arrest the defendant. The court concluded that a "single, isolated transaction" in a high-crime area was insufficient to justify the arrest, given that the officer did not actually see the drugs, there was no tip from an informant, and the defendant did not attempt to flee. 596 Pa. 147, 159, 941 A. 2d 671, 679 (2007). I disagree with that conclusion, and dissent from the denial of certiorari. A drug purchase was not the only possible explanation for the defendant's conduct, but it was certainly likely enough to give rise to probable cause.

The probable-cause standard is a "nontechnical conception that deals with the factual and practical considerations of everyday life on which reasonable and prudent men, not legal technicians, act." *Maryland v. Pringle*, 540 U.S. 366, 370 (2003) (internal quotation marks omitted). What is required is simply "a reasonable ground for belief of guilt," *id.*, at 371 (same)—a "probability, and not a prima facie showing, of criminal activity," *Illinois v. Gates*, 462 U.S. 213, 235 (1983) (same). "[A] police officer may draw inferences based on his own experience in deciding whether probable cause exists," *Ornelas v. United States*, 517 U.S. 690, 700 (1996), including inferences "that might well elude an untrained person," *United States v. Cortez*, 449 U.S. 411, 418 (1981).

On the facts of this case, I think the police clearly had probable cause to arrest the defendant. An officer with drug interdiction experience in the neighborhood saw two men on a street corner—with no apparent familiarity or prior interaction—make a quick hand-to-hand exchange of cash for "'small objects.'" 596 Pa., at 150, 941 A. 2d, at 673. This exchange took place in a high-crime neighborhood known for drug activity, far from any legitimate businesses. Perhaps it is possible to imagine innocent explanations for this conduct, but I cannot come up with any remotely as likely as the drug transaction Devlin believed he had witnessed. In any event, an officer is not required to eliminate all

innocent explanations for a suspicious set of facts to have probable cause to make an arrest. As we explained in *Gates*, “[i]n making a determination of probable cause the relevant inquiry is not whether particular conduct is ‘innocent’ or ‘guilty,’ but the degree of suspicion that attaches to particular types of noncriminal acts.” 462 U. S., at 244, n. 13.

The Pennsylvania Supreme Court emphasized that the police did not actually see any drugs. 596 Pa., at 159, 941 A. 2d, at 679. But Officer Devlin and his partner were conducting undercover surveillance. From a distance, it would be difficult to have a clear view of the small objects that changed hands. As the Commonwealth explains in its petition for certiorari, the “classic” drug transaction is a hand-to-hand exchange, on the street, of cash for small objects. Pet. for Cert. 5–8. The Pennsylvania Supreme Court’s decision will make it more difficult for the police to conduct drug interdiction in high-crime areas, unless they employ the riskier practice of having undercover officers actually make a purchase or sale of drugs.

The Pennsylvania court also noted that the defendant did not flee. 596 Pa., at 159, 941 A. 2d, at 679. Flight is hardly a prerequisite to a finding of probable cause. A defendant may well decide that the odds of escape do not justify adding another charge to that of drug possession. And of course there is no suggestion in the record that the defendant had any chance to flee—he was caught redhanded.

Aside from its importance for law enforcement, this question has divided state courts, a traditional ground warranting review on certiorari. This Court’s Rule 10(b). The New Jersey Supreme Court has held that an “experienced narcotics officer” had probable cause to make an arrest when—in a vacant lot in a high-drug neighborhood—he “saw defendant and his companion give money to [a] third person in exchange for small unknown objects.” *State v. Moore*, 181 N. J. 40, 46–47, 853 A. 2d 903, 907 (2004). The Rhode Island Supreme Court reached the same conclusion in a case where the defendants—through their car windows—exchanged cash for a small “bag of suspected narcotics.” *State v. Castro*, 891 A. 2d 848, 851–854 (2006). In contrast, the Colorado Supreme Court held that a hand-to-hand exchange of unknown objects did not give the police probable cause to make an arrest, even where one of the men was a known drug dealer. *People v. Ratcliff*, 778 P. 2d 1371, 1377–1378 (1989). All these

555 U.S.

October 14, 2008

cases have unique factual wrinkles, as any probable-cause case would, but the core fact pattern is the same: experienced police officers observing hand-to-hand exchanges of cash for small, unknown objects in high-crime neighborhoods.

The Pennsylvania Supreme Court speculated that such an exchange could have been perfectly innocent. But as Judge Friendly has pointed out, “[j]udges are not required to exhibit a naiveté from which ordinary citizens are free.” *United States v. Stanchich*, 550 F. 2d 1294, 1300 (CA2 1977). Based not only on common sense but also his experience as a narcotics officer and his previous work in the neighborhood, Officer Devlin concluded that what happened on that street corner was probably a drug transaction. That is by far the *most* reasonable conclusion, even though our cases only require it to be *a* reasonable conclusion.

I would grant certiorari and reverse the judgment of the Pennsylvania Supreme Court.

No. 07–11584. *EVERY v. NEW HAMPSHIRE*. Sup. Ct. N. H. Certiorari denied. JUSTICE SOUTER took no part in the consideration or decision of this petition.

No. 08–66. *DAVIS v. GEORGIA*. Sup. Ct. Ga. Motion of The Innocence Project for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 283 Ga. 438, 660 S. E. 2d 354.

No. 08–76. *BRUNSON, SUPERINTENDENT, CLALLAM BAY CORRECTIONAL INSTITUTION v. HARRIS*. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 515 F. 3d 1051.

No. 08–288. *BRAQUET v. UNITED STATES*. C. A. 5th Cir. Certiorari before judgment denied.

No. 08–5710. *OGUNSALE v. NAIR ET AL.* C. A. 9th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 264 Fed. Appx. 672.

No. 08–6693 (08A307). *KELLY v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by

October 14, 20, 2008

555 U. S.

him referred to the Court, denied. Certiorari denied. Reported below: 296 Fed. Appx. 381.

No. 08–6722 (08A319). *COOEY v. KERNS, WARDEN*. Sup. Ct. Ohio. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. Certiorari denied.

Rehearing Denied

No. 07–9749. *PAGE v. ST. LAWRENCE ET AL.*, 553 U. S. 1037. Petition for rehearing denied.

OCTOBER 20, 2008

Miscellaneous Orders

No. 08M21. *YOUNG v. UNITED STATES*. Motion for leave to proceed as a veteran denied.

No. 137, Orig. *MONTANA v. WYOMING ET AL.* Barton H. Thompson, Esq., of Stanford, Cal., is appointed the Special Master in this case with authority to fix the time and conditions for the filing of additional pleadings, to direct subsequent proceedings, to summon witnesses, to issue subpoenas, and to take such evidence as may be introduced and such as he may deem it necessary to call for. The Special Master is directed to submit reports as he may deem appropriate.

The compensation of the Special Master, the allowances to him, the compensation paid to his legal, technical, stenographic, and clerical assistants, the cost of printing his reports, and all other proper expenses, including travel expenses, shall be charged against and be borne by the parties in such proportion as the Court may hereafter direct.

Motion of Wyoming to dismiss the bill of complaint is referred to the Special Master for further proceedings. Motion of Anadarko Petroleum Corporation for leave to file a brief as *amicus curiae* is referred to the Special Master. [For earlier order herein, see, *e. g.*, 552 U. S. 1175.]

No. 08–5885. *RING v. RAMEKER*. C. A. 7th Cir.;

No. 08–6339. *DISLER v. MASSACHUSETTS*. Sup. Jud. Ct. Mass.; and

555 U. S.

October 20, 2008

No. 08-6450. *HERNANDEZ-SANCHEZ v. UNITED STATES*. C. A. 2d Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until November 10, 2008, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

No. 08-5848. *IN RE WILLIAMS*. Petition for writ of mandamus denied.

Certiorari Granted

No. 08-108. *FLORES-FIGUEROA v. UNITED STATES*. C. A. 8th Cir. Certiorari granted. Reported below: 274 Fed. Appx. 501.

Certiorari Denied

No. 07-1363. *JIMENEZ VIRACACHA ET AL. v. MUKASEY, ATTORNEY GENERAL*. C. A. 7th Cir. Certiorari denied. Reported below: 518 F. 3d 511.

No. 07-11410. *CORDOVA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 895.

No. 07-11460. *MOORE v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 594 Pa. 619, 937 A. 2d 1062.

No. 07-11541. *SYKES v. DELAWARE*. Sup. Ct. Del. Certiorari denied. Reported below: 953 A. 2d 261.

No. 07-11615. *TIRADO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 919.

No. 08-35. *STEPHENS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 514 F. 3d 703.

No. 08-61. *DJOKOVIC v. MUKASEY, ATTORNEY GENERAL*. C. A. 6th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 505.

No. 08-91. *STAUBER v. MCGRATH*. Ct. App. Ohio, Fairfield County. Certiorari denied. Reported below: 2007-Ohio-6296.

No. 08-181. *HOLLYWOOD v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 43 Cal. 4th 721, 182 P. 3d 590.

October 20, 2008

555 U. S.

No. 08–182. CANYON COUNTY, IDAHO *v.* SYNGENTA SEEDS, INC., ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 519 F. 3d 969.

No. 08–183. HERITAGE COAL Co., LLC, FKA PEABODY COAL Co., LLC *v.* AMBROSIA LAND INVESTMENTS, LLC, FKA WILKE WINDOW & DOOR Co., INC., ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 521 F. 3d 778.

No. 08–184. 114 TENTH AVENUE ASSN., INC. *v.* NYCTL 1999–1 TRUST ET AL. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 44 App. Div. 3d 576, 845 N. Y. S. 2d 235.

No. 08–186. SEWERAGE AND WATER BOARD OF NEW ORLEANS *v.* BENNETT ET AL. C. A. 5th Cir. Certiorari denied.

No. 08–189. STROMAN REALTY, INC. *v.* ANTT ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 528 F. 3d 382.

No. 08–194. VESOM *v.* ATCHISON HOSPITAL ASSN. ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 624.

No. 08–197. LINCOLN NORTH DEVELOPMENT CORP. *v.* TOWN OF KEARNY, NEW JERSEY, ET AL. Super. Ct. N. J., App. Div. Certiorari denied.

No. 08–201. ARCH LIGHTING GROUP, INC. *v.* GENLYTE THOMAS GROUP LLC. C. A. Fed. Cir. Certiorari denied. Reported below: 278 Fed. Appx. 1004.

No. 08–206. FERNANDEZ *v.* ARIZONA. Ct. App. Ariz. Certiorari denied. Reported below: 216 Ariz. 545, 169 P. 3d 641.

No. 08–208. BOWEN *v.* CHEUVRONT, JUDGE, DISTRICT COURT OF NEBRASKA, THIRD DISTRICT. C. A. 8th Cir. Certiorari denied. Reported below: 521 F. 3d 860.

No. 08–222. WHITE LION VAN LINES, INC., ET AL. *v.* PALM BEACH COUNTY, FLORIDA, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 886.

No. 08–244. CONNECTICUT *v.* COOK. Sup. Ct. Conn. Certiorari denied. Reported below: 287 Conn. 237, 947 A. 2d 307.

555 U. S.

October 20, 2008

No. 08–249. *ARROW ELECTRONICS, INC. v. E.ON AG ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 551.

No. 08–280. *SLOUGH v. FROST.* Sup. Ct. Ohio. Certiorari denied. Reported below: 118 Ohio St. 3d 1430, 887 N. E. 2d 1200.

No. 08–300. *JACKSON, AS NEXT FRIEND AND PARENT OF JACKSON v. MIX ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 361.

No. 08–331. *MIRCH v. STATE BAR OF NEVADA.* Sup. Ct. Nev. Certiorari denied. Reported below: 124 Nev. 1477, 238 P. 3d 822.

No. 08–332. *MORALES-GARZA v. LORENZO-GIGUERE, SPECIAL LITIGATION COUNSEL, VOTING SECTION, DEPARTMENT OF JUSTICE, CIVIL RIGHTS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 444.

No. 08–336. *HARRISON ET AL. v. UNITED STATES; and*
No. 08–6365. *HARRISON v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 315.

No. 08–342. *DIGGS v. DIGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–354. *MARK v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 284 Fed. Appx. 946.

No. 08–356. *SPIELVOGEL v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 264 Fed. Appx. 823.

No. 08–380. *BONTKOWSKI v. UNITED STATES.* C. A. 7th Cir. Certiorari denied.

No. 08–387. *TAPANES v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 617.

No. 08–391. *FERNEBOK ET AL. v. DISTRICT OF COLUMBIA.* C. A. D. C. Cir. Certiorari denied.

No. 08–5001. *EVANS v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 271 Fed. Appx. 236.

No. 08–5342. *VILLEGAS v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITU-*

October 20, 2008

555 U. S.

TIONS DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 378.

No. 08–5362. *FRAZIER v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 264 Fed. Appx. 812.

No. 08–5433. *JACKSON v. CORTEZ MASTO, ATTORNEY GENERAL OF NEVADA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 615.

No. 08–5470. *OVERSTREET v. INDIANA*. Sup. Ct. Ind. Certiorari denied. Reported below: 877 N. E. 2d 144.

No. 08–5832. *TAYLOR v. FRISBY*. Ct. App. Ohio, Allen County. Certiorari denied. Reported below: 2008-Ohio-279.

No. 08–5838. *JAMISON v. SMITH FOOD & DRUG, INC., ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 723.

No. 08–5841. *MAPA v. HENRY, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–5850. *WASHINGTON v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–5851. *YOUNG v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 08–5853. *BARBER v. JONES, DIRECTOR, OKLAHOMA DEPARTMENT OF CORRECTIONS*. C. A. 10th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 710.

No. 08–5856. *SHAW v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–5857. *HALULAKOS v. KRYSEVIG ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–5866. *ROBINSON v. CHURCH ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–5868. *HARDAWAY v. YARBOROUGH, WARDEN*. C. A. 9th Cir. Certiorari denied.

555 U. S.

October 20, 2008

No. 08–5877. *PETEREC v. NEW YORK*. County Ct., Sullivan County, N. Y. Certiorari denied.

No. 08–5880. *JACKSON v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 45 App. Div. 3d 433, 846 N. Y. S. 2d 126.

No. 08–5881. *LEBBOS v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 08–5882. *KYLES v. THURMER, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–5887. *WARNER v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–5888. *SIMPKINS v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 117 Ohio St. 3d 420, 884 N. E. 2d 568.

No. 08–5889. *WRIGHT v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–5891. *BOLAND v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 876.

No. 08–5897. *MALEK v. FRIEL, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 659.

No. 08–5903. *EVANS v. POPE ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–5904. *STEWART v. U. S. BANK, N. A.* Ct. App. Ohio, Montgomery County. Certiorari denied.

No. 08–5911. *DORSEY v. KRAVCHUK ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–5915. *LUNA v. HORNSBY ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–5922. *CADOGAN v. RENICO, WARDEN*. C. A. 6th Cir. Certiorari denied.

October 20, 2008

555 U. S.

No. 08–5926. *CARTER v. LAFLER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–5967. *LATHAM v. MUNICIPALITY OF ANCHORAGE, ALASKA*. Ct. App. Alaska. Certiorari denied. Reported below: 165 P. 3d 663.

No. 08–5969. *MAYS v. SMITH, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–5998. *NORTON v. CENTRAL INTELLIGENCE AGENCY*. C. A. 9th Cir. Certiorari denied.

No. 08–6000. *CALHOUN v. PENNSYLVANIA BOARD OF PROBATION AND PAROLE*. Commw. Ct. Pa. Certiorari denied.

No. 08–6006. *WELLS v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 08–6023. *GADOMSKI v. BURKE, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 258 Fed. Appx. 781.

No. 08–6046. *MARTIN v. YATES, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–6079. *JOHNSON v. BURT, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 08–6080. *ROOT v. MAHONEY, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 755.

No. 08–6105. *LEONOR v. BRITTEN ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 574.

No. 08–6110. *REDMOND v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–6113. *DILLON v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 08–6119. *LATHAN v. JEFFREYS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–6140. *FORD v. BURT, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 08–6141. *GUILBEAU v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

555 U. S.

October 20, 2008

No. 08–6155. *EISIMINGER v. VAZQUEZ, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–6156. *HIGGINBOTHAM v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 983 So. 2d 582.

No. 08–6194. *GOLPHIN v. BRANKER, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 519 F. 3d 168.

No. 08–6197. *SANDERS v. GOLDBERG WEISMAN & CAIRO LTD.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 372 Ill. App. 3d 1099, 940 N. E. 2d 307.

No. 08–6198. *BACON v. CARROLL, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–6225. *WEST-BEY v. PRUETT, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 250.

No. 08–6233. *GRAY v. BEREZNAK*. Cir. Ct. Kanawha County, W. Va. Certiorari denied.

No. 08–6235. *IMBACH v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 08–6296. *SMALL v. LANTZ, COMMISSIONER, CONNECTICUT DEPARTMENT OF CORRECTION*. Sup. Ct. Conn. Certiorari denied. Reported below: 286 Conn. 707, 946 A. 2d 1203.

No. 08–6304. *SKILLICORN v. LARKINS, WARDEN, ET AL.* Sup. Ct. Mo. Certiorari denied.

No. 08–6310. *DUQUE v. ERWOOD*. C. A. 11th Cir. Certiorari denied.

No. 08–6323. *SANTILLANA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 540 F. 3d 428.

No. 08–6333. *CHILDS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–6340. *C. A. L., A JUVENILE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–6348. *PETTIS v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 186 N. C. App. 116, 651 S. E. 2d 231.

October 20, 2008

555 U. S.

No. 08–6353. *SMITH v. BERNANKE*. C. A. 6th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 356.

No. 08–6363. *HILARIO-HILARIO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 529 F. 3d 65.

No. 08–6364. *INGRAM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 173.

No. 08–6366. *HOGAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 964.

No. 08–6373. *PUENTES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 222.

No. 08–6376. *MACKINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 249.

No. 08–6377. *LOPEZ-LOPEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 612.

No. 08–6382. *GARCIA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 616.

No. 08–6386. *ROHDEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–6387. *STRAHAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–6388. *RUBALCABA-RAMIREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 423.

No. 08–6389. *MARTINEZ-SANTIAGO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 265 Fed. Appx. 104.

No. 08–6391. *LOWERY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 64.

No. 08–6393. *TINGLE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 524 F. 3d 839.

No. 08–6394. *CRISOLO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 412.

No. 08–6395. *DAVIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 519.

555 U. S.

October 20, 2008

No. 08–6396. *EMBRY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 641.

No. 08–6397. *BALL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 880.

No. 08–6402. *RIVAS-SALINAS, AKA CARRILLO-LUNA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 196.

No. 08–6403. *SJOTHUN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–6407. *RAMIREZ-CONTRERAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 739.

No. 08–6409. *NORTON v. FEDERAL BUREAU OF INVESTIGATION*. C. A. 9th Cir. Certiorari denied.

No. 08–6410. *WHYLIE v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 954 A. 2d 448.

No. 08–6414. *CARTER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 530 F. 3d 565.

No. 08–6421. *JONES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–6422. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 214.

No. 08–6425. *BULLOCK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 376.

No. 08–6427. *BUCKLEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 525 F. 3d 629.

No. 08–6428. *CULBERT v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 535 F. 3d 650.

No. 08–6429. *CLASEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–6432. *EVANS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 526 F. 3d 155.

October 20, 2008

555 U. S.

No. 08–6433. *POLK v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 195.

No. 08–6434. *WINKELMAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–6440. *BERRY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 967.

No. 08–6442. *HOLYFIELD v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 282 Fed. Appx. 129.

No. 08–6447. *FALCIGLIA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–6451. *SKANNAL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 509.

No. 08–6452. *FORBES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 528 F. 3d 1273.

No. 08–6453. *GUTIERREZ-PEREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 645.

No. 08–6455. *TRUCCHIO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 836.

No. 08–6460. *ROBINSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 287 Fed. Appx. 150.

No. 08–6464. *TOWNSEND v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 285.

No. 08–6466. *LINARES-HERNANDEZ v. UNITED STATES* (Reported below: 284 Fed. Appx. 128); and *GAMEZ-SILVA v. UNITED STATES* (289 Fed. Appx. 827). C. A. 5th Cir. Certiorari denied.

No. 08–6471. *JOHNSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–6473. *CUESTA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 358.

No. 08–6481. *DRENNON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 516 F. 3d 160.

No. 08–6484. *CHING TANG LO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 467.

555 U. S.

October 20, 2008

No. 08–6485. *LEWIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 262 Fed. Appx. 950.

No. 08–6489. *BRADSHAW v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 264.

No. 08–6490. *RAUCH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 730.

No. 08–6493. *THORNE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 266 Fed. Appx. 96.

No. 07–1559. *M. M., BY AND THROUGH HER PARENT AND NATURAL GUARDIAN, L. R. v. SPECIAL SCHOOL DISTRICT NO. 1, MINNEAPOLIS, MINNESOTA*. C. A. 8th Cir. Motion of Minnesota Disability Law Center for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 512 F. 3d 445.

No. 08–188. *VALDERRAMA v. HONEYWELL TECHNOLOGY SOLUTIONS, INC.* C. A. 4th Cir. Certiorari denied. JUSTICE SOUTER took no part in the consideration or decision of this petition. Reported below: 267 Fed. Appx. 256.

No. 08–5385. *WALKER v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 282 Ga. 774, 655 S. E. 2d 439.

Statement of JUSTICE STEVENS respecting the denial of the petition for writ of certiorari.

The question presented by the petition for certiorari is whether Georgia’s current administration of its death penalty violates the Eighth Amendment’s guarantee against arbitrariness and discrimination in capital sentencing. Specifically, petitioner charges that the Georgia Supreme Court has “fail[ed] to: (1) conduct meaningful proportionality review, and (2) enforce reporting requirements under Georgia’s capital sentencing scheme,” as is required to ensure that only the most culpable offenders are put to death. Pet. for Cert. i. In its response to the petition, the State persuasively argues that petitioner did not raise and litigate these claims in state court. That argument provides a legitimate basis for this Court’s decision to deny review. I write separately to emphasize that the Court’s denial has no precedential effect, see *Teague v. Lane*, 489 U. S. 288, 296 (1989), and to note that petitioner’s submission is supported by our prior opinions evaluating the constitutionality of the Georgia statute.

Justice Stewart was the principal architect of our death penalty jurisprudence during his tenure on the Court. In his separate opinion in *Furman v. Georgia*, 408 U. S. 238, 306 (1972) (concurring), he observed that death sentences imposed pursuant to Georgia's capital sentencing scheme were "cruel and unusual in the same way that being struck by lightning is cruel and unusual." *Id.*, at 309. The Georgia statute in effect at that time placed unfettered discretion in the hands of juries, resulting in the arbitrary, and often discriminatory, issuance of capital sentences. Justice Stewart concluded that the Eighth Amendment cannot tolerate the infliction of a death sentence under a legal system that permits this unique penalty to be wantonly and freakishly imposed. *Id.*, at 310.

The Georgia Legislature amended its capital sentencing scheme after *Furman*, and a challenge to the new scheme reached this Court in *Gregg v. Georgia*, 428 U. S. 153 (1976). Our decision in that case to uphold the later enacted statute was founded on an understanding that the new procedures the statute prescribed would protect against the imposition of death sentences influenced by impermissible factors such as race. Among the new procedures was a requirement that the Georgia Supreme Court "compar[e] each death sentence with the sentences imposed on similarly situated defendants to ensure that the sentence of death in a particular case is not disproportionate." *Id.*, at 198 (joint opinion of Stewart, Powell, and STEVENS, JJ.). We assumed that the court would consider whether there were "similarly situated defendants" who had *not* been put to death because that inquiry is an essential part of any meaningful proportionality review.

That assumption was confirmed a few years later in *Zant v. Stephens*, 462 U. S. 862 (1983). The question in that case was whether a death sentence was valid notwithstanding the jury's reliance on an invalid aggravating circumstance. As in *Gregg*, our decision to uphold the sentence "depend[ed] in part on the existence of an important procedural safeguard, the mandatory appellate review of each death sentence by the Georgia Supreme Court to avoid arbitrariness and to assure proportionality." 462 U. S., at 890. In response to our certified question regarding the operation of the State's capital sentencing scheme, the Georgia Supreme Court expressly stated that its proportionality review "uses for comparison purposes not only similar cases in which death was imposed, but similar cases in which death was not

imposed.’” *Id.*, at 880, n. 19.¹ That approach seemed judicious because, quite obviously, a significant number of similar cases in which death was not imposed might well provide the most relevant evidence of arbitrariness in the sentence before the court.

The opinions in another Georgia case, *McCleskey v. Kemp*, 481 U.S. 279 (1987), make it abundantly clear that there is a special risk of arbitrariness in cases that involve black defendants and white victims. See also *Turner v. Murray*, 476 U.S. 28, 33–37 (1986) (plurality and majority opinions) (discussing the heightened risks of prejudice that inhere in the prosecution of interracial capital offenses). Although there is some indication that those risks have diminished over time, at least the race-of-victim effect persists. See Baldus & Woodworth, *Race Discrimination and the Legitimacy of Capital Punishment: Reflections on the Interaction of Fact and Perception*, 53 DePaul L. Rev. 1411, 1424–1426 (2004).

It is against that backdrop that I find this case, which involves a black defendant and a white victim, particularly troubling. The State’s evidence showed that, on the night of the murder, petitioner and an accomplice drove to the victim’s home. After petitioner drew the victim outside, the two engaged in a struggle and petitioner stabbed the victim 12 times. While his accomplice collected the victim’s wallet, petitioner used the victim’s keys to try to gain access to his house, stating that he “had ‘one more to kill.’” When a woman inside the house yelled that she had a gun, petitioner and his accomplice fled. 282 Ga. 774, 775, 653 S. E. 2d 439, 443 (2007). The jury found petitioner guilty of murder, felony murder, armed robbery, aggravated assault, at-

¹The salient aspects of Georgia’s capital sentencing scheme have changed little since we evaluated them in *Gregg* and *Zant*. By statute, the State must prove at least one of an enumerated list of aggravating circumstances for an offense to be death eligible. Ga. Code Ann. § 17–10–30(b) (2008). The jury then has complete discretion to weigh all aggravating and mitigating factors in determining the sentence. Georgia law requires the State Supreme Court to review each death sentence to determine whether it “was imposed under the influence of passion, prejudice, or any other arbitrary factor” and whether it “is excessive or disproportionate to the penalty imposed in similar cases.” § 17–10–35(c). The trial court must in each case transmit the entire record and transcript, along with a special report prepared by the trial judge, to facilitate appellate review. § 17–10–35(a).

tempted burglary, and possession of a firearm during the commission of a crime. After the penalty phase proceeding, the jury concluded that the State had proved five statutory aggravating factors (two of which the Georgia Supreme Court later found invalid, *id.*, at 781, 653 S. E. 2d, at 447), and it sentenced petitioner to death.

Rather than perform a thorough proportionality review to mitigate the heightened risks of arbitrariness and discrimination in this case, the Georgia Supreme Court carried out an utterly perfunctory review. Its undertaking consisted of a single paragraph, only the final sentence of which considered whether imposition of the death penalty in this case was proportionate as compared to the sentences imposed for similar offenses. And even then the court stated its review in the most conclusory terms: “The cases cited in the Appendix support our conclusion that [petitioner’s] punishment is not disproportionate in that each involved a deliberate plan to kill and killing for the purpose of receiving something of monetary value.” *Id.*, at 782, 653 S. E. 2d, at 447–448. The appendix consists of a string citation of 21 cases in which the jury imposed a death sentence; it makes no reference to the facts of those cases or to the aggravating circumstances found by the jury.

Had the Georgia Supreme Court looked outside the universe of cases in which the jury imposed a death sentence, it would have found numerous cases involving offenses very similar to petitioner’s in which the jury imposed a sentence of life imprisonment. See, *e. g.*, *Jones v. State*, 279 Ga. 854, 622 S. E. 2d 1 (2005); *Spickler v. State*, 276 Ga. 164, 575 S. E. 2d 482 (2003); *Cross v. State*, 271 Ga. 427, 520 S. E. 2d 457 (1999); *Jenkins v. State*, 268 Ga. 468, 491 S. E. 2d 54 (1997); *LeMay v. State*, 265 Ga. 73, 453 S. E. 2d 737 (1995) (the circumstances of the offense are described in *LeMay v. State*, 264 Ga. 263, 443 S. E. 2d 274 (1994)); *Cobb v. State*, 250 Ga. 1, 295 S. E. 2d 319 (1982). If the Georgia Supreme Court had expanded its inquiry still further, it would have discovered many similar cases in which the State did not even seek death. See, *e. g.*, *Davis v. State*, 281 Ga. 871, 644 S. E. 2d 113 (2007); *Wiggins v. State*, 280 Ga. 627, 632 S. E. 2d 80 (2006); *Escobar v. State*, 279 Ga. 727, 620 S. E. 2d 812 (2005); *Stanley v. State*, 261 Ga. 412, 405 S. E. 2d 493 (1991). Cases in both of these categories are eminently relevant to the question whether

a death sentence in a given case is proportionate to the offense.² The Georgia Supreme Court's failure to acknowledge these or any other cases outside the limited universe of cases in which the defendant was sentenced to death creates an unacceptable risk that it will overlook a sentence infected by impermissible considerations.³

Particularly troubling is that the shortcomings of the Georgia Supreme Court's review are not unique to this case. In the years immediately following *Gregg*, it was that court's regular practice to include in its review cases that did not result in a death sentence. That practice began to change around the time this Court decided *Pulley v. Harris*, 465 U.S. 37 (1984). We stated in that case that the Eighth Amendment does not require comparative proportionality review of every capital sentence. *Id.*, at 44–46; see also *McCleskey*, 481 U.S., at 306 (“[W]here the statutory procedures adequately channel the sentencer's discretion, such proportionality review is not constitutionally required”). But that assertion was intended to convey our recognition of differences among the States' capital schemes and the fact that we consider statutes as we find them, 465 U.S., at 45; it was not

² JUSTICE THOMAS states that the Georgia Supreme Court in fact “considered a life sentence in its proportionality review” by examining the sentence of petitioner's accomplice. *Post*, at 989, n. 2 (concurring opinion). As the concurring opinion elsewhere notes, however, the accomplice “was ineligible for the death penalty because he was adjudged mentally retarded.” *Post*, at 986. Because petitioner's accomplice is not a “similarly situated defendan[t],” his life sentence does not provide a meaningful point of comparison.

³ Moreover, even the conclusory review that the Georgia Supreme Court actually undertook was erroneous because it failed to use reasonable comparators. Had the court attended to the facts of the cases cited in the appendix, it would have noted that in almost 30 percent of them the defendant was convicted of two homicides, in contrast to the single homicide for which petitioner was convicted. See *Franks v. State*, 278 Ga. 246, 599 S. E. 2d 134 (2004); *Sealey v. State*, 277 Ga. 617, 593 S. E. 2d 335 (2004); *Arevalo v. State*, 275 Ga. 392, 567 S. E. 2d 303 (2002); *Raheem v. State*, 275 Ga. 87, 560 S. E. 2d 680 (2002); *DeYoung v. State*, 268 Ga. 780, 493 S. E. 2d 157 (1997); *Ferrell v. State*, 261 Ga. 115, 401 S. E. 2d 741 (1991). The court's reliance on such dissimilar comparators further undermines the risk-reducing function served by its review.

meant to undermine our conclusion in *Gregg* and *Zant* that such review is an important component of the Georgia scheme.⁴

Since *Pulley*, the Georgia Supreme Court has significantly narrowed the universe of cases from which it culls comparators. It now appears to be the court's practice never to consider cases in which the jury sentenced the defendant to life imprisonment. See Note, 39 Ga. L. Rev. 631, 657 (2005) (determining that in each of 55 capital cases reviewed by the Georgia Supreme Court between 1994 and 2004, the court exclusively considered other cases resulting in a death sentence). This is not the review that the Georgia Supreme Court represented to us in *Zant*. And the likely result of such a truncated review—particularly in conjunction with the remainder of the Georgia scheme, which does not cabin the jury's discretion in weighing aggravating and mitigating factors—is the arbitrary or discriminatory imposition of death sentences in contravention of the Eighth Amendment.

Petitioner also notes a second failure of the Georgia Supreme Court's review in this case. In all capital cases, Georgia law requires the trial court to transmit, along with the entire record and transcript, a detailed report prepared by the trial judge describing the defendant's history and the circumstances of the case. Ga. Code Ann. §17–10–35(a). Although it has previously admonished trial courts of the necessity of complying with this rule, see *McDaniel v. State*, 271 Ga. 552, 553, 522 S. E. 2d 648, 650 (1999), the Georgia Supreme Court in this case neglected to enforce it. This breakdown in the statutory process is especially troubling when viewed in light of the other shortcomings of that court's

⁴JUSTICE THOMAS suggests that the Court in *McCleskey* “endorsed” precisely the same proportionality review undertaken by the Georgia Supreme Court in this case. *Post*, at 985. Notably, *McCleskey* did not challenge the scope of the state court's proportionality review. See Brief for Respondent in *McCleskey v. Kemp*, O. T. 1986, No. 84–6811, p. 29. It is thus unsurprising that this Court's brief discussion of the state court's review did not recognize or revisit our observation in *Zant v. Stephens*, 462 U. S. 862 (1983), regarding the usual content of that review; indeed, that portion of the Court's discussion does not acknowledge *Zant* at all. See 481 U. S., at 306. I hesitate to read into *McCleskey* this Court's endorsement of the Georgia Supreme Court's abridged proportionality review when that issue was neither briefed by the parties nor thoroughly considered by the Court.

review. “When a defendant’s life is at stake, th[is] Court has been particularly sensitive to insure that every safeguard is observed.” *Gregg*, 428 U.S., at 187 (joint opinion of Stewart, Powell, and STEVENS, JJ.). The Georgia Supreme Court owes its capital litigants the same duty of care and must take seriously its obligation to safeguard against the imposition of death sentences that are arbitrary or infected by impermissible considerations such as race.

JUSTICE THOMAS, concurring.

Petitioner brutally murdered Lynwood Ray Gresham, and was sentenced to death for his crime. JUSTICE STEVENS objects to the proportionality review undertaken by the Georgia Supreme Court on direct review of petitioner’s capital sentence. The Georgia Supreme Court, however, afforded petitioner’s sentence precisely the same proportionality review endorsed by this Court in *McCleskey v. Kemp*, 481 U.S. 279 (1987); *Pulley v. Harris*, 465 U.S. 37 (1984); *Zant v. Stephens*, 462 U.S. 862 (1983); and *Gregg v. Georgia*, 428 U.S. 153 (1976), and described in *Pulley* as a “safeguard against arbitrary or capricious sentencing” additional to that which is constitutionally required, 465 U.S., at 45. Because the Georgia Supreme Court made no error in applying its statutorily required proportionality review in this case, I concur in the denial of certiorari.

In May 1999, petitioner recruited Gary Lee Griffin to help him “rob and kill a rich white man” and “take the money, take the jewels.” Pet. for Cert. 5 (internal quotation marks omitted); 282 Ga. 774, 774–775, 653 S. E. 2d 439, 443 (2007). Petitioner and Griffin packed two bicycles in a borrowed car, dressed in black, and took a knife and stun gun to Gresham’s house. Petitioner lured Gresham outside, Pet. for Cert. 5, stabbed him 12 times in the chest and back, and dragged him to the side of the house to die, 282 Ga., at 775, 653 S. E. 2d, at 443. Griffin found Gresham’s wallet and house keys and gave the keys to petitioner, who said he had “‘one more to kill.’” *Ibid.* However, because Mrs. Gresham and her daughter had been inside their house and had locked the door with chain and foot locks, petitioner did not succeed. The two men then fled the scene on their bicycles. Both were arrested within hours; petitioner was found with Gresham’s blood on his clothes and Gresham’s keys in his pocket.

The knife used in the attack and a pistol were discovered nearby. *Ibid.*

Petitioner was charged with malice murder, felony murder, armed robbery, aggravated assault, attempted burglary, and possession of a firearm by a convicted felon. *Id.*, at 774, n. 1, 653 S. E. 2d, at 442, n. 1. A jury found him guilty on all charges and recommended the death penalty. *Ibid.* In particular, the jury unanimously found five aggravating factors: that the murder was committed while petitioner was engaged in an armed robbery; that the murder was committed for the purpose of receiving money or a thing of monetary value; that the murder involved torture; that the murder involved aggravated battery; and that the murder was outrageously or wantonly vile, horrible, or inhuman in that it involved depravity of mind. *Id.*, at 781, 653 S. E. 2d, at 447. The trial court agreed with the jury's recommendation and imposed a sentence of death for the malice-murder conviction. The court also imposed a life sentence for armed robbery and consecutive sentences of 20, 10, and 5 years for the remaining convictions. *Id.*, at 774, n. 1, 653 S. E. 2d, at 442, n. 1.

On direct appeal, the Georgia Supreme Court reviewed each statutory aggravating circumstance supporting the death sentence, see Ga. Code Ann. § 17–10–35(c)(2) (2008), and struck two of them—murder involving torture and murder involving aggravated battery—because they varied from the applicable statutory language, 282 Ga., at 781, 653 S. E. 2d, at 447; Ga. Code Ann. § 17–10–30(b)(7). With three valid statutory aggravating factors remaining and the full weight of the evidence supporting petitioner's conviction, the Georgia Supreme Court found that petitioner was eligible for the death sentence under state law.

The Georgia Supreme Court then reviewed petitioner's death sentence to determine whether it was "excessive or disproportionate to the penalty imposed in similar cases, considering both the crime and the defendant." Ga. Code Ann. § 17–10–35(c)(3). The court first determined that the life sentence imposed on Griffin for the same murder did not render petitioner's death sentence disproportionate. Petitioner was more culpable for the murder, and Griffin was ineligible for the death penalty because he was adjudged mentally retarded. 282 Ga., at 782, 653 S. E. 2d, at 447. The Georgia Supreme Court then examined 21 cases in which a defendant received the death penalty for a "deliberate plan to kill and killing for the purpose of receiving something of mone-

tary value.” *Ibid.*, 653 S. E. 2d, at 448. After reviewing these cases, the court concluded that petitioner’s death sentence was proportional to other death sentences imposed in Georgia and affirmed. *Ibid.*

There is nothing constitutionally defective about the Georgia Supreme Court’s determination. Proportionality review is not constitutionally required in any form. Georgia simply has elected, as a matter of state law, to provide an additional protection for capital defendants. *Pulley*, 465 U.S., at 45. In *Pulley*, the Court considered the history of Georgia’s capital sentencing scheme and dismissed JUSTICE STEVENS’ assertion that the constitutionality of Georgia’s scheme had rested on its willingness to conduct proportionality review. *Id.*, at 44–46, 50; *id.*, at 58–59 (STEVENS, J., concurring in part and concurring in judgment). The Court explained that, although it may have emphasized the role of proportionality review as “an additional safeguard against arbitrarily imposed death sentences” in *Gregg*, *supra*, and *Zant*, *supra*, it had never held that “without comparative proportionality review the [Georgia] statute would be unconstitutional,” *Pulley*, *supra*, at 50. JUSTICE STEVENS acknowledged in his *Pulley* concurrence that his interpretation of *Gregg* and *Zant* differed from the Court’s. 465 U.S., at 54. He continues to adhere to his distinctive interpretation of *Gregg* and *Zant* today, *ante*, at 980–981, 983–984 (statement respecting denial of certiorari), and questions whether the Georgia scheme as currently administered provides the additional review that he believes is constitutionally required. But, under this Court’s precedents, Georgia is not required to provide any proportionality review at all.

Having elected to provide the additional protection of proportionality review, there can be no question that the way in which the Georgia Supreme Court administered that review in this case raised no constitutional issue. The State’s proportionality review was lauded in *Gregg* as a protective measure that would ensure that “[i]f a time comes when juries generally do not impose the death sentence in a certain kind of murder case, . . . no defendant convicted under such circumstances will suffer a sentence of death” because there will be no comparable cases to support a finding of proportionality. 428 U.S., at 206 (joint opinion of Stewart, Powell, and STEVENS, JJ.). Then, in *McCleskey*, 481 U.S., at 306, this Court upheld the proportionality review conducted by the Georgia Supreme Court and recognized that the

Georgia court's conclusion was supported by "an appendix containing citations to 13 cases involving generally similar murders."¹ In *McCleskey*, as here, the trial court followed the jury's recommendation and imposed a death sentence for a black defendant who murdered a white victim during an armed robbery. *Id.*, at 283–285; 282 Ga., at 774, 653 S. E. 2d, at 442.

JUSTICE STEVENS nevertheless asserts that there is a "special risk of arbitrariness in cases that involve black defendants and white victims," *ante*, at 981, and that the Georgia Supreme Court should have "looked outside the universe of cases in which the jury imposed a death sentence," *ante*, at 982. But he once again fails to acknowledge that the Court considered and rejected similar arguments in *McCleskey*, see 481 U. S., at 306–319. The *McCleskey* Court considered whether a study based on Georgia's application of the death penalty in the 1970's showed a "major systemic defec[t]" in sentencing that correlates with race. *Id.*, at 313 (internal quotation marks omitted). And although that study found that the death penalty was imposed more often when a black defendant murdered a white victim than when a white defendant murdered a black victim, *id.*, at 286, the Court concluded that the study "[a]t most . . . indicate[d] a discrepancy that appears to correlate with race," *id.*, at 312. According to the Court, "[a]pparent disparities in sentencing are an inevitable part of our criminal justice system," *ibid.*, and there are other aspects of Georgia's discretionary scheme that could explain the apparent discrepancy, *id.*, at 311–313. The study did not "demonstrate a constitutionally significant risk of racial bias affecting the Georgia capital sentencing process." *Id.*, at 313.

¹JUSTICE STEVENS accuses the Georgia Supreme Court in this case of engaging in "utterly perfunctory review" because it included "a string citation of 21 cases in which the jury imposed a death sentence" and "ma[de] no reference to the facts of those cases or to the aggravating circumstances found by the jury." *Ante*, at 982. The accusation is entirely without foundation. The proportionality review upheld by this Court in *McCleskey* also contained a string citation of cases that failed to include the detailed discussion of each case's specific facts that JUSTICE STEVENS suggests is somehow required by the Constitution. See *McCleskey v. State*, 245 Ga. 108, 116–117, 263 S. E. 2d 146, 152 (1980). The only difference between the string citation here and the string citation approved by this Court in *McCleskey* is that the citation here reflects an examination of at least 50% more cases.

The *McCleskey* Court also considered the universe of cases included in the Georgia Supreme Court's proportionality analysis and held that "absent a showing that the Georgia capital punishment system operates in an arbitrary and capricious manner, [a defendant] cannot prove a constitutional violation by demonstrating that other defendants who may be similarly situated did *not* receive the death penalty." *Id.*, at 306–307 (emphasis in original). The Court in *Gregg* also considered the issue and held that Georgia's scheme would not be ineffective even if, in practice, the Georgia Supreme Court did not consider "nonappealed capital convictions where a life sentence is imposed and cases involving homicides where a capital conviction is not obtained." 428 U.S., at 204, n. 56 (joint opinion of Stewart, Powell, and STEVENS, JJ.).² As a result, to the extent that JUSTICE STEVENS suggests that the Court's precedent requires consideration of cases where the death penalty was not imposed, he is simply wrong.

JUSTICE STEVENS' disagreement with this Court's death penalty precedents formed the basis for his dissent from the Court's decision in *McCleskey* and his concurrence in *Pulley*, and he stands by those decisions in his statement today. But *McCleskey*, *Pulley*, *Zant*, and *Gregg* remain the law. Because the Georgia

² In *Gregg*, 428 U.S., at 204, n. 56, the Court noted that the Georgia Supreme Court "has the authority to consider such cases" involving "nonappealed capital convictions where a life sentence is imposed and cases involving homicides where a capital conviction is not obtained" and that it "does consider appealed murder cases where a life sentence has been imposed." Petitioner contends, and JUSTICE STEVENS accepts, that the Georgia Supreme Court no longer considers murder cases where a life sentence has been imposed based on a law review note that studied the proportionality review conducted in 55 capital cases reviewed by the Georgia Supreme Court between 1994 and 2004. *Ante*, at 984; Pet. for Cert. 23 (citing Note, Reviewing the Georgia Supreme Court's Efforts at Proportionality Review, 39 Ga. L. Rev. 631 (2005)). But petitioner and JUSTICE STEVENS do not point to any statement from the Georgia Supreme Court that such cases are no longer considered and there is no reason to believe that the court has changed its practice simply because its decisions do not explicitly cite to cases involving life sentences. See *Pulley v. Harris*, 465 U.S. 37, 48, n. 8 (1984) ("[T]he fact that . . . [a] court was not explicit about comparative review does not mean none was undertaken"). Moreover, in this case, the Georgia Supreme Court considered a life sentence in its proportionality review as it explicitly evaluated whether the sentence given Griffin for the same murder made petitioner's death sentence disproportionate.

October 20, 21, 28, 2008

555 U. S.

Supreme Court applied them faithfully and without any error, I concur in the denial of certiorari.

OCTOBER 21, 2008

Dismissal Under Rule 46

No. 08–74. LAKE SHASTINA COMMUNITY SERVICES DISTRICT ET AL. *v.* BARE. Ct. App. Cal., 3d App. Dist. Certiorari dismissed under this Court’s Rule 46.1.

Miscellaneous Order

No. 08A349. RIES *v.* TEXAS. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

Certiorari Denied

No. 08–5898 (08A345). RIES *v.* QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. Reported below: 522 F. 3d 517.

OCTOBER 28, 2008

Dismissal Under Rule 46

No. 08–503. WILEY ET AL. *v.* AMERICAN ELECTRIC POWER SERVICE CORP., FKA AEP SERVICES CORP., FKA CENTRAL & SOUTH WEST CORP., ET AL. C. A. 5th Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 287 Fed. Appx. 335.

Miscellaneous Order

No. 07–636. KENNEDY, EXECUTRIX OF THE ESTATE OF KENNEDY, DECEASED *v.* PLAN ADMINISTRATOR FOR DUPONT SAVINGS AND INVESTMENT PLAN ET AL. C. A. 5th Cir. [Certiorari granted, 552 U.S. 1178.] The parties are directed to file supplemental briefs addressing the following question: “Whether 29 U.S.C. § 1104(a)(1)(D), mandating administration of a plan in accordance with plan documents, required that the distri-

555 U. S. October 28, 30, 31, November 3, 2008

bution in question be made to Liv Kennedy, even on the assumption that a waiver of her interest was not otherwise subject to statutory bar.”

The briefs, not to exceed 4,500 words, are to be filed simultaneously with the Clerk and served upon opposing counsel on or before 2 p.m., Monday, November 10, 2008. *Amicus curiae* briefs, not to exceed 3,000 words, may be filed with the Clerk and served upon counsel for the parties on or before 2 p.m., Monday, November 10, 2008.

OCTOBER 30, 2008

Miscellaneous Order

No. 08–6978 (08A380). IN RE WRIGHT. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

OCTOBER 31, 2008

Miscellaneous Order

No. 07–526. CARCIERI, GOVERNOR OF RHODE ISLAND, ET AL. v. KEMPTHORNE, SECRETARY OF THE INTERIOR, ET AL. C. A. 1st Cir. [Certiorari granted, 552 U. S. 1229.] Motions of petitioners Town of Charlestown and State of Rhode Island for reconsideration of motions for divided argument [*ante*, p. 807] denied.

NOVEMBER 3, 2008

Certiorari Dismissed

No. 08–6574. BRUZON v. UNITED STATES. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As 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.

No. 08–6582. GIBSON v. UNITED STATES. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied,

November 3, 2008

555 U. S.

and certiorari dismissed. See this Court's Rule 39.8. Reported below: 269 Fed. Appx. 301.

Miscellaneous Orders

No. 08M22. JAMES *v.* SCRIBNER, WARDEN, ET AL. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 07-1209. PEAKE, SECRETARY OF VETERANS AFFAIRS *v.* SANDERS; and PEAKE, SECRETARY OF VETERANS AFFAIRS *v.* SIMMONS. C. A. Fed. Cir. [Certiorari granted, 554 U.S. 902.] Motion of respondents for divided argument granted.

No. 07-8521. HARBISON *v.* BELL, WARDEN. C. A. 6th Cir. [Certiorari granted, 554 U.S. 917.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* granted.

No. 08-6306. WINSETT *v.* PEAKE, SECRETARY OF VETERANS AFFAIRS. C. A. Fed. Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until November 24, 2008, 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.

No. 08-6589. IN RE PILCHER;
No. 08-6612. IN RE HAWKINS;
No. 08-6628. IN RE SWAIN; and
No. 08-6671. IN RE WATKINS. Petitions for writs of habeas corpus denied.

No. 08-6737. IN RE EMBREY. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of habeas corpus dismissed. See this Court's Rule 39.8.

No. 08-6579. IN RE HOUSTON ET AL. Petition for writ of mandamus denied.

Certiorari Granted

No. 08-6. DISTRICT ATTORNEY'S OFFICE FOR THE THIRD JUDICIAL DISTRICT ET AL. *v.* OSBORNE. C. A. 9th Cir. Certiorari granted. Reported below: 521 F. 3d 1118.

