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ORDERS FOR MARCH 9 THROUGH  
JUNE 8, 2009

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MARCH 9, 2009*Certiorari Granted—Vacated and Remanded*

No. 07–822. PENNSYLVANIA EMPLOYEES BENEFIT TRUST FUND ET AL. *v.* ZENECA, INC., ET AL. C. A. 3d Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Wyeth v. Levine*, 555 U.S. 555 (2009). Reported below: 499 F. 3d 239.

No. 08–437. COLACICCO, INDIVIDUALLY AND AS EXECUTOR OF THE ESTATE OF COLACICCO, DECEASED, ET AL. *v.* APOTEX, INC., ET AL. C. A. 3d Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Wyeth v. Levine*, 555 U.S. 555 (2009). THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 521 F. 3d 253.

*Certiorari Dismissed*

No. 08–8007. WATERS *v.* PARKER, WARDEN. 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. 08–8056. MYRON *v.* SCHWARZENEGGER, GOVERNOR OF 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. 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.

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No. 08–8067. *BOYD v. STATE FARM INSURANCE CO.* 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: 285 Fed. Appx. 864.

No. 08–8107. *COGGINS v. KEYS.* 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. 08–8108. *DOLLENZ v. FAHEY ET AL.* 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. 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: 298 Fed. Appx. 380.

No. 08–8129. *SEARLES v. WEST HARTFORD BOARD OF EDUCATION 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. 08–8453. *CHURCH v. UNITED STATES ET AL.* 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: 293 Fed. Appx. 975.

#### *Miscellaneous Orders*

No. 08M65. *CALLAHAN v. DAVIS CORRECTIONAL FACILITY ET AL.* Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

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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, 555 U.S. 1083.] Motion of Chubb Indemnity Insurance Company for divided argument granted and time divided as follows: 20 minutes to Cascino Asbestos Claimants, and 10 minutes to Chubb Indemnity Insurance Company.

No. 08–441. GROSS *v.* FBL FINANCIAL SERVICES, INC. C. A. 8th Cir. [Certiorari granted, 555 U.S. 1066.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 08–730. AMERICAN BANKERS ASSN. ET AL. *v.* BROWN, ATTORNEY GENERAL OF CALIFORNIA, ET AL. C. A. 9th Cir. The Acting Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 08–8012. MIERZWA ET UX. *v.* UNITED STATES ET AL. C. A. 3d Cir.;

No. 08–8014. BURKE *v.* BARRISTER LAW GROUP ET AL. C. A. 2d Cir.;

No. 08–8015. BURKE *v.* WEINER ET AL. C. A. 2d Cir.;

No. 08–8032. BURKE *v.* ALSO CORNERSTONE ET AL. C. A. 2d Cir.;

No. 08–8033. BURKE *v.* STANDARD OIL OF CONNECTICUT, INC., DBA STANDARD SECURITY SYSTEM, ET AL. C. A. 2d Cir.;

No. 08–8048. BURKE *v.* CONNECTICUT ET AL. C. A. 2d Cir.;

No. 08–8137. BURKE *v.* CONNECTICUT ET AL. C. A. 2d Cir.;

No. 08–8138. BURKE *v.* APT FOUNDATION ET AL. C. A. 2d Cir.;

No. 08–8139. BURKE *v.* ALSO CORNERSTONE ET AL. C. A. 2d Cir.; and

No. 08–8586. RANSOM *v.* UNITED STATES. C. A. 9th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until March 30, 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. 08–8642. IN RE HNATKOVICH; and

No. 08–8716. IN RE LITTLE BEY. Petitions for writs of habeas corpus denied.

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No. 08–8088. IN RE PEKER; and  
No. 08–8576. IN RE COSGROVE. Petitions for writs of mandamus denied.

No. 08–835. IN RE CHRISTOPHER, AKA CHRISTOPHER BEY. Petition for writ of mandamus and/or prohibition denied.

No. 08–8025. IN RE PUNCHARD; and  
No. 08–8026. IN RE PUNCHARD. Motions of petitioner for leave to proceed *in forma pauperis* denied, and petitions for writs of mandamus and/or prohibition dismissed. See this Court’s Rule 39.8.

*Certiorari Granted*

No. 08–586. JONES ET AL. *v.* HARRIS ASSOCIATES L. P. C. A. 7th Cir. Certiorari granted. Reported below: 527 F. 3d 627.

*Certiorari Denied*

No. 08–530. CITY OF NEW YORK, NEW YORK, ET AL. *v.* BERETTA U. S. A. CORP. ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 524 F. 3d 384.

No. 08–545. LAWSON ET AL. *v.* BERETTA U. S. A. CORP. ET AL. Ct. App. D. C. Certiorari denied. Reported below: 940 A. 2d 163.

No. 08–596. WILSON *v.* HOGSTEN, WARDEN, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 269 Fed. Appx. 193.

No. 08–648. BREWER, SECRETARY OF STATE OF ARIZONA *v.* NADER ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 531 F. 3d 1028.

No. 08–723. ROYAL ATLANTIC CORP. ET AL. *v.* ROBERTS ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 542 F. 3d 363.

No. 08–734. SZYMANSKI *v.* FLETCHER-HARLEE CORP. Super. Ct. Pa. Certiorari denied. Reported below: 936 A. 2d 87.

No. 08–825. MCFARLAND *v.* SALAZAR, SECRETARY OF INTERIOR, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 545 F. 3d 1106.

No. 08–831. LANGLEY *v.* KENTUCKY. Sup. Ct. Ky. Certiorari denied.

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No. 08–832. *MITCHELL v. TEXAS*. Ct. App. Tex., 9th Dist. Certiorari denied.

No. 08–834. *CHRISTOPHER, AKA BEY v. NORTH CAROLINA STATE UNIVERSITY ET AL.* Sup. Ct. N. C. Certiorari denied.

No. 08–838. *JAIN ET UX. v. J. P. MORGAN SECURITIES, INC., ET AL.* Ct. App. Wash. Certiorari denied. Reported below: 142 Wash. App. 574, 177 P. 3d 117.

No. 08–839. *HORNOT v. CARDENAS*. Ct. App. La., 1st Cir. Certiorari denied. Reported below: 986 So. 2d 258.

No. 08–841. *M. H. ET UX., ON BEHALF OF THEIR MINOR CHILD, L. H. v. MONROE-WOODBURY CENTRAL SCHOOL DISTRICT*. C. A. 2d Cir. Certiorari denied. Reported below: 296 Fed. Appx. 126.

No. 08–842. *FELDERHOF v. JENKENS & GILCHRIST ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 542 F. 3d 114.

No. 08–845. *SKONIECZNY v. KATEKOVICH ET AL.* Super. Ct. Pa. Certiorari denied. Reported below: 953 A. 2d 611.

No. 08–847. *MUNIAUCTION, INC., DBA GRANT STREET GROUP v. THOMSON CORP., T/A AND DBA THOMSON FINANCIAL LLC ET AL., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 532 F. 3d 1318.

No. 08–851. *GRYNBERG ET AL. v. TOTAL S. A. ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 538 F. 3d 1336.

No. 08–855. *FOWLER v. CRAWFORD ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 534 F. 3d 931.

No. 08–857. *BROWN ET AL. v. TURNER ET AL.* Ct. App. Ga. Certiorari denied. Reported below: 291 Ga. App. 719, 662 S. E. 2d 721.

No. 08–867. *APOTEX CORP. ET AL. v. ASTRAZENECA AB ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 536 F. 3d 1361.

No. 08–877. *SANEH v. HOLDER, ATTORNEY GENERAL*. C. A. 6th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 320.

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No. 08–879. *VUKSICH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 587.

No. 08–912. *BRAUS v. BOWEN ET AL.* Ct. App. Tex., 10th Dist. Certiorari denied.

No. 08–918. *R. J. REYNOLDS TOBACCO CO. v. STAR SCIENTIFIC, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 537 F. 3d 1357.

No. 08–926. *RISTROPH v. PIPELINE TECHNOLOGY VI, LLC.* Ct. App. La., 1st Cir. Certiorari denied. Reported below: 991 So. 2d 1.

No. 08–1003. *CASTELLAR v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 242 Fed. Appx. 773.

No. 08–6320. *SORROW v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–6890. *GREEN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 282 Fed. Appx. 200.

No. 08–7013. *GRAY v. BRANKER, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 529 F. 3d 220.