555 U. S.

November 3, 2008

No. 08–214. ATLANTIC SOUNDING CO., INC., ET AL. *v.* TOWNSEND. C. A. 11th Cir. Certiorari granted. Reported below: 496 F. 3d 1282.

Certiorari Denied

No. 07–1453. CHENG CHUI PING *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied.

No. 07–1468. MANNING *v.* ASTRUE, COMMISSIONER OF SOCIAL SECURITY. C. A. 10th Cir. Certiorari denied. Reported below: 510 F. 3d 1246.

No. 07–1539. MOWER *v.* UNITED STATES; and

No. 07–11311. THOMPSON *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 518 F. 3d 832.

No. 07–1547. AGUILERA ET AL. *v.* BACA, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS SHERIFF OF LOS ANGELES COUNTY, CALIFORNIA, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 510 F. 3d 1161.

No. 07–1608. SEYMOUR ET AL. *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 519 F. 3d 700.

No. 07–1613. AL-MARBU *v.* MUKASEY, ATTORNEY GENERAL. C. A. 7th Cir. Certiorari denied. Reported below: 248 Fed. Appx. 748.

No. 07–11031. MILLER *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 265 Fed. Appx. 5.

No. 07–11098. VALENCIANO *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied.

No. 07–11188. CUETO-BORQUE *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 262 Fed. Appx. 924.

No. 07–11206. COMMODORE *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 462.

No. 08–26. SAKAR INTERNATIONAL, INC. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 516 F. 3d 1340.

No. 08–33. SMITH *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 522 F. 3d 305.

November 3, 2008

555 U. S.

No. 08–59. *ROLE MODELS AMERICA, INC. v. GEREN, SECRETARY OF THE ARMY, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 514 F. 3d 1308.

No. 08–101. *VAN GORDER v. GRAND TRUNK WESTERN RAILROAD.* C. A. 6th Cir. Certiorari denied. Reported below: 509 F. 3d 265.

No. 08–119. *LEWIS v. TENNESSEE.* C. A. 6th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 323.

No. 08–120. *DUKE ET AL. v. LEAKE, CHAIRMAN, NORTH CAROLINA STATE BOARD OF ELECTIONS, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 524 F. 3d 427.

No. 08–134. *CORNELIO ET AL. v. NATIONAL LABOR RELATIONS BOARD ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 608.

No. 08–220. *GRESBACH v. MICHAEL C. ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 526 F. 3d 1008.

No. 08–226. *APP INTERNATIONAL FINANCE Co., B. V., ET AL. v. GRYPHON DOMESTIC VI, LLC, ET AL.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 45 App. Div. 3d 354, 848 N. Y. S. 2d 612.

No. 08–234. *FOLEY v. ALLMERICA FINANCIAL CORP. ET AL.* C. A. 1st Cir. Certiorari denied.

No. 08–243. *THOMAS v. EVANSVILLE VANDERBURGH SCHOOL CORPORATION ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 258 Fed. Appx. 50.

No. 08–246. *MICHIGAN ENVIRONMENTAL COUNCIL v. MICHIGAN PUBLIC SERVICE COMMISSION ET AL.* Ct. App. Mich. Certiorari denied. Reported below: 275 Mich. App. 369, 738 N. W. 2d 289.

No. 08–256. *VAILE v. PORSBOLL ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 669.

No. 08–257. *LOFTON-TAYLOR v. VERIZON WIRELESS.* C. A. 11th Cir. Certiorari denied. Reported below: 262 Fed. Appx. 999.

555 U. S.

November 3, 2008

No. 08-258. WILL, INDEPENDENT CO-ADMINISTRATOR OF THE ESTATE OF WHEELER *v.* NORTHWESTERN UNIVERSITY ET AL. Sup. Ct. Ill. Certiorari denied. Reported below: 227 Ill. 2d 598, 888 N. E. 2d 1189.

No. 08-261. FEHNEL *v.* PENNSYLVANIA. Super. Ct. Pa. Certiorari denied. Reported below: 931 A. 2d 43.

No. 08-264. SANDBERG *v.* CITY OF WHEATON, ILLINOIS. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 378 Ill. App. 3d 1127, 955 N. E. 2d 187.

No. 08-266. NANAN ET UX. *v.* STATE FARM FIRE & CASUALTY Co. Ct. App. Ga. Certiorari denied. Reported below: 286 Ga. App. 539, 650 S. E. 2d 283.

No. 08-268. CAIN, WARDEN *v.* PEREZ. C. A. 5th Cir. Certiorari denied. Reported below: 529 F. 3d 588.

No. 08-271. ILLINOIS CENTRAL RAILROAD Co. *v.* COPPLE ET AL. App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 379 Ill. App. 3d 426, 882 N. E. 2d 189.

No. 08-273. CLAPPER *v.* TACCo FALCON POINT, INC. Ct. App. Mich. Certiorari denied.

No. 08-275. LEE *v.* HUNTLEIGH HEALTHCARE, LLC, ET AL. Super. Ct. N. J., App. Div. Certiorari denied.

No. 08-276. MORRIS *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 259 Fed. Appx. 414.

No. 08-278. INCOR ET AL. *v.* FOWLER ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 590.

No. 08-282. PANDOZY *v.* BEATY ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 449.

No. 08-283. TRANS-SPEC TRUCK SERVICE, INC. *v.* CATERPILAR, INC. C. A. 1st Cir. Certiorari denied. Reported below: 524 F. 3d 315.

No. 08-287. BELLO *v.* UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS. C. A. 5th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 423.

November 3, 2008

555 U. S.

No. 08–291. *RISCHON DEVELOPMENT CORP. v. CITY OF KELLER, TEXAS*. Ct. App. Tex., 2d Dist. Certiorari denied. Reported below: 242 S. W. 3d 161.

No. 08–313. *NAVARRO v. BRONEY AUTOMOTIVE REPAIRS, INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 179.

No. 08–314. *LANE v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 932 A. 2d 257.

No. 08–335. *DURAND v. CITY OF PHOENIX, ARIZONA*. C. A. 9th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 645.

No. 08–337. *AHMED v. OHIO*. Ct. App. Ohio, Cuyahoga, County. Certiorari denied.

No. 08–343. *MCLAUGHLIN ET AL. v. FISHER ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 277 Fed. Appx. 207.

No. 08–350. *JOHNSON ET AL. v. LOWERY*. C. A. 10th Cir. Certiorari denied. Reported below: 522 F. 3d 1086.

No. 08–353. *LOCKWOOD v. BEASLEY ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–366. *PARNIGONI v. DISTRICT OF COLUMBIA*. Ct. App. D. C. Certiorari denied. Reported below: 933 A. 2d 823.

No. 08–371. *HADLEY v. HAWAII GOVERNMENT EMPLOYEES' ASSN. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 683.

No. 08–382. *OSAHAR v. POTTER, POSTMASTER GENERAL, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 263 Fed. Appx. 753.

No. 08–398. *ALLNUT v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 4th Cir. Certiorari denied. Reported below: 523 F. 3d 406.

No. 08–400. *FREEDMAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 520 F. 3d 136.

No. 08–407. *ROBERTS v. PEAKE, SECRETARY OF VETERANS AFFAIRS*. C. A. 6th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 325.

555 U. S.

November 3, 2008

No. 08–416. LAUERSEN *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 287 Fed. Appx. 115.

No. 08–419. COIL *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 358.

No. 08–422. RYAN *v.* UNITED STATES. C. A. Armed Forces. Certiorari denied. Reported below: 66 M. J. 382.

No. 08–429. ERPENBECK *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 532 F. 3d 423.

No. 08–433. ANDERSON *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 533 F. 3d 623.

No. 08–436. HIGHTOWER *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 646.

No. 08–5025. SALINAS-LUCIO *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 404.

No. 08–5034. DE HORTA-GARCIA *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 519 F. 3d 658.

No. 08–5040. POLINO-MERCEDES *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 873.

No. 08–5044. ESTRADA-OBREGON *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 978.

No. 08–5211. CANTU *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 382.

No. 08–5218. BURGEST *v.* MCAFREE ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 264 Fed. Appx. 850.

No. 08–5262. AVILA *v.* CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, ET AL. C. A. 9th Cir. Certiorari denied.

No. 08–5513. WHITT *v.* WASHINGTON. Ct. App. Wash. Certiorari denied. Reported below: 139 Wash. App. 1082.

November 3, 2008

555 U. S.

No. 08–5534. *BENTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 523 F. 3d 424.

No. 08–5599. *SALINAS-CAMPOS v. UNITED STATES* (Reported below: 278 Fed. Appx. 386); and *RODRIGUEZ-RODRIGUEZ v. UNITED STATES* (282 Fed. Appx. 348). C. A. 5th Cir. Certiorari denied.

No. 08–5924. *CARRASCOSA v. MCGUIRE, SHERIFF, BERGEN COUNTY, NEW JERSEY, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 520 F. 3d 249.

No. 08–5937. *BROWN v. PUGH, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 975.

No. 08–5939. *KNIGHT v. MISSISSIPPI*. Ct. App. Miss. Certiorari denied. Reported below: 983 So. 2d 348.

No. 08–5940. *JACKSON v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–5951. *SPURLOCK v. UTILITY SERVICE EXPRESS, LLC, ET AL.* Sup. Ct. Va. Certiorari denied.

No. 08–5954. *COX v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 08–5955. *OWENS v. MCMASTER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 267.

No. 08–5957. *WHITE v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 984 So. 2d 521.

No. 08–5959. *NELSON v. SCHWARTZ, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 592.

No. 08–5965. *SMITH v. LOOMIS ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–5971. *MARTINEZ v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 218 Ariz. 421, 189 P. 3d 348.

No. 08–5972. *SUNDAY v. CIRCUIT COURT OF ALABAMA, LEE COUNTY, ET AL.* C. A. 11th Cir. Certiorari denied.

555 U. S.

November 3, 2008

No. 08–5975. *WHITE v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 380.

No. 08–5978. *WILLIAMS v. LEONARD*. C. A. 5th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 355.

No. 08–5979. *BARNES v. RICKS ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–5986. *CRAWFORD v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–5989. *PAGE v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 44 Cal. 4th 1, 186 P. 3d 395.

No. 08–5994. *MORGAN v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–5995. *CALDWELL v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–5997. *CONLIN v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–6001. *CLARK v. TEXAS*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 08–6002. *DITTMER v. CORNEJO ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–6003. *DIXON v. THOMPSON, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 08–6004. *NELSON v. FELKER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–6005. *WILLIS v. MOSLEY ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–6007. *RICHMOND v. RENICO, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–6014. *BEARD v. JP MORGAN CHASE BANK NATIONAL ASSN.* C. A. 5th Cir. Certiorari denied.

November 3, 2008

555 U. S.

No. 08–6020. *JONES v. BIRKETT, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–6028. *JOHNSON v. ALMAGER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–6029. *JACOBS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 982 So. 2d 684.

No. 08–6033. *TOLLIVER v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–6039. *BRYANT v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–6042. *BALLAY v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 983 So. 2d 894.

No. 08–6044. *HILL v. NCO PORTFOLIO MANAGEMENT*. Sup. Ct. Ind. Certiorari denied.

No. 08–6047. *JOHNSON v. ATKINSON*. C. A. 9th Cir. Certiorari denied.

No. 08–6048. *KILLINGSWORTH v. WELLS FARGO BANK*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 08–6052. *ROBINSON v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–6053. *ROWAN v. HARRIS, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 836.

No. 08–6060. *OLDHAM v. INDIANA*. Ct. App. Ind. Certiorari denied. Reported below: 884 N. E. 2d 434.

No. 08–6068. *AVALOS v. NIELSEN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 621.

No. 08–6085. *DJAN v. MUKASEY, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied.

No. 08–6086. *RANDOLPH v. TATAROW FAMILY PARTNERS, LTD.* Sup. Ct. Fla. Certiorari denied. Reported below: 989 So. 2d 1185.

555 U. S.

November 3, 2008

No. 08–6089. *WILLIAMS v. MOFFAT*, JUDGE, SUPERIOR COURT OF CALIFORNIA, MADERA COUNTY, ET AL. C. A. 9th Cir. Certiorari denied.

No. 08–6094. *VERDI v. WILKINSON COUNTY, GEORGIA, ET AL.* Sup. Ct. Ga. Certiorari denied.

No. 08–6095. *GRIFFIN v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–6096. *YOUNGBLOOD v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–6102. *LOVE v. CURATORS OF THE UNIVERSITY OF MISSOURI ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 230 Fed. Appx. 639.

No. 08–6106. *SCHILS v. WASHTENAW COUNTY, MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 08–6107. *MESSINA v. WYNDER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–6108. *OLIVER v. CORBETT, ATTORNEY GENERAL OF PENNSYLVANIA*. C. A. 3d Cir. Certiorari denied.

No. 08–6112. *O’NEAL v. MINNESOTA*. Ct. App. Minn. Certiorari denied.

No. 08–6114. *LEE v. PRELESNIK, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–6115. *LOPEZ v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–6118. *DEETER v. ROZUM, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SOMERSET, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–6120. *CRAIG v. ROZUM, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SOMERSET, ET AL.* C. A. 3d Cir. Certiorari denied.

November 3, 2008

555 U. S.

No. 08–6123. *RICKETTS v. MUKASEY, ATTORNEY GENERAL*. C. A. 3d Cir. Certiorari denied.

No. 08–6125. *SHERRATT v. FRIEL, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 763.

No. 08–6127. *TARVIN v. TEXAS BOARD OF CRIMINAL JUSTICE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 358.

No. 08–6128. *FLORES VERA v. TEXAS ET AL.* C. A. 5th Cir. Certiorari denied.

No. 08–6129. *THOMAS v. BAKER, ATTORNEY GENERAL OF GEORGIA*. C. A. 11th Cir. Certiorari denied.

No. 08–6131. *JAMMER v. HARRIS COUNTY, TEXAS*. C. A. 5th Cir. Certiorari denied.

No. 08–6132. *PORTER v. BERGHUIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–6136. *BERNAL v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 706.

No. 08–6139. *HOBLEY v. PLILER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–6146. *BROCKBANK v. COMMODITY FUTURES TRADING COMMISSION*. C. A. 10th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 707.

No. 08–6150. *GARCIA v. TEXAS*. Ct. App. Tex., 1st Dist. Certiorari denied. Reported below: 239 S. W. 3d 862.

No. 08–6151. *JACOBS v. WISCONSIN*. Ct. App. Wis. Certiorari denied.

No. 08–6152. *CLEMENTS v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 314.

No. 08–6154. *CRAMER v. DUNCAN, WARDEN*. C. A. 9th Cir. Certiorari denied.

555 U. S.

November 3, 2008

No. 08–6159. *HICKMON v. MCCOLLUM*, ATTORNEY GENERAL OF FLORIDA. C. A. 11th Cir. Certiorari denied.

No. 08–6160. *GRIFFIN v. ZAVARAS*, EXECUTIVE DIRECTOR, COLORADO DEPARTMENT OF CORRECTIONS, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 538.

No. 08–6170. *MORRISON v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–6172. *BOXLEY v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 596 Pa. 620, 948 A. 2d 742.

No. 08–6182. *SLOAN v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 08–6183. *SPAN v. FLAHERTY ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 271 Fed. Appx. 172.

No. 08–6184. *STANBURY v. MUKASEY*, ATTORNEY GENERAL, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 271 Fed. Appx. 14.

No. 08–6190. *SWEENEY v. INDIANA*. Ct. App. Ind. Certiorari denied. Reported below: 886 N. E. 2d 1.

No. 08–6201. *BREWER v. WISCONSIN BOARD OF BAR EXAMINERS ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 418.

No. 08–6207. *KIDD v. OHIO*. Ct. App. Ohio, Portage County. Certiorari denied. Reported below: 2007-Ohio-6562.

No. 08–6215. *CLAYTON v. ROPER*, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied. Reported below: 515 F. 3d 784.

No. 08–6216. *ELKIMYA v. DEPARTMENT OF HOMELAND SECURITY*. C. A. 2d Cir. Certiorari denied. Reported below: 254 Fed. Appx. 24.

No. 08–6224. *TORJAGBO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 615.

No. 08–6234. *HARPER v. CITY OF HOUSTON, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 351.

November 3, 2008

555 U. S.

No. 08–6244. *DAVIS v. CARLTON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–6250. *MWASI v. CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 08–6252. *SHELL v. HOLLYWOOD HOUSING AUTHORITY ET AL.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 983 So. 2d 1161.

No. 08–6258. *GOULD v. WEST*. C. A. 2d Cir. Certiorari denied.

No. 08–6278. *FULTON v. UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK*. C. A. 2d Cir. Certiorari denied.

No. 08–6311. *ERNST v. NORTH DAKOTA*. Sup. Ct. N. D. Certiorari denied. Reported below: 756 N. W. 2d 344.

No. 08–6315. *HENDRIX v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 527 F. 3d 1149.

No. 08–6316. *GRIFFIN v. PROSPER, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 672.

No. 08–6324. *MANCO v. ROBERTS, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 528 F. 3d 760.

No. 08–6346. *THOMPSON v. AULT, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 08–6361. *HOPKINS v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 981 So. 2d 1205.

No. 08–6370. *TERRY v. HAMRICK, WARDEN*. Sup. Ct. Ga. Certiorari denied. Reported below: 284 Ga. 24, 663 S. E. 2d 256.

No. 08–6390. *LASH v. HOLLIS ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 525 F. 3d 636.

No. 08–6399. *KEARNEY v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 08–6404. *STRICKLAND v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

555 U. S.

November 3, 2008

No. 08–6423. *JONES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 948.

No. 08–6431. *COGGINS v. UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–6468. *WAY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 08–6472. *PAYTON v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 283 Fed. Appx. 795.

No. 08–6476. *SWANSON v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 66 M. J. 493.

No. 08–6482. *MORALES-ALDAHONDO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 524 F. 3d 115.

No. 08–6491. *TAYLOR v. MICHIGAN*. Ct. App. Mich. Certiorari denied. Reported below: 275 Mich. App. 177, 737 N. W. 2d 790.

No. 08–6497. *EDGERTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 287.

No. 08–6501. *DECOLOGERO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 530 F. 3d 36.

No. 08–6505. *MARSHALL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 268.

No. 08–6506. *LOONEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 532 F. 3d 392.

No. 08–6507. *LIZANO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 754.

No. 08–6508. *LUGO-QUINONES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 253.

No. 08–6511. *BARBOZA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–6512. *PRITCHETT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 307.

November 3, 2008

555 U. S.

No. 08–6513. *BARTLETT v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–6514. *YOUNG v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 124.

No. 08–6516. *YOUNG v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 242.

No. 08–6521. *WILLIAMS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–6522. *NORTON v. BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–6524. *BELL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 548.

No. 08–6525. *LEWIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 863.

No. 08–6529. *MAYTUBBY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 749.

No. 08–6530. *RILEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 717.

No. 08–6531. *CLAYTON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 264 Fed. Appx. 707.

No. 08–6532. *MURPHY v. NORTH DAKOTA*. Sup. Ct. N. D. Certiorari denied. Reported below: 756 N. W. 2d 344.

No. 08–6533. *ELDRIDGE v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 08–6535. *WASHINGTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–6542. *MADERA-GOMEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 669.

No. 08–6543. *NICOLI-FUENTES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 671.

No. 08–6545. *SMITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 303.

555 U. S.

November 3, 2008

No. 08–6550. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 532 F. 3d 1125.

No. 08–6551. *PINA-SUAREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 813.

No. 08–6552. *PEREZ-RENDON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 415.

No. 08–6554. *CLARK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 245.

No. 08–6555. *DIGGS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 223.

No. 08–6558. *WALKER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 538.

No. 08–6564. *SAAVEDRA ALVAREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 747.

No. 08–6567. *BESS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–6568. *DIAZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 739.

No. 08–6569. *ZAMORA-SOLORZANO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 528 F. 3d 1247.

No. 08–6573. *CRAWLEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 533 F. 3d 349.

No. 08–6575. *ARACENA-SANCHEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–6576. *SANCHES MONTES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 08–6577. *HOLMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 532 F. 3d 284.

No. 08–6578. *HUNTER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–6583. *O'KEEFE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

November 3, 2008

555 U. S.

No. 08–6584. *ROBINSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 640.

No. 08–6588. *POLLARD v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 463.

No. 08–6590. *LYNCH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 205.

No. 08–6595. *MEANS v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA*. C. A. 11th Cir. Certiorari denied.

No. 08–6596. *WITHERSPOON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 524 F. 3d 549.

No. 08–6599. *WIRSCH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 159.

No. 08–6600. *BOSCH v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 282 Fed. Appx. 928.

No. 08–6601. *O’NELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–6608. *HANSEL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 524 F. 3d 841.

No. 08–6611. *GONZALEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 272 Fed. Appx. 134.

No. 08–6615. *SALAZAR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 414.

No. 08–6617. *RYLEE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 904.

No. 08–6621. *ULLAH v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 282 Fed. Appx. 923.

No. 08–6626. *TUCKER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–6629. *QUINONEZ-MARTINEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 402.

No. 08–6632. *SALMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 531 F. 3d 1007.

555 U. S.

November 3, 2008

No. 08–6633. *SEALED APPELLANT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 526 F. 3d 241.

No. 08–6636. *CRAWFORD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 903.

No. 08–6639. *ROBINSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 484.

No. 08–6643. *CLARK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–6646. *PARKER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 108 Fed. Appx. 676.

No. 08–6653. *LAMONS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 532 F. 3d 1251.

No. 08–6654. *MARTINEZ-GUEVARA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 482.

No. 08–6655. *KENNEY v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–6657. *KING v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–6658. *SANCHEZ-MORPHIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 638.

No. 08–6662. *SANDERS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 283.

No. 08–6669. *BOSWELL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 290 Fed. Appx. 482.

No. 08–6672. *WALLACE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 532 F. 3d 126 and 284 Fed. Appx. 126.

No. 08–6674. *COX v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–6675. *ROLLINGS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 201.

No. 08–6676. *PENA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 196.

November 3, 6, 7, 2008

555 U. S.

No. 08–6678. *BEST v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 301.

No. 08–6679. *BRAVO-ALFRE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–6681. *ADAMSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 591.

No. 08–255. *CAIN, WARDEN v. KOON*. C. A. 5th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 277 Fed. Appx. 381.

No. 08–269. *CSX TRANSPORTATION, INC. v. RIVENBURGH*. C. A. 2d Cir. Motion of Association of American Railroads for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 280 Fed. Appx. 61.

No. 08–5817. *SHARIFI v. ALABAMA*. Ct. Crim. App. Ala. Motion of Government of the Islamic Republic of Iran for leave to file a brief as *amicus curiae* out of time denied. Certiorari denied. Reported below: 993 So. 2d 907.

No. 08–6528. *TINKLENBERG v. UNITED STATES*. C. A. 6th Cir. Certiorari before judgment denied.

Rehearing Denied

No. 07–9997. *WASHINGTON v. JACKSON STATE UNIVERSITY ET AL.*, 553 U. S. 1024. Motion for leave to file petition for rehearing denied.

NOVEMBER 6, 2008

Certiorari Denied

No. 08–7064 (08A397). *TAYLOR v. TEXAS*. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied.

NOVEMBER 7, 2008

Certiorari Granted

No. 08–146. *ARTHUR ANDERSEN LLP ET AL. v. CARLISLE ET AL.* C. A. 6th Cir. Certiorari granted. Reported below: 521 F. 3d 597.

555 U. S.

NOVEMBER 10, 2008

Miscellaneous Orders

No. 08M23. ARNETT *v.* COMMISSIONER OF INTERNAL REVENUE. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 08–5072. IN RE BENNETT. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 809] denied.

No. 08–6261. ROBERTSON *v.* UNITED STATES EX REL. WATSON. Ct. App. D. C. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until December 1, 2008, 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.

No. 08–6748. IN RE COX; and

No. 08–6808. IN RE O'BRYAN. Petitions for writs of habeas corpus denied.

No. 08–6220. IN RE WILLIAMS. Petition for writ of mandamus and/or prohibition denied.

Certiorari Denied

No. 08–31. NUFARM AMERICA'S INC. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 521 F. 3d 1366.

No. 08–37. CHECK INVESTORS, INC., ET AL. *v.* FEDERAL TRADE COMMISSION; and

No. 08–39. HUTCHINS *v.* FEDERAL TRADE COMMISSION. C. A. 3d Cir. Certiorari denied. Reported below: 502 F. 3d 159.

No. 08–77. BARANSKI *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 515 F. 3d 857.

No. 08–165. SINGH *v.* NEW YORK. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 47 App. Div. 3d 733, 849 N. Y. S. 2d 606.

No. 08–177. O'NEILL *v.* COUGHLAN. C. A. 6th Cir. Certiorari denied. Reported below: 511 F. 3d 638.

November 10, 2008

555 U. S.

No. 08–290. UNITED STATES EX REL. FARMER *v.* CITY OF HOUSTON, TEXAS, ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 523 F. 3d 333.

No. 08–292. DAHLQUIST *v.* CITY OF KENT, WASHINGTON, ET AL. Ct. App. Wash. Certiorari denied.

No. 08–297. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL. *v.* HOLLAND. C. A. 3d Cir. Certiorari denied. Reported below: 519 F. 3d 107.

No. 08–302. ANTHONY *v.* QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 08–303. GARVIN *v.* RHODE ISLAND. Sup. Ct. R. I. Certiorari denied. Reported below: 945 A. 2d 821.

No. 08–311. ALTHEIMER *v.* SETON CORP., DBA BAPTIST HOSPITAL. C. A. 6th Cir. Certiorari denied.

No. 08–312. NORDBERG *v.* SOUTH STREET SEAPORT CORP. ET AL. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 43 App. Div. 3d 774, 843 N. Y. S. 2d 20.

No. 08–315. CLARK *v.* NEW YORK CITY TRANSIT AUTHORITY ET AL. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 46 App. Div. 3d 360, 847 N. Y. S. 2d 194.

No. 08–316. UNITED STATES EX REL. BOTT ET AL. *v.* SILICON VALLEY COLLEGES ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 262 Fed. Appx. 810.

No. 08–319. HARENDA ENTERPRISES, INC. *v.* WISCONSIN. Sup. Ct. Wis. Certiorari denied. Reported below: 307 Wis. 2d 604, 746 N. W. 2d 25.

No. 08–320. HAYES *v.* WELLS FARGO BANK, N. A. Ct. App. Tex., 1st Dist. Certiorari denied.

No. 08–321. DUNLEAVY ET AL. *v.* FAR AWAY FARM, LLC, ET AL. Sup. Ct. App. W. Va. Certiorari denied. Reported below: 222 W. Va. 252, 664 S. E. 2d 137.

No. 08–323. ERICSSON, INC., ET AL. *v.* AHUJA. C. A. 4th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 300.

555 U. S.

November 10, 2008

No. 08–324. *CHISOLM v. BOLING ET AL.* Ct. App. Ga. Certiorari denied. Reported below: 289 Ga. App. 757, 658 S. E. 2d 147.

No. 08–325. *MANTA MANAGEMENT CORP. v. CITY OF SAN BERNARDINO, CALIFORNIA.* Sup. Ct. Cal. Certiorari denied. Reported below: 43 Cal. 4th 400, 181 P. 3d 159.

No. 08–330. *NEW YORK LAW PUBLISHING CO. ET AL. v. DOE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 527 F. 3d 358 and 543 F. 3d 178.

No. 08–355. *STRATTON v. BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 988 So. 2d 1103.

No. 08–360. *DELGADO v. CERTIFIED GROCERS MIDWEST, INC.* C. A. 7th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 457.

No. 08–363. *GLOWPRODUCTS.COM v. LITECUBES, LLC, ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 523 F. 3d 1353.

No. 08–379. *CONROY v. NEW YORK.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 53 App. Div. 3d 438, 861 N. Y. S. 2d 46.

No. 08–383. *THOMPSON v. HOWARD BROTHERS INC.* Ct. App. Ga. Certiorari denied. Reported below: 289 Ga. App. 273, 657 S. E. 2d 4.

No. 08–438. *LINGLE v. MITCHELL, SUPERINTENDENT, MOUNTAIN VIEW CORRECTIONAL INSTITUTION.* C. A. 4th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 91.

No. 08–449. *MIDDLEBROOKS v. LEAVITT, SECRETARY OF HEALTH AND HUMAN SERVICES.* C. A. 4th Cir. Certiorari denied. Reported below: 525 F. 3d 341.

No. 08–456. *SISSON v. WILCOX ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 08–459. *MROCH v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 511.

No. 08–476. *GARCIA CISNEROS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

November 10, 2008

555 U. S.

No. 08–5152. *RUNDLE v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 43 Cal. 4th 76, 180 P. 3d 224.

No. 08–5645. *HARRIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 526 F. 3d 1334.

No. 08–5701. *McCRAY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 874.

No. 08–5756. *BOUDREAUX v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 08–6185. *PINERO v. ERCOLE, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 08–6193. *CRAIN v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 08–6199. *BURT v. BERGHUIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–6200. *BRADFORD v. CHAPELLO*. C. A. 6th Cir. Certiorari denied.

No. 08–6204. *HUNT v. WAGNER ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–6208. *JONES v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–6209. *JOHNSON v. FABIAN, COMMISSIONER, MINNESOTA DEPARTMENT OF CORRECTIONS*. C. A. 8th Cir. Certiorari denied.

No. 08–6210. *PEARSON v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 378 Ill. App. 3d 1123, 955 N. E. 2d 185.

No. 08–6213. *McCLURE v. REHG, MAYOR, FLORDELL HILLS, MISSOURI, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 08–6219. *THOMPSON v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

555 U. S.

November 10, 2008

No. 08–6222. *OJEDA v. MCNEIL*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 953.

No. 08–6223. *OSANTOWSKI v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied. Reported below: 481 Mich. 103, 748 N. W. 2d 799.

No. 08–6226. *THOMPSON v. LAFLER*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 08–6227. *McGOWAN v. CANTRELL ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–6228. *ANGULO v. YATES*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 08–6229. *BROWN v. DiGUGLIELMO*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL. C. A. 3d Cir. Certiorari denied.

No. 08–6230. *ARNOLD v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 08–6231. *FULLER v. REISCH*, SECRETARY, SOUTH DAKOTA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 253 Fed. Appx. 612.

No. 08–6232. *EVANS v. ROLLER DERBY SKATE CORP. ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 316 Fed. Appx. 966.

No. 08–6245. *CABRERA v. SCRIBNER*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 08–6246. *WOODS v. LAFLER*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 08–6247. *VINES v. JOHNSON*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 335.

No. 08–6255. *CLARK v. FINN*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 08–6257. *HIDDENS v. LEIBOLD ET AL.* Ct. App. Ohio, Montgomery County. Certiorari denied. Reported below: 2007-Ohio-6688.

November 10, 2008

555 U. S.

No. 08–6272. *SHULER v. CUOMO, ATTORNEY GENERAL OF NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–6282. *SMITH v. CLARK, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 08–6284. *MILLER v. RICCI, ASSOCIATE ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 282 Fed. Appx. 102.

No. 08–6287. *BARCO v. VIRGINIA.* Sup. Ct. Va. Certiorari denied.

No. 08–6302. *THOMAS v. FLORIDA.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

No. 08–6327. *BRUVOLD v. NEW MEXICO.* Dist. Ct. N. M., 2d Jud. Dist. Certiorari denied.

No. 08–6342. *WILLIAMS v. PENNSYLVANIA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 289 Fed. Appx. 483.

No. 08–6359. *CAPSHAW v. KENTUCKY.* Ct. App. Ky. Certiorari denied. Reported below: 253 S. W. 3d 7.

No. 08–6401. *LAITY v. PEAKE, SECRETARY OF VETERANS AFFAIRS.* C. A. Fed. Cir. Certiorari denied. Reported below: 288 Fed. Appx. 693.

No. 08–6412. *TRAHAN v. AYERS, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 476.

No. 08–6417. *OWENS v. EVANS, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 566.

No. 08–6418. *CONLEY v. NEW JERSEY ET AL.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 08–6448. *GOODIE v. CALIFORNIA.* Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 08–6457. *WILLIS v. ILLINOIS.* Sup. Ct. Ill. Certiorari denied.

No. 08–6465. *TOWNSEND v. DINGLE, WARDEN, ET AL.* C. A. 8th Cir. Certiorari denied.

555 U. S.

November 10, 2008

No. 08–6488. *AMBORT v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 714.

No. 08–6498. *FERGUSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–6546. *WHEATON v. WALKER, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 316.

No. 08–6557. *VELASQUEZ v. VIRGINIA*. Sup. Ct. Va. Certiorari denied. Reported below: 276 Va. 326, 661 S. E. 2d 454.

No. 08–6587. *LINDSEY v. ESTEP, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 644.

No. 08–6597. *WRIGHT v. AYERS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 597.

No. 08–6618. *WILSON v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 991 So. 2d 389.

No. 08–6634. *CAIRNS v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 240.

No. 08–6688. *CARTER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–6691. *JOLLEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 758.

No. 08–6692. *JACQUEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 544.

No. 08–6694. *SPENCER v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 530 F. 3d 1003.

No. 08–6695. *ROWLAND v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–6696. *JONES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 530 F. 3d 1292.

No. 08–6700. *DOHERTY-GARCIA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

November 10, 2008

555 U. S.

No. 08–6702. *PIRA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 535 F. 3d 724.

No. 08–6707. *ABOULISSAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–6712. *MERCEDES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 283 Fed. Appx. 862.

No. 08–6713. *URRUTIA-JIMENEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 151.

No. 08–6714. *HUTCHINS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 842.

No. 08–6716. *LEWIS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 284 Fed. Appx. 940.

No. 08–6720. *BERTOLLINI v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 582.

No. 08–6721. *ARAGON-HERNANDEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 567.

No. 08–6723. *HAFED v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 523 F. 3d 680.

No. 08–6729. *GONZALEZ-LAUZAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–6732. *GILMORE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 316.

No. 08–6733. *SPIVEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 240.

No. 08–6738. *ESCAJEDA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 197.

No. 08–6739. *DELACRUZ-ALBARADO, AKA ALBARADO DELACRUZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 176.

No. 08–6741. *PIMENTEL v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 539 F. 3d 26.

No. 08–6742. *MCDANIEL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 562.

555 U. S.

November 10, 2008

No. 08–6743. *PONCE-CRUZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 293 Fed. Appx. 96.

No. 08–6744. *KEITH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 542.

No. 08–6745. *LOPEZ-VIVAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 327.

No. 08–6746. *LIBBETT v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 287 Fed. Appx. 905.

No. 08–6747. *CARMENATE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 544 F. 3d 105.

No. 08–6750. *MURPHY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 528.

No. 08–6753. *BUSTILLOS v. UNITED STATES* (Reported below: 284 Fed. Appx. 195); *CORTEZ-BALLEZA v. UNITED STATES* (284 Fed. Appx. 204); *ORTEGA-AYALA v. UNITED STATES* (284 Fed. Appx. 204); *PULIDO-ZEPEDA, AKA GARCIA v. UNITED STATES* (284 Fed. Appx. 198); *RAMIREZ, AKA RODRIGUEZ v. UNITED STATES* (284 Fed. Appx. 199); *RODRIGUEZ-CORRAL v. UNITED STATES* (284 Fed. Appx. 205); and *VALDEZ-DIAZ v. UNITED STATES* (284 Fed. Appx. 201). C. A. 5th Cir. Certiorari denied.

No. 08–6754. *BORRERO-ACEVEDO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 533 F. 3d 11.

No. 08–6755. *GADDY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 532 F. 3d 783.

No. 08–6758. *FINLEY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–6759. *HARRIS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 531 F. 3d 507.

No. 08–6761. *TINH THANH HOANG v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 133.

No. 08–6762. *HAWKINS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 629.

No. 08–6769. *MOLLICA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 284 Fed. Appx. 990.

November 10, 2008

555 U. S.

No. 08–6771. *OFRA-CAMPOS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 534 F. 3d 1.

No. 08–6784. *LUQMAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 522 F. 3d 613.

No. 08–6787. *LAMPKIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 27.

No. 08–6803. *WASHINGTON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 528 F. 3d 573.

No. 08–6807. *PEOPLES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–6810. *ABIODUN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 536 F. 3d 162.

No. 08–6814. *BRIDESON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–6819. *BLUM v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 534 F. 3d 608.

No. 08–6821. *BAXTER v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 514 F. 3d 1350.

No. 08–6824. *HICKS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 531 F. 3d 49.

No. 08–6826. *COMSTOCK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 531 F. 3d 667.

No. 07–11073. *KELLY v. CALIFORNIA*. Sup. Ct. Cal.; and
No. 07–11425. *ZAMUDIO v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. JUSTICE SOUTER would grant the petition for writ of certiorari in No. 07–11073. Reported below: No. 07–11073, 42 Cal. 4th 763, 171 P. 3d 548; No. 07–11425, 43 Cal. 4th 327, 181 P. 3d 105.

Statement of JUSTICE STEVENS respecting the denial of the petitions for writs of certiorari.

These two capital cases raise questions concerning the admissibility of so-called “victim impact evidence” during the penalty phase of a capital trial. The term is a misnomer in capital cases because the evidence does not describe the impact of the crime

on the victim—his or her death is always an element of the offense itself. Rather, it describes the impact of the victim's death on third parties, usually members of the victim's family.

In the first of these cases, petitioner Douglas Kelly was convicted of murdering 19-year-old Sara Weir. 42 Cal. 4th 763, 171 P. 3d 548 (2007). The prosecution played a 20-minute video consisting of a montage of still photographs and video footage documenting Weir's life from her infancy until shortly before she was killed. The video was narrated by the victim's mother with soft music playing in the background, and it showed scenes of her swimming, horseback riding, and attending school and social functions with her family and friends. The video ended with a view of her grave marker and footage of people riding horseback in Alberta, Canada—the “kind of heaven” in which her mother said she belonged. See *id.*, at 796–797, 171 P. 3d, at 570–571.¹

In the second case, petitioner Samuel Zamudio was convicted of robbing and murdering Elmer and Gladys Benson. 43 Cal. 4th 327, 181 P. 3d 105 (2008). Two of the victims' daughters and two of their grandchildren testified about the effects of the murders on themselves and their families. During one daughter's testimony the prosecution played a video containing 118 photographs of the victims at various stages of their lives, including their childhood and early years of marriage. The photographs showed the couple raising their children, serving in the military, hunting, fishing, vacationing, bowling, celebrating holidays and family events, and attending recognition dinners for Gladys' community service. “The last three photographs in the montage showed, in order, Gladys' grave marker with the inscription readable, Elmer's grave marker with the inscription readable, and both grave markers from a distance, each accompanied by a vase of flowers.” *Id.*, at 363, 181 P. 3d, at 134.

In both cases, the California Supreme Court upheld the admissibility of the videos. The court explained that the video admitted during Kelly's sentencing “expressed no outrage” and contained no “clarion call for vengeance,” but “just implied sadness.” 42 Cal. 4th, at 797, 171 P. 3d, at 571. Similarly, the court held that the video shown during Zamudio's penalty phase proceedings was “not unduly emotional.” 43 Cal. 4th, at 367, 181 P. 3d, at 137.

¹The full video is available online at http://www.supremecourtus.gov/opinions/video/kelly_v_california.html and in Clerk of Court's case file.

Only one dissenting justice expressed any concern that the evidence had the potential to “imbue the proceedings with ‘a legally impermissible level of emotion.’” 42 Cal. 4th, at 803, 171 P. 3d, at 575 (Moreno, J., concurring and dissenting). No member of the court suggested that the evidence shed any light on the character of the offense, the character of the offender, or the defendant’s moral culpability.

I

Victim impact evidence made its first appearance in this Court’s jurisprudence in 1987. *Booth v. Maryland*, 482 U. S. 496 (1987).² In earlier landmark cases, such as *Williams v. New York*, 337 U. S. 241 (1949), and *Lockett v. Ohio*, 438 U. S. 586 (1978), evidence probative of the culpability and character of the offender and the circumstances of the offense had marked the outer limits of the kind of evidence admissible in capital sentencing. Consistent with that precedent, in our first encounter with victim impact evidence, the Court announced a rule that categorically “prohibit[ed] a capital jury from considering victim impact evidence” that “described the personal characteristics of the victims and the emotional impact of the crimes on the family.” *Booth*, 482 U. S., at 501–502. It was the unique character of the death penalty that justified *Booth’s* *per se* rule: The opinion relied on the fact that death is a “‘punishment different from all other sanctions,’” *id.*, at 509, n. 12, and on our earlier admonition that any decision to impose the death sentence must “‘be, and appear to be, based on reason rather than caprice or emotion,’” *id.*, at 508 (quoting *Gardner v. Florida*, 430 U. S. 349, 358 (1977) (opinion of STEVENS, J.)).

² Victim impact evidence is a category unmentioned by Wigmore’s treatise or other classic works on the law of evidence. Its inclusion in both capital and noncapital cases is a phenomenon of recent origin, arising out of the victims’ rights movement of the late 1970’s. See Carrington & Nicholson, *The Victims’ Movement: An Idea Whose Time Has Come*, 11 *Pepperdine L. Rev.* 1, 8 (Symposium 1984) (describing early victories of the victims’ rights movement, including passage of the Omnibus Victim and Witness Protection Act of 1982, 96 Stat. 1248, which mandated the inclusion of victim impact statements in federal presentence reports); MacDonald, *Towards a Bicentennial Revolution in Criminal Justice: The Return of the Victim*, 13 *Am. Crim. L. Rev.* 649, 670 (1975–1976) (describing early “innovative” attempts to integrate victims into the sentencing process).

Throughout the late 1970's and for much of the following decade, the fact that "death is a different kind of punishment from any other that may be imposed in this country," *id.*, at 357, had justified placing limits on its permissible applications, see, *e. g.*, *Godfrey v. Georgia*, 446 U.S. 420, 433 (1980) (plurality opinion), and requiring special procedural protections for the defendant, see *Lockett*, 438 U.S., at 604 (plurality opinion). Our decision in *Booth* flowed naturally from the same principle.

Beginning in the late 1980's, however, changes in the Court's capital jurisprudence began to weaken the procedural and substantive safeguards on which we had earlier insisted. In *Tison v. Arizona*, 481 U.S. 137 (1987), rather than adhere to the rule announced in *Enmund v. Florida*, 458 U.S. 782 (1982), which prohibited death sentences for defendants who neither killed nor intended to kill a victim, a majority of the Court held that felony murder could qualify as a capital offense. Soon thereafter, the Court rejected a challenge to a death sentence based on evidence that a victim's race enhanced the likelihood that a Georgia jury would impose the death penalty. *McCleskey v. Kemp*, 481 U.S. 279 (1987). As Justice Blackmun presciently observed, the fact that "death is different" was fast becoming a justification for applying "a lesser standard of scrutiny" in capital cases. See *id.*, at 347, 348 (dissenting opinion).

Confirming that observation, the Court's 1991 opinion in *Payne v. Tennessee*, 501 U.S. 808, overruled *Booth* in short order, giving prosecutors a powerful new weapon in capital cases. At issue in *Payne* was the admission of penalty phase testimony by the mother of a deceased victim. The woman testified about the effect of the crime on her surviving grandson, who had witnessed the murder of his mother and baby sister and had himself nearly been killed by the same attack. Her testimony powerfully conveyed her grandson's suffering, but "she[d] no light on the defendant's guilt or moral culpability." 501 U.S., at 856 (STEVENS, J., dissenting). By its very poignancy, the testimony "encourage[d] jurors to decide in favor of death rather than life on the basis of their emotions rather than their reason." *Ibid.* Yet, despite the inherent danger posed by such testimony, the Court rejected *Booth's* *per se* rule barring the admissibility of victim impact evidence in capital proceedings. Declaring such evidence to be

“simply another form or method of informing the sentencing authority about the specific harm caused by the crime in question,” 501 U. S., at 825, the Court held that prosecutors should be permitted to present evidence “offering a quick glimpse of the life which [the] defendant chose to extinguish” and “demonstrating the loss to the victim’s family and to society . . . result[ing] from the defendant’s homicide,” *id.*, at 822 (internal quotation marks omitted).

Given *Payne*’s sharp retreat from prior precedent, it is surprising that neither the opinion of the Court nor any of the concurring opinions made a serious attempt to define or otherwise constrain the category of admissible victim impact evidence. Instead, the Court merely gestured toward a standard, noting that, “[i]n the event that evidence is introduced that is so unduly prejudicial that it renders the trial fundamentally unfair, the Due Process Clause of the Fourteenth Amendment provides a mechanism for relief.” *Id.*, at 825. That statement represents the beginning and end of the guidance we have given to lower courts considering the admissibility of victim impact evidence in the first instance.

II

In the years since *Payne* was decided, this Court has left state and federal courts unguided in their efforts to police the hazy boundaries between permissible victim impact evidence and its impermissible, “unduly prejudicial” forms. Following *Payne*’s model, lower courts throughout the country have largely failed to place clear limits on the scope, quantity, or kind of victim impact evidence capital juries are permitted to consider. See generally Logan, Through the Past Darkly: A Survey of the Uses and Abuses of Victim Impact Evidence in Capital Trials, 41 Ariz. L. Rev. 143 (1999). Not only have courts allowed capital sentencing juries to hear brief oral or written testimony from close family members regarding victims and the direct impact of their deaths; they have also allowed testimony from friends, neighbors, and co-workers in the form of poems, photographs, hand-crafted items, and—as occurred in these cases—multimedia video presentations. See Blume, Ten Years of *Payne*: Victim Impact Evidence in Capital Cases, 88 Cornell L. Rev. 257, 271–272 (2003) (collecting cases).

Victim impact evidence is powerful in any form.³ But in each of these cases, the evidence was especially prejudicial. Although the video shown to each jury was emotionally evocative, it was not probative of the culpability or character of the offender or the circumstances of the offense. Nor was the evidence particularly probative of the impact of the crimes on the victims' family members: The pictures and video footage shown to the juries portrayed events that occurred long before the respective crimes were committed and that bore no direct relation to the effect of crime on the victims' family members.

Equally troubling is the form in which the evidence was presented. As these cases demonstrate, when victim impact evidence is enhanced with music, photographs, or video footage, the risk of unfair prejudice quickly becomes overwhelming. While the video tributes at issue in these cases contained moving portrayals of the lives of the victims, their primary, if not sole, effect was to rouse jurors' sympathy for the victims and increase jurors' antipathy for the capital defendants. The videos added nothing relevant to the jury's deliberations and invited a verdict based on sentiment, rather than reasoned judgment.

I remain convinced that the views expressed in my dissent in *Payne* are sound, and that the *per se* rule announced in *Booth* is both wiser and more faithful to the rule of law than the untethered jurisprudence that has emerged over the past two decades. Yet even under the rule announced in *Payne*, the prosecution's ability to admit such powerful and prejudicial evidence is not boundless.

These videos are a far cry from the written victim impact evidence at issue in *Booth* and the brief oral testimony condoned in *Payne*. In their form, length, and scope, they vastly exceed the

³ As one Federal District Judge put it, "I cannot help but wonder if *Payne* . . . would have been decided in the same way if the Supreme Court Justices in the majority had ever sat as trial judges in a federal death penalty case and had observed first hand, rather than through review of a cold record, the unsurpassed emotional power of victim impact testimony on a jury. It has now been over four months since I heard this testimony [in a codefendant's case] and the juror's sobbing during the victim impact testimony still rings in my ears. This is true even though the federal prosecutors in [the case] used admirable restraint in terms of the scope, amount, and length of victim impact testimony." *United States v. Johnson*, 362 F. Supp. 2d 1043, 1107 (ND Iowa 2005).

“quick glimpse” the Court’s majority contemplated when it overruled *Booth* in 1991. At the very least, the petitions now before us invite the Court to apply the standard announced in *Payne*, and to provide the lower courts with long-overdue guidance on the scope of admissible victim impact evidence. Having decided to tolerate the introduction of evidence that puts a heavy thumb on the prosecutor’s side of the scale in death cases, the Court has a duty to consider what reasonable limits should be placed on its use.

JUSTICE BREYER, dissenting.

I would grant certiorari in these cases for many of the reasons set forth in JUSTICE STEVENS’ separate statement. In *Payne v. Tennessee*, 501 U.S. 808 (1991), the Court held that “if a State decides to permit consideration of” victim impact “evidence, ‘the Eighth Amendment erects no *per se* bar.’” *Id.*, at 831 (O’Connor, J., concurring). But three of the six *Payne*-majority Justices, after so characterizing the Court’s holding, added that “[i]f, in a particular case, a witness’ testimony or a prosecutor’s remark so infects the sentencing proceeding as to render it fundamentally unfair, the defendant may seek appropriate relief under the Due Process Clause of the Fourteenth Amendment.” *Ibid.*

The question here is whether admission at a death penalty proceeding of a particular film about the victim’s life goes beyond due process bounds. I would concede that the film at issue in No. 07–11073 will help the jury understand “the full extent of the harm caused by the crime, including its impact on the victim’s family and community.” *Id.*, at 830. It will help “remind the jury that the person whose life was taken was a unique human being.” *Id.*, at 831. And it will give the jury, at the least, “‘a quick glimpse of the life’” the defendant “‘chose to extinguish.’” *Id.*, at 830. The film, in my view, is poignant, tasteful, artistic, and, above all, moving.

On the other hand, the film’s personal, emotional, and artistic attributes themselves create the legal problem. They render the film’s purely emotional impact strong, perhaps unusually so. That emotional impact is driven in part by the music, the mother’s voiceover, and the use of scenes without victim or family (for example, the film concludes with a clip of wild horses running free). Those aspects of the film tell the jury little or nothing

555 U. S.

November 10, 2008

about the crime’s “circumstances,” *People v. Robinson*, 37 Cal. 4th 592, 650, 124 P. 3d 363, 402 (2005) (permitting the introduction of penalty-phase victim impact evidence as a “circumstance of the crime” under Cal. Penal Code Ann. § 190.3 factor (a) (West 2008)), but nonetheless produce a powerful purely emotional impact. It is this minimal probity coupled with the video’s *purely emotional* impact that may call due process protections into play.

This Court has made clear that “any decision to impose the death sentence” must “be, and appear to be, based on reason rather than caprice or emotion.” *Gardner v. Florida*, 430 U.S. 349, 358 (1977) (plurality opinion). A review of the film itself, http://www.supremecourtus.gov/opinions/video/kelly_v_california.html, along with the sources to which JUSTICE STEVENS refers, makes clear that the due process problem of disproportionately powerful emotion is a serious one. Cf. *United States v. Johnson*, 362 F. Supp. 2d 1043, 1107 (ND Iowa 2005) (describing “juror’s sobbing” that “still rings” in judge’s “ears”). I understand the difficulty of drawing a line between what is, and is not, constitutionally admissible in this area. But examples can help elucidate constitutional guidelines. And in my view, the Court should grant certiorari and consider these cases in an effort to do so.

Rehearing Denied

No. 07–10118. SMITH *v.* MICHIGAN ET AL., 553 U.S. 1081;

No. 07–11205. CANNEL *v.* UNITED STATES, *ante*, p. 854;

No. 07–11405. MORCOS *v.* MORCOS, *ante*, p. 867;

No. 07–11444. BUCK *v.* DEUTSCHE BANK NATIONAL TRUST CO., TRUSTEE FOR LONG BEACH MORTGAGE LOAN TRUST 2003–2, ET AL., *ante*, p. 869;

No. 07–11451. SCHRADER *v.* ALLEN, *ante*, p. 869;

No. 07–11481. RICHARD *v.* DIGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL., *ante*, p. 871;

No. 08–5190. HAQUE *v.* FRY’S ELECTRONICS, INC., *ante*, p. 900;

No. 08–5291. MCKINNEDY *v.* NEWELL, *ante*, p. 906;

No. 08–5420. WHITMILL *v.* QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 914; and

November 10, 12, 14, 17, 2008

555 U. S.

No. 08–5528. *WOODBERRY v. UNITED STATES*, *ante*, p. 920. Petitions for rehearing denied.

No. 08–5205. *IN RE WOERTH*, *ante*, p. 810. Petition for rehearing denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

NOVEMBER 12, 2008

Dismissal Under Rule 46

No. 08–301. *DCFS TRUST v. JONES*. Ct. App. N. Y. Certiorari dismissed under this Court's Rule 46.1. Reported below: 10 N. Y. 3d 550, 890 N. E. 2d 884.

NOVEMBER 14, 2008

Dismissal Under Rule 46

No. 08–168. *BORDIER ET CIE ET AL. v. LASALA ET AL.* C. A. 3d Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 519 F. 3d 121.

Probable Jurisdiction Noted

No. 08–205. *CITIZENS UNITED v. FEDERAL ELECTION COMMISSION*. Appeal from D. C. D. C. Probable jurisdiction noted.

Certiorari Granted

No. 08–22. *CAPERTON ET AL. v. A. T. MASSEY COAL CO., INC., ET AL.* Sup. Ct. App. W. Va. Certiorari granted. Reported below: 223 W. Va. 624, 679 S. E. 2d 223.

No. 08–67. *YEAGER v. UNITED STATES*. C. A. 5th Cir. Certiorari granted. Reported below: 521 F. 3d 367.

No. 08–192. *ABUELHAWA v. UNITED STATES*. C. A. 4th Cir. Certiorari granted. Reported below: 523 F. 3d 415.

No. 08–5274. *DEAN v. UNITED STATES*. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 517 F. 3d 1224.

NOVEMBER 17, 2008

Certiorari Granted—Vacated and Remanded

No. 07–11550. *HUNTER v. UNITED STATES*. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis*

555 U. S.

November 17, 2008

granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Begay v. United States*, 553 U. S. 137 (2008).

Certiorari Dismissed

No. 08–6253. *ROLLE v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari before judgment dismissed. See this Court’s Rule 39.8.

No. 08–6347. *BASKETT v. UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT*. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–6383. *FERQUERON v. MICHIGAN*. Ct. App. Mich. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–6728. *GUILLORY v. BUSH, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. D. C. Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

Miscellaneous Orders

No. 08A347. *SCHULZ v. UNITED STATES FEDERAL RESERVE SYSTEM ET AL.* C. A. 2d Cir. Application for injunction, addressed to JUSTICE SCALIA and referred to the Court, denied.

No. 08M24. *MICHAU v. CANNON, SHERIFF, CHARLESTON COUNTY, SOUTH CAROLINA, ET AL.* Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 105, Orig. *KANSAS v. COLORADO*. Motion of Kansas for leave to file a surreply denied. [For earlier order herein, see, *e. g.*, 553 U. S. 1092.]

No. 07–512. *PACIFIC BELL TELEPHONE CO., DBA AT&T CALIFORNIA, ET AL. v. LINKLINE COMMUNICATIONS, INC., ET AL.* C. A. 9th Cir. [Certiorari granted, 554 U. S. 916.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. Motion of American Antitrust Institute for leave to participate in oral argument as *amicus curiae* and for divided argument granted, and time is

November 17, 2008

555 U. S.

to be divided as follows: 15 minutes for respondents and 15 minutes for *amicus curiae* American Antitrust Institute.

No. 07-543. *AT&T CORP. v. HULTEEN ET AL.* C. A. 9th Cir. [Certiorari granted, 554 U.S. 916.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 07-1015. *ASHCROFT, FORMER ATTORNEY GENERAL, ET AL. v. IQBAL ET AL.* C. A. 2d Cir. [Certiorari granted, 554 U.S. 902.] Motion of Ibrahim Turkman et al. for leave to file a brief as *amici curiae* granted.

No. 07-1356. *KANSAS v. VENTRIS.* Sup. Ct. Kan. [Certiorari granted, 554 U.S. 944.] Motion of respondent for appointment of counsel granted. Matthew J. Edge, Esq., of Topeka, Kan., is appointed to serve as counsel for respondent in this case.

No. 07-9712. *PUCKETT v. UNITED STATES.* C. A. 5th Cir. [Certiorari granted, 554 U.S. 945.] Motion of petitioner for appointment of counsel granted. Lars Robert Isaacson, Esq., of Lewisville, Tex., is appointed to serve as counsel for petitioner in this case.

No. 07-11368. *PEABODY v. UNITED STATES ET AL.* C. A. 9th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 803] denied.

No. 08-5329. *BROWN v. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 804] denied.

No. 08-6913. *IN RE CHERY*; and

No. 08-6932. *IN RE SINQUEFIELD.* Petitions for writs of habeas corpus denied.

No. 08-5935. *IN RE WOLF*;

No. 08-6293. *IN RE GHEE*; and

No. 08-6329. *IN RE COX.* Petitions for writs of mandamus and/or prohibition denied.

No. 08-339. *IN RE RODRIGUEZ.* Petition for writ of mandamus and/or prohibition denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

555 U. S.

November 17, 2008

Certiorari Denied

No. 07-11386. ABIDAUD *v.* MUKASEY, ATTORNEY GENERAL. C. A. 1st Cir. Certiorari denied. Reported below: 246 Fed. Appx. 2.

No. 08-21. AGRI PROCESSOR CO., INC. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. D. C. Cir. Certiorari denied. Reported below: 514 F. 3d 1.

No. 08-38. MOLSKI ET AL. *v.* EVERGREEN DYNASTY CORP., DBA MANDARIN TOUCH RESTAURANT. C. A. 9th Cir. Certiorari denied. Reported below: 500 F. 3d 1047.

No. 08-58. SHELBY *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 521 F. 3d 367.

No. 08-68. HENRY *v.* MUKASEY, ATTORNEY GENERAL. C. A. 2d Cir. Certiorari denied. Reported below: 264 Fed. Appx. 62.

No. 08-71. SAINTHA *v.* MUKASEY, ATTORNEY GENERAL. C. A. 4th Cir. Certiorari denied. Reported below: 516 F. 3d 243.

No. 08-82. IMS ENGINEERS-ARCHITECTS, P. C. *v.* GEREN, SECRETARY OF THE ARMY. C. A. Fed. Cir. Certiorari denied. Reported below: 274 Fed. Appx. 898.

No. 08-151. OHIO *v.* CITIZENS FOR TAX REFORM ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 518 F. 3d 375.

No. 08-195. ORANGE COUNTY, CALIFORNIA *v.* PIERCE ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 526 F. 3d 1190.

No. 08-333. ARNOLD ET AL. *v.* BANK OF AMERICA, N. A., ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 530 F. 3d 669.

No. 08-340. DOE, INDIVIDUALLY AND AS NEXT FRIEND OF DOE, A MINOR *v.* MYSPACE, INC., ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 528 F. 3d 413.

No. 08-341. ENGEL *v.* MONTANA SUPREME COURT COMMISSION ON PRACTICE ET AL. Sup. Ct. Mont. Certiorari denied. Reported below: 344 Mont. 219, 194 P. 3d 613.

November 17, 2008

555 U. S.

No. 08–347. *SCHLAGEL ET UX. v. FROHLICH, JUDGE, CIRCUIT COURT OF KENTUCKY, BOONE COUNTY, ET AL.* Sup. Ct. Ky. Certiorari denied.

No. 08–361. *CAMPION v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 530 F. 3d 899.

No. 08–377. *TRENCHFIELD v. MUKASEY, ATTORNEY GENERAL.* C. A. 3d Cir. Certiorari denied.

No. 08–386. *WILLI ET AL. v. AMERICAN AIRLINES, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 126.

No. 08–414. *CENTURYTEL, INC. v. BEATTIE ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 511 F. 3d 554.

No. 08–420. *ESTRELLA v. NEW YORK.* App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 48 App. Div. 3d 1283, 851 N. Y. S. 2d 793.

No. 08–494. *STOLLER v. PURE FISHING, INC., ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 528 F. 3d 478.

No. 08–508. *RYAN v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 479.

No. 08–527. *HIGGS ET AL. v. SUPERIOR COURT OF MASSACHUSETTS, PLYMOUTH COUNTY, ET AL.* C. A. 1st Cir. Certiorari denied.

No. 08–5082. *HAMLETT v. BRAXTON, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 263 Fed. Appx. 395.

No. 08–5136. *JACKSON v. WASHINGTON.* Ct. App. Wash. Certiorari denied. Reported below: 138 Wash. App. 1023.

No. 08–5444. *PATRICK v. VIRGINIA.* Sup. Ct. Va. Certiorari denied.

No. 08–5487. *HESTER v. WEST VIRGINIA.* Sup. Ct. App. W. Va. Certiorari denied.

No. 08–5488. *GANTT v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 978 So. 2d 159.

No. 08–5512. *TROUT v. VIRGINIA.* Sup. Ct. Va. Certiorari denied.

555 U. S.

November 17, 2008

No. 08–5522. *SIMMONS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 411.

No. 08–5678. *DOUGLAS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 525 F. 3d 225.

No. 08–5716. *IRICK v. BELL, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–5766. *HOLLAND v. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 519 F. 3d 107.

No. 08–5768. *FIELDS v. BLEIMAN*. C. A. 3d Cir. Certiorari denied. Reported below: 267 Fed. Appx. 144.

No. 08–5786. *YEAZEL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–5788. *VILLARREAL-OROZCO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 382.

No. 08–5921. *TRAWICK v. ALLEN, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 520 F. 3d 1264.

No. 08–6070. *GREEN v. KANSAS*. Ct. App. Kan. Certiorari denied. Reported below: 38 Kan. App. 2d 781, 172 P. 3d 1213.

No. 08–6256. *GARZA v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–6268. *HURTADO v. KIRKLAND, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 724.

No. 08–6269. *ANDERSON v. MICHIGAN DEPARTMENT OF CORRECTIONS*. Sup. Ct. Mich. Certiorari denied.

No. 08–6273. *RODRIGUEZ v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 08–6276. *ROBINSON v. JONES ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–6283. *TAYLOR v. CITY OF LAKE WORTH, FLORIDA, ET AL.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 964 So. 2d 243.

November 17, 2008

555 U. S.

No. 08–6289. *LAMON v. HUIBREGTSE, WARDEN*. Sup. Ct. Wis. Certiorari denied.

No. 08–6299. *CROSBY v. CLARKE, COMMISSIONER, MASSACHUSETTS DEPARTMENT OF CORRECTION, ET AL.* App. Ct. Mass. Certiorari denied. Reported below: 71 Mass. App. 1122, 885 N. E. 2d 174.

No. 08–6308. *TIVIS v. BEECROFT ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 88.

No. 08–6312. *BLANCO v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 19.

No. 08–6313. *BLAKE O. v. PAUL H. ET UX.* Ct. App. Ind. Certiorari denied. Reported below: 878 N. E. 2d 900.

No. 08–6314. *EDWARDS v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 08–6318. *STARNES v. OHIO*. Ct. App. Ohio, Coshocton County. Certiorari denied.

No. 08–6326. *ADAM v. YAMAMOTO ET AL.* Int. Ct. App. Haw. Certiorari denied. Reported below: 117 Haw. App. 173, 177 P. 3d 361.

No. 08–6328. *ALDER v. CARUSO, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–6331. *NORTON v. TENNESSEE ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–6334. *SHERMAN v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–6335. *MCCRAY v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–6336. *PERRY v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–6337. *CASON v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 105.

555 U. S.

November 17, 2008

No. 08–6338. *JEFFERSON v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 158 Cal. App. 4th 830, 70 Cal. Rptr. 3d 451.

No. 08–6350. *BELL v. TAYLOR ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 117.

No. 08–6351. *BRIDGEFORTH v. OKLAHOMA ET AL.* Ct. Crim. App. Okla. Certiorari denied.

No. 08–6352. *BROWNLOW v. KANE, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 695.

No. 08–6355. *DODD v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–6356. *COLE v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–6357. *CAIN v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–6367. *MACK v. JONES, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–6368. *RODRIGUEZ v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–6369. *STEWART v. STALDER, SECRETARY, LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS*. C. A. 5th Cir. Certiorari denied.

No. 08–6371. *SIMEON v. TEXAS*. Ct. App. Tex., 1st Dist. Certiorari denied.

No. 08–6372. *PEYTON v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied. Reported below: 253 S. W. 3d 504.

No. 08–6374. *TALWAR v. CATHOLIC HEALTHCARE PARTNERS ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 258 Fed. Appx. 800.

No. 08–6375. *TAYLOR ET AL. v. O'NEIL ET AL.* Ct. App. Ky. Certiorari denied.

November 17, 2008

555 U. S.

No. 08–6378. *DORISS v. CITY OF NEW HAVEN, CONNECTICUT, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 276 Fed. Appx. 36.

No. 08–6379. *COBB v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 08–6380. *OUSLEY v. MISSISSIPPI.* Sup. Ct. Miss. Certiorari denied. Reported below: 984 So. 2d 985.

No. 08–6381. *LYNCH v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 08–6384. *HUGHES v. MINNESOTA.* Sup. Ct. Minn. Certiorari denied. Reported below: 749 N. W. 2d 307.

No. 08–6385. *HOLT v. ALABAMA.* Ct. Crim. App. Ala. Certiorari denied.

No. 08–6398. *CAREY v. FREE, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 875.

No. 08–6424. *ADEYEMI v. DISTRICT OF COLUMBIA.* C. A. D. C. Cir. Certiorari denied. Reported below: 525 F. 3d 1222.

No. 08–6435. *WERE v. OHIO.* Sup. Ct. Ohio. Certiorari denied. Reported below: 118 Ohio St. 3d 448, 890 N. E. 2d 263.

No. 08–6439. *MCGOWAN v. TENNESSEE.* Ct. Crim. App. Tenn. Certiorari denied.

No. 08–6441. *GHARBI v. BLAKEWAY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 109.

No. 08–6492. *SCHREIBER v. IOWA.* Ct. App. Iowa. Certiorari denied. Reported below: 753 N. W. 2d 18.

No. 08–6502. *CANO v. BEXAR COUNTY, TEXAS.* C. A. 5th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 404.

No. 08–6527. *WOODEL v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 985 So. 2d 524.

No. 08–6538. *RICHARDSON v. TENNESSEE.* Sup. Ct. Tenn. Certiorari denied. Reported below: 251 S. W. 3d 438.

555 U. S.

November 17, 2008

No. 08–6562. *SNEED v. MCNEIL*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 984 So. 2d 1253.

No. 08–6566. *BUTTS v. SHEETS*, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 354.

No. 08–6677. *DOSS v. WISCONSIN*. Sup. Ct. Wis. Certiorari denied. Reported below: 312 Wis. 2d 570, 754 N. W. 2d 150.

No. 08–6774. *YUZARY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–6775. *CANANIA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 532 F. 3d 764.

No. 08–6778. *SANDERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 271.

No. 08–6779. *SAWAF v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–6781. *REDMOND v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 525 F. 3d 583.

No. 08–6782. *WHITEHILL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 532 F. 3d 746.

No. 08–6785. *HARRISON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 75.

No. 08–6791. *PABELLON v. UNITED STATES PENITENTIARY AT MCCREARY ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–6792. *BARRAGAN v. UNITED STATES*;

No. 08–6818. *ACOSTA v. UNITED STATES*; and

No. 08–6846. *ZAMORA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 534 F. 3d 574.

No. 08–6796. *WOOD v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 295 Fed. Appx. 536.

No. 08–6799. *SMITH v. CLERK OF THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSEE ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 280 Fed. Appx. 1.

November 17, 2008

555 U. S.

No. 08–6801. *SPEAGLE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 90.

No. 08–6802. *ZAVALA v. UNITED STATES*; and
No. 08–6829. *ZAVALA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 170.

No. 08–6805. *SIMPSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–6806. *SETTLE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–6809. *WILLIAMS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 284.

No. 08–6830. *KOWAL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 527 F. 3d 741.

No. 08–6834. *HOLTZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 548.

No. 08–6839. *PHINAZEE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 515 F. 3d 511.

No. 08–6841. *NATION v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–6844. *PATEL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–6847. *GILBERT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 383.

No. 08–6848. *GRAY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 283.

No. 08–6850. *CARLTON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 534 F. 3d 97.

No. 08–6851. *DOWLING v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–6853. *GEORGE v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 532 F. 3d 933.

No. 08–6855. *MUNOZ-HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 156.

555 U. S.

November 17, 2008

No. 08–6859. SALEHI, AKA LATIF *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 288 Fed. Appx. 41.

No. 08–6860. SALLIS *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 457.

No. 08–6862. NEWTON *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied.

No. 08–6864. MARTINEZ *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 08–6866. MARTINEZ *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 80.

No. 08–6869. DECOLOGERO *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 530 F. 3d 36.

No. 08–6871. EGIPCIACO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 287 Fed. Appx. 119.

No. 08–6874. AVILES-COLON *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 536 F. 3d 1.

No. 08–6876. HENRY *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 08–6877. T. K. N. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 388.

No. 08–6882. GARCIA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 14.

No. 08–6886. DAVIS *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 289 Fed. Appx. 436.

No. 08–6887. CAESAR *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 314 Fed. Appx. 331.

No. 08–6888. YOUNG *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 527 F. 3d 1274.

No. 08–6889. ABRAHAMSON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 480.

No. 08–6893. BRYANT *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 296 Fed. Appx. 115.

November 17, 18, 2008

555 U. S.

No. 08–204. *MARTIN v. HOWARD UNIVERSITY ET AL.* C. A. D. C. Cir. Motion of National Organization for Women et al. for leave to file a brief as *amici curiae* out of time denied. Certiorari denied. Reported below: 275 Fed. Appx. 2.

No. 08–309. *ATTEBURY, CHIEF OPERATING OFFICER, NORTHWEST MISSOURI PSYCHIATRIC REHABILITATION CENTER v. REV-ELS.* C. A. 8th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 519 F. 3d 734.

No. 08–399. *CAMPBELL v. LOUISIANA.* Sup. Ct. La. Motion of Academics for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 983 So. 2d 810.

No. 08–440. *BODKIN ET AL. v. COOK INLET REGION, INC.* Sup. Ct. Alaska. Motions of Douglas M. Branson, William D. English, and John Havelock for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 182 P. 3d 1072.

Rehearing Denied

No. 07–10664. *MCKINNEDY v. MCMASTER, ATTORNEY GENERAL OF SOUTH CAROLINA,* *ante*, p. 834;

No. 07–10789. *IN RE ZARWELL,* *ante*, p. 810;

No. 07–11148. *CRAWFORD v. TEXAS* (two judgments), *ante*, p. 851;

No. 07–11581. *BAFFORD v. TOWNSHIP APARTMENTS ASSN., LTD., ET AL.,* *ante*, p. 877;

No. 07–11627. *DAVIS v. NEW JERSEY,* *ante*, p. 880;

No. 08–5068. *JACKSON v. CAROLINAS HEALTHCARE SYSTEM ET AL.,* *ante*, p. 893;

No. 08–5233. *MARQUARDT v. VANRYBROEK,* *ante*, p. 903;

No. 08–5634. *BUI PHU XUAN v. FORT WORTH STAR TELEGRAM,* *ante*, p. 925; and

No. 08–5680. *CARGILL v. UNITED STATES,* *ante*, p. 926.

NOVEMBER 18, 2008

Dismissal Under Rule 46

No. 08–6650. *WOOTEN v. HOREL, WARDEN.* C. A. 9th Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 540 F. 3d 1019.

555 U. S.

November 18, 20, 21, 24, 25, 2008

Miscellaneous Order

No. 08A440. BEY *v.* BAGLEY, WARDEN. C. A. 10th Cir. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application.

NOVEMBER 20, 2008

Certiorari Denied

No. 08–7128 (08A428). HUDSON *v.* QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE GINSBURG would grant the application for stay of execution. THE CHIEF JUSTICE took no part in the consideration or decision of this application. Reported below: 273 Fed. Appx. 331.

NOVEMBER 21, 2008

Miscellaneous Order

No. 08A458. GRIFFITH *v.* KENTUCKY DEPARTMENT OF CORRECTIONS ET AL. Sup. Ct. Ky. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application.

NOVEMBER 24, 2008

Dismissals Under Rule 46

No. 08–219. NISOURCE, INC., ET AL. *v.* GOFF, EXECUTRIX OF THE ESTATE OF TAWNEY, ET AL. Sup. Ct. App. W. Va. Certiorari dismissed under this Court's Rule 46.1.

No. 08–229. NISOURCE, INC., ET AL. *v.* GOFF, EXECUTRIX OF THE ESTATE OF TAWNEY, ET AL. Cir. Ct. Roane County, W. Va. Certiorari dismissed under this Court's Rule 46.1.

NOVEMBER 25, 2008

Certiorari Granted

No. 08–267. UNITED STATES *v.* DENEDO. C. A. Armed Forces. Certiorari granted. Reported below: 66 M. J. 114.

November 25, December 1, 2008

555 U. S.

No. 08–681 (08A413). *NKEN v. MUKASEY*, ATTORNEY GENERAL. C. A. 4th Cir. Application for stay, presented to THE CHIEF JUSTICE, and by him referred to the Court, granted, and it is ordered that removal of petitioner is hereby stayed pending further order of the Court. In addition, the application for stay is treated as a petition for writ of certiorari, and certiorari is granted limited to the following question: “Whether the decision of a Court of Appeals to stay an alien’s removal pending consideration of the alien’s petition for review is governed by the standard set forth in § 242(f)(2) of the Immigration and Nationality Act of 1952, 8 U.S.C. § 1252(f)(2), or instead by the traditional test for stays and preliminary injunctive relief.”

Petitioner’s brief is to be filed with the Clerk and served upon opposing counsel on or before 2 p.m., Friday, December 19, 2008. Respondent’s brief is to be filed with the Clerk and served upon opposing counsel on or before 2 p.m., Wednesday, January 7, 2009. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 2 p.m., Wednesday, January 14, 2009.

DECEMBER 1, 2008

Certiorari Dismissed

No. 08–6446. *HOBLEY v. WACHOVIA CORP.* C. A. D. C. Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 275 Fed. Appx. 16.

Miscellaneous Orders

No. 08M25. *TAYLOR v. UNITED STATES*;
No. 08M27. *RINGGOLD v. LOCKHART*;
No. 08M28. *ADEJUMABI v. NATIONAL SECURITY AGENCY*;
No. 08M29. *C. PYRAMID ENTERPRISES ET AL. v. E&H STEEL CORP.*; and
No. 08M30. *DILWORTH v. CONTINENTAL CONSTRUCTION CO. INC.* Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 08M26. *TURNER v. UNITED STATES*; and
No. 08M31. *BANKS v. UNITED STATES*. Motions for leave to file petitions for writs of certiorari under seal with redacted copies for the public record granted.

555 U. S.

December 1, 2008

No. 07–615. MINISTRY OF DEFENSE AND SUPPORT FOR THE ARMED FORCES OF THE ISLAMIC REPUBLIC OF IRAN *v.* ELAHI. C. A. 9th Cir. [Certiorari granted, 554 U. S. 916.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 07–984. COEUR ALASKA, INC. *v.* SOUTHEAST ALASKA CONSERVATION COUNCIL ET AL.; and

No. 07–990. ALASKA *v.* SOUTHEAST ALASKA CONSERVATION COUNCIL ET AL. C. A. 9th Cir. [Certiorari granted, 554 U. S. 931.] Motion of the Solicitor General for divided argument granted.

No. 07–1437. CARLSBAD TECHNOLOGY, INC. *v.* HIF BIO, INC., ET AL. C. A. Fed. Cir. [Certiorari granted, *ante*, p. 943.] Motion of petitioner to dispense with printing the joint appendix granted.

No. 07–11004. CURIALE *v.* CASANOVAS ET AL. C. A. 9th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 802] denied.

No. 07–11411. MOBASHER *v.* BRONX COMMUNITY COLLEGE OF THE CITY UNIVERSITY OF NEW YORK ET AL. C. A. 2d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 808] denied.

No. 08–240. MAC’S SHELL SERVICE INC. ET AL. *v.* SHELL OIL PRODUCTS CO. LLC ET AL.; and

No. 08–372. SHELL OIL PRODUCTS CO. LLC ET AL. *v.* MAC’S SHELL SERVICE INC. ET AL. C. A. 1st Cir. The Solicitor General is invited to file a brief in these cases expressing the views of the United States.

No. 08–5170. BARRITT *v.* TRANT. C. A. D. C. Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 803] denied.

No. 08–5442. CURIALE *v.* POTTER, POSTMASTER GENERAL (two judgments). C. A. 9th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 804] denied.

No. 08–6045. XIANGYUAN ZHU *v.* ST. FRANCIS HEALTH CENTER ET AL. C. A. 10th Cir. Motion of petitioner for reconsidera-

December 1, 2008

555 U. S.

tion of order denying leave to proceed *in forma pauperis* [*ante*, p. 940] denied.

No. 08–6360. *IN RE DRABOVSKIY*. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 942] denied.

No. 08–6494. *JOHNSON v. UNIVERSITY GOOD SAMARITAN ET AL.* Sup. Ct. Minn.; and

No. 08–6906. *GROSECLOSE v. DEPARTMENT OF THE NAVY*. C. A. Fed. Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until December 22, 2008, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

No. 08–7088. *IN RE PERKINS*. Petition for writ of habeas corpus denied.

Certiorari Denied

No. 07–1427. *UFO CHUTING OF HAWAII, INC., ET AL. v. THEILEN, CHAIR AND ACTING DIRECTOR OF THE BOARD OF LAND AND NATURAL RESOURCES, HAWAII, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 508 F. 3d 1189.

No. 07–1569. *CITY OF GARDEN GROVE, CALIFORNIA v. SUPERIOR COURT OF CALIFORNIA, ORANGE COUNTY, ET AL.* Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied. Reported below: 157 Cal. App. 4th 355, 68 Cal. Rptr. 3d 656.

No. 07–10992. *POTEET, INDIVIDUALLY AND AS NEXT FRIEND OF POTEET, A MINOR v. TOWN OF FLOWER MOUND, TEXAS*. Ct. App. Tex., 2d Dist. Certiorari denied. Reported below: 218 S. W. 3d 780.

No. 07–11192. *KING v. MARRIOTT INTERNATIONAL, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 301.

No. 08–8. *WATSON v. MUKASEY, ATTORNEY GENERAL*. C. A. 5th Cir. Certiorari denied. Reported below: 255 Fed. Appx. 920.

No. 08–27. *EGGERT v. TEXAS*. Ct. App. Tex., 11th Dist. Certiorari denied.

555 U. S.

December 1, 2008

No. 08–65. NEILSON ET AL. *v.* SEABOARD CORP. ET AL. Ct. App. Mo., Western Dist. Certiorari denied. Reported below: 248 S. W. 3d 27.

No. 08–90. BAYER BIOSCIENCE N. V. *v.* MONSANTO CO. C. A. Fed. Cir. Certiorari denied. Reported below: 275 Fed. Appx. 992.

No. 08–138. MOLA DEVELOPMENT CORP. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 516 F. 3d 1370.

No. 08–196. NEW MEXICO *v.* SNELL. Ct. App. N. M. Certiorari denied. Reported below: 142 N. M. 452, 166 P. 3d 1106.

No. 08–198. HUNTLEIGH USA CORP. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 525 F. 3d 1370.

No. 08–217. CENTRAL WEST VIRGINIA ENERGY CO. ET AL. *v.* WHEELING PITTSBURGH STEEL CORP. ET AL. Cir. Ct. Brooke County, W. Va. Certiorari denied.

No. 08–218. CENTRAL WEST VIRGINIA ENERGY CO. ET AL. *v.* WHEELING PITTSBURGH STEEL CORP. ET AL. Sup. Ct. App. W. Va. Certiorari denied.

No. 08–223. UNITED STATES *v.* MCWANE, INC.; and

No. 08–364. MCWANE, INC., ET AL. *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 505 F. 3d 1208.

No. 08–225. OUR CHILDREN’S EARTH FOUNDATION ET AL. *v.* ENVIRONMENTAL PROTECTION AGENCY ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 527 F. 3d 842.

No. 08–227. LIDDELL *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 517 F. 3d 1007.

No. 08–236. FAHRENHOLTZ *v.* WILLIAMS ET AL. Ct. App. La., 4th Cir. Certiorari denied. Reported below: 990 So. 2d 99.

No. 08–237. MESSER *v.* OHIO. Ct. App. Ohio, Clermont County. Certiorari denied. Reported below: 2007-Ohio-5899.

No. 08–259. TRANSLOGIC TECHNOLOGY, INC. *v.* HITACHI, LTD., ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 250 Fed. Appx. 988.

December 1, 2008

555 U. S.

No. 08–296. *KAREEM W. v. ANONYMOUS ET AL.* Ct. App. N. Y. Certiorari denied. Reported below: 10 N. Y. 3d 579, 890 N. E. 2d 875.

No. 08–334. *WALKER v. MUNSELL ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 388.

No. 08–348. *TIP SYSTEMS, LLC, ET AL. v. INDEPENDENT TECHNOLOGIES, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 529 F. 3d 1364.

No. 08–358. *SPENCER v. CHANDLER ET AL.* Sup. Ct. Miss. Certiorari denied. Reported below: 985 So. 2d 330.

No. 08–367. *ISLANDER EAST PIPELINE Co., L. L. C. v. MCCARTHY, COMMISSIONER, CONNECTICUT DEPARTMENT OF ENVIRONMENTAL PROTECTION, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 525 F. 3d 141.

No. 08–369. *TRI-STATE FINANCIAL, LLC v. LOVALD ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 525 F. 3d 649.

No. 08–370. *GORDON, TRUSTEE v. NOVASTAR MORTGAGE, INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 524 F. 3d 1175.

No. 08–373. *SMITH v. CONSOLIDATED FREIGHTWAYS, INC.* Sup. Ct. Pa. Certiorari denied.

No. 08–375. *LAKEVIEW ANESTHESIA ASSOCIATES ET AL. v. KADLEC MEDICAL CENTER ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 527 F. 3d 412.

No. 08–378. *LACOUNT v. WISCONSIN.* Sup. Ct. Wis. Certiorari denied. Reported below: 310 Wis. 2d 85, 750 N. W. 2d 780.

No. 08–384. *VILLAJE DEL RIO, LTD. v. COLINA DEL RIO, LP.* C. A. 5th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 263.

No. 08–389. *STEINBURG v. CHESTERFIELD COUNTY PLANNING COMMISSION ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 527 F. 3d 377.

No. 08–390. *CHIPLEASE, INC., ET AL. v. STEINBERG, CHAPTER 7 TRUSTEE, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 528 F. 3d 467.

555 U. S.

December 1, 2008

No. 08–392. *INDYWAY INVESTMENT v. COOPER ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–393. *ISAACS v. METROPOLITAN LIFE INSURANCE CO.* C. A. 4th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 240.

No. 08–396. *MATICAN v. CITY OF NEW YORK, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 524 F. 3d 151.

No. 08–397. *BENISTAR LTD. ET AL. v. CAHALY ET AL.* Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 451 Mass. 343, 885 N. E. 2d 800.

No. 08–401. *ONAWOLA v. JOHNS HOPKINS UNIVERSITY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 358.

No. 08–404. *JOHNSON v. TRANSIT MIX CONCRETE & MATERIALS CO. ET AL.* Ct. App. Tex., 11th Dist. Certiorari denied. Reported below: 205 S. W. 3d 92.

No. 08–406. *C’EST MOI, INC. v. NEW HAMPSHIRE INSURANCE CO.* C. A. 9th Cir. Certiorari denied. Reported below: 519 F. 3d 937.

No. 08–408. *CUNNINGHAM v. INDIANA.* Ct. App. Ind. Certiorari denied. Reported below: 881 N. E. 2d 1120.

No. 08–412. *SUTTON v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 08–415. *ASLANI v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 08–417. *KOWELL v. DONELL, RECEIVER FOR J. T. WALLENBROCK & ASSOCIATES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 533 F. 3d 762.

No. 08–418. *UMCO ENERGY, INC. v. PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION.* Commw. Ct. Pa. Certiorari denied. Reported below: 938 A. 2d 530.

No. 08–426. *HARBUCK v. HOUSTON COUNTY, GEORGIA, ET AL.* Sup. Ct. Ga. Certiorari denied. Reported below: 284 Ga. 4, 662 S. E. 2d 107.

December 1, 2008

555 U. S.

No. 08–434. *HARGROVE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–442. *FONTILEA v. MUKASEY, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 642.

No. 08–443. *SMITH v. FRIEDMAN ET AL.* Ct. Sp. App. Md. Certiorari denied. Reported below: 168 Md. App. 767, 777.

No. 08–451. *MADISON MATERIALS CO., INC. v. ST. PAUL FIRE & MARINE INSURANCE CO.* C. A. 5th Cir. Certiorari denied. Reported below: 523 F. 3d 541.

No. 08–454. *CRUMP-DONAHUE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–471. *VENTURE INDUSTRIES CORP. v. AUTOLIVE ASP, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 283 Fed. Appx. 808.

No. 08–484. *MAYEAUX v. CLEAR CREEK INDEPENDENT SCHOOL DISTRICT*. C. A. 5th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 341.

No. 08–491. *GAY ET AL. v. HUNT ET AL.* Sup. Ct. R. I. Certiorari denied. Reported below: 944 A. 2d 846.

No. 08–492. *HOUSTON v. AAMES FUNDING CORP.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 44 App. Div. 3d 692, 843 N. Y. S. 2d 660.

No. 08–493. *GUTIERREZ ET UX. v. GORDON ET UX.* Ct. App. N. M. Certiorari denied.

No. 08–496. *ARREOLA v. CHOUDRY*. C. A. 7th Cir. Certiorari denied. Reported below: 533 F. 3d 601.

No. 08–501. *GLAZER v. RELIANCE STANDARD LIFE INSURANCE CO.* C. A. 11th Cir. Certiorari denied. Reported below: 524 F. 3d 1241.

No. 08–513. *PSN ILLINOIS, LLC v. IVOCLAR VIVADENT, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 525 F. 3d 1159.

555 U. S.

December 1, 2008

No. 08–522. *BOYETT ET AL. v. WASHINGTON COUNTY, UTAH, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 667.

No. 08–523. *DANIELS, INDIVIDUALLY AND ON BEHALF OF THE ESTATE OF DANIELS, DECEASED, ET AL. v. CITY OF DALLAS, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 321.

No. 08–533. *CLEANCOALITION ET AL. v. TXU POWER, DBA TXU GENERATION Co. LP, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 536 F. 3d 469.

No. 08–542. *ELLIS v. GRANT THORNTON LLP.* C. A. 4th Cir. Certiorari denied. Reported below: 530 F. 3d 280.

No. 08–544. *HOFFECKER v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 530 F. 3d 137.

No. 08–553. *CIANFARANO v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 278 Fed. Appx. 62.

No. 08–555. *STEPHENS v. WISCONSIN.* Ct. App. Wis. Certiorari denied. Reported below: 312 Wis. 2d 479, 751 N. W. 2d 902.

No. 08–563. *COIN ACCEPTORS, INC. v. MARS, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 527 F. 3d 1359.

No. 08–575. *TAVAREZ v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 824.

No. 08–577. *MARTIN v. UNITED STATES;*

No. 08–589. *STRINGER v. UNITED STATES;* and

No. 08–591. *SAMPER v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 535 F. 3d 929.

No. 08–578. *KAY v. FEDERAL COMMUNICATIONS COMMISSION.* C. A. D. C. Cir. Certiorari denied. Reported below: 525 F. 3d 1277.

No. 08–579. *WECHT v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 541 F. 3d 493.

No. 08–581. *FERNANDES v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 119.

December 1, 2008

555 U. S.

No. 08–582. *MITCHELL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 528 F. 3d 1034.

No. 08–590. *SINIBALDI v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 922.

No. 08–5003. *LACY v. NATIONAL RAILROAD PASSENGER CORPORATION*. C. A. 3d Cir. Certiorari denied. Reported below: 254 Fed. Appx. 934.

No. 08–5101. *RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 523 F. 3d 519.

No. 08–5226. *GOMEZ-HERRERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 523 F. 3d 554.

No. 08–5445. *MORENO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 274 Fed. Appx. 86.

No. 08–5452. *ROBINSON v. BOYD*. C. A. 11th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 909.

No. 08–5514. *LOPEZ-VELASQUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 526 F. 3d 804.

No. 08–5649. *FAMBRO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 526 F. 3d 836.

No. 08–5674. *PLUNKETT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 294.

No. 08–5693. *BUSBY v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 253 S. W. 3d 661.

No. 08–5694. *BUCK v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–5805. *VELA-RAMIREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 299.

No. 08–5831. *WILDER v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 526 F. 3d 1.

No. 08–5894. *NEVAREZ-PUENTES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 429.

No. 08–5929. *GOMEZ v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS*

555 U. S.

December 1, 2008

DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 529 F. 3d 322.

No. 08–6093. WALLIN *v.* DEMPEWOLF ET AL.; and

No. 08–6548. WALLIN *v.* BRILL ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 820.

No. 08–6400. JEFFERSON *v.* KILMER, SUPERINTENDENT, OREGON STATE CORRECTIONAL INSTITUTION. C. A. 9th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 574.

No. 08–6405. MATTHEWS *v.* MICHIGAN. Ct. App. Mich. Certiorari denied.

No. 08–6408. RHODES ET AL. *v.* ESTATE OF ROMERO ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 675.

No. 08–6411. AYALA *v.* AMERICAN AIRLINES, INC., ET AL. Sup. Ct. Fla. Certiorari denied. Reported below: 982 So. 2d 684.

No. 08–6415. ARMANT *v.* STALDER, SECRETARY, LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS, ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 351.

No. 08–6416. ABDULLAH-BEY *v.* BANK ONE. Sup. Ct. Del. Certiorari denied. Reported below: 954 A. 2d 909.

No. 08–6419. DUGGER *v.* SHEETS, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 08–6420. SPOTTSVILLE *v.* TERRY, WARDEN. C. A. 11th Cir. Certiorari denied.

No. 08–6426. ALBA *v.* MONTFORD ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 517 F. 3d 1249.

No. 08–6430. COGGINS *v.* HARRIS. C. A. 11th Cir. Certiorari denied.

No. 08–6436. WELLS *v.* COURT OF CRIMINAL APPEALS OF TEXAS. Ct. Crim. App. Tex. Certiorari denied.

No. 08–6438. BROWN *v.* DINWIDDIE, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 713.

December 1, 2008

555 U. S.

No. 08–6444. *HUGHES v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 983 So. 2d 270.

No. 08–6445. *FOSTER v. OHIO*. Ct. App. Ohio, Licking County. Certiorari denied. Reported below: 2008-Ohio-29.

No. 08–6449. *HOWARD v. OREGON*. Ct. App. Ore. Certiorari denied. Reported below: 218 Ore. App. 230, 179 P. 3d 752.

No. 08–6454. *HILL v. HILL ET AL.* (two judgments). Sup. Ct. N. C. Certiorari denied. Reported below: 362 N. C. 357, 661 S. E. 2d 739 (second judgment).

No. 08–6456. *HIEN VU TU v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 136 Wash. App. 1051.

No. 08–6458. *SAAVEDRA v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–6459. *SMITH v. O'MALLEY, GOVERNOR OF MARYLAND, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 997.

No. 08–6461. *SHAMBURGER v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 988 So. 2d 622.

No. 08–6462. *SMITH v. FINNAN, SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY*. C. A. 7th Cir. Certiorari denied.

No. 08–6469. *OSTROM v. EDUCATIONAL CREDIT MANAGEMENT CORPORATION*. C. A. 5th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 283.

No. 08–6470. *VALDIVIA v. HEDGPETH, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–6474. *BROCK v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–6477. *WHITE v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 985 So. 2d 1101.

No. 08–6478. *PRUDE v. BRADT, SUPERINTENDENT, ELMIRA CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

555 U. S.

December 1, 2008

No. 08–6479. *CARDONA v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 08–6480. *EDGAR v. JOHNSON*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Certiorari denied. Reported below: 260 Fed. Appx. 541.

No. 08–6483. *MOORE v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 08–6499. *FEMINO v. NFA CORP.* C. A. 1st Cir. Certiorari denied. Reported below: 274 Fed. Appx. 8.

No. 08–6500. *CASTILLO v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–6503. *MEARS v. WYNDER*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL. C. A. 3d Cir. Certiorari denied.

No. 08–6509. *FISHER v. JACKSON NATIONAL LIFE INSURANCE CO.* Ct. App. Mich. Certiorari denied.

No. 08–6510. *LAM v. LAM*. C. A. 6th Cir. Certiorari denied.

No. 08–6517. *ROMANSKY v. FOLINO*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GREENE. C. A. 3d Cir. Certiorari denied.

No. 08–6518. *RODRIGUEZ v. SCRIBNER*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 08–6519. *MELLENDEZ v. ERCOLE*, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 08–6520. *WHISENHUNT v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 44 Cal. 4th 174, 186 P. 3d 496.

No. 08–6523. *JOHNSON v. IDAHO*. Sup. Ct. Idaho. Certiorari denied. Reported below: 145 Idaho 970, 188 P. 3d 912.

No. 08–6526. *TORRES v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

December 1, 2008

555 U. S.

No. 08–6534. *RAMIREZ v. GUINN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 574.

No. 08–6536. *SIFUENTES v. PRELESNIK, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 08–6537. *ROGERS v. GIURBINO, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 08–6539. *ROY v. WYNDER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–6540. *SHARPE v. STOVALL, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 08–6544. *MOORE v. LIGHTFOOT ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 844.

No. 08–6549. *WILLIAMS v. GEORGIA.* Sup. Ct. Ga. Certiorari denied.

No. 08–6553. *MILLER v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 08–6556. *WELCH v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–6563. *SHORTZ v. AUBURN UNIVERSITY AT MONTGOMERY.* C. A. 11th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 859.

No. 08–6565. *BABI v. LACLAIR, SUPERINTENDENT, GREAT MEADOW CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 08–6572. *STEWART v. POWAY UNIFIED SCHOOL DISTRICT.* C. A. 9th Cir. Certiorari denied.

No. 08–6585. *LISENKO v. MUKASEY, ATTORNEY GENERAL.* C. A. 1st Cir. Certiorari denied.

No. 08–6598. *BROOKS v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 987 So. 2d 1209.

555 U. S.

December 1, 2008

No. 08–6610. *HOSLEY v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–6613. *HARRIS v. WYNDER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–6614. *WILLIAMS v. ILLINOIS.* App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 377 Ill. App. 3d 1164, 953 N. E. 2d 92.

No. 08–6625. *McKINNEY v. KANE, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 450.

No. 08–6645. *BALDWIN v. OFFICE OF PERSONNEL MANAGEMENT.* C. A. Fed. Cir. Certiorari denied. Reported below: 287 Fed. Appx. 859.

No. 08–6648. *MENKES v. ASTRUE, COMMISSIONER OF SOCIAL SECURITY.* C. A. 3d Cir. Certiorari denied. Reported below: 262 Fed. Appx. 410.

No. 08–6659. *PITTS v. COHEN, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 271.

No. 08–6660. *NGUYEN, AKA KHANH TRAN v. WASHINGTON.* Ct. App. Wash. Certiorari denied. Reported below: 134 Wash. App. 863, 142 P. 3d 1117.

No. 08–6690. *LEATHERBLAIRE v. WORKERS' COMPENSATION APPEALS BOARD ET AL.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 08–6697. *JETER v. INDIANA.* Sup. Ct. Ind. Certiorari denied. Reported below: 888 N. E. 2d 1257.

No. 08–6704. *PERRY v. TURNER, WARDEN.* Ct. Crim. App. Tenn. Certiorari denied.

No. 08–6706. *DELOR v. INTERCOSMOS MEDIA GROUP, INC., DBA DIRECTNIC.COM.* C. A. 5th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 205.

No. 08–6710. *HERNANDEZ v. CALIFORNIA.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

December 1, 2008

555 U. S.

No. 08–6726. *INGRAM v. WARDEN, RIVER BEND DETENTION CENTER*. C. A. 5th Cir. Certiorari denied.

No. 08–6730. *HUBBARD v. HULICK, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–6795. *WIDEL v. SHELDON, SECRETARY, FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–6811. *BROWN v. PEAKE, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 277 Fed. Appx. 993.

No. 08–6812. *BARNEY v. INGERSOLL-RAND CO. ET AL.* (two judgments). Sup. Ct. Miss. Certiorari denied.

No. 08–6833. *GONZALEZ v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 982 So. 2d 77.

No. 08–6845. *RIVERS v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 140 Wash. App. 1042.

No. 08–6856. *PULETASI v. WILLS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 14.

No. 08–6873. *ALLEN v. UNITED STATES POSTAL SERVICE*. C. A. Fed. Cir. Certiorari denied. Reported below: 287 Fed. Appx. 872.

No. 08–6875. *BAKER v. THURMER, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–6881. *HOUCK v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 596 Pa. 683, 948 A. 2d 780.

No. 08–6897. *SAENZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 163.

No. 08–6898. *RODRIGUEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 536 F. 3d 155.

No. 08–6899. *SMITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 160.

No. 08–6901. *JONES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 332.

555 U. S.

December 1, 2008

No. 08–6902. *JUNEAU v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 335.

No. 08–6911. *SZAREWICZ v. RENDELL, GOVERNOR OF PENNSYLVANIA, ET AL.* Sup. Ct. Pa. Certiorari denied. Reported below: 598 Pa. 15, 952 A. 2d 1170.

No. 08–6916. *PIERRE-LOUIS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–6919. *WADE v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 955 A. 2d 200.

No. 08–6920. *WHITE v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 985 So. 2d 542.

No. 08–6921. *McLAUGHLIN v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied.

No. 08–6923. *WAGENSELLER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 08–6927. *ABARCA-SOTELO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 442.

No. 08–6928. *COFFINDAFFER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 92.

No. 08–6930. *COLLINS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–6931. *SILMAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 287 Fed. Appx. 224.

No. 08–6933. *WALKER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 522.

No. 08–6936. *LEGRANDE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 43.

No. 08–6940. *WRIGHT v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 285 Fed. Appx. 889.

No. 08–6941. *WILLIAMS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 387.

No. 08–6943. *GAVIN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 759.

December 1, 2008

555 U. S.

No. 08–6946. *SKINNER v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–6950. *VALENTINE v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 08–6951. *WILSON v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 236.