No. 08–7103. *DIGGS v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 597 Pa. 28, 949 A. 2d 873.

No. 08–7122. *GARCIA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 888.

No. 08–7172. *WILLIAMS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 529 F. 3d 1.

No. 08–7402. *CONTRERAS-HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 721.

No. 08–7460. *ARMSTRONG v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 218 Ariz. 451, 189 P. 3d 378.

No. 08–7466. *VALLE-MARTINEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 169.

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- No. 08-7650. *AREF v. UNITED STATES*; and  
No. 08-7651. *HOSSAIN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 533 F. 3d 72 and 285 Fed. Appx. 784.
- No. 08-7969. *KING v. SCHRIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied. Reported below: 537 F. 3d 1062.
- No. 08-7995. *MAXWELL v. SMITH*. C. A. 6th Cir. Certiorari denied.
- No. 08-7996. *MALCOM v. WOODBRIDGE ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 309.
- No. 08-7998. *WOOTEN v. ILLINOIS*. App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 381 Ill. App. 3d 1164, 966 N. E. 2d 616.
- No. 08-8002. *MARTIN v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.
- No. 08-8003. *JOHNSON v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 927.
- No. 08-8006. *TROUTT v. JONES, DIRECTOR, OKLAHOMA DEPARTMENT OF CORRECTIONS*. C. A. 10th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 452.
- No. 08-8011. *MCDONNELL ET AL. v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 981 So. 2d 585.
- No. 08-8019. *COCHRAN v. ADAMS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.
- No. 08-8020. *MORALES v. ABT, LLC*. Ct. App. Cal., 1st App. Dist. Certiorari denied.
- No. 08-8021. *VICK v. TENNESSEE*. Sup. Ct. Tenn. Certiorari denied.
- No. 08-8022. *JORDAN v. DISTRICT OF COLUMBIA ET AL.* Ct. App. D. C. Certiorari denied.

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No. 08–8023. *MOENING v. MICHIGAN*. Cir. Ct. Saginaw County, Mich. Certiorari denied.

No. 08–8027. *O’CONNOR v. ST. JOHN’S COLLEGE, SANTA FE CAMPUS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 137.

No. 08–8031. *TURNBOW v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–8039. *WATSON v. HANLON ET AL.* C. A. 1st Cir. Certiorari denied.

No. 08–8047. *THREADGILL v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–8053. *MUNGUIA v. DEXTER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–8055. *PRATT v. TEXAS*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 08–8057. *MCMANUS v. SCHRIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 546.

No. 08–8060. *HERNANDEZ v. LAMARQUE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 235.

No. 08–8065. *ACOSTA TREJO v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–8066. *WARD v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 990 So. 2d 1068.

No. 08–8069. *BRIONES v. HEDGPETH, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–8071. *BAILUM v. OHIO*. Ct. App. Ohio, Clark County. Certiorari denied. Reported below: 2008-Ohio-2999.

No. 08–8073. *WEAVER v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 993 So. 2d 533.



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No. 08–8074. *VERDI v. TEXAS ET AL.* C. A. 5th Cir. Certiorari denied.

No. 08–8075. *WILLIAMS v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied. Reported below: 951 A. 2d 1220.

No. 08–8077. *WITHERSPOON v. ILLINOIS.* App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 379 Ill. App. 3d 298, 883 N. E. 2d 725.

No. 08–8083. *FAN v. ROE ET AL.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 08–8092. *MINOR v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–8094. *OSUMI v. GIURBINO, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 23.

No. 08–8098. *SMITH v. BRUNSMAN, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 08–8100. *BROWN v. GIURBINO, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–8101. *BROWN v. METRISH, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 08–8104. *AKERS v. ILLINOIS.* App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 378 Ill. App. 3d 1137, 955 N. E. 2d 191.

No. 08–8105. *ALLEN v. WINE ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 524.

No. 08–8111. *MARIN v. TILTON & SOLOT LAW OFFICES.* C. A. 9th Cir. Certiorari denied.

No. 08–8113. *KIRSCH v. NEW YORK.* App. Term, Sup. Ct. N. Y., 2d & 11th Jud. Dists. Certiorari denied. Reported below: 19 Misc. 3d 133(A), 859 N. Y. S. 2d 905.