No. 08–6952. *PERKINS v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 295 Fed. Appx. 387.

No. 08–6954. *PINEDA-LORENZANA v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 219.

No. 08–6959. *KENDRICKS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 08–6960. *SMITH v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 534 F. 3d 1211.

No. 08–6961. *BAEZ RIVERA ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 527 F. 3d 891.

No. 08–6962. *STEVENS v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 530 F. 3d 714.

No. 08–6964. *PHILLIPS v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 524.

No. 08–6965. *CAZARES-SAENZ, AKA CAZZRES-SAENZ v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 492.

No. 08–6966. *DAVIS v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 08–6967. *CARPENTER v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 287 Fed. Appx. 131.

No. 08–6973. *EZELL v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 265 Fed. Appx. 70.

No. 08–6974. *MCGAHA v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 107.

555 U. S.

December 1, 2008

No. 08–6975. *POLITE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–6976. *COTTON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–6977. *CURRY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 536 F. 3d 571.

No. 08–6980. *AMOS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 270.

No. 08–6981. *BELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 106.

No. 08–6983. *UPSHAW v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–6984. *THIGPEN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–6985. *WARNER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 454.

No. 08–6987. *PEREZ-MORALES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 605.

No. 08–6988. *POWELL v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 566.

No. 08–6990. *MEDINA-HERNANDEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 476.

No. 08–6991. *MORRISON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–6993. *POSEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 765.

No. 08–6994. *PINSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 542 F. 3d 822.

No. 08–6999. *CLARO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 583.

No. 08–7003. *SNOWDEN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 78.

December 1, 2008

555 U. S.

No. 08–7004. *BROWN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 539 F. 3d 835.

No. 08–7012. *GEORGE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 803.

No. 08–7014. *GALVAN-LIZARRAGA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 655.

No. 08–7015. *GAMBLE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 592.

No. 08–7016. *GARCIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–7020. *VOSS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 283 Fed. Appx. 874.

No. 08–7021. *LAGASSE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 269 Fed. Appx. 87.

No. 08–7025. *PICKENS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 184.

No. 08–7026. *OLSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 534.

No. 08–7027. *TRADER v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA*. C. A. 3d Cir. Certiorari denied. Reported below: 285 Fed. Appx. 987.

No. 08–7028. *UNVERZAGT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–7029. *BRYANT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 7.

No. 08–7030. *BRANNON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 171.

No. 08–7031. *CHILDERS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 253.

No. 08–7035. *FOWLER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 535 F. 3d 408.

No. 08–7036. *GRAHAM v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 538.

555 U. S.

December 1, 2008

No. 08–7038. *GOODLETT v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 699.

No. 08–7040. *COOPER v. UNITED STATES*; and

No. 08–7069. *MOSS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 234.

No. 08–7041. *DRIVER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 535 F. 3d 424.

No. 08–7042. *JENNINGS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 836.

No. 08–7043. *MARCOS-MORA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 39.

No. 08–7047. *TOBAR-CAMPOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 191.

No. 08–7050. *BRITT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–7055. *CARTER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–7063. *VIVANCO-GONZALEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 483.

No. 08–7065. *REID v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 523 F. 3d 310.

No. 08–7070. *MIRANDA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 321 Fed. Appx. 110.

No. 08–7071. *PUTTICK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 242.

No. 08–7073. *KLUMP v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 536 F. 3d 113.

No. 08–7075. *LIMON-MADERO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 18.

No. 08–7078. *PEREZ-RODRIGUEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 554.

No. 08–7080. *BETHEL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 667.

December 1, 2008

555 U. S.

No. 08–7081. ARAGONES-DELGADO *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 08–7084. BROADNAX *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 536 F. 3d 695.

No. 08–7085. BLACK *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 523 F. 3d 892.

No. 08–7087. CARO-GRIMALDO *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 683.

No. 08–63. NATIONAL MINING ASSN. *v.* KEMPTHORNE, SECRETARY OF THE INTERIOR, ET AL. C. A. D. C. Cir. Motion of American Petroleum Institute et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 512 F. 3d 702.

No. 08–245. KANSAS *v.* SMITH. Sup. Ct. Kan. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 286 Kan. 402, 184 P. 3d 890.

No. 08–250. BRAUN ET AL. *v.* ANN ARBOR CHARTER TOWNSHIP. C. A. 6th Cir. Motion of National Association of Home Builders et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 519 F. 3d 564.

No. 08–293. SPLENDID SHIPPING SENDIRIAN BERHARD *v.* TRANS-TEC ASIA. C. A. 9th Cir. Motion of Malaysia for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 518 F. 3d 1120.

No. 08–395. STAMP *v.* METROPOLITAN LIFE INSURANCE CO. ET AL. C. A. 1st Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 531 F. 3d 84.

No. 08–411. RODRIGUEZ *v.* BROWN ET AL. C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 285 Fed. Appx. 756.

Rehearing Denied

No. 07–1281. KAY ET AL. *v.* UNITED STATES, *ante*, p. 813;

555 U. S.

December 1, 2008

No. 07-1317. EVANS *v.* JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, *ante*, p. 813;

No. 07-1359. LAMPKIN-ASAM *v.* VOLUSIA COUNTY SCHOOL BOARD ET AL., *ante*, p. 815;

No. 07-1405. OLSON *v.* CONTINENTAL RESOURCES, INC., ET AL., *ante*, p. 817;

No. 07-1416. SKOORKA *v.* KEAN UNIVERSITY ET AL., *ante*, p. 817;

No. 07-1444. MATEEN ET AL. *v.* DICUS, *ante*, p. 819;

No. 07-1479. INDYWAY INVESTMENT *v.* OPRI ET AL., *ante*, p. 820;

No. 07-1508. WALSTON *v.* WALSTON ET AL., *ante*, p. 822;

No. 07-1519. MCRAE, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF EVANS, DECEASED *v.* EVANS, *ante*, p. 823;

No. 07-1578. MALAN *v.* COMMISSIONER OF INTERNAL REVENUE, *ante*, p. 826;

No. 07-1597. SHAH *v.* HELEN HAYES HOSPITAL ET AL., *ante*, p. 827;

No. 07-7072. IN RE MCCLOUD, *ante*, p. 809;

No. 07-9723. HEMMERLE *v.* SCHRIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL., *ante*, p. 829;

No. 07-10562. PINEDA *v.* MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, *ante*, p. 832;

No. 07-10665. MILLER *v.* GEORGIA (two judgments), *ante*, p. 834;

No. 07-10667. ROBINSON *v.* COAKLEY, ATTORNEY GENERAL OF MASSACHUSETTS, ET AL., *ante*, p. 834;

No. 07-10687. MILLER *v.* JOHNSON, DEPUTY WARDEN, ET AL., *ante*, p. 835;

No. 07-10764. BELCHER *v.* WELLS FARGO BANK, N. A., *ante*, p. 837;

No. 07-10770. GABRILL *v.* UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA, *ante*, p. 837;

No. 07-10771. GABRILL *v.* UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA, *ante*, p. 837;

No. 07-10821. FAVORS *v.* MICHIGAN, *ante*, p. 839;

No. 07-10859. MOLLIKA *v.* ROSSI-MOLLIKA, *ante*, p. 840;

No. 07-10996. JOHNSON *v.* WASHINGTON, *ante*, p. 845;

No. 07-11023. IN RE OCASIO, *ante*, p. 810;

December 1, 2008

555 U. S.

- No. 07-11069. HAYES *v.* FELKER, WARDEN, *ante*, p. 848;
No. 07-11247. GABRILL *v.* LEAVITT, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL., *ante*, p. 943;
No. 07-11283. KARNOFEL *v.* ASTRUE, COMMISSIONER OF SOCIAL SECURITY, *ante*, p. 859;
No. 07-11349. IN RE DESPENZA, *ante*, p. 809;
No. 07-11388. IN RE ANAYA, *ante*, p. 810;
No. 07-11453. IN RE FOOSE, *ante*, p. 810;
No. 07-11492. BRADY *v.* WASHINGTON, *ante*, p. 872;
No. 07-11496. WILLIAMS *v.* UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF ARKANSAS, *ante*, p. 872;
No. 07-11545. BRANCH-WILLIAMS *v.* DEPARTMENT OF VETERANS AFFAIRS, *ante*, p. 875;
No. 07-11554. MORRIS *v.* ALES GROUP USA, INC., ET AL., *ante*, p. 876;
No. 07-11576. OCASIO *v.* MCDANIEL, WARDEN, ET AL., *ante*, p. 877;
No. 07-11588. IN RE OCASIO, *ante*, p. 810;
No. 07-11597. MCGOWAN *v.* MAINE, *ante*, p. 878;
No. 08-9. THOMPSON ET AL. *v.* GREENWOOD ET AL., *ante*, p. 880;
No. 08-73. RESHARD *v.* LANKENAU HOSPITAL ET AL., *ante*, p. 883;
No. 08-95. STOYANOV ET AL. *v.* WINTER, SECRETARY OF THE NAVY, ET AL., *ante*, p. 884;
No. 08-128. LEWIS *v.* DEPARTMENT OF AGRICULTURE, *ante*, p. 886;
No. 08-150. CASH *v.* NADA RETIREMENT ADMINISTRATORS, INC., DBA NADART, *ante*, p. 944;
No. 08-232. DANESHVAR *v.* GRAPHIC TECHNOLOGY, INC., *ante*, p. 889;
No. 08-5066. ALLEN *v.* AMERICAN SIGNATURE FURNITURE, INC., DBA VALUE CITY FURNITURE, *ante*, p. 893;
No. 08-5071. MCKINZIE *v.* MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, *ante*, p. 893;
No. 08-5107. VAZQUEZ *v.* RUSHTON, WARDEN, ET AL., *ante*, p. 895;
No. 08-5112. BANDA *v.* BURLINGTON COUNTY, NEW JERSEY, ET AL., *ante*, p. 896;
No. 08-5234. NOWELL *v.* UNITED STATES, *ante*, p. 903;
No. 08-5319. CADORNIGA-DOEING *v.* NSH/LONG ISLAND JEWISH HEALTH SYSTEM ET AL., *ante*, p. 908;

555 U. S.

December 1, 3, 2008

No. 08–5345. *EMORY v. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ET AL.*, *ante*, p. 909;

No. 08–5347. *ARANDA v. HERRERA*, *ante*, p. 910;

No. 08–5391. *IN RE OCASIO*, *ante*, p. 810;

No. 08–5421. *THREATT v. BIRKETT, WARDEN, ET AL.*, *ante*, p. 914;

No. 08–5450. *POWELL v. KELLER ET AL.*, *ante*, p. 916;

No. 08–5459. *TURNBULL v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, *ante*, p. 916;

No. 08–5502. *BLACKERT v. FLORIDA*, *ante*, p. 919;

No. 08–5520. *MILLEN v. BURLINGTON COAT FACTORY*, *ante*, p. 920;

No. 08–5586. *BLACKWELL v. CALIFORNIA*, *ante*, p. 923;

No. 08–5588. *CAREY v. JOHNSON ET AL.*, *ante*, p. 923;

No. 08–5622. *DAIGLE v. DEPARTMENT OF VETERANS AFFAIRS ET AL.*, *ante*, p. 924;

No. 08–5750. *BROWN v. KEMP, WARDEN, ET AL.*, *ante*, p. 951;

No. 08–5759. *COCHRAN v. STEIN, UNITED STATES TRUSTEE*, *ante*, p. 929;

No. 08–5806. *POEHL v. RANDOLPH ET AL.*, *ante*, p. 952;

No. 08–5834. *THYER v. UNITED STATES*, *ante*, p. 931; and

No. 08–6321. *IN RE WORD*, *ante*, p. 942. Petitions for rehearing denied.

No. 07–1466. *BRITTON ET AL. v. BAYER CORP. ET AL.*, *ante*, p. 938; and

No. 07–1467. *ALBERTONI ET AL. v. BAYER CORP. ET AL.*, *ante*, p. 938. Petitions for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of these petitions.

No. 07–1579. *MARIN ALLIANCE FOR MEDICAL MARIJUANA ET AL. v. UNITED STATES*, *ante*, p. 938. Petition for rehearing denied. JUSTICE BREYER took no part in the consideration or decision of this petition.

DECEMBER 3, 2008

Miscellaneous Order

No. 08A471. *VAIL, SECRETARY OF WASHINGTON DEPARTMENT OF CORRECTIONS, ET AL. v. STENSON*. C. A. 9th Cir. Application to vacate stay of execution of sentence of death, entered by the United States District Court for the Eastern District of Washing-

December 3, 5, 8, 2008

555 U. S.

ton on November 25, 2008, presented to JUSTICE KENNEDY, and by him referred to the Court, granted.

JUSTICE STEVENS, with whom JUSTICE GINSBURG joins, concurring.

On November 21, 2008, the Thurston County Superior Court denied respondent's motion for a preliminary injunction that would have prevented the State from executing respondent until the court considered respondent's constitutional challenge to the State's lethal injection protocol. Rebuffed by the state court, respondent immediately filed an identical constitutional challenge under Rev. Stat. §1979, 42 U.S.C. §1983, in the United States District Court for the Eastern District of Washington and moved for a preliminary injunction. The District Court concluded that a stay of execution was warranted to allow the state court sufficient time to fully and fairly consider the merits of respondent's constitutional claim. In my view, the entry of the stay was improper. The state court decided under state law that the execution could proceed while respondent's constitutional claim was pending. Accordingly, the District Court should not have entered a stay to give the state court additional time it decided was not warranted. In light of that procedural error, and on that basis alone, I vote to grant the application to vacate the stay of execution entered by the District Court.

DECEMBER 5, 2008

Certiorari Granted

No. 08–368. AL-MARRI *v.* SPAGONE, UNITED STATES NAVY COMMANDER, CONSOLIDATED NAVAL BRIG. C. A. 4th Cir. Certiorari granted. Reported below: 534 F. 3d 213.

No. 08–441. GROSS *v.* FBL FINANCIAL SERVICES, INC. C. A. 8th Cir. Motion of National Employment Lawyers Association for leave to file a brief as *amicus curiae* granted. Certiorari granted. Reported below: 526 F. 3d 356.

DECEMBER 8, 2008

Certiorari Dismissed

No. 08–6602. BRUNO *v.* TEXAS. Ct. Crim. App. Tex. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

555 U. S.

December 8, 2008

No. 08–6644. *GALLARDO v. TACKITT ET AL.* Ct. App. Tex., 4th Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As 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.

No. 08–6789. *TUCKER v. MONROE ET AL.* C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 314 Fed. Appx. 433.

No. 08–7060. *SENATOR v. UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As 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.

No. 08–7240. *BRAMWELL v. O’BRIEN, WARDEN.* C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 279 Fed. Appx. 227.

Miscellaneous Orders

No. 08A348. *DOMANTAY v. UNITED STATES ET AL.* Application for stay, addressed to JUSTICE KENNEDY and referred to the Court, denied.

No. 08A407. *DONOFRIO v. WELLS, SECRETARY OF STATE OF NEW JERSEY.* Application for stay, addressed to JUSTICE THOMAS and referred to the Court, denied.

December 8, 2008

555 U. S.

No. 08M32. PONEK *v.* FLORIDA;

No. 08M33. RICHARDSON *v.* METRO TRANSIT AUTHORITY ET AL.;

No. 08M34. SOTO *v.* GRAHAM, SUPERINTENDENT, AUBURN CORRECTIONAL FACILITY; and

No. 08M35. JONES *v.* TIDEWATER MARINE LLC. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 08–304. GRAHAM COUNTY SOIL AND WATER CONSERVATION DISTRICT ET AL. *v.* UNITED STATES EX REL. WILSON. C. A. 4th Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 08–5624. COOMBS *v.* KELCHNER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT CAMP HILL, ET AL. C. A. 3d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 940] denied.

No. 08–6641. PHILLIPS *v.* PRAIRIE EYE CENTER. C. A. 1st Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until December 29, 2008, 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.

No. 08–7243. IN RE EVANS. Petition for writ of habeas corpus denied.

No. 08–6622. IN RE HERBERT. Petition for writ of mandamus and/or prohibition denied.

Certiorari Denied

No. 07–1566. MARCRUM *v.* ROPER, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied. Reported below: 509 F. 3d 489.

No. 07–9031. JACKSON *v.* UNITED STATES. Ct. App. D. C. Certiorari denied. Reported below: 919 A. 2d 1172.

No. 08–135. CITY OF POCATELLO, IDAHO *v.* IDAHO ET AL. Sup. Ct. Idaho. Certiorari denied. Reported below: 145 Idaho 497, 180 P. 3d 1048.

555 U. S.

December 8, 2008

No. 08-140. THOMPSON ET AL. *v.* TURK. C. A. 9th Cir. Certiorari denied. Reported below: 526 F. 3d 456.

No. 08-190. CURRY, A MINOR, BY AND THROUGH HIS PARENTS CURRY ET UX. *v.* HENSINGER. C. A. 6th Cir. Certiorari denied. Reported below: 513 F. 3d 570.

No. 08-251. LONG ET UX., PERSONAL REPRESENTATIVES OF THE ESTATE OF LONG, DECEASED *v.* SLATON ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 508 F. 3d 576.

No. 08-272. WAYBRIGHT ET AL. *v.* FREDERICK COUNTY, MARYLAND, DEPARTMENT OF FIRE & RESCUE SERVICES, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 528 F. 3d 199.

No. 08-274. PORT AUTHORITY POLICE BENEVOLENT ASSN., INC. *v.* PORT AUTHORITY OF NEW YORK AND NEW JERSEY. Sup. Ct. N. J. Certiorari denied. Reported below: 194 N. J. 314, 944 A. 2d 611.

No. 08-281. WEBER *v.* DEPARTMENT OF VETERANS AFFAIRS ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 521 F. 3d 1061.

No. 08-306. MILLER-JENKINS *v.* MILLER-JENKINS. Sup. Ct. Va. Certiorari denied. Reported below: 276 Va. 19, 661 S. E. 2d 822.

No. 08-326. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL. *v.* HANNON. C. A. 1st Cir. Certiorari denied. Reported below: 524 F. 3d 275.

No. 08-423. SPACHT ET UX. *v.* TROYER ET AL. Ct. App. Ga. Certiorari denied. Reported below: 288 Ga. App. 898, 655 S. E. 2d 656.

No. 08-425. GUERRA *v.* MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 870.

No. 08-427. HODGSON, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS SHERIFF, BRISTOL COUNTY, MASSACHUSETTS *v.* DAVIGNON ET AL. C. A. 1st Cir. Certiorari denied. Reported below: 524 F. 3d 91.

December 8, 2008

555 U. S.

No. 08–428. *GREENBERG v. NATIONAL GEOGRAPHIC SOCIETY ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 533 F. 3d 1244.

No. 08–445. *FINISAR CORP. v. DIRECTV GROUP, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 523 F. 3d 1323.

No. 08–446. *ARISTOCRAT TECHNOLOGIES AUSTRALIA PTY LTD. ET AL. v. INTERNATIONAL GAME TECHNOLOGY ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 521 F. 3d 1328.

No. 08–450. *SILVERSTEIN v. EXPERIENCED INTERNET.COM, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 78.

No. 08–452. *PENTAGEN TECHNOLOGIES INTERNATIONAL LTD. v. CACI INTERNATIONAL, INC., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 282 Fed. Appx. 32.

No. 08–455. *WHYTE v. NEW YORK.* App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 48 App. Div. 3d 1040, 850 N. Y. S. 2d 316.

No. 08–458. *BROTHERS ET AL. v. SUMMIT COUNTY, OHIO, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 518.

No. 08–465. *ATE KAYS CO. v. PENNSYLVANIA DEPARTMENT OF GENERAL SERVICES.* Commw. Ct. Pa. Certiorari denied. Reported below: 943 A. 2d 997.

No. 08–466. *WYCHE v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 987 So. 2d 23.

No. 08–468. *MOHAMMED v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 951.

No. 08–487. *BELL ET AL. v. AMERICAN GREETINGS CORP.* C. A. 8th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 415.

No. 08–490. *MING DUNG, AKA MING DONG v. MUKASEY, ATTORNEY GENERAL.* C. A. 7th Cir. Certiorari denied. Reported below: 534 F. 3d 618.

555 U. S.

December 8, 2008

No. 08–520. *LARSEN ET AL. v. DEPARTMENT OF THE NAVY ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 525 F. 3d 1.

No. 08–524. *DIAZ v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–535. *PANSE v. NORMAN ET AL.* C. A. 1st Cir. Certiorari denied.

No. 08–548. *ALLTEL COMMUNICATIONS, LLC v. CITY OF SPRINGFIELD, MISSOURI.* C. A. 8th Cir. Certiorari denied. Reported below: 531 F. 3d 595.

No. 08–550. *CASKEY v. COLGATE-PALMOLIVE CO. ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 535 F. 3d 585.

No. 08–560. *ALLIANCE SECURITY PRODUCTS, INC., ET AL. v. FLEMING & CO., PHARMACEUTICALS.* C. A. 2d Cir. Certiorari denied. Reported below: 290 Fed. Appx. 380.

No. 08–572. *BARKMEYER v. RHODE ISLAND.* Sup. Ct. R. I. Certiorari denied. Reported below: 949 A. 2d 984.

No. 08–574. *RODRIGUEZ v. HASSELL, CHIEF JUSTICE, SUPREME COURT OF VIRGINIA, ET AL.* Sup. Ct. Va. Certiorari denied.

No. 08–588. *SEAWELL v. UNITED STATES.* C. A. Armed Forces. Certiorari denied. Reported below: 67 M. J. 18.

No. 08–607. *GONZALEZ v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 806.

No. 08–609. *KANOFSKY v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 3d Cir. Certiorari denied. Reported below: 271 Fed. Appx. 146.

No. 08–611. *STEWART v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 536 F. 3d 714.

No. 08–612. *STAFFORD v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 319.

No. 08–613. *SCHULTZ ET UX. v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 529 F. 3d 343.

December 8, 2008

555 U. S.

No. 08–617. *OKPALA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–5179. *VU NGUYEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 699.

No. 08–5314. *KIRKLAND v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 263 Fed. Appx. 524.

No. 08–5382. *TATUM v. CURTIS ET AL.* App. Ct. Mass. Certiorari denied. Reported below: 71 Mass. App. 1109, 881 N. E. 2d 169.

No. 08–5605. *REEVES v. ASTRUE, COMMISSIONER OF SOCIAL SECURITY*. C. A. 11th Cir. Certiorari denied. Reported below: 526 F. 3d 732.

No. 08–5767. *IGBINOSUN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 528 F. 3d 387.

No. 08–5822. *BRANNON v. LUCO MOP CO.* C. A. 8th Cir. Certiorari denied. Reported below: 521 F. 3d 843.

No. 08–5885. *RING v. RAMEKER*. C. A. 7th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 492.

No. 08–6059. *TIELSCH v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 934 A. 2d 81.

No. 08–6450. *HERNANDEZ-SANCHEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 315 Fed. Appx. 308.

No. 08–6561. *RUFUS v. KNOWLES, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–6570. *DAWSON v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied. Reported below: 481 Mich. 913, 750 N. W. 2d 192.

No. 08–6580. *FARLOUGH v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–6586. *LLOYD v. SHANNON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT FRACKVILLE, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 283 Fed. Appx. 883.

No. 08–6592. *SMITH v. SCHRIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 44.

555 U. S.

December 8, 2008

No. 08–6593. *RICHLAND v. GIURBINO*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 434.

No. 08–6594. *BAHENA v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 08–6603. *SAUNDERS v. BRIGHT ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 281 Fed. Appx. 83.

No. 08–6604. *HALE v. MCNEIL*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied.

No. 08–6605. *HUDSON v. CAIN*, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 08–6606. *GAYLE v. JOHNSON*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 211.

No. 08–6607. *IRVING v. KELLY ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–6609. *HOLT v. VALLS ET AL.* Ct. Civ. App. Ala. Certiorari denied. Reported below: 26 So. 3d 1276.

No. 08–6616. *WASHINGTON v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 08–6619. *WOODS v. WHITE*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 08–6620. *THOMAS v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 08–6627. *SALERNO v. MICHIGAN*. C. A. 6th Cir. Certiorari denied.

No. 08–6630. *BROWN v. ROMANOWSKI*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 08–6631. *GARCIA BRISENO v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 340.

No. 08–6637. *MICHAEL v. FLORIDA PAROLE COMMISSION ET AL.* C. A. 11th Cir. Certiorari denied.

December 8, 2008

555 U. S.

No. 08–6638. *MORRIS v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 284 Ga. 1, 662 S. E. 2d 110.

No. 08–6642. *PALMER v. MISSISSIPPI*. Ct. App. Miss. Certiorari denied. Reported below: 986 So. 2d 328.

No. 08–6647. *SMITH v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 08–6649. *WILLIAMS v. ULEP ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 106.

No. 08–6656. *LABRANCH v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–6661. *PARKER v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 08–6663. *MARTIN v. DEVERIES ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–6665. *BRYANT ET AL. v. RICH, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 530 F. 3d 1368.

No. 08–6666. *BROWN v. FOLINO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GREENE, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–6667. *BACCUS v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 367 S. C. 41, 625 S. E. 2d 216.

No. 08–6680. *BOLING v. BOUCHARD, SHERIFF, OAKLAND COUNTY, MICHIGAN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–6682. *BEAN v. MCQUIGGIN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–6683. *BULINGTON v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–6684. *CABBAGESTALK v. TYLER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 323.

No. 08–6685. *O'NEIL v. STOWITZKY, SUPERINTENDENT, STATE REGIONAL CORRECTIONAL FACILITY AT MERCER, ET AL.* C. A. 3d Cir. Certiorari denied.

555 U. S.

December 8, 2008

No. 08–6686. *CRINER v. TEXAS DEPARTMENT OF CRIMINAL JUSTICE ET AL.* (Reported below: 284 Fed. Appx. 179); and *CRINER v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–6687. *WILLIAMS v. LOUISIANA.* Sup. Ct. La. Certiorari denied. Reported below: 989 So. 2d 93.

No. 08–6689. *LEONARD v. OHIO.* Ct. App. Ohio, Hamilton County. Certiorari denied. Reported below: 2007-Ohio-7095.

No. 08–6698. *LEWIS v. WALSH, SUPERINTENDENT, SULLIVAN CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 08–6699. *EGGLESTON v. WASHINGTON.* Sup. Ct. Wash. Certiorari denied. Reported below: 164 Wash. 2d 61, 187 P. 3d 233.

No. 08–6703. *TREVINO v. TEXAS.* Ct. App. Tex., 4th Dist. Certiorari denied.

No. 08–6705. *TORRES v. HOREL, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 08–6709. *HODSON v. BROOKS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ALBION, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–6711. *LANIER v. FLORIDA.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied.

No. 08–6715. *JONES v. CUOMO, ATTORNEY GENERAL OF NEW YORK.* C. A. 2d Cir. Certiorari denied. Reported below: 254 Fed. Appx. 6.

No. 08–6717. *JOHNSON v. ARTUS, SUPERINTENDENT, CLINTON CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–6718. *LAND v. MURDOCH ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–6760. *GALLARDO v. GIURBINO, WARDEN.* C. A. 9th Cir. Certiorari denied.

December 8, 2008

555 U. S.

No. 08–6764. *ORTIZ v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–6766. *RYDER v. PATRICK, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HOUTZDALE, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–6783. *JENKINS v. MCDANIEL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–6786. *LIMPIN v. WINTER, SECRETARY OF THE NAVY, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 286 F. 3d 429.

No. 08–6790. *PETERS ET AL. v. GUAJOME PARK ACADEMY CHARTER SCHOOL ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 49.

No. 08–6793. *BADRUDDOZA v. UNITED STATES ET AL.* C. A. 4th Cir. Certiorari denied.

No. 08–6858. *ZACKERY v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–6891. *MAYS v. SNYDER ET AL.* C. A. 7th Cir. Certiorari denied.

No. 08–6918. *BARTHOLOMEW v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 08–6945. *CORONADO v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–6996. *ROWE v. LAWLER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–6997. *DICKERSON v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 188 N. C. App. 166, 654 S. E. 2d 832.

No. 08–7019. *DOMANTAY v. UNITED STATES ET AL.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 988 So. 2d 1098.

No. 08–7072. *PARKER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 543 F. 3d 790.

555 U. S.

December 8, 2008

No. 08–7083. *BUSTAMANTE v. MUKASEY, ATTORNEY GENERAL*. C. A. 5th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 239.

No. 08–7086. *DEGORSKI v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 382 Ill. App. 3d 135, 886 N. E. 2d 1070.

No. 08–7098. *SAVOY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 504.

No. 08–7104. *CORDOBA-MARTINEZ, AKA LEGUIZAMO-MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 201.

No. 08–7106. *YOUNG v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–7109. *ORTIZ-GRAULAU, AKA ORTIZ-GRAULAN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 526 F. 3d 16.

No. 08–7110. *DODSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 146.

No. 08–7113. *NEDER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 887.

No. 08–7118. *FARRIOR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 535 F. 3d 210.

No. 08–7119. *GONZALES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 535 F. 3d 1174.

No. 08–7120. *FAMANIA-ROCHE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 537 F. 3d 71.

No. 08–7129. *IACULLO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 858.

No. 08–7130. *WRIGHT v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 289 Fed. Appx. 543.

No. 08–7132. *AVILA-PALACIOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 201.

December 8, 2008

555 U. S.

No. 08–7133. *JACINTO-SOTELO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 972.

No. 08–7136. *DUVERGE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–7138. *CAMACHO-HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 192.

No. 08–7141. *NUNEZ-TISCARENO v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 69.

No. 08–7142. *ROSARIO-PACHE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 292 Fed. Appx. 69.

No. 08–7143. *ROBINSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 536 F. 3d 874.

No. 08–7145. *RUBALCABA-VAZQUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 354.

No. 08–7150. *GREEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–7152. *HERNANDEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–7154. *GONZALEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 08–7158. *HERNANDEZ-LEBRON v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–7161. *SWEENEY v. MUKASEY, ATTORNEY GENERAL*. C. A. 7th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 111.

No. 08–7164. *JONES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–7165. *ROTMISTRENKO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 288 Fed. Appx. 742.

No. 08–7168. *SMITH v. UNITED STATES*; and
No. 08–7214. *GESKE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 239.

555 U. S.

December 8, 2008

No. 08–7174. *STARR v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 533 F. 3d 985.

No. 08–7175. *TRAMMEL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 189.

No. 08–7176. *CHAVEZ-CUEVAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 853.

No. 08–7179. *JONES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 296 Fed. Appx. 179.

No. 08–7181. *CARRASCO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 190.

No. 08–7182. *CONTRERAS-MURILLO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 270 Fed. Appx. 693.

No. 08–7183. *MORENO DIAZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 192.

No. 08–7184. *VITUG v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 285 Fed. Appx. 833.

No. 08–7185. *CAMPEAU v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 194.

No. 08–7186. *COATES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 189.

No. 08–7188. *CASTRO NARANJO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 191.

No. 08–7192. *LARA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–7193. *JEANETTA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 533 F. 3d 651.

No. 08–7195. *BEEMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 616.

No. 08–7196. *LUCERO v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 67 M. J. 8.

No. 08–7199. *MEDINA-VALENCIA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 538 F. 3d 831.

December 8, 2008

555 U. S.

No. 08–7201. *PUGH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 449.

No. 08–7205. *ANTHONY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 537 F. 3d 863.

No. 08–7206. *BROOME v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 200.

No. 08–7209. *BRIGHTWELL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 314 Fed. Appx. 426.

No. 08–7210. *SHEPARD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–7211. *DESIVO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 288 Fed. Appx. 815.

No. 08–7212. *GONZALEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 799.

No. 08–7213. *GILL ET AL. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 513 F. 3d 836.

No. 08–7216. *JIMENEZ-GUDINO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 479.

No. 08–7217. *SKRZYPEK ET UX. v. UNITED STATES* (two judgments). C. A. 7th Cir. Certiorari denied.

No. 08–7218. *RODRIGUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 726.

No. 08–7220. *YBARRA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 726.

No. 08–7226. *MATOS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 531 F. 3d 121.

No. 08–7227. *COLE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 537 F. 3d 923.

No. 08–7230. *DAVIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 537 F. 3d 611.

No. 08–7238. *BRANCH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 537 F. 3d 582.

555 U. S.

December 8, 2008

No. 08–6867. *KELLY v. SISTO, WARDEN*. C. A. 9th Cir. Certiorari before judgment denied.

No. 08–7082. *ADAMS v. WARNER BROTHERS PICTURES NETWORK ET AL.* C. A. 2d Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 289 Fed. Appx. 456.

Rehearing Denied

No. 07–9456. *JOHNSON v. UNITED STATES*, *ante*, p. 828;

No. 07–10569. *JOHNSON v. BELLEQUE, SUPERINTENDENT, OREGON STATE PENITENTIARY*, *ante*, p. 832;

No. 07–10709. *FRATILA v. BOUDLOCHE*, *ante*, p. 835;

No. 07–10737. *GALLAHER v. SOUTHERN TUBE FORM, LLC, ET AL.*, *ante*, p. 836;

No. 07–10824. *MCCRORY v. WENDLING, ST. CLAIR COUNTY PROSECUTOR, ET AL.*, *ante*, p. 839;

No. 07–10876. *BUTTLES v. BATTLE, WARDEN*, *ante*, p. 840;

No. 07–10895. *MEDLEY v. TURNER, WARDEN*, *ante*, p. 841;

No. 07–11124. *WILLIAMS v. SHARRETT ET AL.*, *ante*, p. 850;

No. 07–11305. *GURROLA-RODRIGUEZ, AKA GURROLA v. UNITED STATES*, *ante*, p. 861;

No. 07–11318. *ANDERSON v. COLORADO*, *ante*, p. 862;

No. 07–11335. *THOMAS v. THOMPSON*, *ante*, p. 863;

No. 07–11338. *MINER v. UNITED STATES*, *ante*, p. 863;

No. 07–11414. *BETHEA v. VIRGINIA* (two judgments), *ante*, p. 867;

No. 07–11534. *THOMAS v. UNITED STATES*, *ante*, p. 874;

No. 08–13. *ALMAHDI v. MASSACHUSETTS*, *ante*, p. 881;

No. 08–41. *DUPRE v. TELXON CORP. ET AL.*, *ante*, p. 882;

No. 08–174. *WANG v. PRUDENTIAL FINANCIAL CORP. ET AL.*, *ante*, p. 944;

No. 08–342. *DIGGS v. DIGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.*, *ante*, p. 971;

No. 08–5069. *MALCOM v. HOUSTON, DIRECTOR, NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES*, *ante*, p. 946;

No. 08–5156. *REED v. CARROLL, WARDEN, ET AL.*, *ante*, p. 898;

No. 08–5167. *ENRIQUEZ v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, *ante*, p. 899;

No. 08–5215. *BHADURI v. SUMMIT SECURITY SYSTEMS, INC.*, *ante*, p. 902;

December 8, 9, 2008

555 U. S.

- No. 08–5252. PEARSON *v.* FINN ET AL., *ante*, p. 904;
No. 08–5266. HAYNER *v.* CITY OF WASHINGTON COURT HOUSE
ET AL., *ante*, p. 905;
No. 08–5267. HARRIS *v.* TRANSPORT WORKERS UNION LOCAL
100 ET AL., *ante*, p. 905;
No. 08–5385. WALKER *v.* GEORGIA, *ante*, p. 979;
No. 08–5417. HUNG HA *v.* ROSS ET AL., *ante*, p. 914;
No. 08–5418. HUNG HA *v.* SUPERIOR COURT OF CALIFORNIA,
ALAMEDA COUNTY, *ante*, p. 914;
No. 08–5419. HUNG HA *v.* HARRISON, *ante*, p. 914;
No. 08–5429. ATKINS *v.* MIDDLE RIVER REGIONAL JAIL MEDI-
CAL DEPARTMENT ET AL., *ante*, p. 914;
No. 08–5485. GOODMAN *v.* WALKER, WARDEN, *ante*, p. 918;
No. 08–5577. PRICE *v.* UNITED STATES, *ante*, p. 922;
No. 08–5633. OLSON *v.* PEAKE, SECRETARY OF VETERANS AF-
FAIRS, *ante*, p. 925;
No. 08–5644. ANTONSSON *v.* KAST, *ante*, p. 948;
No. 08–5664. YONG TAN HUANG *v.* BELL ET AL., *ante*, p. 926;
No. 08–5668. GREER *v.* BRUNSMAN, WARDEN, *ante*, p. 926;
No. 08–5725. JONES *v.* LARKIN, *ante*, p. 928;
No. 08–5754. TURNER *v.* MISSISSIPPI, *ante*, p. 951;
No. 08–5780. FORTT *v.* ARTISTIC BEAUTY COLLEGE, *ante*,
p. 951;
No. 08–5790. MCGEE *v.* MCNEIL, SECRETARY, FLORIDA DE-
PARTMENT OF CORRECTIONS, ET AL., *ante*, p. 952;
No. 08–5915. LUNA *v.* HORNSBY ET AL., *ante*, p. 973; and
No. 08–6238. FINLEY *v.* UNITED STATES, *ante*, p. 961. Peti-
tions for rehearing denied.

No. 08–416. LAUERSEN *v.* UNITED STATES, *ante*, p. 997. Mo-
tion of petitioner to defer consideration of petition for rehearing
denied. Petition for rehearing denied.

No. 08–5710. OGUNSALU *v.* NAIR ET AL., *ante*, p. 967. Petition
for rehearing denied. THE CHIEF JUSTICE took no part in the
consideration or decision of this petition.

DECEMBER 9, 2008

Dismissal Under Rule 46

No. 08–413. JURGENS *v.* UNITED STATES (Reported below: 284
Fed. Appx. 195); and SALAS *v.* UNITED STATES (284 Fed. Appx.

555 U. S. December 9, 12, 15, 2008

202). C. A. 5th Cir. Certiorari dismissed under this Court's Rule 46.1.

DECEMBER 12, 2008

Certiorari Granted

No. 08–295. TRAVELERS INDEMNITY CO. ET AL. *v.* BAILEY ET AL.; and

No. 08–307. COMMON LAW SETTLEMENT COUNSEL *v.* BAILEY ET AL. C. A. 2d Cir. Certiorari granted, cases consolidated, and a total of one hour allotted for oral argument. Reported below: 517 F. 3d 52.

No. 08–310. POLAR TANKERS, INC. *v.* CITY OF VALDEZ, ALASKA. Sup. Ct. Alaska. Certiorari granted. Reported below: 182 P. 3d 614.

DECEMBER 15, 2008

Certiorari Granted—Vacated and Remanded

No. 08–235. RASUL ET AL. *v.* MYERS ET AL. C. A. D. C. Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Boumediene v. Bush*, 553 U.S. 723 (2008). Reported below: 512 F. 3d 644.

Certiorari Dismissed

No. 08–6736. BELL-BOSTON *v.* ANN TAYLOR CO. C. A. D. C. Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 296 Fed. Appx. 81.

No. 08–6763. GLOVER *v.* SMITH, WARDEN. C. A. 7th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 08–6765. SMITH *v.* INDIANA. Ct. App. Ind. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

Miscellaneous Orders

No. 08A469. WROTNOWSKI *v.* BYSIEWICZ, SECRETARY OF STATE OF CONNECTICUT. Sup. Ct. Conn. Application for stay and/or injunction, addressed to JUSTICE SCALIA and referred to the Court, denied.

December 15, 2008

555 U. S.

No. 08M36. LEE *v.* GUAVARA ET AL.; and
No. 08M37. WATSON *v.* LAS VEGAS VALLEY WATER DISTRICT.
Motions to direct the Clerk to file petitions for writs of certiorari
out of time denied.

No. 07-1529. MONTEJO *v.* LOUISIANA. Sup. Ct. La. [Certiorari granted, 554 U.S. 944.] Motion of respondent for divided
argument denied.

No. 08-108. FLORES-FIGUEROA *v.* UNITED STATES. C. A. 8th
Cir. [Certiorari granted, *ante*, p. 969.] Motion of petitioner to
dispense with printing the joint appendix granted.

No. 08-6294. HARPER *v.* UNITED STATES. C. A. 5th Cir. Motion
of petitioner for reconsideration of order denying leave to
proceed *in forma pauperis* [*ante*, p. 942] denied.

No. 08-7334. IN RE PERRY. Petition for writ of habeas corpus
denied.

No. 08-474. IN RE COPPEDGE;
No. 08-475. IN RE DOMMISSE; and
No. 08-7009. IN RE NORTON. Petitions for writs of mandamus
denied.

Certiorari Denied

No. 07-11458. TIDWELL *v.* UNITED STATES. C. A. 3d Cir.
Certiorari denied. Reported below: 521 F. 3d 236.

No. 08-125. NATIONAL INSTITUTE OF MILITARY JUSTICE *v.*
DEPARTMENT OF DEFENSE. C. A. D. C. Cir. Certiorari denied.
Reported below: 512 F. 3d 677.

No. 08-148. MARTINELLI *v.* UNITED STATES. C. A. 11th Cir.
Certiorari denied. Reported below: 265 Fed. Appx. 784.

No. 08-210. E. I. DU PONT DE NEMOURS & CO. ET AL. *v.*
STANTON ET AL. C. A. 9th Cir. Certiorari denied. Reported
below: 534 F. 3d 986.

No. 08-242. BAIR ET AL. *v.* UNITED STATES. C. A. Fed. Cir.
Certiorari denied. Reported below: 515 F. 3d 1323.

No. 08-345. ALABAMA ET AL. *v.* POPE. C. A. 11th Cir. Certiorari
denied. Reported below: 281 Fed. Appx. 960.

555 U. S.

December 15, 2008

No. 08–374. *MERIX CORP. ET AL. v. CENTRAL LABORERS PENSION FUND*. C. A. 9th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 599.

No. 08–388. *CITY OF PHILADELPHIA, PENNSYLVANIA v. LAWRENCE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 527 F. 3d 299.

No. 08–421. *PHILLIPS v. GASTON COUNTY, NORTH CAROLINA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 276.

No. 08–481. *SWAMI, INC. v. LEE ET AL.* Ct. App. Ind. Certiorari denied. Reported below: 879 N. E. 2d 1232.

No. 08–483. *HATFILL v. NEW YORK TIMES Co.* C. A. 4th Cir. Certiorari denied. Reported below: 532 F. 3d 312.

No. 08–486. *MANN v. HELMIG*. C. A. 6th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 845.

No. 08–488. *BOWIE v. PERSONNEL BOARD OF JEFFERSON COUNTY, ALABAMA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 884.

No. 08–502. *D. G., GUARDIAN AD LITEM FOR J. G., A MINOR v. NORTH PLAINFIELD BOARD OF EDUCATION ET AL.* Super. Ct. N. J., App. Div. Certiorari denied. Reported below: 400 N. J. Super. 1, 945 A. 2d 707.

No. 08–507. *SHARIF ET AL. v. WELLNESS INTERNATIONAL NETWORK, LTD., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 316.

No. 08–557. *NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PENNSYLVANIA, ET AL. v. ALLEN ET AL.* Ct. App. La., 4th Cir. Certiorari denied. Reported below: 975 So. 2d 698.

No. 08–587. *STEWART v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 575.

No. 08–627. *WARIS v. HARRIS COUNTY PUBLIC HEALTH & ENVIRONMENTAL SERVICES ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 373.

December 15, 2008

555 U. S.

No. 08–628. *MARINE FORESTS SOCIETY ET AL. v. CALIFORNIA COASTAL COMMISSION*. Ct. App. Cal., 3d App. Dist. Certiorari denied. Reported below: 160 Cal. App. 4th 867, 74 Cal. Rptr. 3d 32.

No. 08–5288. *PAULCIN v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 259 Fed. Appx. 211.

No. 08–5896. *MAPLES v. CIRCUIT COURT OF MICHIGAN, MACOMB COUNTY, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–6298. *CAGLE v. BRANKER, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 520 F. 3d 320.

No. 08–6487. *BOGGS v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 218 Ariz. 325, 185 P. 3d 111.

No. 08–6724. *HOLT v. VALLS*. Ct. Civ. App. Ala. Certiorari denied. Reported below: 26 So. 3d 1276.

No. 08–6725. *HOLT v. ALABAMA*. Sup. Ct. Ala. Certiorari denied.

No. 08–6731. *GORMAN v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 985 So. 2d 536.

No. 08–6734. *STILES v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 08–6735. *SCHREINER v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–6740. *DABLON v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 08–6749. *PARKISON v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 141 Wash. App. 1004.

No. 08–6751. *COGGINS v. TOWN OF JACKSON’S GAP, ALABAMA*. C. A. 11th Cir. Certiorari denied.

No. 08–6757. *HANEY v. ADDISON, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 802.

555 U. S.

December 15, 2008

No. 08–6772. *TAYLOR v. NIKOLITS ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 983 So. 2d 1155.

No. 08–6788. *JONES v. CARLTON, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 08–6797. *TROTTER v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 535 F. 3d 1286.

No. 08–6896. *OLUKUNE v. MUKASEY, ATTORNEY GENERAL.* C. A. 3d Cir. Certiorari denied. Reported below: 277 Fed. Appx. 233.

No. 08–6971. *AKINRO v. MAHER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 45.

No. 08–7000. *BRIDGES v. BASSETT, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 118.

No. 08–7061. *ROSS v. GRAHAM, SUPERINTENDENT, AUBURN CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 08–7117. *HANTON v. NORTH CAROLINA.* Ct. App. N. C. Certiorari denied. Reported below: 188 N. C. App. 167, 654 S. E. 2d 831.

No. 08–7127. *VENTURA v. NORTH CAROLINA.* Gen. Ct. Justice, Super. Ct. Div., Moore County, N. C. Certiorari denied.

No. 08–7137. *COTTON v. NORTH CAROLINA.* Gen. Ct. Justice, Super. Ct. Div., Moore County, N. C. Certiorari denied.

No. 08–7157. *GEBHART v. SHINSEKI, SECRETARY OF VETERANS AFFAIRS.* C. A. Fed. Cir. Certiorari denied. Reported below: 289 Fed. Appx. 402.

No. 08–7187. *YARBROUGH v. POOLE ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–7221. *THOMPSON v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 523 F. 3d 806.

No. 08–7234. *SIEGEL v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 536 F. 3d 306.

December 15, 2008

555 U. S.

No. 08–7241. *SADDLER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 538 F. 3d 879.

No. 08–7242. *COX v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 536 F. 3d 723.

No. 08–7244. *COLEMAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 257 Fed. Appx. 515.

No. 08–7246. *HOANG v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 133.

No. 08–7248. *WHITE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–7249. *VICKERS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 540 F. 3d 356.

No. 08–7251. *OSORIO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 971.

No. 08–7254. *MI KYUNG BYUN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 539 F. 3d 982.

No. 08–7255. *JACQUES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 824.

No. 08–7256. *LOVE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 889.

No. 08–7261. *RHABURN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 536 F. 3d 542.

No. 08–7262. *TANN v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 532 F. 3d 868.

No. 08–7263. *ZAPATA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 546 F. 3d 1179.

No. 08–7266. *LOFLIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 91.

No. 08–7267. *LOPEZ-ZAMORA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 699.

555 U. S.

December 15, 2008

No. 08–7270. BAUTISTA *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 532 F. 3d 667.

No. 08–7271. AHMED *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 30.

No. 08–7275. CLOW *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied.

No. 08–7282. ESTREMER *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 282 Fed. Appx. 935.

No. 08–7286. ARNAIZ *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 08–7289. SEHEN *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 553.

No. 08–7291. MARMOLEJOS *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied.

No. 08–7302. WIIG *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied.

No. 08–7308. LEWIS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 515.

No. 08–7330. HERNANDEZ-CASTILLO *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied.

No. 08–7331. HATTABAUGH *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 249.

No. 08–517. CURRY, WARDEN *v.* BUTLER. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 528 F. 3d 624.