No. 08–8114. *GORBY v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied. Reported below: 530 F. 3d 1363.

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No. 08–8116. *POINTER v. LUCE*, JUDGE, CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT, FLORIDA, ET AL. C. A. 11th Cir. Certiorari denied.

No. 08–8127. *MCCALL v. WOODS*, SUPERINTENDENT, UPSTATE CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 08–8133. *LEE v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 08–8134. *JACKSON v. SENKOWSKI*, SUPERINTENDENT, CLINTON CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 08–8135. *SIMS v. CITY OF NEW YORK, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–8144. *WOODALL v. TEETER*. Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 08–8145. *AL-GHIZZAWI v. OBAMA*, PRESIDENT OF THE UNITED STATES, ET AL. C. A. D. C. Cir. Certiorari denied.

No. 08–8155. *STEWART v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 272.

No. 08–8161. *CARSON v. COOPER*, SUPERINTENDENT, AVERY MITCHELL CORRECTIONAL INSTITUTION. C. A. 4th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 656.

No. 08–8175. *VETA v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 08–8225. *BROWN v. HALL*, WARDEN, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 674.

No. 08–8238. *UMALI v. NEW YORK*. Ct. App. N. Y. Certiorari denied. Reported below: 10 N. Y. 3d 417, 888 N. E. 2d 1046.

No. 08–8326. *WILLIAMS v. DAMRELL*, JUDGE, UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA, ET AL. C. A. 9th Cir. Certiorari denied.

No. 08–8339. *RAMOS v. NEW YORK*. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 48 App. Div. 3d 984, 851 N. Y. S. 2d 724.

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No. 08–8470. *LATOS v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 1st Cir. Certiorari denied.

No. 08–8490. *HOWARD, AKA MILES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–8496. *GUTIERREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 412.

No. 08–8500. *SPAULDING v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–8503. *GARVIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 279.

No. 08–8504. *GOMEZ-ASTORGA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 734.

No. 08–8507. *RICE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 260.

No. 08–8510. *HAYS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 390.

No. 08–8511. *HARRISON v. HERBEL ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 236.

No. 08–8514. *FELICIANO v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–8519. *DANIELS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 541 F. 3d 915.

No. 08–8523. *MAGANA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 154.

No. 08–8524. *OCAMPO-ZUNIGA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 400.

No. 08–8525. *MILLER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–8526. *MOREIRA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 08–8529. *BARAJAS-BECERRIL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 627.

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No. 08–8530. *BROME v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 284 Fed. Appx. 815.

No. 08–8531. *BALSAM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 449.

No. 08–8532. *AJAJ v. UNITED STATES ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 575.

No. 08–8534. *BROWN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–8535. *JIMENEZ-HERNANDEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 578.

No. 08–8536. *GALDAMEZ-FUNES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 309.

No. 08–8538. *INFANTE-RAMIREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 394.

No. 08–8540. *WANIGASINGHE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 545 F. 3d 595.

No. 08–8541. *TRIUMPH v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 266 Fed. Appx. 53.

No. 08–8544. *COOK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 625.

No. 08–8545. *DECARLO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–8551. *ERCKERT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 45.

No. 08–8552. *DE JESUS-CHALA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–8554. *MOORE ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 541 F. 3d 1323.

No. 08–8555. *MCCAULEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 548 F. 3d 440.

No. 08–8562. *SCHWEICKERT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 857.

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No. 08–8567. *ARROYO-PEREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 620.

No. 08–8569. *BARCLAY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 952.

No. 08–8572. *VALDES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 927.

No. 08–8574. *TAMPICO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–8579. *CALHOUN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 276 Fed. Appx. 114.

No. 08–8581. *CHAVEZ MUNOZ v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–8582. *MCCOY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 513.

No. 08–8583. *WOLFE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 301 Fed. Appx. 134.

No. 08–8587. *FULLER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 531 F. 3d 1020.

No. 08–8588. *GRIST v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 770.

No. 08–8593. *MANLEY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–8594. *CABANISS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 196.

No. 08–8596. *CALDWELL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 313 Fed. Appx. 459.

No. 08–8599. *FREEMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 249.

No. 08–8600. *VALADEZ-GARCIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 71.

No. 08–8601. *WILLIAMS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 604.