Rehearing Denied

No. 07–1396. ELSHINNAWY *v.* ASTRUE, COMMISSIONER OF SOCIAL SECURITY, *ante*, p. 816;

No. 07–1462. BISCHOFF *v.* LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT ET AL., *ante*, p. 819;

No. 07–9626. BROWNING *v.* UNITED STATES, *ante*, p. 828;

No. 07–10572. CHASE *v.* TEXAS, *ante*, p. 832;

December 15, 2008

555 U. S.

No. 07–10777. *STRICKLAND v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, ET AL.*, *ante*, p. 837;

No. 07–10782. *SCHILS v. WASHTENAW COUNTY, MICHIGAN*, *ante*, p. 838;

No. 07–10790. *YORK v. CITIFINANCIAL MORTGAGE CO., INC.*, *ante*, p. 838;

No. 07–11009. *BRADFORD v. CELLXION, LLC*, *ante*, p. 845;

No. 07–11034. *LESTER v. AYERS*, *ante*, p. 846;

No. 07–11053. *REYNA v. MONROE ET AL.*, *ante*, p. 847;

No. 07–11059. *SANCHO v. RAMIREZ ET AL.*, *ante*, p. 847;

No. 07–11156. *PHILLIPS v. UNITED PARCEL SERVICE, INC.*, *ante*, p. 851;

No. 07–11495. *MCANDERSON v. UNITED STATES*, *ante*, p. 872;

No. 07–11514. *HAMBLY v. WISCONSIN*, *ante*, p. 873;

No. 08–360. *DELGADO v. CERTIFIED GROCERS MIDWEST, INC.*, *ante*, p. 1013;

No. 08–5181. *MANSFIELD v. DORMIRE, SUPERINTENDENT, JEFFERSON CITY CORRECTIONAL CENTER*, *ante*, p. 900;

No. 08–5299. *JORDAN v. UNITED STATES*, *ante*, p. 906;

No. 08–5404. *PARTHEMORE v. CALIFORNIA*, *ante*, p. 913;

No. 08–5405. *SOLIS v. WARD, WARDEN*, *ante*, p. 913;

No. 08–5530. *MCCRAY v. RIOS, WARDEN*, *ante*, p. 939;

No. 08–5565. *SANDERS v. RHODES, ADMINISTRATIVE JUDGE, DISTRICT COURT OF PRINCE GEORGE’S COUNTY, MARYLAND*, *ante*, p. 947;

No. 08–5603. *WENSEL v. HERNANDEZ, WARDEN, ET AL.*, *ante*, p. 947;

No. 08–5616. *PARKER v. PARKER*, *ante*, p. 948;

No. 08–5671. *MCGEE v. AUSTIN, WARDEN*, *ante*, p. 926;

No. 08–5707. *RIDDLE v. LIZ CLAIBORNE ET AL.*, *ante*, p. 949;

No. 08–5720. *THERRIEN v. MARTIN, WARDEN, ET AL.*, *ante*, p. 950;

No. 08–5836. *MARCUSSE v. UNITED STATES*, *ante*, p. 931;

No. 08–5890. *IN RE BROWN*, *ante*, p. 809;

No. 08–6156. *HIGGINBOTHAM v. FLORIDA*, *ante*, p. 975;

No. 08–6493. *THORNE v. UNITED STATES*, *ante*, p. 979; and

No. 08–6657. *KING v. UNITED STATES*, *ante*, p. 1009. Petitions for rehearing denied.

555 U. S. December 19, 2008, January 9, 2009

DECEMBER 19, 2008

Dismissal Under Rule 46

No. 08–6852. MANNING *v.* UNITED STATES. C. A. 10th Cir. Certiorari dismissed under this Court’s Rule 46. Reported below: 526 F. 3d 611.

JANUARY 9, 2009

Miscellaneous Orders

No. 138, Orig. SOUTH CAROLINA *v.* NORTH CAROLINA. Report of the Special Master received and ordered filed. Motion of plaintiff for leave to file exceptions to the First Interim Report of the Special Master granted. Parties and intervenors may file exceptions to the Report, with supporting briefs, on or before 2 p.m. Friday, February 13, 2009. Reply briefs, if any, are to be filed on or before 2 p.m. Monday, March 9, 2009. Surreply briefs, if any, are to be filed on or before 2 p.m. Monday, March 23, 2009. [For earlier order herein, see, *e. g.*, 552 U. S. 1254.]

No. 07–1356. KANSAS *v.* VENTRIS. Sup. Ct. Kan. [Certiorari granted, 554 U. S. 944.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 08–88. VERMONT *v.* BRILLON. Sup. Ct. Vt. [Certiorari granted, 554 U. S. 945.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

Probable Jurisdiction Noted

No. 08–322. NORTHWEST AUSTIN MUNICIPAL UTILITY DISTRICT NUMBER ONE *v.* MUKASEY, ATTORNEY GENERAL, ET AL. Appeal from D. C. D. C. Probable jurisdiction noted. Appellant’s brief is to be filed on or before Thursday, February 19, 2009. Appellees’ brief is to be filed on or before Wednesday, March 18, 2009. A reply brief, if any, is to be filed in accordance with this Court’s Rule 25.3. Reported below: 573 F. Supp. 2d 221.

Certiorari Granted

No. 07–1428. RICCI ET AL. *v.* DESTEFANO ET AL.; and

No. 08–328. RICCI ET AL. *v.* DESTEFANO ET AL. C. A. 2d Cir. Certiorari granted, cases consolidated, and a total of one hour

January 9, 12, 2009

555 U. S.

allotted for oral argument. Petitioners' brief is to be filed on or before Thursday, February 19, 2009. Respondents' brief is to be filed on or before Wednesday, March 18, 2009. A reply brief, if any, is to be filed in accordance with this Court's Rule 25.3. Reported below: 530 F. 3d 87.

No. 08–289. HORNE, SUPERINTENDENT, ARIZONA PUBLIC INSTRUCTION *v.* FLORES ET AL.; and

No. 08–294. SPEAKER OF THE ARIZONA HOUSE OF REPRESENTATIVES ET AL. *v.* FLORES ET AL. C. A. 9th Cir. Certiorari granted, cases consolidated, and a total of one hour allotted for oral argument. Petitioners' brief is to be filed on or before Thursday, February 19, 2009. Respondents' brief is to be filed on or before Wednesday, March 18, 2009. A reply brief, if any, is to be filed in accordance with this Court's Rule 25.3. Reported below: 516 F. 3d 1140.

No. 07–1090. REPUBLIC OF IRAQ *v.* BEATY ET AL.; and

No. 08–539. REPUBLIC OF IRAQ ET AL. *v.* SIMON ET AL. C. A. D. C. Cir. Motion of Plaintiffs Against Iraq for leave to file a brief as *amicus curiae* out of time denied. Certiorari granted, cases consolidated, and a total of one hour allotted for oral argument. Petitioners' brief is to be filed on or before Thursday, February 19, 2009. Respondents' brief is to be filed on or before Wednesday, March 18, 2009. A reply brief, if any, is to be filed in accordance with this Court's Rule 25.3. Reported below: No. 08–539, 529 F. 3d 1187.

JANUARY 12, 2009

Certiorari Granted—Vacated and Remanded

No. 07–11565. DALLANEGRA *v.* UNITED STATES. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of the position asserted by the Solicitor General in his brief for the United States filed November 24, 2008.

No. 08–7124. HER *v.* MINNESOTA. Sup. Ct. Minn. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Giles v. California*, 554 U. S. 353 (2008). Reported below: 750 N. W. 2d 258.

555 U. S.

January 12, 2009

Certiorari Dismissed

No. 08–6822. SENATOR *v.* SENATOR. Ct. App. Cal., 4th App. Dist., Div. 3. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–6910. HISTON *v.* SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY, ET AL. Ct. App. Cal., 2d App. Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–6912. SCHNELLER *v.* ZITOMER, EXECUTRIX OF THE ESTATE OF SCHNELLER. Super. Ct. Pa. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 929 A. 2d 251.

No. 08–6968. SILER *v.* DILLINGHAM SHIP REPAIR ET AL. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 288 Fed. Appx. 400.

No. 08–6970. BELL-BOSTON *v.* SIBLEY MEMORIAL HOSPITAL. C. A. D. C. Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 296 Fed. Appx. 81.

No. 08–7006. ROLLE *v.* HANKINSON ET AL. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As 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.

No. 08–7097. VOHRA *v.* ORANGE COUNTY, CALIFORNIA, ET AL. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 288 Fed. Appx. 395.

January 12, 2009

555 U. S.

No. 08–7100. *MARTIN v. TEXAS*. Ct. Crim. App. Tex. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–7101. *MARTIN v. TEXAS*. Ct. Crim. App. Tex. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–7146. *COGGINS v. PARR*. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–7173. *VERA v. TULARE COUNTY SHERIFF DEPARTMENT ET AL.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–7178. *LAFRENIERE v. BOARD OF TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY*. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 283 Fed. Appx. 436.

Miscellaneous Orders

No. 08A416. *GRAVES v. ATLANTIC EXPRESS ET AL.* C. A. 9th Cir. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. 08A515. *YUE v. STORAGE TECHNOLOGY CORP. ET AL.* C. A. 9th Cir. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. 08M38. *AL-GHIZZAWI v. BUSH, PRESIDENT OF THE UNITED STATES, ET AL.* Motion of petitioner for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner granted.

No. 08M39. *UNDERWOOD v. UNITED STATES*;

No. 08M40. *ULRICH v. ULRICH*;

No. 08M41. *TRUONG v. KARTZMAN ET AL.*;

No. 08M42. *FIELDS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.*;

No. 08M43. *LEFTWICH v. CLARKE, COMMISSIONER, MASSACHUSETTS DEPARTMENT OF CORRECTION*; and

555 U. S.

January 12, 2009

No. 08M44. MEDINA-SALAS *v.* TYSON FRESH MEATS, INC. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 105, Orig. KANSAS *v.* COLORADO. Motion of the Special Master for interim fees and expenses granted, and the Special Master is awarded a total of \$58,515.68 for the period January 1, 2008, through November 30, 2008, to be paid equally by the parties. [For earlier order herein, see, *e. g.*, *ante*, p. 1029.]

No. 07-1601. BURLINGTON NORTHERN & SANTA FE RAILWAY CO. ET AL. *v.* UNITED STATES ET AL.; and

No. 07-1607. SHELL OIL Co. *v.* UNITED STATES ET AL. C. A. 9th Cir. [Certiorari granted, 554 U. S. 945.] Motion of petitioners for divided argument granted.

No. 08-192. ABUELHAWA *v.* UNITED STATES. C. A. 4th Cir. [Certiorari granted, *ante*, p. 1028.] Motion of petitioner to dispense with printing the joint appendix granted.

No. 08-214. ATLANTIC SOUNDING CO., INC., ET AL. *v.* TOWNSEND. C. A. 11th Cir. [Certiorari granted, *ante*, p. 993.] Motion of petitioners to dispense with printing the joint appendix granted.

No. 08-448. CABLE NEWS NETWORK, INC., ET AL. *v.* CSC HOLDINGS, INC., ET AL. C. A. 2d Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States. THE CHIEF JUSTICE and JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 08-576. FIN-AG, INC. *v.* PIPESTONE LIVESTOCK AUCTION MARKET, INC., ET AL.; FIN-AG, INC. *v.* WATERTOWN LIVESTOCK AUCTION, INC., ET AL.; and FIN-AG, INC. *v.* CIMPL'S, INC., ET AL. Sup. Ct. S. D. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 08-5274. DEAN *v.* UNITED STATES. C. A. 11th Cir. [Certiorari granted, *ante*, p. 1028.] Motion of petitioner for appointment of counsel granted. Scott J. Forster, Esq., of Calhoun, Ga., is appointed to serve as counsel for petitioner in this case.

No. 08-6306. WINSETT *v.* PEAKE, SECRETARY OF VETERANS AFFAIRS. C. A. Fed. Cir. Motion of petitioner for reconsidera-

January 12, 2009

555 U. S.

tion of order denying leave to proceed *in forma pauperis* [ante, p. 992] denied.

No. 08–6904. DIAS ET AL. *v.* ELIQUE ET AL. C. A. 9th Cir.;
No. 08–6989. MIRANDA *v.* UNIVERSITY OF MARYLAND AT COLLEGE PARK. C. A. 4th Cir.;

No. 08–7123. GEORGES *v.* GEORGES. Super. Ct. Pa.; and

No. 08–7252. YOUNG *v.* UNITED STATES. C. A. Fed. Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until February 2, 2009, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

No. 08–7545. IN RE CRAM;

No. 08–7547. IN RE DUNCAN;

No. 08–7555. IN RE DUNCAN;

No. 08–7563. IN RE NASTASIO;

No. 08–7598. IN RE DRYER;

No. 08–7673. IN RE ESHAN;

No. 08–7690. IN RE ANDERSON; and

No. 08–7771. IN RE ALPINE. Petitions for writs of habeas corpus denied.

No. 08–7748. IN RE GREEN. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of habeas corpus dismissed. See this Court's Rule 39.8.

No. 08–6843. IN RE DIEHL;

No. 08–6857. IN RE MCLEOD;

No. 08–7002. IN RE SWAIN; and

No. 08–7068. IN RE ALLEN. Petitions for writs of mandamus denied.

No. 08–6823. IN RE DE LA CERDA, AKA LOPEZ. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus dismissed. See this Court's Rule 39.8.

No. 08–6884. IN RE MILLS. Petition for writ of mandamus and/or prohibition denied.

No. 08–6937. IN RE ENGLE. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus and/or prohibition dismissed. See this Court's Rule 39.8.

555 U. S.

January 12, 2009

No. 08-7232. IN RE PUNCHARD; and
No. 08-7649. IN RE BURNETTE. Petition for writ of mandamus and/or prohibition denied.

Certiorari Denied

No. 07-663. AK STEEL CORPORATION RETIREMENT ACCUMULATION PENSION PLAN ET AL. *v.* WEST, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED. C. A. 6th Cir. Certiorari denied. Reported below: 484 F. 3d 395.

No. 07-952. DENTON, AS EXECUTOR OF THE ESTATE OF DENTON *v.* HYMAN. C. A. 2d Cir. Certiorari denied. Reported below: 502 F. 3d 61.

No. 07-956. BIOMEDICAL PATENT MANAGEMENT CORP. *v.* CALIFORNIA DEPARTMENT OF HEALTH SERVICES. C. A. Fed. Cir. Certiorari denied. Reported below: 505 F. 3d 1328.

No. 07-1152. WELDON ET AL. *v.* NORFOLK SOUTHERN RAILWAY Co. Sup. Ct. Ohio. Certiorari denied. Reported below: 115 Ohio St. 3d 455, 875 N. E. 2d 919.

No. 07-1327. ALBERTSON'S, INC., ET AL. *v.* KANTER ET AL. Sup. Ct. Cal. Certiorari denied. Reported below: 42 Cal. 4th 1077, 175 P. 3d 1170.

No. 07-1524. CARLOTA COPPER Co. *v.* FRIENDS OF PINTO CREEK ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 504 F. 3d 1007.

No. 07-1554. COLUMBIA GAS TRANSMISSION CORP. *v.* LEVIN, TAX COMMISSIONER OF OHIO. Sup. Ct. Ohio. Certiorari denied. Reported below: 117 Ohio St. 3d 122, 882 N. E. 2d 400.

No. 08-164. VISION SERVICE PLAN, INC. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 650.

No. 08-169. SOCIEDAD ESPANOLA DE AUXILIO MUTUO Y BENEFICENCIA ET AL. *v.* MORALES ET AL. C. A. 1st Cir. Certiorari denied. Reported below: 524 F. 3d 54.

No. 08-199. GEORGIA *v.* FLORIDA ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 514 F. 3d 1316.

January 12, 2009

555 U. S.

No. 08–221. *MEADOWLAKE CORP. ET AL. v. OHIO EX REL. ROGERS, ATTORNEY GENERAL OF OHIO*. Ct. App. Ohio, Stark County. Certiorari denied. Reported below: 118 Ohio St. 3d 1409, 886 N. E. 2d 872.

No. 08–231. *SOUTH FORK BAND ET AL. v. UNITED STATES ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 279 Fed. Appx. 980.

No. 08–270. *T H INVESTMENT, INC. v. KIRBY INLAND MARINE, LP, ET AL.* Ct. App. Tex., 14th Dist. Certiorari denied. Reported below: 218 S. W. 3d 173.

No. 08–349. *GENERAL MOTORS CORP. v. BRYANT, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED*. Sup. Ct. Ark. Certiorari denied. Reported below: 374 Ark. 38, 285 S. W. 3d 634.

No. 08–359. *DEMPSTER v. DEMPSTER ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 273 Fed. Appx. 67.

No. 08–385. *VICTORY OUTREACH CENTER ET AL. v. MELSO ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 281 Fed. Appx. 136.

No. 08–394. *RATTLER TOOLS, INC. v. BILCO TOOLS, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 278 Fed. Appx. 1013.

No. 08–424. *LOS ANGELES COUNTY SHERIFF’S DEPARTMENT ET AL. v. CENTER FOR BIOETHICAL REFORM ET AL.*; and

No. 08–431. *ROBERTS v. CENTER FOR BIOETHICAL REFORM ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 533 F. 3d 780.

No. 08–430. *SCHRIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS v. CORRELL*. C. A. 9th Cir. Certiorari denied. Reported below: 539 F. 3d 938.

No. 08–435. *HALL v. BACK*. C. A. 6th Cir. Certiorari denied. Reported below: 537 F. 3d 552.

No. 08–439. *WINDT ET AL. v. QWEST COMMUNICATIONS INTERNATIONAL, INC.*; and

555 U. S.

January 12, 2009

No. 08–614. *QWEST COMMUNICATIONS INTERNATIONAL, INC., ET AL. v. WINDT ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 529 F. 3d 183.

No. 08–444. *CRUZADO-LAUREANO v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 527 F. 3d 231.

No. 08–447. *BACA v. THOMAS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 525 F. 3d 341.

No. 08–485. *CITY OF SACRAMENTO, CALIFORNIA, ET AL. v. YOUNT.* Sup. Ct. Cal. Certiorari denied. Reported below: 43 Cal. 4th 885, 183 P. 3d 471.

No. 08–498. *DALTON v. TILLER ET AL.* Sup. Ct. Va. Certiorari denied.

No. 08–499. *CUBA SOIL & WATER CONSERVATION DISTRICT ET AL. v. LEWIS, TREASURER OF STATE OF NEW MEXICO, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 527 F. 3d 1061.

No. 08–504. *WILLIAMS v. SUNTRUST BANKS, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 885.

No. 08–509. *ROSS v. ROGERS, ATTORNEY GENERAL OF OHIO, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 515 F. 3d 653.

No. 08–518. *TURNER v. CITY COUNCIL OF THE CITY OF FREDERICKSBURG, VIRGINIA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 534 F. 3d 352.

No. 08–521. *ABRAMS ET AL. v. JONES, ADMINISTRATRIX OF THE ESTATE OF JONES, DECEASED, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 521 F. 3d 555.

No. 08–526. *YONG LI v. RAYTHEON CO. ET AL.* C. A. 1st Cir. Certiorari denied.

No. 08–529. *GRANT v. DE MONTEBELLO ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–531. *MISSOURI PUBLIC SERVICE COMMISSION ET AL. v. SOUTHWESTERN BELL TELEPHONE, L. P., DBA SBC MISSOURI.* C. A. 8th Cir. Certiorari denied. Reported below: 530 F. 3d 676.

January 12, 2009

555 U. S.

No. 08–532. *CRANMER v. TUCSON POLICE DEPARTMENT ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 744.

No. 08–536. *PANSE v. MASSACHUSETTS ET AL.* C. A. 1st Cir. Certiorari denied.

No. 08–540. *TEXAS DEMOCRATIC PARTY ET AL. v. ANDRADE, SECRETARY OF STATE OF TEXAS.* C. A. 5th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 194.

No. 08–547. *WEBB-EDWARDS v. BEARY, SHERIFF, ORANGE COUNTY, FLORIDA.* C. A. 11th Cir. Certiorari denied. Reported below: 525 F. 3d 1013.

No. 08–549. *GRANADOS OLVERA v. MUKASEY, ATTORNEY GENERAL.* C. A. 9th Cir. Certiorari denied. Reported below: 262 Fed. Appx. 69.

No. 08–556. *PETERSON v. SAPERSTEIN ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 751.

No. 08–561. *ANIMAL PROTECTION AND RESCUE LEAGUE ET AL. v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 637.

No. 08–562. *MALIHA v. FALUOTICO ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 286 Fed. Appx. 742.

No. 08–566. *BOWLING ET AL. v. CARPENTER ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 423.

No. 08–568. *ROTHHAUPT v. DICKOW, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS DEPUTY SHERIFF, CARROLL COUNTY, KENTUCKY, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–573. *MICHIGAN ENVIRONMENTAL COUNCIL v. MICHIGAN PUBLIC SERVICE COMMISSION ET AL.* Ct. App. Mich. Certiorari denied. Reported below: 276 Mich. App. 216, 740 N. W. 2d 685.

No. 08–580. *CITY OF CINCINNATI, OHIO v. CLEVELAND CONSTRUCTION, INC.; and*

No. 08–601. *CLEVELAND CONSTRUCTION, INC. v. CITY OF CINCINNATI, OHIO.* Sup. Ct. Ohio. Certiorari denied. Reported below: 118 Ohio St. 3d 283, 888 N. E. 2d 1068.

555 U. S.

January 12, 2009

No. 08–584. *CAREToLIVE v. VON ESCHENBACH, COMMISSIONER, FOOD AND DRUG ADMINISTRATION*. C. A. 6th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 887.

No. 08–593. *KILGROE v. AMERICAN SHIP MANAGEMENT, LLC, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 33.

No. 08–594. *PREIS ET UX. v. LEXINGTON INSURANCE CO. ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 940.

No. 08–597. *DUMORANGE v. CITY OF MIAMI, FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 972 So. 2d 189.

No. 08–602. *O’NEILL ET AL. v. CITY OF PHILADELPHIA, PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 289 Fed. Appx. 509.

No. 08–615. *BUMGARNER v. OREGON*. Ct. App. Ore. Certiorari denied. Reported below: 219 Ore. App. 617, 184 P. 3d 1143.

No. 08–618. *GINGER ET AL. v. DISTRICT OF COLUMBIA ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 527 F. 3d 1340.

No. 08–619. *CARLISLE v. OHIO*. Ct. App. Ohio, Lawrence County. Certiorari denied. Reported below: 2007-Ohio-744.

No. 08–620. *DE OLIVEIRA v. MUKASEY, ATTORNEY GENERAL*. C. A. 1st Cir. Certiorari denied.

No. 08–623. *STUCKY v. HAWAII DEPARTMENT OF EDUCATION ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 503.

No. 08–629. *SABATER v. BIAS*. C. A. 5th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 158.

No. 08–631. *MANSFIELD v. PEAKE, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 525 F. 3d 1312.

No. 08–632. *ABNER v. MOBILE INFIRMARY MEDICAL CENTER ET AL.* Ct. Civ. App. Ala. Certiorari denied.

January 12, 2009

555 U. S.

No. 08–634. *CALIMLIM ET VIR v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 538 F. 3d 706.

No. 08–639. *MCAFEE, DBA MCAFEE MX v. FOSTER ET AL.* Ct. App. Tex., 2d Dist. Certiorari denied.

No. 08–641. *FRANKLIN v. SIMS, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 538 F. 3d 661.

No. 08–644. *MINAGORRI v. ARCHDIOCESE OF MIAMI, INC.* Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 954 So. 2d 640.

No. 08–647. *SILVAS v. REMINGTON OIL & GAS CORP.* C. A. 5th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 681.

No. 08–650. *EVANS v. ELDRIDGE ET AL.* Sup. Ct. Tex. Certiorari denied.

No. 08–654. *KIMBROUGH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 536 F. 3d 463.

No. 08–663. *GEISER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 527 F. 3d 288.

No. 08–670. *HYLES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 521 F. 3d 946.

No. 08–675. *KEYES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 105.

No. 08–679. *POWELL v. UNITED STATES*; and

No. 08–7420. *WALKER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 262 Fed. Appx. 303.

No. 08–682. *PUCHE ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 795.

No. 08–684. *COLUMBUS EXPLORATION, LLC, ET AL. v. WILLAMSON ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 542 F. 3d 43.

No. 08–688. *FUTCH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 387.

No. 08–690. *GOODIN v. GEREN, SECRETARY OF THE ARMY*. C. A. 11th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 763.

555 U. S.

January 12, 2009

No. 08–691. *FOX v. SECURITIES AND EXCHANGE COMMISSION*. C. A. D. C. Cir. Certiorari denied. Reported below: 275 Fed. Appx. 1.

No. 08–692. *HALEY v. MICHELS ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–695. *SCHAFLER v. SPEAR, TRUSTEE*. C. A. 9th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 648.

No. 08–702. *WADHWA v. MERIT SYSTEMS PROTECTION BOARD*. C. A. Fed. Cir. Certiorari denied. Reported below: 296 Fed. Appx. 17.

No. 08–703. *KING v. DEPARTMENT OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 276 Fed. Appx. 993.

No. 08–707. *CULL ET UX. v. PERRY HOMES ET AL.* Sup. Ct. Tex. Certiorari denied. Reported below: 258 S. W. 3d 580.

No. 08–711. *BUTLER v. KEMPTHORNE, SECRETARY OF THE INTERIOR*. C. A. 10th Cir. Certiorari denied. Reported below: 532 F. 3d 1108.

No. 08–713. *CRYTSEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 555.

No. 08–718. *BRAQUET v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–735. *MARK v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 284 Fed. Appx. 970.

No. 08–739. *MCVAY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 488.

No. 08–5122. *DUNCAN v. UNITED STATES*;

No. 08–5150. *SAWYER v. UNITED STATES*; and

No. 08–5151. *ROGERS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 521 F. 3d 792.

No. 08–5407. *TONEY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 637.

No. 08–5543. *JIMENEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 433.

January 12, 2009

555 U. S.

No. 08–5584. *MEEKS v. FORTNER, WARDEN*. Ct. Crim. App. Tenn. Certiorari denied.

No. 08–5676. *McKINNEY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–5683. *WATSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 525 F. 3d 583.

No. 08–5733. *JENNINGS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–5787. *REYNOLDS v. H&R BLOCK SERVICES, INC., ET AL.* C. A. 7th Cir. Certiorari denied.

No. 08–5861. *MEEKS v. BELL, WARDEN*. Ct. Crim. App. Tenn. Certiorari denied.

No. 08–5984. *EVANS v. CITY OF CHICAGO, ILLINOIS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 513 F. 3d 735.

No. 08–5999. *SCOTT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 230 Fed. Appx. 294.

No. 08–6083. *MONTENEGRO CRUZ v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 218 Ariz. 149, 181 P. 3d 196.

No. 08–6101. *JAGGER v. WASHINGTON*. Ct. App. Wash. Certiorari denied.

No. 08–6122. *COLEMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 388.

No. 08–6158. *WEILAND v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 08–6249. *LINDSEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 264 Fed. Appx. 710.

No. 08–6264. *CALDWELL v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 08–6271. *STANLEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 370.

No. 08–6291. *SIAU v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 949.

555 U. S.

January 12, 2009

No. 08–6300. *CHAVERO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 355.

No. 08–6362. *FAHRENKRUG v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–6437. *ROMM v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 669.

No. 08–6443. *HINTON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 524 F. 3d 1198.

No. 08–6463. *STRICKLAND v. BRANKER, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 57.

No. 08–6475. *BADGER v. RICCI, ASSOCIATE ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 287 Fed. Appx. 178.

No. 08–6486. *LLANOS-AGOSTADERO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 486 F. 3d 1194.

No. 08–6559. *DASISA v. UNIVERSITY OF THE DISTRICT OF COLUMBIA BOARD OF TRUSTEES*. C. A. D. C. Cir. Certiorari denied. Reported below: 279 Fed. Appx. 5.

No. 08–6623. *WILSON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 43 Cal. 4th 1, 178 P. 3d 1113.

No. 08–6624. *FULLER v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 253 S. W. 3d 220.

No. 08–6640. *WALLACE ET UX. v. TRIBBEY ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 657.

No. 08–6668. *BONILLA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 524 F. 3d 647.

No. 08–6670. *BOOK v. TOBIN ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 263 Fed. Appx. 174.

No. 08–6673. *PACHECO-SANCHEZ, AKA ESPINOZA-BARRON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 625.

No. 08–6780. *SCHMIDT v. BODIN ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 570.

January 12, 2009

555 U. S.

No. 08–6794. *TAYLOR v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–6798. *CLARK v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

No. 08–6800. *SMITH v. FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 08–6813. *BUTLER v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–6815. *BROWN v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 08–6820. *BOLAR v. LUNA, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–6825. *ELDER v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–6827. *SMITH v. GOMEZ*. C. A. 9th Cir. Certiorari denied.

No. 08–6831. *MALLEY v. TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 169.

No. 08–6832. *CHAMBERLIN v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 989 So. 2d 320.

No. 08–6835. *CLARK ET UX. v. ZIPFEL*. Ct. App. Wash. Certiorari denied. Reported below: 139 Wash. App. 1036.

No. 08–6837. *FIELDS v. BOOKER*. C. A. 7th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 400.

No. 08–6838. *HUDSON v. BROWN, WARDEN*. Sup. Ct. Ga. Certiorari denied.

No. 08–6840. *NORRIS v. BROWN, SHERIFF, DEKALB COUNTY, GEORGIA*. Ct. App. Ga. Certiorari denied.

No. 08–6842. *MCCARTHY v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

555 U. S.

January 12, 2009

No. 08–6849. *SMITH v. VOORHIES, WARDEN*. Sup. Ct. Ohio. Certiorari denied. Reported below: 119 Ohio St. 3d 345, 894 N. E. 2d 44.

No. 08–6854. *WALKER v. CONWAY, SUPERINTENDENT, ATTICA CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 08–6861. *MILLER v. MILLS, SUPERINTENDENT, EASTERN OREGON CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied. Reported below: 525 F. 3d 890.

No. 08–6863. *RANCE v. STATE FARM MUTUAL AUTOMOBILE INSURANCE CO. ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–6865. *JOSEPH v. MICHIGAN*. Cir. Ct. Kent County, Mich. Certiorari denied.

No. 08–6868. *DELTORO v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 991 So. 2d 863.

No. 08–6872. *HAWKINS v. HERNANDEZ, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–6878. *NEALE v. HOREL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–6879. *FULLER v. BASAL ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–6880. *LOPEZ GAMBOA v. MILLER-STOUT, SUPERINTENDENT, AIRWAY HEIGHTS CORRECTIONS CENTER*. C. A. 9th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 569.

No. 08–6883. *MOSLEY v. ILLINOIS*. App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 377 Ill. App. 3d 1163, 953 N. E. 2d 92.

No. 08–6885. *WILLIS v. THOMAS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT CHESTER, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–6894. *COPP v. TARRO ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–6895. *BROWN v. SHERROD*. C. A. 10th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 542.

January 12, 2009

555 U. S.

No. 08–6900. *SMITH v. THOMPSON, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 08–6903. *CLARK v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–6905. *PRATHER v. HUDSON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–6907. *GARRETT v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–6908. *HALL v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–6909. *GORDON v. CAIN ET AL.* C. A. 5th Cir. Certiorari denied.

No. 08–6914. *DELESTON v. SOUTH CAROLINA*. C. A. 4th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 981.

No. 08–6915. *PHILLIPS v. WASHINGTON, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 885.

No. 08–6917. *CHILDRESS v. NEVADA*. Sup. Ct. Nev. Certiorari denied.

No. 08–6922. *MARTIN v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–6924. *WOOD v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–6926. *FLORES v. SCHRIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 598.

No. 08–6929. *CHAVEZ v. FAIRMAN, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 234 Fed. Appx. 600.

No. 08–6934. *DAIAK v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 983 So. 2d 587.

555 U. S.

January 12, 2009

No. 08–6935. *JONES v. OHIO STATE UNIVERSITY ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–6938. *LYNCH v. LORD.* C. A. 2d Cir. Certiorari denied.

No. 08–6939. *WATTS v. FLORIDA UNEMPLOYMENT APPEALS COMMISSION ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 988 So. 2d 623.

No. 08–6942. *VANN v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 378 Ill. App. 3d 1124, 955 N. E. 2d 186.

No. 08–6947. *GATTIS v. DELAWARE.* Sup. Ct. Del. Certiorari denied. Reported below: 955 A. 2d 1276.

No. 08–6948. *JOHNSON v. HUDSON, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 08–6949. *VERNON v. AYERS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 08–6955. *POE v. NEBRASKA.* Sup. Ct. Neb. Certiorari denied. Reported below: 276 Neb. 258, 754 N. W. 2d 393.

No. 08–6956. *LASHLEY v. OHIO.* Ct. App. Ohio, Stark County. Certiorari denied. Reported below: 118 Ohio St. 3d 1510, 889 N. E. 2d 1027.

No. 08–6957. *JONES v. NEW YORK.* App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 46 App. Div. 3d 1476, 847 N. Y. S. 2d 894.

No. 08–6963. *PETERS v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 984 So. 2d 1227.

No. 08–6969. *MARGARET Z. v. LOS ANGELES COUNTY DEPARTMENT OF CHILDREN AND FAMILY SERVICES.* Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 158 Cal. App. 4th 1102, 70 Cal. Rptr. 3d 583.

No. 08–6972. *CHEADLE v. DINWIDDIE, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 820.

No. 08–6979. *REED v. UNITED STATES POSTAL SERVICE ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 638.

January 12, 2009

555 U. S.

No. 08–6982. *BELL v. CULLIVER, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 08–6986. *AVENT v. DOE ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–6992. *ALLEN v. REILLY*. C. A. 9th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 268.

No. 08–6998. *DADE v. DIGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 283 Fed. Appx. 979.

No. 08–7001. *MUCKLE ET AL. v. FREEMONT INVESTMENTS & LOANS ET AL.* C. A. 1st Cir. Certiorari denied.

No. 08–7007. *RICE v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied.

No. 08–7008. *WAGNER v. SOUTH CAROLINA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied.

No. 08–7011. *CRAIG v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–7017. *GONZALEZ v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–7018. *FREEMAN v. MCCOLLUM, ATTORNEY GENERAL OF FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 536 F. 3d 1225.

No. 08–7022. *LAWTON v. PERRY TOWNSHIP POLICE DEPARTMENT ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–7023. *CATA v. GARCIA, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–7024. *CEO v. PADULA, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 106.

No. 08–7032. *WISE, AKA HETTICH v. HETTICH*. Sup. Ct. Fla. Certiorari denied. Reported below: 996 So. 2d 215.

No. 08–7033. *CHALIF v. CUOMO, ATTORNEY GENERAL OF NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied.

555 U. S.

January 12, 2009

No. 08–7034. *HARRIS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 43 Cal. 4th 1269, 185 P. 3d 727.

No. 08–7037. *GARCIA v. HALL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–7039. *PETERSON v. BRANKER, WARDEN*. C. A. 4th Cir. Certiorari denied.

No. 08–7044. *WASHINGTON v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 529.

No. 08–7045. *WILKENS v. NEWTON-EMBRY, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 526.

No. 08–7049. *ALTON v. MATHIS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 76.

No. 08–7051. *KING v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–7052. *POWERS v. JOHANSON ET AL.* C. A. 7th Cir. Certiorari denied.

No. 08–7054. *DANDAR v. KRYSEVIG ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–7056. *CABLE v. HOREL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–7057. *DAVIS v. MINNESOTA*. Sup. Ct. Minn. Certiorari denied.

No. 08–7059. *ROBINSON v. SISTO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–7062. *SCHACHTER v. MARSHALL, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 08–7066. *SMITH v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 08–7067. *REISCHAUER v. LAFLER, WARDEN*. C. A. 6th Cir. Certiorari denied.

January 12, 2009

555 U. S.

No. 08–7074. *MATSON v. COURT OF BRUNSWICK COUNTY, NORTH CAROLINA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 275.

No. 08–7076. *JONES v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 08–7077. *TILCOCK v. DONAT, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 538 F. 3d 1138.

No. 08–7079. *PEOPLES v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 08–7090. *MCGINLEY v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied. Reported below: 951 A. 2d 1214.

No. 08–7091. *MINTON v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 916.

No. 08–7092. *WISEMAN v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 08–7093. *YODER v. BARTOS, WARDEN, ET AL.* Ct. App. Ariz. Certiorari denied.

No. 08–7094. *BAGGETT v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF FLORIDA.* C. A. 11th Cir. Certiorari denied.

No. 08–7095. *ASEMANI v. MUKASEY, ATTORNEY GENERAL, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 248.

No. 08–7099. *STERHAN v. MICHIGAN.* Sup. Ct. Mich. Certiorari denied. Reported below: 481 Mich. 915, 750 N. W. 2d 217.

No. 08–7105. *VEGA v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 08–7107. *YORK v. EVANS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 08–7111. *ERLANDSON v. NORTHGLENN MUNICIPAL COURT.* C. A. 10th Cir. Certiorari denied. Reported below: 528 F. 3d 785.

555 U. S.

January 12, 2009

No. 08–7112. *CODINA v. CHERTOFF, SECRETARY OF HOMELAND SECURITY, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 432.

No. 08–7114. *CHRISTOPHE v. MORRIS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–7115. *ELJACK v. JOHNSON REALTY Co., INC.* Ct. Civ. App. Ala. Certiorari denied. Reported below: 19 So. 3d 924.

No. 08–7116. *GREEN v. RBS NATIONAL BANK.* C. A. 11th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 641.

No. 08–7125. *SAMPSON v. LAWLER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–7126. *SCHLEMM v. HUIBREGTSE, WARDEN.* C. A. 7th Cir. Certiorari denied.

No. 08–7131. *TILLMAN v. MENDOZA-POWERS, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 668.

No. 08–7135. *NORMAN v. CAREY, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 08–7140. *CUTHBERTSON v. CUTHBERTSON.* Ct. App. Ariz. Certiorari denied.

No. 08–7144. *SMITH v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–7147. *MILLS v. UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK.* C. A. 2d Cir. Certiorari denied.

No. 08–7148. *FORD v. POWERS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 08–7149. *HEARING v. TENNESSEE.* Ct. Crim. App. Tenn. Certiorari denied.

No. 08–7151. *HILLARD v. WEBB, WARDEN.* C. A. 6th Cir. Certiorari denied.

January 12, 2009

555 U. S.

No. 08–7153. *FULLER v. FLORIDA*. C. A. 11th Cir. Certiorari denied.

No. 08–7155. *HALL v. ERCOLE, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 08–7156. *GULLY, AKA CHAMBLAIN v. POWER, ADMINISTRATOR, EAST JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–7159. *FORREST v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 08–7160. *SALERNO v. NEW JERSEY ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–7162. *FICKEN v. LUNDEBYE ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 08–7166. *RAMOS v. SHEPHERD, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–7167. *JUSTICE v. LIVINGSTON, SUPERINTENDENT, ERIE COUNTY HOLDING CENTER, ET AL.* App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied.

No. 08–7169. *EL BEY v. MCMASTER, ATTORNEY GENERAL OF SOUTH CAROLINA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 1001.

No. 08–7170. *TREADWAY v. KANE, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 672.

No. 08–7171. *VILLANUEVA v. ROZUM, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SOMERSET, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–7177. *DAGLEY v. RUSSO, SUPERINTENDENT, SOUZA-BARANOWSKI CORRECTIONAL CENTER*. C. A. 1st Cir. Certiorari denied. Reported below: 540 F. 3d 8.

No. 08–7191. *TRAVIS v. PARK CITY MUNICIPAL CORPORATION ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 829.

555 U. S.

January 12, 2009

No. 08–7194. *BARTLETTE v. KMART CORP. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 312 Fed. Appx. 441.

No. 08–7208. *BUTLER v. CITY OF MILWAUKEE, WISCONSIN.* C. A. 7th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 838.

No. 08–7223. *FIGURA TORREFRANCA v. SCHIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 607.

No. 08–7233. *SUTTON v. FARWELL, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 529.

No. 08–7237. *BROWN v. ASTRUE, COMMISSIONER OF SOCIAL SECURITY.* C. A. 11th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 726.

No. 08–7250. *SWITZER ET UX. v. SUPREME COURT OF VIRGINIA.* Sup. Ct. Va. Certiorari denied.

No. 08–7257. *SITKOVETSKIY v. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–7269. *JOHNSON v. A TOUCH OF CLASS PAINTING, INC., ET AL.* Sup. Ct. Minn. Certiorari denied.

No. 08–7278. *PARADIS v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 66.

No. 08–7279. *REYNOSO v. BAYER AG ET AL.* C. A. 8th Cir. Certiorari denied.

No. 08–7281. *CARNEY v. KELLY, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY.* C. A. 5th Cir. Certiorari denied.

No. 08–7283. *HAMPTON v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 08–7287. *ALEXANDER v. FORR ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 297 Fed. Appx. 102.

No. 08–7295. *KIKKERT v. SCHMIDT.* C. A. 7th Cir. Certiorari denied.

No. 08–7296. *PATTERSON v. VANDERVER ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 259 Fed. Appx. 912.

January 12, 2009

555 U. S.

No. 08–7297. *OSUMAH v. MUKASEY, ATTORNEY GENERAL*. C. A. 2d Cir. Certiorari denied.

No. 08–7298. *TAVARES v. MEYERS ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 257 Fed. Appx. 466.

No. 08–7301. *WILKERSON v. BECK, SECRETARY, NORTH CAROLINA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 708.

No. 08–7303. *ROBINSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 532 F. 3d 764.

No. 08–7304. *SOTO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 539 F. 3d 191.

No. 08–7305. *SPARKMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 12.

No. 08–7307. *SLAUGHTER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 953.

No. 08–7311. *SIRIANO-ORTIZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 609.

No. 08–7312. *RAMSEY v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 921 So. 2d 779.

No. 08–7313. *SVEUM v. SMITH, WARDEN*. Ct. App. Wis. Certiorari denied. Reported below: 313 Wis. 2d 522, 756 N. W. 2d 478.

No. 08–7315. *WESLEY v. JANECKA, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 521.

No. 08–7317. *THOMAS v. DONAT, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 28.

No. 08–7318. *HINTON, AKA SMITH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–7320. *NORRIS v. FLORIDA* (two judgments). Sup. Ct. Fla. Certiorari denied. Reported below: 992 So. 2d 820.

No. 08–7322. *JAMES v. POLLARD*. Sup. Ct. Wis. Certiorari denied.

555 U. S.

January 12, 2009

No. 08–7324. *PIERCE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 886.

No. 08–7326. *CODINA v. CHERTOFF, SECRETARY OF HOMELAND SECURITY, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–7327. *BLAKE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 449.

No. 08–7328. *BRANHAM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 642.

No. 08–7336. *REED v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 539 F. 3d 595.

No. 08–7337. *MEJIA v. GARCIA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 534 F. 3d 1036.

No. 08–7340. *JAEGER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 538 F. 3d 1227.

No. 08–7342. *POWELL v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 920.

No. 08–7343. *ANDREWS-WILLMANN v. PAULSON, SECRETARY OF THE TREASURY*. C. A. 11th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 741.

No. 08–7344. *ANGUIANO-ROSALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 994.

No. 08–7346. *BRANCH v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 312 Wis. 2d 480, 751 N. W. 2d 902.

No. 08–7347. *CARTER v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 08–7348. *CONTRERAS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 536 F. 3d 1167.

No. 08–7349. *ECKLES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 535.

No. 08–7354. *ESFANDIARY v. MUKASEY, ATTORNEY GENERAL*. C. A. 10th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 816.

January 12, 2009

555 U. S.

No. 08–7358. *THOMPSON v. CHOINSKI, WARDEN, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 525 F. 3d 205.

No. 08–7359. *TOLLIVER v. UNITED STATES.* Ct. App. D. C. Certiorari denied. Reported below: 928 A. 2d 731.

No. 08–7360. *BRANCH v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 537 F. 3d 328.

No. 08–7361. *CARDENAS LUNA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 692.

No. 08–7362. *LICON v. MARSHALL, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 468.

No. 08–7364. *BROWN v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 283 Fed. Appx. 63.

No. 08–7365. *BENZEL v. HOUSTON, DIRECTOR, NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES.* C. A. 8th Cir. Certiorari denied.

No. 08–7366. *MYLES v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 08–7367. *MOSS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 839.

No. 08–7371. *RAHMAN v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 527 F. 3d 266.

No. 08–7377. *McKENZIE v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 283 Fed. Appx. 13.

No. 08–7378. *NEAL v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 08–7379. *JOHNSON v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 08–7383. *PHILLIPS v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 543 F. 3d 1197.

No. 08–7384. *DAWSON v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 574.

No. 08–7386. *MELENDEZ-MARRERO v. UNITED STATES.* C. A. 1st Cir. Certiorari denied.

555 U. S.

January 12, 2009

No. 08-7390. *MILLER v. MCDANIEL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08-7393. *QUOC THAI MINH THUY v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 08-7394. *NEWSON, AKA JOHNSON v. BETT.* C. A. 7th Cir. Certiorari denied.

No. 08-7397. *KING v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 541 F. 3d 1143.

No. 08-7398. *JONES v. PARKER, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 08-7400. *VASQUEZ CARBAJAL, AKA CARVAJAL VAZQUEZ, AKA VASQUEZ-CARBAJAL, AKA CARVAJAL-VASQUEZ, AKA VAZQUEZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 713.

No. 08-7401. *DJOUMESSI v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 538 F. 3d 547.

No. 08-7404. *PENOYER v. FLORIDA.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 988 So. 2d 1102.

No. 08-7406. *PYNE v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 197.

No. 08-7407. *ANTUNEZ JIMENEZ v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 32.

No. 08-7411. *BAER v. WINTER, SECRETARY OF THE NAVY, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 08-7413. *SOTO FERNANDEZ, AKA FERNANDEZ ROCHA v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 08-7414. *GUESS v. CALIFORNIA.* Ct. App. Cal., 6th App. Dist. Certiorari denied. Reported below: 158 Cal. App. 4th 283, 69 Cal. Rptr. 3d 652.

No. 08-7415. *FUNCHESS v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 947.

No. 08-7417. *GASKINS v. CLARKE, COMMISSIONER, MASSACHUSETTS DEPARTMENT OF CORRECTIONS.* C. A. 1st Cir. Certiorari denied.

January 12, 2009

555 U. S.

No. 08–7419. *TRUJILLO v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 08–7422. *MALTESE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–7424. *KIM v. ADAMS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 759.

No. 08–7426. *RICHARDSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 532 F. 3d 1279.

No. 08–7427. *RIPPETOE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 108.

No. 08–7428. *BENKAHLA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 530 F. 3d 300.

No. 08–7429. *ADKINS v. FAIRFAX COUNTY SCHOOL BOARD ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 202.

No. 08–7430. *TIPPINS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 313.

No. 08–7431. *VANCE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 3.

No. 08–7432. *TAYLOR v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 943.

No. 08–7434. *WARREN v. GARTMAN, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 767.

No. 08–7437. *LUDWIG v. BERKS COUNTY, PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 313 Fed. Appx. 479.

No. 08–7438. *MONZON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–7450. *TURNER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–7451. *BANKS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

555 U. S.

January 12, 2009

No. 08-7452. *COPELAND v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 566.

No. 08-7454. *DEMBRY, AKA KEITH, AKA WILSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 535 F. 3d 798.

No. 08-7455. *CHAVEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 534 F. 3d 1338.

No. 08-7456. *MENDEZ-ECHEVARRIA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 540 F. 3d 24.

No. 08-7459. *BAILEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 770.

No. 08-7463. *BIGGS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 591.

No. 08-7464. *PRYCE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08-7467. *KING v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 540 F. 3d 702.

No. 08-7471. *MATHIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08-7472. *CLARK-AIGNER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 185.

No. 08-7474. *VIRGIL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 405.

No. 08-7475. *SUKUP v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 08-7478. *BECERRIL-LOPEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 541 F. 3d 881.

No. 08-7479. *BURFORD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 201.

No. 08-7481. *McGOWAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 288.

No. 08-7482. *MERCER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 541 F. 3d 1070.

January 12, 2009

555 U. S.

No. 08–7483. *PIKE v. UNITED STATES*; and
No. 08–7549. *PATTISON v. UNITED STATES*. C. A. 2d Cir.
Certiorari denied. Reported below: 292 Fed. Appx. 108.

No. 08–7486. *SMITH v. UNITED STATES*. C. A. 5th Cir. Cer-
tiorari denied. Reported below: 285 Fed. Appx. 189.

No. 08–7487. *SANTOS v. UNITED STATES*. C. A. 2d Cir. Cer-
tiorari denied. Reported below: 541 F. 3d 63.

No. 08–7489. *SMITH v. UNITED STATES*. C. A. 11th Cir. Cer-
tiorari denied.

No. 08–7495. *SPENCER v. UNITED STATES*. C. A. 3d Cir.
Certiorari denied.

No. 08–7503. *CAMPOS v. UNITED STATES*. C. A. 7th Cir. Cer-
tiorari denied. Reported below: 541 F. 3d 735.

No. 08–7506. *McLAIN v. UNITED STATES*. C. A. 1st Cir.
Certiorari denied.

No. 08–7508. *JOHNSON v. UNITED STATES*. C. A. 11th Cir.
Certiorari denied. Reported below: 290 Fed. Appx. 214.

No. 08–7509. *JAMES v. UNITED STATES*. C. A. 7th Cir. Cer-
tiorari denied. Reported below: 540 F. 3d 702.

No. 08–7510. *GRIESBACH v. UNITED STATES*. C. A. 7th Cir.
Certiorari denied. Reported below: 540 F. 3d 654.

No. 08–7511. *GODWIN v. UNITED STATES*. C. A. 11th Cir.
Certiorari denied. Reported below: 296 Fed. Appx. 744.

No. 08–7514. *RICHMOND v. UNITED STATES*. C. A. 9th Cir.
Certiorari denied.

No. 08–7516. *SMART v. UNITED STATES*. C. A. 4th Cir. Cer-
tiorari denied. Reported below: 290 Fed. Appx. 579.

No. 08–7518. *SMITH v. UNITED STATES*. C. A. 11th Cir. Cer-
tiorari denied.

No. 08–7519. *BRUNSON v. UNITED STATES*. C. A. 4th Cir.
Certiorari denied.

No. 08–7520. *BROWN v. UNITED STATES*. C. A. 7th Cir. Cer-
tiorari denied.

555 U. S.

January 12, 2009

No. 08–7523. *BERMUDEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 529 F. 3d 158.

No. 08–7524. *BLEVINS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 241.

No. 08–7528. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 36.

No. 08–7534. *HERNANDEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 541 F. 3d 422.

No. 08–7535. *GARY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 528 F. 3d 324.

No. 08–7537. *GARCIA-QUINTERO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 537.

No. 08–7538. *HEARNE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 559.

No. 08–7542. *TAYLOR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 237.

No. 08–7548. *CASTELLON-FALCON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 798.

No. 08–7552. *JACKSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 770.

No. 08–7553. *PRICE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 277.

No. 08–7554. *TURNER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 595.

No. 08–7558. *BETCHER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 534 F. 3d 820.

No. 08–7559. *BAKER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 538 F. 3d 324.

No. 08–7564. *KIRLEW v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 536.

No. 08–7566. *STOTERAU v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 524 F. 3d 988.

January 12, 2009

555 U. S.

No. 08–7567. *CLINE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 229.

No. 08–7569. *COPE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 445.

No. 08–7571. *LIPSCOMB v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 539 F. 3d 32.

No. 08–7573. *PAGE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 521 F. 3d 101.

No. 08–7574. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 1.

No. 08–7575. *VALLEJO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 660.

No. 08–7576. *BOLIVAR v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 532 F. 3d 599.

No. 08–7580. *HERNANDEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–7582. *LUCEI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 839.

No. 08–7584. *MATEO, AKA FELICIANO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–7590. *BEAUDETTE v. DEPARTMENT OF THE TREASURY*. C. A. Fed. Cir. Certiorari denied. Reported below: 250 Fed. Appx. 980.

No. 08–7591. *MIERA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 539 F. 3d 1232.

No. 08–7594. *CONLENZO-HUFFMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 361.

No. 08–7595. *EDWARDS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 540 F. 3d 1156.

No. 08–7601. *TRUESDALE v. MUKASEY, ATTORNEY GENERAL, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 08–7604. *CRUSOE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 506.

555 U. S.

January 12, 2009

No. 08–7606. *MASON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–7607. *SANCHEZ LUGO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 224.

No. 08–7610. *McFADDEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 541 F. 3d 1323.

No. 08–7611. *MIRANDA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–7612. *PRESSEY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 299 Fed. Appx. 118.

No. 08–7615. *SANDOVAL-VASQUEZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–7616. *LINDER v. FRIEDMAN*. C. A. 4th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 168.

No. 08–7619. *JOHNSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 293 Fed. Appx. 59.

No. 08–7623. *VASILOFF v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–7624. *WARD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–7631. *HENDRICKS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 287 Fed. Appx. 150.

No. 08–7636. *HART v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–7638. *FARRIS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 532 F. 3d 615.

No. 08–7653. *CASTILLO-CUEVAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 960.

No. 08–7654. *COMISAR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 821.

No. 08–7655. *EVANS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 761.

January 12, 2009

555 U. S.

No. 08–7736. *ARREDONDO v. HUIBREGTSE, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 542 F. 3d 1155.

No. 08–212. *EXXON MOBIL CORP. v. FEDERAL ENERGY REGULATORY COMMISSION ET AL.* C. A. D. C. Cir. Motion of Washington Legal Foundation for leave to file a brief as *amicus curiae* granted. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this motion and this petition. Reported below: 268 Fed. Appx. 7.

No. 08–402. *KANSAS v. MORTON*. Sup. Ct. Kan. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 286 Kan. 632, 186 P. 3d 785.

No. 08–500. *LAMBERT v. HARTMANN, CLERK OF COURTS, HAMILTON COUNTY, OHIO, ET AL.* C. A. 6th Cir. Motion of Consumer Action and Privacy Rights Clearinghouse for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 517 F. 3d 433.

No. 08–510. *IVALDY v. LORAL SPACE & COMMUNICATIONS LTD. ET AL.* C. A. 2d Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 266 Fed. Appx. 52.

No. 08–519. *ROBERTS v. HAGENER, DIRECTOR, MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS, ET AL.* C. A. 9th Cir. Motion of Pacific Legal Foundation for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 287 Fed. Appx. 586.

No. 08–570. *BERG v. OBAMA ET AL.* C. A. 3d Cir. Motion of Bill Anderson for leave to file a brief as *amicus curiae* granted. Certiorari before judgment denied.

No. 08–585. *OHIO v. WADE*. Ct. App. Ohio, Franklin County. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 2008-Ohio-1797.

No. 08–6817. *BRANSCOMBE v. ROE, WARDEN*. C. A. 9th Cir. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied. Reported below: 521 F. 3d 1222.

No. 08–7010. *DEEP v. RECORDING INDUSTRY ASSOCIATION OF AMERICA, INC., ET AL.* C. A. 1st Cir. Certiorari denied. THE

555 U. S.

January 12, 2009

CHIEF JUSTICE took no part in the consideration or decision of this petition.

Rehearing Denied

No. 07-1430. MCCLASKEY *v.* LA PLATA R-II SCHOOL DISTRICT ET AL., *ante*, p. 818;

No. 07-1471. YEE *v.* STATE COURT ADMINISTRATIVE OFFICE ET AL., *ante*, p. 820;

No. 07-1613. AL-MARBU *v.* MUKASEY, ATTORNEY GENERAL, *ante*, p. 993;

No. 07-9931. BAKER *v.* UNITED STATES, *ante*, p. 829;

No. 07-10583. CHASE *v.* TEXAS, *ante*, p. 832;

No. 07-10688. PEEK *v.* QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 835;

No. 07-10746. BAUBLITZ *v.* INGHAM CIRCUIT JUDGE, *ante*, p. 836;

No. 07-10828. SHUSTERMAN *v.* UNITED STATES, *ante*, p. 839;

No. 07-10936. HIDDENS *v.* LEIBOLD ET VIR, *ante*, p. 842;

No. 07-10983. ROHN *v.* WILSON ET AL., *ante*, p. 844;

No. 07-11016. MORRISON *v.* VAUGHN, SUPERINTENDENT, ODOM CORRECTIONAL INSTITUTION, *ante*, p. 846;

No. 07-11085. VINES *v.* JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, *ante*, p. 848;

No. 07-11104. FRESQUEZ *v.* CALIFORNIA, *ante*, p. 849;

No. 07-11166. SEYMOUR *v.* UNITED STATES, *ante*, p. 852;

No. 07-11221. ROBINSON *v.* CAIN, WARDEN, *ante*, p. 855;

No. 07-11226. SOBITAN *v.* UNITED STATES, *ante*, p. 856;

No. 07-11385. JACKSON *v.* THOMPSON ET AL., *ante*, p. 865;

No. 07-11386. ABIDAUD *v.* MUKASEY, ATTORNEY GENERAL, *ante*, p. 1031;

No. 07-11504. MARK *v.* QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 873;

No. 07-11521. GUEYE *v.* AIRBORNE EXPRESS ET AL., *ante*, p. 874;

No. 07-11522. GUEYE *v.* GUTIERREZ, SECRETARY OF COMMERCE, *ante*, p. 874;

No. 08-58. SHELBY *v.* UNITED STATES, *ante*, p. 1031;

No. 08-62. PERSIK *v.* TUCCI LEARNING SOLUTIONS, INC., ET AL., *ante*, p. 883;

January 12, 2009

555 U. S.

- No. 08–204. *MARTIN v. HOWARD UNIVERSITY ET AL.*, *ante*, p. 1040;
- No. 08–243. *THOMAS v. EVANSVILLE VANDERBURGH SCHOOL CORPORATION ET AL.*, *ante*, p. 994;
- No. 08–275. *LEE v. HUNTLEIGH HEALTHCARE, LLC, ET AL.*, *ante*, p. 995;
- No. 08–287. *BELLO v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS*, *ante*, p. 995;
- No. 08–292. *DAHLQUIST v. CITY OF KENT, WASHINGTON, ET AL.*, *ante*, p. 1012;
- No. 08–311. *ALTHEIMER v. SETON CORP., DBA BAPTIST HOSPITAL*, *ante*, p. 1012;
- No. 08–315. *CLARK v. NEW YORK CITY TRANSIT AUTHORITY ET AL.*, *ante*, p. 1012;
- No. 08–316. *UNITED STATES EX REL. BOTT ET AL. v. SILICON VALLEY COLLEGES ET AL.*, *ante*, p. 1012;
- No. 08–335. *DURAND v. CITY OF PHOENIX, ARIZONA*, *ante*, p. 996;
- No. 08–353. *LOCKWOOD v. BEASLEY ET AL.*, *ante*, p. 996;
- No. 08–454. *CRUMP-DONAHUE v. UNITED STATES*, *ante*, p. 1048;
- No. 08–5116. *LATTAKER v. RENDELL, GOVERNOR OF PENNSYLVANIA, ET AL.*, *ante*, p. 896;
- No. 08–5117. *IN RE LATTAKER*, *ante*, p. 810;
- No. 08–5137. *MOORE v. FLORIDA*, *ante*, p. 897;
- No. 08–5308. *YOUNG v. RUSHTON, WARDEN, ET AL.*, *ante*, p. 907;
- No. 08–5340. *SILVO v. CAIN, WARDEN*, *ante*, p. 909;
- No. 08–5399. *RAY v. MINOR, WARDEN*, *ante*, p. 912;
- No. 08–5402. *PETERSON v. UNITED STATES*, *ante*, p. 913;
- No. 08–5477. *BUONSIGNORE v. UNITED STATES*, *ante*, p. 917;
- No. 08–5533. *BOWMAN v. UNITED STATES*, *ante*, p. 920;
- No. 08–5571. *HUTSON v. GIURBINO, WARDEN*, *ante*, p. 922;
- No. 08–5583. *AKERS v. UNITED STATES*, *ante*, p. 923;
- No. 08–5597. *WILLIAMS v. OHIO*, *ante*, p. 947;
- No. 08–5630. *ALI v. DEPARTMENT OF HEALTH AND HUMAN SERVICES*, *ante*, p. 924;
- No. 08–5642. *BAEZ v. UNITED STATES*, *ante*, p. 925;
- No. 08–5815. *LYON v. VIRGINIA*, *ante*, p. 952;
- No. 08–5823. *HARRIS v. KERESTES, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MAHANOEY, ET AL.*, *ante*, p. 931;

555 U. S.

January 12, 2009

No. 08–5856. *SHAW v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 972;

No. 08–5887. *WARNER v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 973;

No. 08–5924. *CARRASCOSA v. MCGUIRE*, SHERIFF, BERGEN COUNTY, NEW JERSEY, ET AL., *ante*, p. 998;

No. 08–5950. *SIMMONS v. BUSH*, PRESIDENT OF THE UNITED STATES, ET AL., *ante*, p. 954;

No. 08–5951. *SPURLOCK v. UTILITY SERVICE EXPRESS, LLC*, ET AL., *ante*, p. 998;

No. 08–5952. *SOWERS v. UNITED STATES*, *ante*, p. 935;

No. 08–5967. *LATHAM v. MUNICIPALITY OF ANCHORAGE*, ALASKA, *ante*, p. 974;

No. 08–6003. *DIXON v. THOMPSON*, WARDEN, *ante*, p. 999;

No. 08–6014. *BEARD v. JP MORGAN CHASE BANK NATIONAL ASSN.*, *ante*, p. 999;

No. 08–6056. *CAPERS v. ROGERS*, ADMINISTRATOR, ADULT DIAGNOSTIC AND TREATMENT CENTER, ET AL., *ante*, p. 955;

No. 08–6084. *CROOK v. EL PASO INDEPENDENT SCHOOL DISTRICT*, *ante*, p. 956;

No. 08–6086. *RANDOLPH v. TATAROW FAMILY PARTNERS, LTD.*, *ante*, p. 1000;

No. 08–6094. *VERDI v. WILKINSON COUNTY, GEORGIA*, ET AL., *ante*, p. 1001;

No. 08–6096. *YOUNGBLOOD v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 1001;

No. 08–6105. *LEONOR v. BRITTEN ET AL.*, *ante*, p. 974;

No. 08–6108. *OLIVER v. CORBETT*, ATTORNEY GENERAL OF PENNSYLVANIA, *ante*, p. 1001;

No. 08–6128. *FLORES VERA v. TEXAS ET AL.*, *ante*, p. 1002;

No. 08–6145. *GRAY v. UNITED STATES*, *ante*, p. 958;

No. 08–6224. *TORJAGBO v. UNITED STATES*, *ante*, p. 1003;

No. 08–6234. *HARPER v. CITY OF HOUSTON, TEXAS*, ET AL., *ante*, p. 1003;

No. 08–6247. *VINES v. JOHNSON*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, *ante*, p. 1015;

No. 08–6257. *HIDDENS v. LEIBOLD ET AL.*, *ante*, p. 1015;

No. 08–6282. *SMITH v. CLARK*, WARDEN, *ante*, p. 1016;

January 12, 15, 16, 2009

555 U. S.

- No. 08–6327. *BRUVOLD v. NEW MEXICO*, *ante*, p. 1016;
No. 08–6401. *LAITY v. PEAKE*, SECRETARY OF VETERANS AFFAIRS, *ante*, p. 1016;
No. 08–6431. *COGGINS v. UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA ET AL.*, *ante*, p. 1005;
No. 08–6488. *AMBORT v. UNITED STATES*, *ante*, p. 1017;
No. 08–6748. *IN RE COX*, *ante*, p. 1011;
No. 08–6821. *BAXTER v. UNITED STATES*, *ante*, p. 1020; and
No. 08–6913. *IN RE CHERY*, *ante*, p. 1030. Petitions for rehearing denied.

JANUARY 15, 2009

Certiorari Denied

No. 08–8186 (08A614). *CALLAHAN v. ALABAMA*. Sup. Ct. Ala. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied.

JANUARY 16, 2009

Certiorari Granted

No. 08–305. *FOREST GROVE SCHOOL DISTRICT v. T. A. C. A.* 9th Cir. Certiorari granted. Petitioner’s brief is to be filed on or before Wednesday, February 25, 2009. Respondent’s brief is to be filed on or before Wednesday, March 25, 2009. A reply brief, if any, is to be filed in accordance with this Court’s Rule 25.3. Reported below: 523 F. 3d 1078.

No. 08–453. *CUOMO, ATTORNEY GENERAL OF NEW YORK v. CLEARING HOUSE ASSN., L. L. C., ET AL.* C. A. 2d Cir. Certiorari granted. Petitioner’s brief is to be filed on or before Wednesday, February 25, 2009. Respondents’ brief is to be filed on or before Wednesday, March 25, 2009. A reply brief, if any, is to be filed in accordance with this Court’s Rule 25.3. Reported below: 510 F. 3d 105.

No. 08–479. *SAFFORD UNIFIED SCHOOL DISTRICT #1 ET AL. v. REDDING*. C. A. 9th Cir. Certiorari granted. Petitioners’ brief is to be filed on or before Wednesday, February 25, 2009. Respondent’s brief is to be filed on or before Wednesday, March 25, 2009. A reply brief, if any, is to be filed in accordance with this Court’s Rule 25.3. Reported below: 531 F. 3d 1071.

555 U. S.

January 16, 21, 2009

No. 08–495. *NIJHAWAN v. MUKASEY, ATTORNEY GENERAL*. C. A. 3d Cir. Certiorari granted limited to the following question: “Whether petitioner’s conviction for conspiracy to commit bank fraud, mail fraud, and wire fraud qualifies as a conviction for conspiracy to commit an ‘offense that involves fraud or deceit in which the loss to the victim or victims exceeds \$10,000,’ 8 U. S. C. §§ 1101(a)(43)(M)(i) and (U), where petitioner stipulated for sentencing purposes that the victim loss associated with his fraud offense exceeded \$100 million, and the judgment of conviction and restitution order calculated total victim loss as more than \$680 million.” Petitioner’s brief is to be filed on or before Wednesday, February 25, 2009. Respondent’s brief is to be filed on or before Wednesday, March 25, 2009. A reply brief, if any, is to be filed in accordance with this Court’s Rule 25.3. Reported below: 523 F. 3d 387.

No. 08–598. *BOBBY, WARDEN v. BIES*. C. A. 6th Cir. Certiorari granted. Petitioner’s brief is to be filed on or before Wednesday, February 25, 2009. Respondent’s brief is to be filed on or before Wednesday, March 25, 2009. A reply brief, if any, is to be filed in accordance with this Court’s Rule 25.3. Reported below: 519 F. 3d 324.

No. 08–660. *UNITED STATES EX REL. EISENSTEIN v. CITY OF NEW YORK, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari granted. Petitioner’s brief is to be filed on or before Wednesday, February 25, 2009. Respondents’ brief is to be filed on or before Wednesday, March 25, 2009. A reply brief, if any, is to be filed in accordance with this Court’s Rule 25.3. Reported below: 540 F. 3d 94.

JANUARY 21, 2009

Certiorari Granted—Reversed and Remanded. (See No. 08–5721, *ante*, p. 261.)

Certiorari Granted—Vacated and Remanded

No. 06–10751. *GOLDEN v. UNITED STATES*. C. A. 7th Cir. Reported below: 466 F. 3d 612;

No. 06–10972. *PATTERSON v. UNITED STATES*. C. A. 10th Cir. Reported below: 472 F. 3d 767;

No. 07–5354. *MILLS v. UNITED STATES*. C. A. 8th Cir. Reported below: 223 Fed. Appx. 516;

January 21, 2009

555 U. S.

No. 07–5978. *HUNT v. UNITED STATES*. C. A. 7th Cir. Reported below: 224 Fed. Appx. 531;

No. 07–6719. *SUMMERS v. UNITED STATES*. C. A. 11th Cir. Reported below: 238 Fed. Appx. 552;

No. 07–7987. *LANCASTER v. UNITED STATES*. C. A. 6th Cir. Reported below: 501 F. 3d 673;

No. 07–8093. *INGRAM v. UNITED STATES*. C. A. 8th Cir. Reported below: 501 F. 3d 963;

No. 07–8429. *ADDO v. MUKASEY, ATTORNEY GENERAL*. C. A. 3d Cir.;

No. 07–8438. *PRATT v. UNITED STATES*. C. A. 1st Cir. Reported below: 496 F. 3d 124;

No. 07–9281. *CRUZ v. UNITED STATES*. C. A. 7th Cir. Reported below: 254 Fed. Appx. 550;

No. 07–10063. *AVALOS v. UNITED STATES*. C. A. 10th Cir. Reported below: 506 F. 3d 972;

No. 07–10474. *PARKS v. UNITED STATES*. C. A. 8th Cir. Reported below: 249 Fed. Appx. 484;

No. 07–11355. *HOPKINS v. UNITED STATES*. C. A. 3d Cir. Reported below: 264 Fed. Appx. 173;

No. 07–11559. *OAKS v. UNITED STATES*. C. A. 6th Cir.;

No. 07–11560. *MORA v. UNITED STATES*. C. A. 10th Cir.;

No. 08–5661. *BRUNSON v. UNITED STATES*. C. A. 11th Cir.; and

No. 08–6406. *REYES-FIGUEROA v. UNITED STATES*. C. A. 5th Cir. Reported below: 282 Fed. Appx. 330. Motions of petitioners for leave to proceed *in forma pauperis* granted. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *Chambers v. United States*, *ante*, p. 122.

No. 07–61. *MATHIAS v. UNITED STATES*. C. A. 4th Cir. Reported below: 482 F. 3d 743; and

No. 07–668. *TAYLOR v. UNITED STATES*. C. A. 11th Cir. Reported below: 489 F. 3d 1112. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *Chambers v. United States*, *ante*, p. 122.

No. 07–1474. *PIETRZAK v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir.; and

555 U. S.

January 21, 2009

No. 07-1584. LEE *v.* CAIN, WARDEN. C. A. 5th Cir. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *Jimenez v. Quarterman*, *ante*, p. 113.

No. 07-5209. THOMAS *v.* UNITED STATES. C. A. D. C. Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Chambers v. United States*, *ante*, p. 122. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

No. 07-7789. MADLOCK *v.* QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir.;

No. 07-9317. MUNSCH *v.* QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir.; and

No. 07-9406. O'NEAL *v.* KENNY, WARDEN. C. A. 8th Cir. Reported below: 501 F. 3d 969. Motions of petitioners for leave to proceed *in forma pauperis* granted. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *Jimenez v. Quarterman*, *ante*, p. 113.

No. 07-9187. LACASSE *v.* UNITED STATES. C. A. 6th Cir. Reported below: 253 Fed. Appx. 553;

No. 07-9674. CASTILLO-LUCIO *v.* UNITED STATES. C. A. 5th Cir. Reported below: 256 Fed. Appx. 720;

No. 07-9936. VANHOOK *v.* UNITED STATES. C. A. 6th Cir. Reported below: 510 F. 3d 569;

No. 07-10061. ARMENDARIZ-MORENO *v.* UNITED STATES. C. A. 5th Cir. Reported below: 258 Fed. Appx. 666;

No. 07-10756. CRAMPTON *v.* UNITED STATES. C. A. 9th Cir. Reported below: 519 F. 3d 893;

No. 07-10831. HOTT *v.* UNITED STATES. C. A. 8th Cir. Reported below: 262 Fed. Appx. 734; and

No. 08-5236. VINCENT *v.* UNITED STATES. C. A. 8th Cir. Reported below: 519 F. 3d 732. Motions of petitioners for leave to proceed *in forma pauperis* granted. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *Begay v. United States*, 553 U. S. 137 (2008), and *Chambers v. United States*, *ante*, p. 122.

January 21, 2009

555 U. S.

No. 08–5878. *MORELAND v. UNITED STATES*. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *United States v. Santos*, 553 U. S. 507 (2008). Reported below: 509 F. 3d 1201.

Certiorari Dismissed

No. 08–7190. *BELL-BOSTON v. DORCEY ET AL.* C. A. D. C. Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 298 Fed. Appx. 12.

No. 08–7259. *SENATOR v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 3. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–7321. *STRUCK v. COOK COUNTY PUBLIC GUARDIAN*. C. A. 7th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–7677. *D’AMARIO v. DAVIS, WARDEN*. C. A. 10th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

Miscellaneous Orders

No. 07A925. *SIBLEY v. BAR COUNSEL FOR THE DISTRICT OF COLUMBIA*. Ct. App. D. C. Application for stay, addressed to JUSTICE THOMAS and referred to the Court, denied.

No. 08A505 (08–570). *BERG v. OBAMA ET AL.* C. A. 3d Cir. Application for stay, addressed to JUSTICE SCALIA and referred to the Court, denied.

No. 08A522. *POLICASTRO v. KONTOGIANNIS ET AL.* C. A. 3d Cir. Application for stay, addressed to JUSTICE ALITO and referred to the Court, denied.

No. 08M45. *SAM v. PENNSYLVANIA*. Motion of petitioner for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner granted.

No. 08M46. *PARRISH v. PARRISH*;

555 U. S.

January 21, 2009

No. 08M47. GHAZIBAYAT *v.* SBC ADVANCED SOLUTIONS, INC.;
No. 08M48. HAYES *v.* FIDEL ET AL.; and
No. 08M50. PITERIAK ET UX. *v.* CINQUE. Motions to direct
the Clerk to file petitions for writs of certiorari out of time denied.

No. 08M49. HAVEN *v.* WORTH. Motion for leave to proceed as
a veteran denied.

No. 08–645. ABBOTT *v.* ABBOTT. C. A. 5th Cir. The Solicitor
General is invited to file a brief in this case expressing the views
of the United States.

No. 08–6789. TUCKER *v.* MONROE ET AL. C. A. 3d Cir. Mo-
tion of petitioner for reconsideration of order denying leave to
proceed *in forma pauperis* [ante, p. 1067] denied.

No. 08–802. IN RE PARTAIN;
No. 08–7813. IN RE CURTIS;
No. 08–7888. IN RE FLORENCE; and
No. 08–7889. IN RE INDUSTRIOUS. Petitions for writs of ha-
beas corpus denied.

No. 08–7333. IN RE MILLER. Motion of petitioner for leave
to proceed *in forma pauperis* denied, and petition for writ of
habeas corpus dismissed. See this Court’s Rule 39.8.

No. 08–7814. IN RE EMBREY. Motion of petitioner for leave
to proceed *in forma pauperis* denied, and petition for writ of
habeas corpus dismissed. See this Court’s Rule 39.8. As peti-
tioner has repeatedly abused this Court’s process, the Clerk is
directed not to accept any further petitions in noncriminal mat-
ters 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.

No. 08–8245 (08A633). IN RE MOORE. Application for stay of
execution of sentence of death, presented to JUSTICE SCALIA, and
by him referred to the Court, denied. Petition for writ of habeas
corpus denied.

No. 08–633. IN RE AUSTIN;
No. 08–7236. IN RE BROWN; and

January 21, 2009

555 U. S.

No. 08–7268. *IN RE MAYS*. Petitions for writs of mandamus denied.

Certiorari Denied

No. 07–10321. *ROGERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 260 Fed. Appx. 581.

No. 07–10773. *HAWLEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 516 F. 3d 264.

No. 08–118. *MASFERRER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 514 F. 3d 1158.

No. 08–207. *ASPENWOOD APARTMENT CORP. ET AL. v. LINK ET AL.* Ct. App. Tex., 1st Dist. Certiorari denied.

No. 08–362. *ILLINOIS v. LOPEZ*. Sup. Ct. Ill. Certiorari denied. Reported below: 229 Ill. 2d 322, 892 N. E. 2d 1047.

No. 08–405. *CROSS COUNTRY BANK, INC. v. NEW YORK ET AL.* Ct. App. N. Y. Certiorari denied. Reported below: 11 N. Y. 3d 105, 894 N. E. 2d 1.

No. 08–462. *SHIMER v. COMMODITY FUTURES TRADING COMMISSION*. C. A. 3d Cir. Certiorari denied.

No. 08–467. *DOE v. DEPARTMENT OF VETERANS AFFAIRS ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 519 F. 3d 456.

No. 08–469. *TOEPFER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 317 F. 3d 857.

No. 08–478. *CRAIG OUTDOOR ADVERTISING, INC., ET AL. v. VIACOM OUTDOOR, INC., ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 528 F. 3d 1001.

No. 08–480. *SICILIA v. UNITED PARCEL SERVICE, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 936.

No. 08–489. *BARNHILL ET AL. v. SCHAFFER, SECRETARY OF AGRICULTURE, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 524 F. 3d 458.

555 U. S.

January 21, 2009

No. 08–506. *SHRINER v. MINNESOTA*. Sup. Ct. Minn. Certiorari denied. Reported below: 751 N. W. 2d 538.

No. 08–511. *UNITED STATES EX REL. FEINGOLD v. PALMETTO GOVERNMENT BENEFITS ADMINISTRATORS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 923.

No. 08–528. *FLORIDA v. YOUNG*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 974 So. 2d 601.

No. 08–534. *RICHLIN ET AL. v. METRO-GOLDWYN-MAYER PICTURES, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 531 F. 3d 962.

No. 08–554. *MICHIGAN GAMBLING OPPOSITION v. SALAZAR, SECRETARY OF INTERIOR, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 525 F. 3d 23.

No. 08–565. *MUKASEY, ATTORNEY GENERAL v. AMERICAN CIVIL LIBERTIES UNION ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 534 F. 3d 181.

No. 08–592. *SCHUBERT v. PLEASANT GLADE ASSEMBLY OF GOD ET AL.* Sup. Ct. Tex. Certiorari denied. Reported below: 264 S. W. 3d 1.

No. 08–606. *HERVEY v. KOOCHICHING COUNTY, MINNESOTA, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 527 F. 3d 711.

No. 08–610. *CITY OF LAS CRUCES, NEW MEXICO, ET AL. v. VONDRAK*. C. A. 10th Cir. Certiorari denied. Reported below: 535 F. 3d 1198.

No. 08–616. *SLMBEY v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 288 Ga. App. 717, 657 S. E. 2d 223.

No. 08–621. *GANT v. GRAND PRAIRIE FORD, L. P.* Ct. App. Tex., 2d Dist. Certiorari denied.

No. 08–625. *STALLEY v. METHODIST HEALTHCARE ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 517 F. 3d 911.

No. 08–635. *COLLARD v. TEXAS* (two judgments). Ct. Crim. App. Tex. Certiorari denied.

January 21, 2009

555 U. S.

No. 08–637. *WILLIAMS v. GEORGIA DEPARTMENT OF DEFENSE NATIONAL GUARD HEADQUARTERS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–638. *MESHWERKS, INC. v. TOYOTA MOTOR SALES, U. S. A., INC., ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 528 F. 3d 1258.

No. 08–642. *DOLLAR GENERAL CORP. v. BRYANT.* C. A. 6th Cir. Certiorari denied. Reported below: 538 F. 3d 394.

No. 08–646. *DUKES ET AL. v. PHILIP JOHNSON/ALAN RITCHIE ARCHITECTS, P. C., ET AL.* Ct. App. Tex., 2d Dist. Certiorari denied. Reported below: 252 S. W. 3d 586.

No. 08–657. *MARVIN v. FRATERNAL ORDER OF EAGLES AERIE #200.* Ct. App. Neb. Certiorari denied.

No. 08–658. *YOUNG v. REPINE.* C. A. 5th Cir. Certiorari denied. Reported below: 536 F. 3d 512.

No. 08–659. *COY v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–662. *GALLANT v. GALLANT.* Ct. App. Mich. Certiorari denied.

No. 08–664. *COMBS ET AL. v. HOMER-CENTER SCHOOL DISTRICT ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 540 F. 3d 231.

No. 08–667. *JOHNSTON v. TAMPA SPORTS AUTHORITY ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 530 F. 3d 1320.

No. 08–669. *SUNSERI ET AL. v. PROCTOR ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 930.

No. 08–689. *GUETZLOE v. FLORIDA.* Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 980 So. 2d 1145.

No. 08–700. *MACKERLEY v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 736.

555 U. S.

January 21, 2009

No. 08-706. *EASTERN UNION, INC., ET AL. v. WESTERN UNION HOLDINGS, INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 850.

No. 08-709. *WEISS v. ESTATE OF COURSHON ET AL.* Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 990 So. 2d 611.

No. 08-727. *PATRICK v. DEPARTMENT OF VETERANS AFFAIRS.* C. A. 9th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 667.

No. 08-729. *DILWORTH v. GREGOIRE, GOVERNOR OF WASHINGTON, ET AL.; and DILWORTH v. MCKENNA, ATTORNEY GENERAL OF WASHINGTON.* Sup. Ct. Wash. Certiorari denied.

No. 08-738. *ORTIZ v. ORTIZ.* C. A. 9th Cir. Certiorari denied. Reported below: 535 F. 3d 990.

No. 08-761. *CHEIN v. DRUG ENFORCEMENT ADMINISTRATION ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 533 F. 3d 828.

No. 08-783. *MAN-SEOK CHOE v. TORRES.* C. A. 9th Cir. Certiorari denied. Reported below: 525 F. 3d 733.

No. 08-788. *ROBERTS v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 534 F. 3d 560.

No. 08-5793. *TYNDALL v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 521 F. 3d 877.

No. 08-5983. *CANFIELD v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 565.

No. 08-5993. *LIPSCOMB v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 285 Fed. Appx. 877.

No. 08-6058. *SMITH v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 08-6064. *VAUGHN v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 519 F. 3d 802.

January 21, 2009

555 U. S.

No. 08–6081. *EVERMAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 528 F. 3d 570.

No. 08–6259. *O’GARRO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 280 Fed. Appx. 220.

No. 08–6295. *GONZALEZ-PERALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 677.

No. 08–6496. *SETTLES v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 530 F. 3d 920.

No. 08–6560. *CEASAR v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 08–6641. *PHILLIPS v. PRAIRIE EYE CENTER*. C. A. 1st Cir. Certiorari denied. Reported below: 530 F. 3d 22.

No. 08–6664. *CRUZ-PEREIRA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 534 F. 3d 1.

No. 08–6701. *CORLEY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 519 F. 3d 716.

No. 08–6752. *WILLIAMS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 43 Cal. 4th 584, 181 P. 3d 1035.

No. 08–6767. *CHACON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 533 F. 3d 250.

No. 08–6770. *MEDLEY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 284 Fed. Appx. 985.

No. 08–6776. *MOORE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 29.

No. 08–6777. *RODRIGUES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 289 Fed. Appx. 422.

No. 08–6828. *VENCES-CASTENEDA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 230.

No. 08–6906. *GROSECLOSE v. DEPARTMENT OF THE NAVY*. C. A. Fed. Cir. Certiorari denied. Reported below: 277 Fed. Appx. 1019.

No. 08–7053. *DOE v. AMERICAN AIRLINES*. C. A. 5th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 289.

555 U. S.

January 21, 2009

No. 08-7108. *TAYLOR ET UX. v. SOSIN*, JUDGE, CIRCUIT COURT OF MARION COUNTY, INDIANA, ET AL. Ct. App. Ind. Certiorari denied.

No. 08-7180. *BAILEY v. CULLIVER*, WARDEN, ET AL. C. A. 11th Cir. Certiorari denied.

No. 08-7189. *OWENS v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 378 S. C. 636, 664 S. E. 2d 80.

No. 08-7197. *WYNN v. COUNTY BOARD OF EDUCATION OF RICHMOND COUNTY ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08-7198. *YODER v. NAPOLITANO*. C. A. 9th Cir. Certiorari denied. Reported below: 274 Fed. Appx. 576.

No. 08-7204. *BROWN v. SINCLAIR*, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY. C. A. 9th Cir. Certiorari denied. Reported below: 530 F. 3d 1031.

No. 08-7219. *RICHARDS v. THOMPSON*, WARDEN. C. A. 11th Cir. Certiorari denied.

No. 08-7222. *WARDLAW v. CAIN*, WARDEN. C. A. 5th Cir. Certiorari denied. Reported below: 541 F. 3d 275.

No. 08-7224. *JAMES v. CITY OF SPRINGFIELD, MASSACHUSETTS, ET AL.* C. A. 1st Cir. Certiorari denied.

No. 08-7225. *MARSH v. GRANHOLM*, GOVERNOR OF MICHIGAN, ET AL. C. A. 6th Cir. Certiorari denied.

No. 08-7229. *COOK v. SCHRIRO*, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS. C. A. 9th Cir. Certiorari denied. Reported below: 538 F. 3d 1000.

No. 08-7239. *BURNS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08-7245. *CREECH v. SMITHFIELD HOUSING AUTHORITY*. Ct. App. N. C. Certiorari denied. Reported below: 188 N. C. App. 848, 646 S. E. 2d 735.

No. 08-7247. *GONZALES v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

January 21, 2009

555 U. S.

No. 08–7258. *ROBINSON v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 991 So. 2d 874.

No. 08–7260. *RAMIREZ v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–7264. *ENCARNACION v. NAPOLI, SUPERINTENDENT, SOUTHPORT CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 08–7265. *TAYLOR v. INDIANA*. Ct. App. Ind. Certiorari denied. Reported below: 891 N. E. 2d 155.

No. 08–7272. *MUSTELIER v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 993 So. 2d 513.

No. 08–7273. *ELLER v. BOCK*. C. A. 6th Cir. Certiorari denied.

No. 08–7274. *DOWNES v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–7276. *DORA v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 986 So. 2d 917.

No. 08–7277. *LENIX v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 44 Cal. 4th 602, 187 P. 3d 946.

No. 08–7280. *ROMERO v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 44 Cal. 4th 386, 187 P. 3d 56.

No. 08–7284. *HANKINS v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 952.

No. 08–7285. *BROWN v. BURKE, CLERK, CIRCUIT COURT OF FLORIDA, PINELLAS COUNTY*. C. A. 11th Cir. Certiorari denied.

No. 08–7288. *QUINN v. BATHEJA ET AL.* Ct. Sp. App. Md. Certiorari denied.

No. 08–7290. *KATT v. LAFLER, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 479.

555 U. S.

January 21, 2009

No. 08–7292. *PETTY v. MERCK & Co., INC.* C. A. 5th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 182.

No. 08–7293. *KYLES v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 612.

No. 08–7299. *VOTH v. HALL, SUPERINTENDENT, TWO RIVERS CORRECTIONAL INSTITUTION, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 344.

No. 08–7300. *WILKERSON v. HARRIS.* C. A. 4th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 118.

No. 08–7309. *JENSEN v. MISSOURI.* Sup. Ct. Mo. Certiorari denied.

No. 08–7314. *RICHARDSON v. RHODE ISLAND DEPARTMENT OF EDUCATION ET AL.* Sup. Ct. R. I. Certiorari denied. Reported below: 947 A. 2d 253.

No. 08–7316. *VARGHESE v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied. Reported below: 162 Cal. App. 4th 1084, 76 Cal. Rptr. 3d 449.

No. 08–7319. *FRIERSON v. PARKE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 257.

No. 08–7323. *JOHNSON v. THURMER, WARDEN.* Ct. App. Wis. Certiorari denied.

No. 08–7325. *MILLER v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–7329. *COGGINS v. ALABAMA.* C. A. 11th Cir. Certiorari denied.

No. 08–7338. *OHIRI v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 32.

No. 08–7351. *BOJORQUEZ SALCIDO v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied. Reported below: 44 Cal. 4th 93, 186 P. 3d 437.

January 21, 2009

555 U. S.

No. 08–7380. *MARTINEZ v. ADAMS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–7388. *ESCARENO v. ADAMS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–7418. *STRICKLAND v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 989 So. 2d 1200.

No. 08–7458. *BRADLEY v. GENERAL COUNSEL OF CENTRAL OFFICE, BUREAU OF PRISONS, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 251.

No. 08–7488. *SARMIENTO v. MONTCLAIR STATE UNIVERSITY*. C. A. 3d Cir. Certiorari denied. Reported below: 285 Fed. Appx. 905.

No. 08–7493. *MADDEN v. OHIO*. Ct. App. Ohio, Franklin County. Certiorari denied. Reported below: 2008-Ohio-2653.

No. 08–7504. *EISENMAN v. TEXAS*. Ct. App. Tex., 13th Dist. Certiorari denied.

No. 08–7505. *PITCHFORD v. TURBITT, ADMINISTRATIVE JUDGE, MERIT SYSTEMS PROTECTION BOARD*. C. A. 8th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 930.

No. 08–7526. *VOIGT v. FRANK ET AL.* Ct. App. Wis. Certiorari denied. Reported below: 312 Wis. 2d 814, 754 N. W. 2d 256.

No. 08–7581. *GONZALEZ v. WOLFE, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 799.

No. 08–7589. *DEPALMA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 284 Fed. Appx. 824.

No. 08–7628. *GAREY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 540 F. 3d 1253.

No. 08–7656. *CRUZ-RODRIGUEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 541 F. 3d 19.

No. 08–7662. *FOXWORTH, AKA NEWMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 308.

555 U. S.

January 21, 2009

No. 08–7663. *GARCIA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–7665. *FUTCH v. WHEELER*. C. A. 7th Cir. Certiorari denied.

No. 08–7668. *GEORGACARAKOS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–7676. *CAMACHO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–7679. *SWOPE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 542 F. 3d 609.

No. 08–7682. *DE LA ROSA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 726.

No. 08–7685. *PULLEN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 535.

No. 08–7688. *ASEMANI v. MUKASEY, ATTORNEY GENERAL*. C. A. 3d Cir. Certiorari denied.

No. 08–7689. *BERNARD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 652.

No. 08–7693. *WATLINGTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 257.

No. 08–7694. *MIKULEWICZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 502.

No. 08–7697. *COURVILLE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 754.

No. 08–7708. *SANTIAGO v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 08–7713. *CERVANTES-QUINTERO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 851.

No. 08–7714. *CAMPBELL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 544 F. 3d 577.

No. 08–7723. *MCDANIEL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 265.

January 21, 2009

555 U. S.

No. 08–7724. *PORTER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 700.

No. 08–7725. *VELLEFF v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 918.

No. 08–7727. *ROSALES-ROBLES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 154.

No. 08–7728. *SMITH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–7731. *BENALLY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 541 F. 3d 990.

No. 08–7733. *BELL v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 955 A. 2d 200.

No. 08–7734. *AMAYA-CAPETILLO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 419.

No. 08–7737. *RASHAD, AKA COLEMAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–7739. *HARRISON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 534 F. 3d 1371.

No. 08–7750. *LEE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 292 Fed. Appx. 159.

No. 08–7752. *LOPEZ-MARTINEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 543 F. 3d 509.

No. 08–7753. *JAHMALL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 309.

No. 08–7759. *MURRAY v. DEPARTMENT OF THE ARMY ET AL.* C. A. 5th Cir. Certiorari denied.

No. 08–7762. *COLLIER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–7763. *CARDONA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–7768. *OLACIREQUI SANCHEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

555 U. S.

January 21, 2009

No. 08-7773. *COPE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08-7775. *PARKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 94.

No. 08-7776. *FLETCHER v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 528 F. 3d 888.

No. 08-7783. *GUEDEA-MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 319.

No. 08-7784. *FRENCH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 716.

No. 08-7790. *ELLIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 271.

No. 08-7793. *MOONEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 534 F. 3d 944.

No. 08-7794. *MONTES-GARAY, AKA MADERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 341.

No. 08-7797. *MCCLAIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 425.

No. 08-7798. *LANDRUM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 997.

No. 08-7800. *TWIGGS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08-7803. *BLEVINS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 542 F. 3d 1200.

No. 08-7807. *SILVA-COLON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 503.

No. 08-7811. *RED EAGLE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 506.

No. 08-7812. *WIGGINS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08-7816. *COBB v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 313 Fed. Appx. 338.

January 21, 2009

555 U. S.

No. 08–7817. *LORENZO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 189.

No. 08–7822. *DETWEILER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–7824. *MARION v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–7827. *THOMAS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 293 Fed. Appx. 63.

No. 08–7828. *OCAMPO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 680.

No. 08–7830. *WALKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 991.

No. 08–7835. *GIBNEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 519 F. 3d 301.

No. 08–7836. *FAJARDO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 695.

No. 08–7839. *REYES v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 542 F. 3d 588.

No. 08–7840. *DILLARD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–7841. *EPPOLITO v. UNITED STATES*; and

No. 08–7842. *CARACAPPA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 543 F. 3d 25.

No. 08–7843. *CIELTO v. UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–7845. *LAW v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 08–7846. *LEIST v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 448.

No. 08–7847. *LEROY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 711.

No. 08–7850. *SMITH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

555 U. S.

January 21, 2009

No. 08–7852. *WORRELLS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 313 Fed. Appx. 504.

No. 08–7857. *MORGAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 852.

No. 08–7861. *EMOJEVWE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–7873. *GARZA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–7879. *ARNETH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 448.

No. 08–7880. *BARNETT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–7882. *MCCOY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 195.

No. 08–7883. *ZAMBRANA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 540 F. 3d 623.

No. 07–1008. *MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. v. FERREIRA*. C. A. 11th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 494 F. 3d 1286.

No. 08–525. *HAAS v. PEAKE, SECRETARY OF VETERANS AFFAIRS*. Certiorari denied. JUSTICE STEVENS took no part in the consideration or decision of this petition. C. A. Fed. Cir. Reported below: 525 F. 3d 1168.

No. 08–543. *POLINER v. TEXAS HEALTH SYSTEMS, DBA PRESBYTERIAN HOSPITAL OF DALLAS, ET AL.* C. A. 5th Cir. Motion of Semmelweis Society International, Inc., for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 537 F. 3d 368.

No. 08–7294. *MAVITY v. FRAAS ET AL.* C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

No. 08–8210 (08A624). *MOORE v. TEXAS*. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented

January 21, 26, 2009

555 U. S.

to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied.

Rehearing Denied

- No. 07-1587. *IN RE RICHARDS*, *ante*, p. 809;
No. 07-11115. *JEEP v. JONES ET AL.*, *ante*, p. 849;
No. 08-383. *THOMPSON v. HOWARD BROTHERS INC.*, *ante*, p. 1013;
No. 08-443. *SMITH v. FRIEDMAN ET AL.*, *ante*, p. 1048;
No. 08-5322. *JACKSON v. PURKETT*, SUPERINTENDENT, EASTERN RECEPTION, DIAGNOSTIC AND CORRECTIONAL CENTER, *ante*, p. 908;
No. 08-5940. *JACKSON v. CALIFORNIA*, *ante*, p. 998;
No. 08-6256. *GARZA v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 1033;
No. 08-6269. *ANDERSON v. MICHIGAN DEPARTMENT OF CORRECTIONS*, *ante*, p. 1033;
No. 08-6283. *TAYLOR v. CITY OF LAKE WORTH, FLORIDA, ET AL.*, *ante*, p. 1033;
No. 08-6289. *LAMON v. HUIBREGTSE*, WARDEN, *ante*, p. 1034;
No. 08-6314. *EDWARDS v. OKLAHOMA*, *ante*, p. 1034;
No. 08-6336. *PERRY v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 1034;
No. 08-6365. *HARRISON v. UNITED STATES*, *ante*, p. 971;
No. 08-6706. *DELOR v. INTERCOSMOS MEDIA GROUP, INC., DBA DIRECTNIC.COM*, *ante*, p. 1055; and
No. 08-6774. *YUZARY v. UNITED STATES*, *ante*, p. 1037. Petitions for rehearing denied.

JANUARY 26, 2009

Certiorari Granted—Reversed and Remanded. (See No. 08-5657, *ante*, p. 350.)

Certiorari Granted—Vacated and Remanded

No. 07-897. *HUST v. PHILLIPS*. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Pearson v. Callahan*, *ante*, p. 223. Reported below: 477 F. 3d 1070.

555 U. S.

January 26, 2009

No. 07-1376. CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA, ET AL. *v.* RODIS. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Pearson v. Callahan*, ante, p. 223. Reported below: 499 F. 3d 1094.

Certiorari Dismissed

No. 08-7339. PLUMMER *v.* CADEN. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 08-7425. JACOBS *v.* HUIBREGTSE. C. A. 7th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 08-7447. ROLLE *v.* SHERRILL ET AL. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 08-7585. COGGINS *v.* ABBETT. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 08-7709. NGHIEM *v.* FUJITSU MICROELECTRONICS, INC., ET AL. Ct. App. Cal., 6th App. Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

Miscellaneous Orders

No. 08A460. MAYE *v.* UNITED STATES. C. A. 11th Cir. Application for certificate of appealability, addressed to JUSTICE KENNEDY and referred to the Court, denied.

No. 08A510. FISCHER *v.* SUFFOLK COUNTY BOARD OF ELECTIONS ET AL. C. A. 2d Cir. Application for stay, addressed to JUSTICE STEVENS and referred to the Court, denied.

No. 08A524. LIGHTFOOT ET AL. *v.* BOWEN, SECRETARY OF STATE OF CALIFORNIA. Sup. Ct. Cal. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. 08A538. SIBLEY *v.* FLORIDA BAR. Sup. Ct. Fla. Application for stay, addressed to JUSTICE STEVENS and referred to the Court, denied.

January 26, 2009

555 U. S.

No. 08M51. THOMAS *v.* CITY OF NEW YORK, NEW YORK; and
No. 08M53. BRITT *v.* UNITED STEELWORKERS OF AMERICA,
LOCAL 2367, ET AL. Motions to direct the Clerk to file petitions
for writs of certiorari out of time denied.

No. 08M52. MOTLEY *v.* DEPARTMENT OF THE NAVY. Motion
for leave to proceed as a veteran granted.

No. 08–6. DISTRICT ATTORNEY’S OFFICE FOR THE THIRD JU-
DICIAL DISTRICT ET AL. *v.* OSBORNE. C. A. 9th Cir. [Certiorari
granted, *ante*, p. 992.] Motion of the Solicitor General for leave
to participate in oral argument as *amicus curiae* and for divided
argument granted.

No. 08–368. AL-MARRI *v.* SPAGONE, UNITED STATES NAVY
COMMANDER, CONSOLIDATED NAVAL BRIG. C. A. 4th Cir. [Cer-
tiorari granted, *ante*, p. 1066.] Motion of petitioner to dispense
with printing the joint appendix granted.

No. 08–6602. BRUNO *v.* TEXAS. Ct. Crim. App. Tex. Motion
of petitioner for reconsideration of order denying leave to proceed
in forma pauperis [*ante*, p. 1066] denied.

No. 08–8000. IN RE WHITMILL. Petition for writ of habeas
corpus denied.

No. 08–7352. IN RE RIVERA; and

No. 08–7433. IN RE ROLLE. Motions of petitioners for leave
to proceed *in forma pauperis* denied, and petitions for writs of
mandamus dismissed. See this Court’s Rule 39.8.

Certiorari Granted

No. 08–559. MCDANIEL, WARDEN, ET AL. *v.* BROWN. C. A.
9th Cir. Motion of respondent for leave to proceed *in forma*
pauperis granted. Certiorari granted. Reported below: 525 F.
3d 787.

No. 08–678. MOHAWK INDUSTRIES, INC. *v.* CARPENTER. C. A.
11th Cir. Certiorari granted. Reported below: 541 F. 3d 1048.

No. 08–680. MARYLAND *v.* SHATZER. Ct. App. Md. Motion
of respondent for leave to proceed *in forma pauperis* granted.
Certiorari granted. Reported below: 405 Md. 585, 954 A. 2d 1118.

555 U. S.

January 26, 2009

Certiorari Denied

No. 08–365. *OZCELIK v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 527 F. 3d 88.

No. 08–546. *BLUEPORT Co., LLC v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 533 F. 3d 1374.

No. 08–655. *HARRAH’S OPERATING Co., INC. v. NGV GAMING, LTD.* C. A. 9th Cir. Certiorari denied. Reported below: 531 F. 3d 767.

No. 08–665. *TREADWAY v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied. Reported below: 163 Cal. App. 4th 689, 77 Cal. Rptr. 3d 786.

No. 08–666. *QUINN v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 08–671. *THAMPI v. COLLIER COUNTY BOARD OF COMMISSIONERS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 836.

No. 08–676. *SHAHIN v. DEL-ONE DELAWARE FEDERAL CREDIT UNION*. Sup. Ct. Del. Certiorari denied. Reported below: 950 A. 2d 659.

No. 08–677. *DAHLGREN ET AL. v. FIRST NATIONAL BANK OF HOLDREGE*. C. A. 8th Cir. Certiorari denied. Reported below: 533 F. 3d 681.

No. 08–699. *E. I. DU PONT DE NEMOURS & Co. v. AMPHILL RAYON WORKERS, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 607.

No. 08–705. *APOTEX, INC., ET AL. v. ROCHE PALO ALTO LLC ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 531 F. 3d 1372.

No. 08–708. *D. V. K. v. PENNSYLVANIA STATE POLICE*. Sup. Ct. Pa. Certiorari denied. Reported below: 598 Pa. 767, 956 A. 2d 435.

No. 08–714. *EDWARDS v. CLIMATE CONDITIONING CORP., T/A CLIMATE HEATING AND COOLING*. Ct. App. D. C. Certiorari denied. Reported below: 942 A. 2d 1148.

January 26, 2009

555 U. S.

No. 08–717. *VEIZAJ ET UX. v. FILIP, ACTING ATTORNEY GENERAL*. C. A. 2d Cir. Certiorari denied. Reported below: 291 Fed. Appx. 405.

No. 08–722. *HAIGH v. INDIANA SUPREME COURT DISCIPLINARY COMMISSION*. Sup. Ct. Ind. Certiorari denied. Reported below: 894 N. E. 2d 550.

No. 08–737. *DHL EXPRESS (USA), INC. v. ONTIVEROS*. Ct. App. Cal., 1st App. Dist. Certiorari denied. Reported below: 164 Cal. App. 4th 494, 79 Cal. Rptr. 3d 471.

No. 08–747. *BURANDT v. DUDAS, DIRECTOR, PATENT AND TRADEMARK OFFICE*. C. A. Fed. Cir. Certiorari denied. Reported below: 528 F. 3d 1329.

No. 08–767. *BOND v. ROSENSTEIN, UNITED STATES ATTORNEY, DISTRICT OF MARYLAND, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 222.

No. 08–768. *BASHAS' INC. v. PARRA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 536 F. 3d 975.

No. 08–778. *TURNER ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 6th Cir. Certiorari denied.

No. 08–787. *GOULD v. UNITED STATES ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 299.

No. 08–6032. *OLSEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 624.

No. 08–6099. *NICHOLSON v. RUNNELS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–6358. *CHILDERS v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 08–6413. *NEAL v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 256 S. W. 3d 264.

No. 08–6467. *RODRIGUEZ-MARTINEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 531 F. 3d 987.

No. 08–6515. *TAYLOR v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 254 S. W. 3d 856.

555 U. S.

January 26, 2009

No. 08-6635. *LEWIS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 43 Cal. 4th 415, 181 P. 3d 947.

No. 08-6768. *CASELL v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 530 F. 3d 1009.

No. 08-6958. *JONES v. ST. LUCIE COUNTY, FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08-7089. *NORDLUND v. WASHINGTON*. Ct. App. Wash. Certiorari denied.

No. 08-7306. *SNEED v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 1 So. 3d 104.

No. 08-7310. *HARRIS v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 2 So. 3d 880.

No. 08-7332. *MONROE v. JACKSON, WARDEN*. Sup. Ct. Ohio. Certiorari denied. Reported below: 119 Ohio St. 3d 344, 894 N. E. 2d 43.

No. 08-7335. *PETERKA v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 532 F. 3d 1199.

No. 08-7345. *ALFORD v. FLORIDA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08-7350. *MILLS v. LEMPKE, SUPERINTENDENT, FIVE POINTS CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 08-7353. *PERRY v. ALLEN, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08-7355. *DUNBAR v. BURT, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08-7356. *COLEMAN v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 151.

No. 08-7357. *VALENTINE v. RICHARDSON ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 93.

January 26, 2009

555 U. S.

No. 08–7363. *JACKSON v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 379 Ill. App. 3d 1074, 957 N. E. 2d 588.

No. 08–7368. *TATE v. BOCK, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 520.

No. 08–7370. *STROUD v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–7375. *SIMS v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–7376. *SHABAZZ, AKA HINES v. NEWSOM ET AL.* C. A. 5th Cir. Certiorari denied.

No. 08–7381. *JAE v. BLAINE ET AL.* Commw. Ct. Pa. Certiorari denied.

No. 08–7382. *JAE v. GOOD ET AL.* Commw. Ct. Pa. Certiorari denied. Reported below: 946 A. 2d 802.

No. 08–7385. *MITCHELL v. ALMAGER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–7387. *DAVIES v. KANE*. C. A. 9th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 473.

No. 08–7389. *CORONEL-PEREZ v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied.

No. 08–7391. *SMOOT v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 08–7392. *K. A. v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 08–7396. *LEBEUF v. COOPER, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 08–7403. *ANH VU NGUYEN v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 141 Wash. App. 1026.

No. 08–7408. *DAVIDSON v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 159 Cal. App. 4th 205, 70 Cal. Rptr. 3d 913.

555 U. S.

January 26, 2009

No. 08-7409. *CUTSHAW v. LEWIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08-7416. *FORSYTH v. BURT, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 537 F. 3d 887.

No. 08-7421. *BRALEY v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08-7435. *STEDMAN v. HURLEY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08-7436. *MARRUFO v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 08-7439. *KING v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08-7442. *AHDOM v. GALAZA, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 458.

No. 08-7443. *BLACKBURN v. IOWA ET AL.* C. A. 8th Cir. Certiorari denied.

No. 08-7444. *AZAM v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 08-7446. *BACA v. KNOWLES, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 258 Fed. Appx. 958.

No. 08-7448. *WOFSY v. PALM SHORES RETIREMENT COMMUNITY*. C. A. 11th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 631.

No. 08-7469. *KEENE v. MITCHELL, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 525 F. 3d 461.

No. 08-7484. *PROFFIT v. WYOMING*. Sup. Ct. Wyo. Certiorari denied. Reported below: 191 P. 3d 163.

No. 08-7513. *SAVAGE v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Va. Certiorari denied.

No. 08-7532. *WARD v. WALKER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08-7536. *HYDE v. BRANKER, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 822.

January 26, 2009

555 U. S.

No. 08–7541. *MOORE v. JOHNSON*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. Sup. Ct. Va. Certiorari denied.

No. 08–7593. *PROFFIT v. WYOMING*. Sup. Ct. Wyo. Certiorari denied. Reported below: 191 P. 3d 974.

No. 08–7603. *SAKAY v. FARWELL*, WARDEN, ET AL. C. A. 9th Cir. Certiorari denied.

No. 08–7639. *HICKS v. MCBRIDE*, WARDEN. Cir. Ct. Kanawha County, W. Va. Certiorari denied.

No. 08–7641. *FLORES v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 991 So. 2d 863.

No. 08–7674. *DUPREE v. FINN ET AL.* Sup. Ct. Ill. Certiorari denied.

No. 08–7675. *CLEMMONS v. MATHY*, ACTING WARDEN. C. A. 7th Cir. Certiorari denied.

No. 08–7681. *SHARP v. DISTRICT COURT OF MINNESOTA, HENNEPIN COUNTY*. Ct. App. Minn. Certiorari denied.

No. 08–7698. *GRAY v. ILLINOIS*. App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 379 Ill. App. 3d 1090, 957 N. E. 2d 595.

No. 08–7779. *GAITAN v. TEXAS*. Ct. App. Tex., 2d Dist. Certiorari denied. Reported below: 257 S. W. 3d 1.

No. 08–7853. *WHARTON v. VAUGHN*. C. A. 3d Cir. Certiorari denied.

No. 08–7855. *THOMPSON v. DEPARTMENT OF THE AIR FORCE*. C. A. Fed. Cir. Certiorari denied. Reported below: 289 Fed. Appx. 406.

No. 08–7886. *ROSSETTI v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–7891. *HUTCHINSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–7895. *SHULTS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 21.

555 U. S.

January 26, 2009

No. 08–7896. *KERLEY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 544 F. 3d 172.

No. 08–7901. *STEVENS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–7908. *ALONZO v. SHINSEKI, SECRETARY OF VETERANS AFFAIRS*. C. A. 9th Cir. Certiorari denied.

No. 08–7916. *GARLAND v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 609.

No. 08–7917. *GAINES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–7928. *JONES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 294 Fed. Appx. 624.

No. 08–7931. *THOMAS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 761.

No. 08–7932. *BELMARES-DELGADO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 628.

No. 08–7933. *ROMERO-ALVAREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 343.

No. 08–473. *NEW JERSEY v. MATTHEWS*. Super. Ct. N. J., App. Div. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 398 N. J. Super. 551, 942 A. 2d 797.

No. 08–7445. *BANSAL v. SERVER BEACH ET AL.* C. A. 3d Cir. Certiorari denied. *THE CHIEF JUSTICE* took no part in the consideration or decision of this petition. Reported below: 285 Fed. Appx. 890.

Rehearing Denied

No. 07–11192. *KING v. MARRIOTT INTERNATIONAL, INC., ante*, p. 1044;

No. 08–397. *BENISTAR LTD. ET AL. v. CAHALY ET AL., ante*, p. 1047;

No. 08–426. *HARBUCK v. HOUSTON COUNTY, GEORGIA, ET AL., ante*, p. 1047;

No. 08–5382. *TATUM v. CURTIS ET AL., ante*, p. 1072;

January 26, 29, February 3, 10, 2009

555 U. S.

- No. 08–5756. *BOUDREAUX v. CAIN, WARDEN*, *ante*, p. 1014;
No. 08–5765. *IN RE HARRIS*, *ante*, p. 809;
No. 08–6408. *RHODES ET AL. v. ESTATE OF ROMERO ET AL.*,
ante, p. 1051;
No. 08–6751. *COGGINS v. TOWN OF JACKSON’S GAP, ALABAMA*,
ante, p. 1086; and
No. 08–6856. *PULETASI v. WILLS ET AL.*, *ante*, p. 1056. Peti-
tions for rehearing denied.
No. 08–5557. *CHU YOUNG YI v. TOMPKINS, WARDEN*, *ante*,
p. 946. Motion for leave to file petition for rehearing denied.

JANUARY 29, 2009

Certiorari Denied

No. 08–8389 (08A564). *ORTIZ v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied.

FEBRUARY 3, 2009

Miscellaneous Order

No. 08A667. *HENLEY v. LITTLE, COMMISSIONER, TENNESSEE DEPARTMENT OF CORRECTION, ET AL.* Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied.

Certiorari Denied

No. 08–8464 (08A674). *HENLEY v. BELL, WARDEN*. C. A. 6th Cir. Application for stay of execution of sentence of death, presented to JUSTICE STEVENS, and by him referred to the Court, denied. Certiorari denied. Reported below: 308 Fed. Appx. 989.

FEBRUARY 10, 2009

Miscellaneous Order

No. 08A693. *SCHEANETTE v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the

555 U. S.

February 10, 11, 12, 2009

Court, denied. JUSTICE GINSBURG took no part in the consideration or decision of this application.

FEBRUARY 11, 2009

Miscellaneous Order

No. 08A704. TOMPKINS *v.* MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. JUSTICE GINSBURG took no part in the consideration or decision of this application.

Certiorari Denied

No. 08–8614 (08A700). TOMPKINS *v.* FLORIDA. Sup. Ct. Fla. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied. JUSTICE GINSBURG took no part in the consideration or decision of this application and this petition. Reported below: 994 So. 2d 1072.

No. 08–8626 (08A701). TOMPKINS *v.* MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied. JUSTICE GINSBURG took no part in the consideration or decision of this application and this petition. Reported below: 557 F. 3d 1257.

No. 08–8628 (08A703). TOMPKINS *v.* FLORIDA. Sup. Ct. Fla. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied. JUSTICE GINSBURG took no part in the consideration or decision of this application and this petition. Reported below: 4 So. 3d 677.

FEBRUARY 12, 2009

Certiorari Denied

No. 08–8553 (08A687). BRADLEY *v.* KING, ATTORNEY GENERAL OF ALABAMA, ET AL. C. A. 11th Cir. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied. JUSTICE GINSBURG took no part in the consideration or decision

February 12, 20, 23, 2009

555 U. S.

of this application and this petition. Reported below: 556 F. 3d 1225.

No. 08–8653 (08A705). *JOHNSON v. TEXAS*. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. JUSTICE GINSBURG took no part in the consideration or decision of this application and this petition.

FEBRUARY 20, 2009

Miscellaneous Orders

No. 08A724. *WILLIAMS v. OZMINT, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS*. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied.

No. 07–1372. *HAWAII ET AL. v. OFFICE OF HAWAIIAN AFFAIRS ET AL.* Sup. Ct. Haw. [Certiorari granted, 554 U. S. 944.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 07–9995. *RIVERA v. ILLINOIS*. Sup. Ct. Ill. [Certiorari granted, 554 U. S. 945.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 08–22. *CAPERTON ET AL. v. A. T. MASSEY COAL CO., INC., ET AL.* Sup. Ct. App. W. Va. [Certiorari granted, *ante*, p. 1028.] Motion of Alabama et al. for leave to participate in oral argument as *amici curiae* and for divided argument denied. Motion of the Supreme Court of Louisiana for leave to file a brief as *amicus curiae* out of time granted.

No. 08–108. *FLORES-FIGUEROA v. UNITED STATES*. C. A. 8th Cir. [Certiorari granted, *ante*, p. 969.] Motion of Professors of Linguistics for leave to participate in oral argument as *amici curiae* and for divided argument denied.

FEBRUARY 23, 2009

Dismissal Under Rule 46

No. 08–512. *ENVIRONMENTAL PROTECTION AGENCY v. NEW JERSEY ET AL.* C. A. D. C. Cir. Certiorari dismissed under this Court's Rule 46.2. Reported below: 517 F. 3d 574.

555 U. S.

February 23, 2009

Certiorari Granted—Vacated and Remanded

No. 08–263. JACKSON ET AL. *v.* UNITED STATES. C. A. 4th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of the position asserted by the Solicitor General in his brief for the United States filed January 16, 2009. Reported below: 524 F. 3d 532.

No. 08–6773. WESTERFIELD *v.* UNITED STATES. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Chambers v. United States*, ante, p. 122. Reported below: 284 Fed. Appx. 315.

Certiorari Dismissed

No. 08–7449. ROLLE *v.* MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 08–7546. CARLTON *v.* SMITH ET AL. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 08–7556. BELL *v.* CALIFORNIA. Sup. Ct. Cal. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As 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.

No. 08–7561. SENATOR *v.* VALADEZ, WARDEN. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 08–7562. SABEDRA *v.* QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

February 23, 2009

555 U. S.

No. 08–7570. LEAPHART *v.* STEPHENS. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–7608. LAU *v.* SUAREZ ET AL. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in non-criminal 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. Reported below: 44 App. Div. 3d 312, 844 N. Y. S. 2d 162.

No. 08–7640. GRETHEN *v.* JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 268 Fed. Appx. 256.

No. 08–7642. HICKMON *v.* UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–7643. HALL *v.* FLORIDA. Sup. Ct. Fla. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 992 So. 2d 819.

No. 08–7658. MCGOWAN *v.* TENNESSEE. Ct. Crim. App. Tenn. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–7700. GLASS *v.* FIRST NATIONWIDE MORTGAGE CORP. ET AL. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–7718. HANSEN *v.* MATAR. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner

555 U. S.

February 23, 2009

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.

No. 08-7744. HANSEN *v.* CROY ET AL. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As 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.

No. 08-7747. HUMPHREY *v.* ONONDAGA COUNTY SHERIFF'S DEPARTMENT ET AL. C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 08-7788. SZAREWICZ *v.* COURT OF COMMON PLEAS OF PENNSYLVANIA, ALLEGHENY COUNTY. Sup. Ct. Pa. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 08-7802. BASKETT *v.* WASHINGTON DEPARTMENT OF CORRECTIONS ET AL. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As 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.

No. 08-7837. ROLLE *v.* WEST ET AL. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

February 23, 2009

555 U. S.

No. 08–7848. *PEABODY v. ALLSTATE INSURANCE CO.* Ct. App. Ariz. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As 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.

No. 08–7868. *HURST v. CITY OF REHOBOTH BEACH, DELAWARE, ET AL.* C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 288 Fed. Appx. 20.

No. 08–7878. *ATWELL v. PENNSYLVANIA.* Super. Ct. Pa. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As 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. Reported below: 945 A. 2d 777.

No. 08–7907. *BROWN v. PENNSYLVANIA DEPARTMENT OF CORRECTIONS.* C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As 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.

No. 08–8046. *CREVELING v. WASHINGTON DEPARTMENT OF FISH AND WILDLIFE.* Ct. App. Wash. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 142 Wash. App. 827, 177 P. 3d 136.

555 U. S.

February 23, 2009

No. 08–8128. POZO *v.* SCHNEITER. Ct. App. Wis. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–8217. RICE *v.* UNITED STATES. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 274 Fed. Appx. 283.

Miscellaneous Orders

No. 08A601. GIANNONE *v.* UNITED STATES. Application for bail pending appeal, addressed to JUSTICE STEVENS and referred to the Court, denied.

No. 08M54. BRANDON *v.* ROPER, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER;

No. 08M55. DE LA GARZA *v.* FABIAN ET AL.;

No. 08M56. COOPER *v.* JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS;

No. 08M58. ANDERSON *v.* GELLERY ET AL.;

No. 08M59. COTTON *v.* FIELDING;

No. 08M60. JOHNSON *v.* MICHAEL, WARDEN; and

No. 08M63. TAVAREZ *v.* UNITED STATES. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 08M57. COBB *v.* MASSACHUSETTS. Motion to direct the Clerk to file a bill of complaint denied.

No. 08M61. GOLDEN BRIDGE TECHNOLOGY INC. *v.* MOTOROLA INC. ET AL. Motion for leave to file a petition for writ of certiorari under seal with redacted copies for the public record granted. THE CHIEF JUSTICE took no part in the consideration or decision of this motion.

No. 08M62. WATSON *v.* PENNSYLVANIA. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner granted.

No. 07–9712. PUCKETT *v.* UNITED STATES. C. A. 5th Cir. [Certiorari granted, 554 U. S. 945.] Motion of parties for leave to file volume II of the joint appendix under seal granted.

No. 08–295. TRAVELERS INDEMNITY CO. ET AL. *v.* BAILEY ET AL.; and

February 23, 2009

555 U. S.

No. 08–307. COMMON LAW SETTLEMENT COUNSEL *v.* BAILEY ET AL. C. A. 2d Cir. [Certiorari granted, *ante*, p. 1083.] Motion of petitioners to dispense with printing the joint appendix denied.

No. 08–640. FEDERAL INSURANCE CO. ET AL. *v.* KINGDOM OF SAUDI ARABIA ET AL. C. A. 2d Cir.; and

No. 08–661. AMERICAN NEEDLE, INC. *v.* NATIONAL FOOTBALL LEAGUE ET AL. C. A. 7th Cir. The Acting Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 08–5274. DEAN *v.* UNITED STATES. C. A. 11th Cir. [Certiorari granted, *ante*, p. 1028.] Motion of petitioner for leave to file volume II of the joint appendix under seal granted.

No. 08–7060. SENATOR *v.* UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT. C. A. 9th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1067] denied.

No. 08–7614. TAYLOR *v.* SMITH, DBA PLATINUM PROPERTY MANAGEMENT. Ct. App. Ohio, Hamilton County;

No. 08–7634. MITCHELL *v.* QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir.; and

No. 08–7881. BUSH *v.* WYOMING. Sup. Ct. Wyo. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until March 16, 2009, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

No. 08–8079. IN RE CASTILLO;

No. 08–8188. IN RE STAFFORD;

No. 08–8201. IN RE ROSS;

No. 08–8285. IN RE WOLTZ;

No. 08–8321. IN RE SINGLETON;

No. 08–8408. IN RE DELANEY; and

No. 08–8420. IN RE WILLIAMS. Petitions for writs of habeas corpus denied.

No. 08–7530. IN RE WESTON;

No. 08–7819. IN RE CAMPBELL; and

No. 08–7915. IN RE ALADEKOBA. Petitions for writs of mandamus denied.

555 U. S.

February 23, 2009

No. 08-772. IN RE VEY;
No. 08-925. IN RE ODEH; and
No. 08-7746. IN RE HERNANDEZ. Petitions for writs of mandamus and/or prohibition denied.

No. 08-7586. IN RE STAFFNEY. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus dismissed. See this Court's Rule 39.8.

Certiorari Granted

No. 08-472. SALAZAR, SECRETARY OF THE INTERIOR, ET AL. v. BUONO. C. A. 9th Cir. Certiorari granted. Reported below: 502 F. 3d 1069 and 527 F. 3d 758.

No. 08-651. PADILLA v. KENTUCKY. Sup. Ct. Ky. Certiorari granted. Reported below: 253 S. W. 3d 482.

No. 08-351. ALVAREZ, COOK COUNTY STATE'S ATTORNEY v. SMITH ET AL. C. A. 7th Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 524 F. 3d 834.

No. 08-604. UNION PACIFIC RAILROAD CO. v. BROTHERHOOD OF LOCOMOTIVE ENGINEERS AND TRAINMEN GENERAL COMMITTEE OF ADJUSTMENT, CENTRAL REGION. C. A. 7th Cir. Motion of National Railway Labor Conference et al. for leave to file a brief as *amici curiae* granted. Certiorari granted. Reported below: 522 F. 3d 746.

No. 08-724. SMITH, WARDEN v. SPISAK. C. A. 6th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 512 F. 3d 852.

No. 08-6925. JOHNSON v. UNITED STATES. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted limited to Questions 1 and 2 presented by the petition. Reported below: 528 F. 3d 1318.

Certiorari Denied

No. 08-159. LEE v. NEW ORLEANS POLICE DEPARTMENT. Ct. App. La., 4th Cir. Certiorari denied. Reported below: 967 So. 2d 606.

No. 08-352. UTILITY AIR REGULATORY GROUP v. NEW JERSEY ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 517 F. 3d 574.

February 23, 2009

555 U. S.

No. 08–357. *HOGSETT v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 522 F. 3d 731.

No. 08–403. *BRUNO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 518 F. 3d 1159.

No. 08–457. *INTERNATIONAL SHIPPING AGENCY, INC. v. PUERTO RICO PORTS AUTHORITY ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 531 F. 3d 868.

No. 08–464. *ALI v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 528 F. 3d 210.

No. 08–477. *LEROSE ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 93.

No. 08–505. *CCA ASSOCIATES v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 284 Fed. Appx. 810.

No. 08–515. *NORTH TEXAS SPECIALTY PHYSICIANS v. FEDERAL TRADE COMMISSION*. C. A. 5th Cir. Certiorari denied. Reported below: 528 F. 3d 346.

No. 08–516. *CITY OF SARALAND, ALABAMA, ET AL. v. PARDUE*. C. A. 11th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 789.

No. 08–541. *ZULUAGA-MARTINEZ v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 2d Cir. Certiorari denied. Reported below: 523 F. 3d 365.

No. 08–595. *MANN v. ABEL ET AL.* Ct. App. N. Y. Certiorari denied. Reported below: 10 N. Y. 3d 271, 885 N. E. 2d 884.

No. 08–599. *BROWNING v. SOUTHWEST RESEARCH INSTITUTE*. C. A. 5th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 170.

No. 08–600. *ATAMIRZAYEVA v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 524 F. 3d 1320.

No. 08–608. *FLIPPING ET AL. v. REILLY*. C. A. 3d Cir. Certiorari denied. Reported below: 532 F. 3d 216.

No. 08–624. *FOREST LABORATORIES, INC., ET AL. v. CARACO PHARMACEUTICAL LABORATORIES, LTD.* C. A. Fed. Cir. Certiorari denied. Reported below: 527 F. 3d 1278.

555 U. S.

February 23, 2009

No. 08-649. *BAKER v. CANADIAN NATIONAL/ILLINOIS CENTRAL RAILROAD*. C. A. 5th Cir. Certiorari denied. Reported below: 536 F. 3d 357.

No. 08-668. *CHARLES A. PRATT CONSTRUCTION CO., INC. v. CALIFORNIA COASTAL COMMISSION*. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 162 Cal. App. 4th 1068, 76 Cal. Rptr. 3d 466.

No. 08-685. *BABA v. EVANS ET AL.* Ct. App. N. Y. Certiorari denied. Reported below: 9 N. Y. 3d 970, 878 N. E. 2d 591.

No. 08-686. *BOSCHETTO v. HANSING ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 539 F. 3d 1011.

No. 08-694. *FEDERAL TRADE COMMISSION v. RAMBUS INC.* C. A. D. C. Cir. Certiorari denied. Reported below: 522 F. 3d 456.

No. 08-698. *HOWELL ET AL. v. FULMORE, ADMINISTRATOR OF THE ESTATE OF MAULTSBY, ET AL.* Ct. App. N. C. Certiorari denied. Reported below: 189 N. C. App. 93, 657 S. E. 2d 437.

No. 08-701. *MORRISON v. BOARD OF EDUCATION OF BOYD COUNTY*. C. A. 6th Cir. Certiorari denied. Reported below: 521 F. 3d 607.

No. 08-715. *DAVIS v. SIEMENS MEDICAL SOLUTIONS USA, INC.* C. A. 6th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 378.

No. 08-725. *NANCE v. GOODYEAR TIRE & RUBBER CO.* C. A. 6th Cir. Certiorari denied. Reported below: 527 F. 3d 539.

No. 08-726. *MOWRY v. UNITED PARCEL SERVICE, INC.* C. A. 10th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 702.

No. 08-732. *COOPER v. SKANCHY, JUDGE, DISTRICT COURT OF UTAH, THIRD DISTRICT*. Ct. App. Utah. Certiorari denied.

No. 08-733. *SAHA v. LEHMAN ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 08-736. *FONTENEUX v. SHELL OIL CO. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 695.

February 23, 2009

555 U. S.

No. 08-740. *CURRAS-ORTIZ v. SUPREME COURT OF PUERTO RICO*. Sup. Ct. P. R. Certiorari denied.

No. 08-741. *PELLEGRINI v. ANALOG DEVICES, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 312 Fed. Appx. 304.

No. 08-745. *DUMONTIER ET AL. v. SCHLUMBERGER TECHNOLOGY CORP.* C. A. 9th Cir. Certiorari denied. Reported below: 543 F. 3d 567.

No. 08-748. *HAUSCH v. GRIEVANCE COMMITTEE FOR THE NINTH JUDICIAL DISTRICT*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied.

No. 08-749. *GALVAN v. AYERS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 643.

No. 08-753. *OCEAN HARBOR HOUSE HOMEOWNERS ASSN. v. CALIFORNIA COASTAL COMMISSION*. Ct. App. Cal., 6th App. Dist. Certiorari denied. Reported below: 163 Cal. App. 4th 215, 77 Cal. Rptr. 3d 432.

No. 08-754. *SINGLETON ET AL. v. VOLKSWAGEN OF AMERICA, INC., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 545 F. 3d 304.

No. 08-758. *UNITED STATES FIRE INSURANCE CO. v. GENERAL ELECTRIC CAPITAL CORP.* C. A. 5th Cir. Certiorari denied. Reported below: 528 F. 3d 372.

No. 08-760. *STAHL v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 972 So. 2d 1013.

No. 08-766. *BOND v. BLUM ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 70.

No. 08-776. *MARRO v. EARNHEART ET AL.* Sup. Ct. Va. Certiorari denied.

No. 08-780. *RUBIN ET AL. v. ASSICURAZIONI GENERALI, S. P. A., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 290 Fed. Appx. 376.

No. 08-781. *ELEPHANT BUTTE IRRIGATION DISTRICT OF NEW MEXICO v. DEPARTMENT OF THE INTERIOR ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 538 F. 3d 1299.

555 U. S.

February 23, 2009

No. 08-784. *HARNEY ET AL. v. SPEEDWAY SUPERAMERICA, LLC*. C. A. 7th Cir. Certiorari denied. Reported below: 526 F. 3d 1099.

No. 08-786. *CODY ET AL. v. GOLD KIST, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 906.

No. 08-789. *STEWART v. WALKER*. App. Ct. Mass. Certiorari denied. Reported below: 72 Mass. App. 1108, 891 N. E. 2d 268.

No. 08-791. *H & N PLANNING & CONTROL, INC. v. CITY OF ST. PETERS, MISSOURI, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 535 F. 3d 899.

No. 08-793. *SANAI v. ALEXANDER ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 551.

No. 08-794. *GASPARIK v. STONY BROOK UNIVERSITY*. C. A. 2d Cir. Certiorari denied. Reported below: 296 Fed. Appx. 151.

No. 08-795. *BISTAWROS v. LICEA*. Sup. Ct. Va. Certiorari denied.

No. 08-796. *CITY OF EVANSVILLE, WISCONSIN, ET AL. v. DEICHER ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 545 F. 3d 537.

No. 08-797. *RICHARDSON v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 537 F. 3d 466.

No. 08-798. *FLORANCE v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08-799. *FLORANCE v. TEXAS*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 08-800. *LUKE P., A MINOR, BY AND THROUGH HIS PARENTS AND NEXT FRIENDS, JEFF P. ET UX. v. THOMPSON R2-J SCHOOL DISTRICT*. C. A. 10th Cir. Certiorari denied. Reported below: 540 F. 3d 1143.

No. 08-804. *PERKINS v. DCC LITIGATION FACILITY, INC.* C. A. 6th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 313.

February 23, 2009

555 U. S.

No. 08–806. *SIEVERDING ET UX. v. FAEGRE & BENSON, LLP.* C. A. 8th Cir. Certiorari denied.

No. 08–809. *WEBB v. RIVERA, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 159.

No. 08–821. *BARDOFF v. STATE BAR OF CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 08–823. *NEILSON v. CITY OF CALIFORNIA CITY, CALIFORNIA.* Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 08–827. *JUST NEW HOMES, INC., ET AL. v. BEAZER HOMES ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 293 Fed. Appx. 931.

No. 08–828. *THORNTON v. HOLDER, ATTORNEY GENERAL.* C. A. 4th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 34.

No. 08–829. *MCCALLA v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 545 F. 3d 750.

No. 08–830. *CABRERA-FRATTINI v. UNITED STATES.* C. A. Armed Forces. Certiorari denied. Reported below: 67 M. J. 167.

No. 08–840. *FINCHER v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 538 F. 3d 868.

No. 08–843. *HOWARD v. SONY BMG MUSIC ENTERTAINMENT INC. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 350.

No. 08–844. *GARCIA ET AL. v. VANGUARD CAR RENTAL USA, INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 540 F. 3d 1242.

No. 08–848. *MACEWAN v. UNITED STATES.* C. A. 3d Cir. Certiorari denied.

No. 08–850. *WHISNANT v. TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OF NORTH CAROLINA ET AL.* Ct. App. N. C. Certiorari denied. Reported below: 191 N. C. App. 233, 662 S. E. 2d 573.

555 U.S.

February 23, 2009

No. 08–856. *RODI v. SOUTHERN NEW ENGLAND SCHOOL OF LAW ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 532 F. 3d 11.

No. 08–859. *800 ADEPT, INC. v. MUREX SECURITIES, LTD., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 539 F. 3d 1354.

No. 08–868. *PIZZUTI v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 274 Fed. Appx. 53.

No. 08–870. *EXTRA EQUIPAMENTOS E EXPORTACAO LTDA. v. CASE CORP.* C. A. 7th Cir. Certiorari denied. Reported below: 541 F. 3d 719.

No. 08–874. *TANG v. JIANGUANG WANG ET AL.* Ct. App. Tex., 1st Dist. Certiorari denied. Reported below: 260 S.W. 3d 149.

No. 08–875. *TATE v. EXECUTIVE MANAGEMENT SERVICES, INC.* C. A. 7th Cir. Certiorari denied. Reported below: 546 F. 3d 528.

No. 08–880. *McKNIGHT v. GATES, SECRETARY OF DEFENSE.* C. A. 6th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 394.

No. 08–891. *BURR v. POLLARD, WARDEN.* C. A. 7th Cir. Certiorari denied. Reported below: 546 F. 3d 828.

No. 08–893. *MURRAY v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 08–902. *FALLER v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 08–907. *BAYLOR v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 360.

No. 08–908. *MATTHEWS v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 460.

No. 08–941. *BOSKIC v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 545 F. 3d 69.

No. 08–946. *GIANELLI v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 543 F. 3d 1178.

February 23, 2009

555 U. S.

No. 08–5698. *BUNTION v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 524 F. 3d 664.

No. 08–5827. *COSENZA v. ST. AMAND*, SUPERINTENDENT, MASSACHUSETTS CORRECTIONAL INSTITUTION AT CEDAR JUNCTION. C. A. 1st Cir. Certiorari denied.

No. 08–6055. *DELEON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 348.

No. 08–6165. *DIMAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 294.

No. 08–6175. *BISHOP v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 317.

No. 08–6251. *PRIBLE v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–6495. *DAHLER v. MARTINEZ ET AL.* C. A. 7th Cir. Certiorari denied.

No. 08–6541. *JERROSS v. UNITED STATES*; and
No. 08–6870. *DOCHERTY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 521 F. 3d 562.

No. 08–6547. *MILLER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–6571. *ROSS v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 08–6581. *GROVES v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 530 F. 3d 506.

No. 08–6591. *DAVIS v. GRANT*, WARDEN. C. A. 2d Cir. Certiorari denied. Reported below: 532 F. 3d 132.

No. 08–6651. *FRIDAY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 525 F. 3d 938.

No. 08–6708. *ARNOLD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 533 F. 3d 1003.

555 U. S.

February 23, 2009

No. 08–6892. *HILLIARD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 239.

No. 08–6953. *MUNOZ-TELLO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 531 F. 3d 1174.

No. 08–6989. *MIRANDA v. UNIVERSITY OF MARYLAND AT COLLEGE PARK*. C. A. 4th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 276.

No. 08–7134. *LYNCH v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 518 F. 3d 164.

No. 08–7202. *RICHARDSON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 43 Cal. 4th 959, 183 P. 3d 1146.

No. 08–7203. *SHELTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 776.

No. 08–7207. *BASCIANO v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK*. C. A. 2d Cir. Certiorari denied. Reported below: 542 F. 3d 950.

No. 08–7235. *BROOKS v. BOBBY, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 513 F. 3d 618.

No. 08–7253. *BALLARD v. PHILADELPHIA SCHOOL DISTRICT*. C. A. 3d Cir. Certiorari denied. Reported below: 273 Fed. Appx. 184.

No. 08–7341. *ROSALES v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 558.

No. 08–7410. *BLAKENEY v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 596 Pa. 510, 946 A. 2d 645.

No. 08–7457. *LOMAX v. WRIGLEY, SUPERINTENDENT, NEW CASTLE CORRECTIONAL FACILITY*. C. A. 7th Cir. Certiorari denied.

No. 08–7461. *SPENCE v. EDUCATIONAL CREDIT MANAGEMENT CORP.* C. A. 4th Cir. Certiorari denied. Reported below: 541 F. 3d 538.

February 23, 2009

555 U. S.

No. 08–7462. *NOEL v. FARNEY*. C. A. 9th Cir. Certiorari denied.

No. 08–7470. *KRATZ v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied.

No. 08–7473. *D. C. v. D. C.* Sup. Ct. Miss. Certiorari denied. Reported below: 988 So. 2d 359.

No. 08–7476. *ELLIS-SMITH v. BROWN*. Ct. App. N. C. Certiorari denied. Reported below: 189 N. C. App. 404, 659 S. E. 2d 98.

No. 08–7477. *BAILEY v. ILLINOIS*. App. Ct. Ill., 3d Dist. Certiorari denied. Reported below: 374 Ill. App. 3d 1008, 872 N. E. 2d 1018.

No. 08–7480. *ALBERT v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 273 Fed. Appx. 270.

No. 08–7485. *PULS v. ESTATE OF BRODERICK, DECEASED*. Sup. Ct. Kan. Certiorari denied. Reported below: 286 Kan. 1071, 191 P. 3d 284.

No. 08–7490. *RADCLIFF v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 381 Ill. App. 3d 1139, 966 N. E. 2d 605.

No. 08–7491. *KNIGHT v. KELCHNER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT CAMP HILL, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–7492. *LEGGETT v. WILLIAMS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 498.

No. 08–7494. *STROMAN v. REYNOLDS, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 15.

No. 08–7496. *REGINALD v. FELKER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–7497. *WILLIAMS v. COURT OF APPEALS OF MISSOURI, EASTERN DISTRICT*. Sup. Ct. Mo. Certiorari denied.

No. 08–7498. *THOMPSON v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

555 U. S.

February 23, 2009

No. 08–7499. *TURNER v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied. Reported below: 252 S. W. 3d 571.

No. 08–7500. *THOMPSON v. GARCIA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–7501. *THOMAS v. WALKER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–7502. *WARREN v. ERCOLE, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 08–7507. *PERRY v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 996 So. 2d 213.

No. 08–7515. *ROMANSKY v. FOLINO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GREENE, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–7517. *SLAUGHTER v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–7521. *BLAN v. CULLIVER, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–7522. *BIGGS v. NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 52 App. Div. 3d 620, 859 N. Y. S. 2d 724.

No. 08–7525. *BRADLEY v. WISCONSIN*. C. A. 7th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 659.

No. 08–7527. *VOIGT v. CIRCUIT COURT OF WISCONSIN, DANE COUNTY, ET AL.* Ct. App. Wis. Certiorari denied.

No. 08–7529. *YBARRA v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–7531. *WILLICH v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

February 23, 2009

555 U. S.

No. 08–7533. *TINSLEY v. FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 08–7539. *GILSON v. SIRMONS, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 520 F. 3d 1196.

No. 08–7540. *PERRY v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied.

No. 08–7543. *PRATT v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 367 Ill. App. 3d 1093, 929 N. E. 2d 169.

No. 08–7550. *MACIAS v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 08–7551. *LAMISON v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 08–7557. *BACA v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 142 Wash. App. 1002.

No. 08–7560. *REYES v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–7565. *POST v. RIVAS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 559.

No. 08–7568. *DOBNEY v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 379 Ill. App. 3d 1073, 957 N. E. 2d 588.

No. 08–7572. *SANCHEZ-FIGUEROA v. BANCO POPULAR DE PUERTO RICO*. C. A. 1st Cir. Certiorari denied. Reported below: 527 F. 3d 209.

No. 08–7577. *BINGHAM v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–7578. *MEANS v. CULLIVER, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–7579. *ANNABEL v. MICHIGAN*. Cir. Ct. Jackson County, Mich. Certiorari denied.

555 U. S.

February 23, 2009

No. 08–7583. *WOLFSON v. BROADBENT ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 637.

No. 08–7587. *BRECKENRIDGE v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 08–7588. *CLEMENTE ET AL. v. MASSACHUSETTS.* Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 452 Mass. 295, 893 N. E. 2d 19.

No. 08–7592. *PRICE v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–7596. *DINSIO v. KIRKPATRICK, SUPERINTENDENT, WENDE CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 08–7597. *CAHILL v. SPOONER.* App. Ct. Mass. Certiorari denied. Reported below: 72 Mass. App. 1112, 891 N. E. 2d 717.

No. 08–7599. *THOMPSON v. SOSA, SHERIFF, IMPERIAL COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 544.

No. 08–7600. *WESLEY v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 382 Ill. App. 3d 588, 888 N. E. 2d 681.

No. 08–7602. *RUFFIN v. GEORGIA.* Sup. Ct. Ga. Certiorari denied. Reported below: 284 Ga. 52, 663 S. E. 2d 189.

No. 08–7605. *FINN v. THOMPSON ET AL.* C. A. 1st Cir. Certiorari denied.

No. 08–7617. *KIRKLAND v. NEW YORK.* App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 49 App. Div. 3d 1260, 856 N. Y. S. 2d 339.

No. 08–7618. *LONG v. PETERSON, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 209.

No. 08–7622. *BLOCKER v. KELLEY ET AL.* Ct. App. Tenn. Certiorari denied.

No. 08–7625. *SIMMONS v. MCWILLIAMS, WARDEN.* C. A. 9th Cir. Certiorari denied.

February 23, 2009

555 U. S.

No. 08–7626. *HOFFMAN v. FOLINO*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GREENE, ET AL. C. A. 3d Cir. Certiorari denied.

No. 08–7627. *HARRIS v. FLORIDA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–7629. *FOSTER v. BROWN*, ATTORNEY GENERAL OF CALIFORNIA, ET AL. C. A. 9th Cir. Certiorari denied.

No. 08–7630. *HOPKINS v. WHITE*, SECRETARY OF STATE OF ILLINOIS, ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 497.

No. 08–7632. *GRAY v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 51 App. Div. 3d 63, 851 N. Y. S. 2d 558.

No. 08–7633. *PUGH v. MINNESOTA*. Ct. App. Minn. Certiorari denied. Reported below: 753 N. W. 2d 308.

No. 08–7635. *CRISSUP v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 08–7637. *HUDSPETH v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 08–7644. *RAIKAR v. TOWNSHIP OF OLD BRIDGE*, NEW JERSEY, ET AL. Super. Ct. N. J., App. Div. Certiorari denied.

No. 08–7645. *SPURLOCK v. DEFENSE FINANCE AND ACCOUNTING SERVICE*. C. A. 6th Cir. Certiorari denied.

No. 08–7646. *WILSON v. YATES*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 08–7647. *BRANHAM v. CARUSO*, DIRECTOR, MICHIGAN DEPARTMENT OF CORRECTIONS. C. A. 6th Cir. Certiorari denied.

No. 08–7648. *BROTHERS v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 08–7652. *JOHNSON v. NORRIS*, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION. C. A. 8th Cir. Certiorari denied. Reported below: 537 F. 3d 840.

555 U. S.

February 23, 2009

No. 08–7657. *COULOMBE v. CITY OF OXNARD, CALIFORNIA, ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–7659. *BAKER v. WISCONSIN.* Ct. App. Wis. Certiorari denied. Reported below: 311 Wis. 2d 489, 750 N. W. 2d 518.

No. 08–7660. *BELL v. MISSISSIPPI DEPARTMENT OF CORRECTIONS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 649.

No. 08–7661. *RAGEN v. OREGON.* C. A. 9th Cir. Certiorari denied.

No. 08–7664. *GUNN v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–7666. *HOLT v. KEO.* Ct. App. Ga. Certiorari denied.

No. 08–7667. *HERRERA v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–7669. *GREEN v. THOMAS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–7670. *HOWARD v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 08–7671. *HARMON v. WEBSTER, JUDGE, DISTRICT COURT OF APPEAL OF FLORIDA, FIRST DISTRICT, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 263 Fed. Appx. 844.

No. 08–7672. *NEWLAND v. HALL, WARDEN.* C. A. 11th Cir. Certiorari denied. Reported below: 527 F. 3d 1162.

No. 08–7678. *SMITH v. WISCONSIN.* Ct. App. Wis. Certiorari denied. Reported below: 314 Wis. 2d 507, 758 N. W. 2d 224.

No. 08–7680. *SIMPSON v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION.* C. A. 8th Cir. Certiorari denied.

No. 08–7684. *PORTER v. CANCELMI.* C. A. 3d Cir. Certiorari denied. Reported below: 318 Fed. Appx. 48.

No. 08–7686. *THREATT v. SECURITY CLASSIFICATION COMMITTEE.* C. A. 6th Cir. Certiorari denied.

February 23, 2009

555 U. S.

No. 08–7687. *BOWYER v. WISLER ET UX.* Ct. App. Ind. Certiorari denied.

No. 08–7691. *SANTIAGO v. CLARK, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 08–7692. *STOKELY v. MCGRATH, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–7695. *AYRES v. VIRGINIA.* Sup. Ct. Va. Certiorari denied.

No. 08–7696. *DAVIS v. VINCENT, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SOMERSET, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–7699. *HUDSON v. FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 08–7701. *FLEMMING v. WOODS, SUPERINTENDENT, UPSTATE CORRECTIONAL FACILITY.* App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied.

No. 08–7702. *HOWARD v. NEVADA.* Sup. Ct. Nev. Certiorari denied. Reported below: 124 Nev. 1475, 238 P. 3d 820.

No. 08–7703. *FOREMAN v. WEINSTEIN ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 258 Fed. Appx. 584.

No. 08–7704. *GOINS v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 08–7705. *HIGGINS v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–7706. *HERNANDEZ v. FLORIDA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 862.

No. 08–7707. *HAWTHONE v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION.* C. A. 8th Cir. Certiorari denied.

No. 08–7710. *CAJUSTE v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

555 U. S.

February 23, 2009

No. 08–7711. *DOE v. OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION, LOCAL 23*. C. A. 9th Cir. Certiorari denied.

No. 08–7712. *CHRISTOPHER v. IOWA*. Sup. Ct. Iowa. Certiorari denied. Reported below: 757 N. W. 2d 247.

No. 08–7715. *HOLMES v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 141 Wash. App. 1040.

No. 08–7716. *HOWARD v. KEMNA, SUPERINTENDENT, CROSS-ROADS CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 08–7717. *GONZALEZ v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 971 So. 2d 891.

No. 08–7719. *ANDINO FIGUEROA, AKA ANDINO v. TEXAS*. Ct. App. Tex., 3d Dist. Certiorari denied. Reported below: 250 S. W. 3d 490.

No. 08–7720. *INGRAM v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–7722. *OSIJO v. HOUSING RESOURCES MANAGEMENT, INC., ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 08–7729. *REVIS v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 26 So. 3d 506.

No. 08–7730. *SUNARNO v. HOLDER, ATTORNEY GENERAL*. C. A. 1st Cir. Certiorari denied. Reported below: 293 Fed. Appx. 8.

No. 08–7732. *NADRA v. MBAH ET AL.* Sup. Ct. Ohio. Certiorari denied. Reported below: 119 Ohio St. 3d 305, 893 N. E. 2d 829.

No. 08–7735. *BURTON v. INSPECTOR GENERAL ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–7738. *COX v. CORTEZ MASTO, ATTORNEY GENERAL OF NEVADA*. C. A. 9th Cir. Certiorari denied. Reported below: 542 F. 3d 669.

No. 08–7740. *HENDRICKS v. SOUTH CAROLINA DEPARTMENT OF CORRECTIONS*. Sup. Ct. S. C. Certiorari denied. Reported below: 374 S. C. 616, 649 S. E. 2d 151.

February 23, 2009

555 U. S.

No. 08–7742. *FAYNE v. KONTEH, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–7743. *GREEN v. DIGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–7745. *HOWARD v. ILLINOIS*. App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 377 Ill. App. 3d 1162, 953 N. E. 2d 91.

No. 08–7749. *JONES v. NEW HOPE HOUSING, INC.* Sup. Ct. Va. Certiorari denied.

No. 08–7751. *KARNOFEL v. KMART CORP. ET AL.* Ct. App. Ohio, Trumbull County. Certiorari denied. Reported below: 2007-Ohio-6939.

No. 08–7754. *MANER v. PADULA, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 151.

No. 08–7755. *KING v. ROGERS, ATTORNEY GENERAL OF OHIO, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–7756. *GORDON v. DAVIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–7758. *LEE v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 08–7761. *MCCANN v. LUDWICK, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–7765. *CHANOWITZ v. BROWN, SUPERINTENDENT, EASTERN NEW YORK CORRECTIONAL FACILITY AND ANNEX*. C. A. 2d Cir. Certiorari denied.

No. 08–7766. *BROOKS v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 993 So. 2d 967.

No. 08–7767. *WILLIAMS v. LARKINS, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 08–7769. *SHAW v. QUINN, SUPERINTENDENT, MONROE CORRECTIONAL COMPLEX*. C. A. 9th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 748.

555 U. S.

February 23, 2009

No. 08-7770. *SCHMITT v. ROPER*, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied.

No. 08-7772. *DAVIDSON v. TEXAS*. Ct. App. Tex., 3d Dist. Certiorari denied. Reported below: 249 S. W. 3d 709.

No. 08-7774. *COHEN v. NAPOLITANO*, SECRETARY OF HOMELAND SECURITY, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 611.

No. 08-7777. *HOUSE v. HATCH*, WARDEN, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 527 F. 3d 1010.

No. 08-7780. *HOLDEN v. BRANKER*, WARDEN. C. A. 4th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 80.

No. 08-7781. *HUDSON v. CITY OF LAUREL*, MISSISSIPPI. C. A. 5th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 748.

No. 08-7782. *HAWKINS v. DOYLE*, SHERIFF, MARIN COUNTY, CALIFORNIA, ET AL. C. A. 9th Cir. Certiorari denied.

No. 08-7786. *HOUSTON v. SCHOMIG*. C. A. 9th Cir. Certiorari denied. Reported below: 533 F. 3d 1076.

No. 08-7787. *EATON v. WYOMING*. Sup. Ct. Wyo. Certiorari denied. Reported below: 192 P. 3d 36.

No. 08-7789. *SCOTT v. IOWA*. Sup. Ct. Iowa. Certiorari denied.

No. 08-7791. *RODRIGUEZ v. HOREL*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 08-7792. *REEDERS v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 08-7796. *MCDONALD v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 989 So. 2d 641.

No. 08-7799. *MARSHALL v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 08-7801. *SALAZAR v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 991 So. 2d 364.

February 23, 2009

555 U. S.

No. 08–7804. *SIMPSON v. MISSISSIPPI*. Ct. App. Miss. Certiorari denied. Reported below: 993 So. 2d 400.

No. 08–7805. *SELF v. RIMMER, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 605.

No. 08–7806. *BURRIOLA v. PALMER, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–7808. *SCHWAB v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 141 Wash. App. 85, 167 P. 3d 1225.

No. 08–7809. *SIBLEY v. FLORIDA BAR*. Sup. Ct. Fla. Certiorari denied. Reported below: 995 So. 2d 346.

No. 08–7810. *SIMON v. GEORGIA ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–7815. *COOMER v. YUKINS, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 533 F. 3d 477.

No. 08–7818. *MILLER v. SMITH, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–7820. *CARUTHERS v. BERGHUIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–7821. *DUBOSE v. CULLIVER, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–7823. *DAVIS v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 993 So. 2d 529.

No. 08–7825. *LOVE v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–7826. *KHALIL v. STEVENS INSTITUTE OF TECHNOLOGY ET AL.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 08–7831. *RAI v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 08–7833. *TAYLOR v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

555 U. S.

February 23, 2009

No. 08–7834. *PHOX v. LEE’S SUMMIT SCHOOL DISTRICT*. C. A. 8th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 707.

No. 08–7838. *STOCKMEIER v. NEVADA ET AL.* Sup. Ct. Nev. Certiorari denied. Reported below: 124 Nev. 1511, 238 P. 3d 858.

No. 08–7844. *EDMOND v. COLORADO*. Ct. App. Colo. Certiorari denied.

No. 08–7849. *PETERS v. KEYSTONE AVIATION SERVICES INC. ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–7851. *SHARIKAS v. KELLY, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 20.

No. 08–7854. *UCAK v. TILLMAN, WARDEN*. Super. Ct. Ware County, Ga. Certiorari denied.

No. 08–7858. *ORTIZ v. WARD, WARDEN*. Super. Ct. Gwinnet County, Ga. Certiorari denied.

No. 08–7859. *DOLBERRY v. NAPA ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–7860. *EDMUND v. SMALL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–7862. *CROCKETT v. HULICK, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 542 F. 3d 1183.

No. 08–7863. *EVERETT v. PENNSYLVANIA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–7864. *WILLIS v. DISTRICT OF COLUMBIA HOUSING AUTHORITY* (two judgments). Ct. App. D. C. Certiorari denied.

No. 08–7866. *HOLLINSHEAD v. ILLINOIS*. App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 378 Ill. App. 3d 1138, 955 N. E. 2d 192.

No. 08–7867. *GARCIA v. SCRIBNER, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 524.

No. 08–7869. *FORT v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied. Reported below: 71 Mass. App. 1124, 887 N. E. 2d 312.

February 23, 2009

555 U. S.

No. 08–7870. *TURNER, AKA GREENE v. CIVIL SERVICE EMPLOYEES ASSOCIATION LOCAL UNION*. C. A. 2d Cir. Certiorari denied.

No. 08–7871. *GORE v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 996 So. 2d 212.

No. 08–7872. *HYTOWER v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 119 Ohio St. 3d 1472, 894 N. E. 2d 332.

No. 08–7874. *GRAY v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 08–7876. *BROWN v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 119 Ohio St. 3d 447, 895 N. E. 2d 149.

No. 08–7877. *BUGGS v. TENNIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–7884. *WINSTON v. ILLINOIS*. App. Ct. Ill., 3d Dist. Certiorari denied. Reported below: 383 Ill. App. 3d 1156, 968 N. E. 2d 223.

No. 08–7885. *MCDOWELL v. FLORIDA ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–7887. *HOGAN v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 984 So. 2d 546.

No. 08–7890. *FOX v. LEMPKE, SUPERINTENDENT, FIVE POINTS CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 08–7892. *FUENTES v. BOARD OF EDUCATION OF THE CITY OF NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 540 F. 3d 145.

No. 08–7893. *HOWARD v. PERDUE ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–7894. *ROSA v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 08–7898. *JONES v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

555 U. S.

February 23, 2009

No. 08–7900. *SKELTON v. NOOTH*, SUPERINTENDENT, SNAKE RIVER CORRECTIONAL INSTITUTION. C. A. 9th Cir. Certiorari denied.

No. 08–7902. *REYNA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 378.

No. 08–7903. *SANCHEZ-LEOCADIO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 319 Fed. Appx. 99.

No. 08–7904. *MILLS v. WATSON*. C. A. 4th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 65.

No. 08–7905. *BLAXTON v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 994 So. 2d 308.

No. 08–7906. *BRADD v. LEINENWEBER*, JUDGE, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS, ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 530.

No. 08–7909. *BETHEL v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 313 Wis. 2d 523, 756 N. W. 2d 478.

No. 08–7910. *BEDFORD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 536 F. 3d 1148.

No. 08–7911. *RODRIGUEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 528 F. 3d 110.

No. 08–7912. *ENWONWU v. HOLDER*, ATTORNEY GENERAL. C. A. 1st Cir. Certiorari denied.

No. 08–7913. *SIMON v. CITY OF ATLANTA, GEORGIA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 259 Fed. Appx. 180.

No. 08–7914. *PALADINO v. KING*, COMMISSIONER, PHILADELPHIA PRISON SYSTEM, ET AL. C. A. 3d Cir. Certiorari denied.

No. 08–7918. *HUDSON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 992 So. 2d 96.

No. 08–7919. *HOLLY v. MONTES*. Sup. Ct. Ill. Certiorari denied. Reported below: 231 Ill. 2d 153, 896 N. E. 2d 267.

February 23, 2009

555 U. S.

No. 08–7921. *FORBES v. PENNSYLVANIA DEPARTMENT OF CORRECTIONS ET AL.* Commw. Ct. Pa. Certiorari denied. Reported below: 931 A. 2d 88.

No. 08–7922. *ARREDONDO v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 08–7923. *BOONE v. MARYLAND.* Ct. Sp. App. Md. Certiorari denied. Reported below: 180 Md. App. 762.

No. 08–7924. *HODGES v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION.* C. A. 8th Cir. Certiorari denied.

No. 08–7925. *RATHBONE v. TENNESSEE.* Ct. Crim. App. Tenn. Certiorari denied.

No. 08–7926. *RILEY v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 08–7927. *ROLLE v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–7929. *LOPEZ-GARCIA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 340.

No. 08–7930. *LEGER v. TERRELL, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 08–7934. *KING v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–7935. *JORDAN v. HOLDER, ATTORNEY GENERAL.* C. A. 5th Cir. Certiorari denied.

No. 08–7937. *VAIL v. RAYBESTOS PRODUCTS Co.* C. A. 7th Cir. Certiorari denied. Reported below: 533 F. 3d 904.

No. 08–7941. *WATSON v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 293 Fed. Appx. 887.

No. 08–7942. *THREATT v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 08–7943. *CARDENAS-CARDENAS v. UNITED STATES* (Reported below: 543 F. 3d 731); *GONZALEZ-CORDOVA v. UNITED*

555 U. S.

February 23, 2009

STATES (295 Fed. Appx. 682); and OSORTO-GUEVARRA *v.* UNITED STATES (293 Fed. Appx. 352). C. A. 5th Cir. Certiorari denied.

No. 08–7944. CASTANEDA-VELEZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 109.

No. 08–7945. WHITE *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 483.

No. 08–7947. TRENKLER *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 536 F. 3d 85.

No. 08–7948. RUSSELL *v.* TEXAS. Ct. App. Tex., 2d Dist. Certiorari denied.

No. 08–7949. SANTANA-DE LEON *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied.

No. 08–7950. BROWN *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 437.

No. 08–7951. BRONAKOWSKI *v.* BOULDER VALLEY SCHOOL DISTRICT. C. A. 10th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 408.

No. 08–7952. AVELAR-CEJA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 16.

No. 08–7953. BEATTY *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 538 F. 3d 8.

No. 08–7955. CLAY *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 08–7956. CODY *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 483.

No. 08–7957. RUBIO-GUERRERO, AKA RUBIO *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 534 F. 3d 970.

No. 08–7959. COPLEY *v.* VOORHIES, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 08–7960. DUQUE *v.* HUDSON, WARDEN. C. A. 6th Cir. Certiorari denied.

February 23, 2009

555 U. S.

No. 08–7962. *CHAMBERLAIN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 287 Fed. Appx. 163.

No. 08–7963. *COFFMAN v. WEST VIRGINIA*. Sup. Ct. App. W. Va. Certiorari denied.

No. 08–7964. *CEBALLOS-SALIGAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 218.

No. 08–7965. *CARNAGIE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 533 F. 3d 1231.

No. 08–7967. *BROWN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 784.

No. 08–7968. *ABUARQUOB v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 294 Fed. Appx. 722.

No. 08–7971. *LOUISUIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 573.

No. 08–7975. *THOMAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 124.

No. 08–7976. *THURMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 149.

No. 08–7978. *WIGGINS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 293 Fed. Appx. 907.

No. 08–7979. *RAMIREZ-ROBLES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 22.

No. 08–7982. *RODRIGUEZ v. NAPOLITANO, SECRETARY OF HOMELAND SECURITY*. C. A. D. C. Cir. Certiorari denied.

No. 08–7984. *SIMPSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 533.

No. 08–7986. *BASURTO v. LUNA, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 41.

No. 08–7988. *TAYLOR v. BATTLES, WARDEN*. App. Ct. Ill., 3d Dist. Certiorari denied. Reported below: 381 Ill. App. 3d 1156, 966 N. E. 2d 613.

No. 08–7991. *ROBERTS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 561.

555 U. S.

February 23, 2009

No. 08–7999. *VILLA v. AYERS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 835.

No. 08–8001. *MARACALIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–8004. *SELJAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 547 F. 3d 993.

No. 08–8008. *MILLER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 248 Fed. Appx. 426.

No. 08–8009. *PINSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 542 F. 3d 822.

No. 08–8013. *WALKER v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 994 So. 2d 973.

No. 08–8016. *ARMS v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 08–8017. *AUBLE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 972.

No. 08–8018. *DAVIDSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 295 Fed. Appx. 389.

No. 08–8024. *MCINTOSH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–8028. *JASMIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 545.

No. 08–8029. *MAHONE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–8030. *KIRKHAM v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 910.

No. 08–8035. *RODRIGUEZ v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 544 F. 3d 565.

No. 08–8038. *RIVAS-MACIAS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 537 F. 3d 1271.

No. 08–8041. *NIELSEN v. MILLER-STOUT, SUPERINTENDENT, AIRWAY HEIGHTS CORRECTIONAL CENTER*. C. A. 9th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 552.

February 23, 2009

555 U. S.

No. 08–8042. *PAIGE v. UNITED STATES*. Ct. App. Ga. Certiorari denied.

No. 08–8043. *COPELAND v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 94.

No. 08–8045. *DIMITROV v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 546 F. 3d 409.

No. 08–8049. *AKI-KHUAM v. INDIANA*. Ct. App. Ind. Certiorari denied. Reported below: 883 N. E. 2d 228.

No. 08–8051. *BLACKWELL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 683.

No. 08–8052. *McKoy v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–8054. *MUNGIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–8059. *GRIFFIN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 393.

No. 08–8061. *HERRINGTON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 310.

No. 08–8062. *LOMAX, AKA HASAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–8063. *LONG v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied.

No. 08–8070. *BROCK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 792.

No. 08–8076. *SIGLEY v. McBRIDE, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 578.

No. 08–8081. *IBARRA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 611.

No. 08–8084. *GARDNER v. PEREZ*. Sup. Ct. N. M. Certiorari denied.

No. 08–8085. *FRANCIS, AKA DIMEPIECE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 518.

555 U. S.

February 23, 2009

No. 08–8086. *GADSDEN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 300 Fed. Appx. 108.

No. 08–8087. *OLIVO v. GREGOIRE, GOVERNOR OF WASHINGTON*. C. A. 9th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 628.

No. 08–8089. *NIBLOCK v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 575.

No. 08–8090. *GUZMAN-NIEVES v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–8091. *HOLLER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 625.

No. 08–8095. *ROBERTSON v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 67 M. J. 14.

No. 08–8097. *SHORT v. SCHULTZ, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 246.

No. 08–8099. *BROWN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–8102. *BERRY v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 378 Ill. App. 3d 1119, 955 N. E. 2d 183.

No. 08–8103. *BOZZELLI v. KLEM, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–8112. *PARISI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 529 F. 3d 134.

No. 08–8115. *MEDINA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 702.

No. 08–8117. *RUIZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 641.

No. 08–8119. *S. B. v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 381 Ill. App. 3d 1143, 966 N. E. 2d 607.

No. 08–8120. *ST. CLAIR v. MERIT SYSTEMS PROTECTION BOARD*. C. A. Fed. Cir. Certiorari denied. Reported below: 289 Fed. Appx. 395.

February 23, 2009

555 U. S.

No. 08–8121. *HICKMAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 279.

No. 08–8122. *ILARAZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 320.

No. 08–8123. *FARLEY v. BISSONNETTE*, SUPERINTENDENT, MASSACHUSETTS CORRECTIONAL INSTITUTION AT FRAMINGHAM. C. A. 1st Cir. Certiorari denied. Reported below: 544 F. 3d 344.

No. 08–8124. *GUZMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 685.

No. 08–8125. *HARRIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 139.

No. 08–8126. *MELCHOR-ZARAGOZA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 636.

No. 08–8130. *PAGAN v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 597 Pa. 69, 950 A. 2d 270.

No. 08–8132. *LNU, AKA OSHUNKEY v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 544 F. 3d 361.

No. 08–8140. *THIAN TEH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 535 F. 3d 511.

No. 08–8147. *KHAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 458.

No. 08–8149. *BROWN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–8152. *BARELA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 857.

No. 08–8154. *RIDDICK v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–8160. *DEMONTBREUN v. DEPARTMENT OF THE NAVY*. C. A. Fed. Cir. Certiorari denied. Reported below: 296 Fed. Appx. 933.

No. 08–8162. *PADILLA-VELA, AKA PADILLA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 681.

555 U. S.

February 23, 2009

No. 08–8168. *KOHL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 724.

No. 08–8169. *LOPEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 678.

No. 08–8170. *RODRIGUEZ-DIAZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 680.

No. 08–8172. *RAMIREZ-PEREZ, AKA GARCIA-GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–8176. *POTTS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 887.

No. 08–8177. *O’NEILL v. LAWLER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–8180. *BOATSWAIN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 287 Fed. Appx. 125.

No. 08–8189. *JORDAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 544 F. 3d 656.

No. 08–8191. *MARTINEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–8192. *QUANG VAN NGUYEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 779.

No. 08–8193. *MOTA-CAMPOS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 774.

No. 08–8196. *WEST v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 317.

No. 08–8200. *MOORE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–8202. *SWEARINGEN v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–8205. *DODD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

February 23, 2009

555 U. S.

No. 08–8206. *DELGADO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 545 F. 3d 1195.

No. 08–8207. *KLEIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 543 F. 3d 206.

No. 08–8208. *ROSE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 528 F. 3d 110.

No. 08–8211. *SIRAJ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 533 F. 3d 99.

No. 08–8214. *WEBSTER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 777.

No. 08–8215. *KINCHEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–8216. *SCHIPKE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 107.

No. 08–8222. *BROOKS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 08–8229. *HILAIRE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 533 F. 3d 1231.

No. 08–8230. *GREEN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 337.

No. 08–8231. *HARRIS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 294 Fed. Appx. 624.

No. 08–8233. *HINES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 541 F. 3d 833.

No. 08–8234. *GUERRERO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 423.

No. 08–8236. *GIBSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 530 F. 3d 606.

No. 08–8237. *HARDWICK, AKA FU QUAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 544 F. 3d 565.

No. 08–8240. *ESTRADA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 799.

555 U. S.

February 23, 2009

No. 08–8241. *CHORIN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–8244. *ELLERBEE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 233.

No. 08–8248. *CARDONA-ROSARIO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 285 Fed. Appx. 20.

No. 08–8251. *DOUGLAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–8254. *JACKSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 408.

No. 08–8256. *AYALA v. UNITED STATES* (Reported below: 542 F. 3d 494); and *VALDEZ-BARRIENTOS v. UNITED STATES* (291 Fed. Appx. 642). C. A. 5th Cir. Certiorari denied.

No. 08–8257. *NELSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 475.

No. 08–8261. *BROWN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 293 Fed. Appx. 826.

No. 08–8265. *GREEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 811.

No. 08–8267. *DAVIS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 534 F. 3d 903.

No. 08–8270. *JONES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 357.

No. 08–8272. *MADRID v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 08–8273. *CASAREZ-ACEVEDO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 370.

No. 08–8274. *DURAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 406.

No. 08–8275. *NIEVES v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–8277. *NUNEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

February 23, 2009

555 U. S.

No. 08–8282. *TRIGG v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 721.

No. 08–8287. *NODD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–8292. *SCHALES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 546 F. 3d 965.

No. 08–8293. *BARROCA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 69.

No. 08–8296. *ANDERSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 293 Fed. Appx. 960.

No. 08–8305. *PHELPS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 536 F. 3d 862.

No. 08–8306. *PHIPPS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 38.

No. 08–8308. *ATKINSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 316 Fed. Appx. 93.

No. 08–8309. *CARTIER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 543 F. 3d 442.

No. 08–8310. *DOUGLAS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–8312. *WILSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 350.

No. 08–8314. *HOWARD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 540 F. 3d 905.

No. 08–8315. *GAONA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 367.

No. 08–8316. *SWANN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 371.

No. 08–8317. *RITTWEGER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 524 F. 3d 171 and 274 Fed. Appx. 78.

No. 08–8319. *SELLS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 541 F. 3d 1227.

555 U. S.

February 23, 2009

No. 08–8328. *KELLY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 535 F. 3d 1229.

No. 08–8331. *MUNIZ-QUINTANA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 295.

No. 08–8332. *OUTLAW v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 761.

No. 08–8333. *WEST v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 342.

No. 08–8341. *OSEQUERA-MORALES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–8351. *GARCIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 08–8357. *GARZA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–8361. *PERSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 283.

No. 08–8362. *OCHOA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 265.

No. 08–8364. *JOHNSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 214.

No. 08–8365. *JOHNSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–8366. *BEY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 954.

No. 08–8369. *LAUREANO-VELEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–8371. *ZUNIE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 759.

No. 08–8372. *DEES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 916.

No. 08–8373. *DAVILA-ROMERO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 386.

February 23, 2009

555 U. S.

No. 08–8376. *WEAVER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 547.

No. 08–8384. *PETERSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 153.

No. 08–8391. *PADILLA-SALAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 509.

No. 08–8395. *RIVERA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 546 F. 3d 245.

No. 08–8396. *SINGLETERY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 188.

No. 08–8397. *MARTINEZ-RUBIO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 348.

No. 08–8398. *JONES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 243.

No. 08–8399. *ECHAVARRIA-ESPINOZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 396.

No. 08–8400. *MOORE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–8405. *BRODIE v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 524 F. 3d 259.

No. 08–8406. *AKINROSOTU v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–410. *SORICH ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 523 F. 3d 702.

JUSTICE SCALIA, dissenting.

In *McNally v. United States*, 483 U. S. 350 (1987), this Court held that while “[t]he mail fraud statute clearly protects property rights, . . . [it] does not refer to the intangible right of the citizenry to good government.” *Id.*, at 356. That holding invalidated the theory that official corruption and misconduct, by depriving citizens of their “intangible right” to the honest and impartial services of government, constituted fraud. Although all of the Federal Courts of Appeals had accepted the theory, see

id., at 364 (STEVENS, J., dissenting), we declined to “construe the statute in a manner that leaves its outer boundaries ambiguous and involves the Federal Government in setting standards of disclosure and good government for local and state officials,” *id.*, at 360 (majority opinion). “If Congress desires to go further,” we said, “it must speak more clearly than it has.” *Ibid.*

Congress spoke shortly thereafter. “For the purposes of this chapter, the term ‘scheme or artifice to defraud’ includes a scheme or artifice to deprive another of the intangible right of honest services.” 18 U.S.C. §1346. Whether that terse amendment qualifies as speaking “more clearly” or in any way lessens the vagueness and federalism concerns that produced this Court’s decision in *McNally* is another matter.

Though it consists of only 28 words, the statute has been invoked to impose criminal penalties upon a staggeringly broad swath of behavior, including misconduct not only by public officials and employees but also by private employees and corporate fiduciaries. Courts have upheld convictions of a local housing official who failed to disclose a conflict of interest, *United States v. Hasner*, 340 F. 3d 1261, 1271 (CA11 2003) (*per curiam*); a businessman who attempted to pay a state legislator to exercise “informal and behind-the-scenes influence on legislation,” *United States v. Potter*, 463 F. 3d 9, 18 (CA1 2006); students who schemed with their professors to turn in plagiarized work, *United States v. Frost*, 125 F. 3d 346, 369 (CA6 1997); lawyers who made side payments to insurance adjusters in exchange for the expedited processing of their clients’ pending claims, *United States v. Rybicki*, 354 F. 3d 124, 142 (CA2 2003) (*en banc*); and, in the decision we are asked to review here, city employees who engaged in political-patronage hiring for local civil-service jobs, 523 F. 3d 702, 705 (CA7 2008).

If the “honest services” theory—broadly stated, that officeholders and employees owe a duty to act only in the best interests of their constituents and employers—is taken seriously and carried to its logical conclusion, presumably the statute also renders criminal a state legislator’s decision to vote for a bill because he expects it will curry favor with a small minority essential to his reelection; a mayor’s attempt to use the prestige of his office to obtain a restaurant table without a reservation; a public employee’s recommendation of his incompetent friend for a public contract; and any self-dealing by a corporate officer. Indeed, it

would seemingly cover a salaried employee's phoning in sick to go to a ball game. In many cases, moreover, the maximum penalty for violating this statute will be added to the maximum penalty for violating 18 U.S.C. § 666, a federal bribery statute, since violation of the latter requires the additional factor of the employer's receipt of federal funds, while violation of the "honest services" provision requires use of mail or wire services, §§ 1341, 1343. Quite a potent federal prosecutorial tool.

To avoid some of these extreme results, the Courts of Appeals have spent two decades attempting to cabin the breadth of § 1346 through a variety of limiting principles. No consensus has emerged. The Fifth Circuit has held that the statute criminalizes only a deprivation of services that is unlawful under state law, *United States v. Brumley*, 116 F. 3d 728, 735 (1997) (en banc), but other courts have not agreed, see *United States v. Martin*, 195 F. 3d 961, 966 (CA7 1999) (*Brumley* "is contrary to the law in this circuit . . . and in the other circuits to have addressed the question"). The Seventh Circuit has construed the statute to prohibit only the abuse of position "for private gain," *United States v. Bloom*, 149 F. 3d 649, 655 (1998), but other Circuits maintain that gain is not an element of the crime at all, *e. g.*, *United States v. Panarella*, 277 F. 3d 678, 692 (CA3 2002). Courts have expressed frustration at the lack of any "simple formula specific enough to give clear cut answers to borderline problems." *United States v. Urciuoli*, 513 F. 3d 290, 300 (CA1 2008).

It is practically gospel in the lower courts that the statute "does not encompass every instance of official misconduct," *United States v. Sawyer*, 85 F. 3d 713, 725 (CA1 1996). The Tenth Circuit has confidently proclaimed that the statute is "not violated by every breach of contract, breach of duty, conflict of interest, or misstatement made in the course of dealing," *United States v. Welch*, 327 F. 3d 1081, 1107 (2003). But why that is so, and what principle it is that separates the criminal breaches, conflicts, and misstatements from the obnoxious but lawful ones, remains entirely unspecified. Without some coherent limiting principle to define what "the intangible right of honest services" is, whence it derives, and how it is violated, this expansive phrase invites abuse by headline-grabbing prosecutors in pursuit of local officials, state legislators, and corporate CEOs who engage in any manner of unappealing or ethically questionable conduct.

In the background of the interpretive venture remain the two concerns voiced by this Court in *McNally*. First, the prospect of federal prosecutors' (or federal courts') creating ethics codes and setting disclosure requirements for local and state officials. Is it the role of the Federal Government to define the fiduciary duties that a town alderman or school board trustee owes to his constituents? It is one thing to enact and enforce clear rules against certain types of corrupt behavior, *e. g.*, 18 U. S. C. § 666(a) (bribes and gratuities to public officials), but quite another to mandate a freestanding, open-ended duty to provide "honest services"—with the details to be worked out case by case. See generally Brown, Should Federalism Shield Corruption?—Mail Fraud, State Law and Post-*Lopez* Analysis, 82 Cornell L. Rev. 225 (1997).

Second and relatedly, this Court has long recognized the "basic principle that a criminal statute must give fair warning of the conduct that it makes a crime." *Bowie v. City of Columbia*, 378 U. S. 347, 350 (1964). There is a serious argument that § 1346 is nothing more than an invitation for federal courts to develop a common-law crime of unethical conduct. But "the notion of a common-law crime is utterly anathema today," *Rogers v. Tennessee*, 532 U. S. 451, 476 (2001) (SCALIA, J., dissenting), and for good reason. It is simply not fair to prosecute someone for a crime that has not been defined until the judicial decision that sends him to jail. "How can the public be expected to know what the statute means when the judges and prosecutors themselves do not know, or must make it up as they go along?" *Rybicki, supra*, at 160 (Jacobs, J., dissenting).

The present case in which certiorari is sought implicates two of the limiting principles that the Courts of Appeals have debated—whether the crime of deprivation of "honest services" requires a predicate violation of state law, and whether it requires the defendant's acquisition of some sort of private gain. The jury was instructed that petitioners, who were employed by the city of Chicago, were obliged, "[a]s part of the honest services they owed the City and the people of the City of Chicago," to abide by a laundry list of "laws, decrees, and policies," including a 1983 civil consent decree entered into by the city which barred patronage hiring for some city jobs. App. to Pet. for Cert. 137–140. The Seventh Circuit approved the instruction, again rejecting the Fifth Circuit's violation-of-state-law principle. "It may well be," the court said, "that merely by virtue of being public officials the

February 23, 2009

555 U. S.

defendants inherently owed the public a fiduciary duty to discharge their offices in the public's best interest." 523 F. 3d, at 712. And though petitioners received no direct personal benefit from the patronage they doled out on behalf of their political masters, the Seventh Circuit found it sufficient that the patronage *appointees*—who were not charged in the scheme—accrued private gain. *Id.*, at 709.

Finally, in addition to presenting two of the principal devices the Courts of Appeals have used in an effort to limit § 1346, the case also squarely presents the issue of its constitutionality. The Court of Appeals rebuffed petitioners' argument that if § 1346 really criminalizes all conduct that is not "in the public's best interest" and that benefits *someone*, it is void for vagueness. The court cited two prior Circuit decisions which, it said, "provided sufficient notice." *Id.*, at 711.

It may be true that petitioners here, like the defendants in other "honest services" cases, have acted improperly. But "[b]ad men, like good men, are entitled to be tried and sentenced in accordance with law." *Green v. United States*, 365 U. S. 301, 309 (1961) (Black, J., dissenting). In light of the conflicts among the Circuits; the longstanding confusion over the scope of the statute; and the serious due process and federalism interests affected by the expansion of criminal liability that this case exemplifies, I would grant the petition for certiorari and squarely confront both the meaning and the constitutionality of § 1346. Indeed, it seems to me quite irresponsible to let the current chaos prevail.

No. 08–782. CALIFORNIA SPEEDWAY CORP. *v.* MILLER. C. A. 9th Cir. Motion of Speedway Sonoma, LLC, for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 536 F. 3d 1020.

Rehearing Denied

No. 08–422. RYAN *v.* UNITED STATES, *ante*, p. 997;

No. 08–491. GAY ET AL. *v.* HUNT ET AL., *ante*, p. 1048;

No. 08–535. PANSE *v.* NORMAN ET AL., *ante*, p. 1071;

No. 08–609. KANOFSKY *v.* COMMISSIONER OF INTERNAL REVENUE, *ante*, p. 1071;

No. 08–5003. LACY *v.* NATIONAL RAILROAD PASSENGER CORPORATION, *ante*, p. 1050;

No. 08–5161. DADE *v.* UNITED STATES, *ante*, p. 898;

No. 08–6068. AVALOS *v.* NIELSEN ET AL., *ante*, p. 1000;

555 U.S.

February 23, 2009

- No. 08-6154. *CRAMER v. DUNCAN, WARDEN, ante*, p. 1002;
No. 08-6276. *ROBINSON v. JONES ET AL., ante*, p. 1033;
No. 08-6355. *DODD v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, ante*, p. 1035;
No. 08-6357. *CAIN v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, ante*, p. 1035;
No. 08-6384. *HUGHES v. MINNESOTA, ante*, p. 1036;
No. 08-6398. *CAREY v. FREE, WARDEN, ET AL., ante*, p. 1036;
No. 08-6492. *SCHREIBER v. IOWA, ante*, p. 1036;
No. 08-6519. *MELLENDEZ v. ERCOLE, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY, ante*, p. 1053;
No. 08-6536. *SIFUENTES v. PRELESNIK, WARDEN, ante*, p. 1054;
No. 08-6539. *ROY v. WYNDER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL., ante*, p. 1054;
No. 08-6585. *LISENKO v. MUKASEY, ATTORNEY GENERAL, ante*, p. 1054;
No. 08-6627. *SALERNO v. MICHIGAN, ante*, p. 1073;
No. 08-6645. *BALDWIN v. OFFICE OF PERSONNEL MANAGEMENT, ante*, p. 1055;
No. 08-6647. *SMITH v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ante*, p. 1074;
No. 08-6690. *LEATHERBLAIRE v. WORKERS' COMPENSATION APPEALS BOARD ET AL., ante*, p. 1055;
No. 08-6723. *HAFED v. UNITED STATES, ante*, p. 1018;
No. 08-6757. *HANEY v. ADDISON, WARDEN, ante*, p. 1086;
No. 08-6758. *FINLEY v. UNITED STATES, ante*, p. 1019;
No. 08-6793. *BADRUDDOZA v. UNITED STATES ET AL., ante*, p. 1076;
No. 08-6811. *BROWN v. PEAKE, SECRETARY OF VETERANS AFFAIRS, ante*, p. 1056;
No. 08-6812. *BARNEY v. INGERSOLL-RAND CO. ET AL. (two judgments), ante*, p. 1056;
No. 08-7008. *WAGNER v. SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ante*, p. 1110;
No. 08-7083. *BUSTAMANTE v. MUKASEY, ATTORNEY GENERAL, ante*, p. 1077;
No. 08-7110. *DODSON v. UNITED STATES, ante*, p. 1077;

February 23, March 2, 2009

555 U. S.

No. 08–7115. *ELJACK v. JOHNSON REALTY CO., INC.*, *ante*, p. 1113;

No. 08–7194. *BARTLETTE v. KMART CORP. ET AL.*, *ante*, p. 1115;

No. 08–7218. *RODRIGUEZ v. UNITED STATES*, *ante*, p. 1080;

No. 08–7271. *AHMED v. UNITED STATES*, *ante*, p. 1089; and

No. 08–7429. *ADKINS v. FAIRFAX COUNTY SCHOOL BOARD ET AL.*, *ante*, p. 1120. Petitions for rehearing denied.

No. 08–5482. *GRIFFIN v. VETERANS ADMINISTRATION REGIONAL OFFICE ET AL.*, *ante*, p. 917. Motion for leave to file petition for rehearing denied.

MARCH 2, 2009

Certiorari Granted—Vacated and Remanded

No. 07–690. *DUCHESNE CITY, UTAH, ET AL. v. SUMMUM*. C. A. 10th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Pleasant Grove City v. Summum*, *ante*, p. 460. Reported below: 482 F. 3d 1263.

No. 08–7102. *BENSON v. UNITED STATES*. C. A. 7th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Begay v. United States*, 553 U. S. 137 (2008). Reported below: 285 Fed. Appx. 298.

Certiorari Dismissed

No. 08–7983. *WHITE v. WAYNE COUNTY CIRCUIT COURT CLERKS*. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–7985. *BROWN v. CALIFORNIA*. Sup. Ct. Cal. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

Miscellaneous Orders

No. 08M64. *WILLIAMS v. PARKER ABEX NWL*. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 07–543. *AT&T CORP. v. HULTEEN ET AL.* C. A. 9th Cir. [Certiorari granted, 554 U. S. 916.] Motion of respondents for

555 U. S.

March 2, 2009

leave to file a supplemental brief after argument granted. Motion of petitioner for leave to file a supplemental brief after argument granted.

No. 08–603. VOS, DIRECTOR, MILLE LACS COUNTY, MINNESOTA, FAMILY SERVICES AND WELFARE DEPARTMENT, ET AL. *v.* BARG. Sup. Ct. Minn. Motion of Minnesota for leave to intervene granted. The Acting Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 08–803. FROMMERT ET AL. *v.* CONKRIGHT ET AL.;

No. 08–810. CONKRIGHT ET AL. *v.* FROMMERT ET AL.; and

No. 08–826. PIETROWSKI ET AL. *v.* CONKRIGHT ET AL. C. A. 2d Cir. The Acting Solicitor General is invited to file a brief in these cases expressing the views of the United States.

No. 08–8421. COSSETTE *v.* DEPARTMENT OF AGRICULTURE. C. A. 1st Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until March 23, 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.

No. 08–8515. IN RE DODSON;

No. 08–8543. IN RE GUZMAN ROBLES;

No. 08–8585. IN RE SANDERS; and

No. 08–8611. IN RE PISKANIN. Petitions for writs of habeas corpus denied.

No. 08–8560. IN RE PRICE. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of habeas corpus dismissed. See this Court's Rule 39.8.

No. 08–8374. IN RE SIMON. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus dismissed. See this Court's Rule 39.8.

Certiorari Granted

No. 08–103. REED ELSEVIER, INC., ET AL. *v.* MUCHNICK ET AL. C. A. 2d Cir. Certiorari granted limited to the following question: “Does 17 U. S. C. § 411(a) restrict the subject-matter jurisdiction of the federal courts over copyright infringement actions?” Reported below: 509 F. 3d 116.

March 2, 2009

555 U. S.

Certiorari Denied

No. 08–409. *MABRY ET AL. v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 518 F. 3d 442.

No. 08–482. *BORDEN v. SCHOOL DISTRICT OF THE TOWNSHIP OF EAST BRUNSWICK, NEW JERSEY, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 523 F. 3d 153.

No. 08–514. *MITCHELL v. REES, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 825.

No. 08–558. *BOURSEAU ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 531 F. 3d 1159.

No. 08–564. *COOKEVILLE REGIONAL MEDICAL CENTER ET AL. v. JOHNSON, ACTING SECRETARY OF HEALTH AND HUMAN SERVICES*. C. A. D. C. Cir. Certiorari denied. Reported below: 531 F. 3d 844.

No. 08–569. *KNOX v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 540 F. 3d 708.

No. 08–710. *THEUSCH ET UX. v. BERG ET AL.* Ct. App. Minn. Certiorari denied.

No. 08–716. *WATSON CHAPEL SCHOOL DISTRICT ET AL. v. LOWRY ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 540 F. 3d 752.

No. 08–746. *SEMINOLE TRIBE OF FLORIDA v. FLORIDA HOUSE OF REPRESENTATIVES ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 999 So. 2d 601.

No. 08–762. *DEREYES ET AL. v. WILKINS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 528 F. 3d 790.

No. 08–808. *TEXAS v. HALEY*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 08–811. *ADEDIJI v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 381 Ill. App. 3d 1133, 966 N. E. 2d 602.

No. 08–813. *ANTONELLIS v. CUMBERLAND COUNTY BOARD OF EDUCATION ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 237.

555 U. S.

March 2, 2009

No. 08–815. *DEUPREE v. CALIFORNIA WORKERS’ COMPENSATION APPEALS BOARD ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–817. *ASHCRAFT, PERSONAL REPRESENTATIVE OF THE ESTATE OF MCGLOTHIN, DECEASED v. VILLAS WEST II OF WILLOWRIDGE HOMEOWNERS ASSN., INC.* Sup. Ct. Ind. Certiorari denied. Reported below: 885 N. E. 2d 1274.

No. 08–819. *VAUGHN v. VILLA.* C. A. 10th Cir. Certiorari denied. Reported below: 537 F. 3d 1147.

No. 08–837. *BEUCKE v. DEPARTMENT OF AGRICULTURE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 10.

No. 08–854. *HASSEY v. CITY OF OAKLAND, CALIFORNIA.* Ct. App. Cal., 1st App. Dist. Certiorari denied. Reported below: 163 Cal. App. 4th 1477, 78 Cal. Rptr. 3d 621.

No. 08–864. *CABRAL v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied.

No. 08–885. *BETANCUR v. FLORIDA DEPARTMENT OF HEALTH ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 761.

No. 08–924. *MOTLEY v. DEPARTMENT OF THE NAVY.* C. A. Fed. Cir. Certiorari denied. Reported below: 317 Fed. Appx. 975.

No. 08–933. *CHARTSCHLAA ET AL. v. NATIONWIDE MUTUAL INSURANCE CO. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 538 F. 3d 116.

No. 08–972. *HOLLOWAY v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 6th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 421.

No. 08–980. *WHITNEY v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 08–6727. *LUGO IBARRA v. CALIFORNIA.* Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 08–7123. *GEORGES v. GEORGES.* Super. Ct. Pa. Certiorari denied. Reported below: 931 A. 2d 56.

March 2, 2009

555 U. S.

No. 08–7252. *YOUNG v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 529 F. 3d 1380.

No. 08–7372. *NORTHERN v. TENNESSEE*. Sup. Ct. Tenn. Certiorari denied. Reported below: 262 S. W. 3d 741.

No. 08–7936. *ULRICH v. BELL*. App. Ct. Ill., 4th Dist. Certiorari denied.

No. 08–7938. *ROBINSON v. ADAMS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–7939. *TREVINO v. GOMEZ ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 54 Fed. Appx. 467.

No. 08–7946. *YANCEY v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Va. Certiorari denied.

No. 08–7954. *BANKS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–7958. *LOPEZ ROSIER v. HUNTER ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–7961. *EKLOF v. HOEFEL*. C. A. 9th Cir. Certiorari denied.

No. 08–7966. *BURKE v. BLUMENTHAL, ATTORNEY GENERAL OF CONNECTICUT, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–7973. *WILLIAMS v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 188 P. 3d 208.

No. 08–7974. *WRIGHT v. SKOLNIK, DIRECTOR, NEVADA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 274.

No. 08–7977. *TUVALU v. AYERS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–7981. *SHABAZZ, AKA HINES v. WHITE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 316.

No. 08–7987. *WALLS v. ILLINOIS DEPARTMENT OF CORRECTIONAL CLINICAL PSYCHOLOGISTS ET AL.* C. A. 7th Cir. Certiorari denied.

555 U. S.

March 2, 2009

No. 08-7992. *JANOSSY v. WASHINGTON MUTUAL BANK*. C. A. 9th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 439.

No. 08-7993. *ROBERTS, AKA TORRES v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 996 So. 2d 213.

No. 08-7994. *RODRIGUEZ v. SCRIBNER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08-8010. *MUNGIA v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 44 Cal. 4th 1101, 189 P. 3d 880.

No. 08-8040. *VIGLIOTTI v. ARTUS, SUPERINTENDENT, CLINTON CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 08-8044. *CRUZ v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 44 Cal. 4th 636, 187 P. 3d 970.

No. 08-8050. *BAPTISTE v. RUNNELL*. C. A. 9th Cir. Certiorari denied.

No. 08-8058. *OZIER v. MISSOURI*. Ct. App. Mo., Eastern Dist. Certiorari denied. Reported below: 261 S. W. 3d 621.

No. 08-8068. *BUDRO v. BAE SYSTEMS INFORMATION & ELECTRONIC SYSTEMS INTEGRATION, INC.* C. A. 1st Cir. Certiorari denied.

No. 08-8072. *PORTUGAL, AKA TRUJILLO v. COLORADO DIVISION OF INSURANCE*. Ct. App. Colo. Certiorari denied.

No. 08-8078. *ASEMANI v. HOLDER, ATTORNEY GENERAL, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 294.

No. 08-8096. *RICCHIO v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 08-8174. *WEBBER v. BOBBY, WARDEN*. Sup. Ct. Ohio. Certiorari denied. Reported below: 120 Ohio St. 3d 440, 900 N. E. 2d 175.

No. 08-8178. *KIMMIE v. WILKERSON ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08-8190. *JACKSON v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 189 N. C. App. 747, 659 S. E. 2d 73.

March 2, 2009

555 U. S.

No. 08–8199. *ENCARNACION-RIVERA v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 953 A. 2d 597.

No. 08–8228. *MILLER v. SMITH, WARDEN*. Ct. App. Wis. Certiorari denied.

No. 08–8263. *ZUBROWSKI v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. Reported below: 289 Conn. 55, 956 A. 2d 578.

No. 08–8266. *HILL v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 954 A. 2d 37.

No. 08–8311. *WYNN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 544.

No. 08–8325. *HOSACK v. INTERNAL REVENUE SERVICE*. C. A. 5th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 309.

No. 08–8407. *QUINONES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 323.

No. 08–8417. *EDWARDS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 320.

No. 08–8423. *COATS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–8424. *DIAZ-BOYZO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 558.

No. 08–8428. *WALKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 273.

No. 08–8433. *VELASQUEZ-CORONADO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 349.

No. 08–8436. *NUNLEY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 296 Fed. Appx. 179.

No. 08–8439. *ROMAN-SALGADO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 250.

No. 08–8441. *BULLARD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 224.

555 U. S.

March 2, 2009

No. 08–8443. *BAKER v. PATTON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–8444. *MORENO-NAVARRO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–8448. *FERRER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 289 Fed. Appx. 497.

No. 08–8450. *TEXIERA GONCALVES v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–8451. *HERNANDEZ-MENDEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 680.

No. 08–8454. *DULANEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 622.

No. 08–8458. *PEREZ-VASQUEZ v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–8467. *LIVING v. UNITED STATES* (Reported below: 299 Fed. Appx. 306); *VICTORIA v. UNITED STATES* (299 Fed. Appx. 305); and *SALVADOR-FIGUEROA v. UNITED STATES* (301 Fed. Appx. 326). C. A. 5th Cir. Certiorari denied.

No. 08–8468. *JUVENILE MALE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 571.

No. 08–8469. *JACKSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 547 F. 3d 786.

No. 08–8472. *VELOZ v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 306 Fed. Appx. 768.

No. 08–8474. *WALKER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 305 Fed. Appx. 48.

No. 08–8476. *FONTENOT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 370.

No. 08–8480. *PALERMO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 291 Fed. Appx. 418.

No. 08–8485. *GAGLIARDI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 285 Fed. Appx. 11.

March 2, 2009

555 U. S.

No. 08–8486. *FOSTER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 310.

No. 08–8488. *FELIZ-RAMIREZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–8489. *CROSS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 603.

No. 08–8494. *MAYS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 581.

No. 08–460. *ISAACSON ET AL. v. DOW CHEMICAL CO. ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 517 F. 3d 76 and 129.

No. 08–461. *STEPHENSON ET AL. v. DOW CHEMICAL CO. ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 517 F. 3d 76 and 129.

No. 08–470. *VIETNAM ASSOCIATION FOR VICTIMS OF AGENT ORANGE ET AL. v. DOW CHEMICAL CO. ET AL.* C. A. 2d Cir. Certiorari denied. THE CHIEF JUSTICE and JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 517 F. 3d 104.

No. 08–954. *NISSIM CORP. v. TIME WARNER, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

Rehearing Denied

No. 08–650. *EVANS v. ELDRIDGE ET AL.*, *ante*, p. 1102;

No. 08–691. *FOX v. SECURITIES AND EXCHANGE COMMISSION*, *ante*, p. 1103;

No. 08–695. *SCHAFER v. SPEAR, TRUSTEE*, *ante*, p. 1103;

No. 08–5811. *KASKE v. JONES, WARDEN*, *ante*, p. 952;

No. 08–6474. *BROCK v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, *ante*, p. 1052;

No. 08–6813. *BUTLER v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, *ante*, p. 1106;

555 U. S.

March 2, 3, 2009

- No. 08–6867. KELLY *v.* SISTO, WARDEN, *ante*, p. 1081;
No. 08–6939. WATTS *v.* FLORIDA UNEMPLOYMENT APPEALS
COMMISSION ET AL., *ante*, p. 1109;
No. 08–6971. AKINRO *v.* MAHER ET AL., *ante*, p. 1087;
No. 08–6975. POLITE *v.* UNITED STATES, *ante*, p. 1059;
No. 08–7000. BRIDGES *v.* BASSETT, WARDEN, *ante*, p. 1087;
No. 08–7054. DANDAR *v.* KRYSEVIG ET AL., *ante*, p. 1111;
No. 08–7162. FICKEN *v.* LUNDEBYE ET AL., *ante*, p. 1114;
No. 08–7257. SITKOVETSKIY *v.* DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT ET AL., *ante*, p. 1115;
No. 08–7302. WIIG *v.* UNITED STATES, *ante*, p. 1089;
No. 08–7364. BROWN *v.* UNITED STATES, *ante*, p. 1118;
No. 08–7390. MILLER *v.* MCDANIEL, WARDEN, ET AL., *ante*,
p. 1119;
No. 08–7411. BAER *v.* WINTER, SECRETARY OF THE NAVY,
ET AL., *ante*, p. 1119; and
No. 08–7771. IN RE ALPINE, *ante*, p. 1096. Petitions for re-
hearing denied.

MARCH 3, 2009

Dismissal Under Rule 46

- No. 08–743. MOUNTAIN WEST BANK, N. A. *v.* FENNO. Sup.
Ct. Mont. Certiorari dismissed under this Court’s Rule 46.1.
Reported below: 345 Mont. 161, 192 P. 3d 224.

Miscellaneous Orders

- No. 08A762. PONDEXTER *v.* TEXAS. Ct. Crim. App. Tex. Ap-
plication for stay of execution of sentence of death, presented to
JUSTICE SCALIA, and by him referred to the Court, denied.

- No. 08–8975 (08A758). IN RE PONDEXTER. Application for
stay of execution of sentence of death, presented to JUSTICE
SCALIA, and by him referred to the Court, denied. Petition for
writ of mandamus denied.

Certiorari Denied

- No. 08–7795 (08A756). PONDEXTER *v.* QUARTERMAN, DIREC-
TOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL
INSTITUTIONS DIVISION. C. A. 5th Cir. Application for stay of
execution of sentence of death, presented to JUSTICE SCALIA, and
by him referred to the Court, denied. Certiorari denied. JUS-

March 3, 4, 6, 2009

555 U. S.

TICE STEVENS and JUSTICE GINSBURG would grant the application for stay of execution. Reported below: 537 F. 3d 511.

No. 08–8974 (08A757). *PONDEXTER v. LIVINGSTON*, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied.

MARCH 4, 2009

Certiorari Denied

No. 08–9025 (08A772). *MORRIS v. TEXAS*. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied.

MARCH 6, 2009

Dismissal Under Rule 46

No. 08–376. *LEADIS TECHNOLOGY, INC., ET AL. v. SAFRON CAPITAL CORP. ET AL.* C. A. 9th Cir. Certiorari dismissed under this Court’s Rule 46. Reported below: 274 Fed. Appx. 540.

Vacated and Remanded After Certiorari Granted

No. 08–368 (08A755). *AL-MARRI v. SPAGONE*, UNITED STATES NAVY COMMANDER, CONSOLIDATED NAVAL BRIG. C. A. 4th Cir. [Certiorari granted, *ante*, p. 1066.] Application of the Acting Solicitor General respecting the custody and transfer of petitioner, seeking to release petitioner from military custody and transfer him to the custody of the Attorney General, presented to THE CHIEF JUSTICE, and by him referred to the Court, granted. Judgment vacated, and case remanded with instructions to dismiss the appeal as moot. See *United States v. Munsingwear, Inc.*, 340 U. S. 36 (1950).