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No. 08–8602. *WALKER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–8624. *SMITH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–8627. *LOPEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 547 F. 3d 364.

No. 08–8630. *AMOS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 452.

No. 08–8631. *ADAMS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 08–8637. *VARGAS-CASTANEDA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 541.

No. 08–551. *BRANKER, WARDEN v. GRAY*. C. A. 4th Cir. Motion of Criminal Justice Legal Foundation for leave to file a brief as *amicus curiae* granted. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 529 F. 3d 220.

No. 08–7369. *THOMPSON v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 517 F. 3d 1279.

Statement of JUSTICE STEVENS respecting the denial of the petition for writ of certiorari.

Last Term, in my opinion in *Baze v. Rees*, 553 U. S. 35 (2008), I suggested that the “time for a dispassionate, impartial comparison of the enormous costs that death penalty litigation imposes on society with the benefits that it produces has surely arrived.” *Id.*, at 81 (opinion concurring in judgment). This petition for certiorari describes costs that merit consideration in any such study.

In June 1976, having been advised by counsel that he would not receive the death penalty if he accepted responsibility for his crime, petitioner pleaded guilty to a capital offense. The advice was erroneous, and he was sentenced to death. Since that time, two state-court judgments have set aside his death sentence. See *Thompson v. State*, 351 So. 2d 701 (Fla. 1977); *Thompson v. Dugger*, 515 So. 2d 173 (Fla. 1987). At a third penalty hearing—after petitioner presented mitigation evidence about his limited

mental capacity and dysfunctional childhood that had previously been barred—five members of the advisory jury voted against a death sentence, but the court again imposed a sentence of death.

Thirty-two years have passed since petitioner was first sentenced to death. In prior cases, both JUSTICE BREYER and I have noted that substantially delayed executions arguably violate the Eighth Amendment's prohibition against cruel and unusual punishment. See, e.g., *Smith v. Arizona*, 552 U. S. 985, 986 (2007) (BREYER, J., dissenting from denial of certiorari); *Foster v. Florida*, 537 U. S. 990, 991 (2002) (same); *Knight v. Florida*, 528 U. S. 990, 993 (1999) (same); *Lackey v. Texas*, 514 U. S. 1045 (1995) (STEVENS, J., respecting denial of certiorari). Petitioner's case involves a longer delay than any of those earlier cases.

As he awaits execution, petitioner has endured especially severe conditions of confinement, spending up to 23 hours per day in isolation in a 6- by 9-foot cell. Two death warrants have been signed against him and stayed only shortly before he was scheduled to be put to death. The dehumanizing effects of such treatment are undeniable. See *People v. Anderson*, 6 Cal. 3d 628, 649, 493 P. 2d 880, 894 (1972) (“[T]he process of carrying out a verdict of death is often so degrading and brutalizing to the human spirit as to constitute psychological torture”); *Furman v. Georgia*, 408 U. S. 238, 288 (1972) (Brennan, J., concurring) (“[T]he prospect of pending execution exacts a frightful toll during the inevitable long wait between the imposition of sentence and the actual infliction of death”). Moreover, as I explained in *Lackey*, delaying an execution does not further public purposes of retribution and deterrence but only diminishes whatever possible benefit society might receive from petitioner's death. It would therefore be appropriate to conclude that a punishment of death after significant delay is “so totally without penological justification that it results in the gratuitous infliction of suffering.” *Gregg v. Georgia*, 428 U. S. 153, 183 (1976) (joint opinion of Stewart, Powell, and STEVENS, JJ.).

While the length of petitioner's confinement under sentence of death is extraordinary, the concerns his case raises are not unique. Clarence Allen Lackey had spent 17 years on death row when this Court reviewed his petition for certiorari. Today, condemned inmates await execution for an average of nearly 13 years. See Dept. of Justice, Bureau of Justice Statistics, Capital Punishment, 2007 (Table 11) (2008), online at <http://>

[www.ojp.usdoj.gov/bjs/pub/html/cp/2007/tables/cp07st11.htm](http://www.ojp.usdoj.gov/bjs/pub/html/cp/2007/tables/cp07st11.htm) (all Internet materials as visited Feb. 20, 2009, and available in Clerk of Court's case file). To my mind, this figure underscores the fundamental inhumanity and unworkability of the death penalty as it is administered in the United States.

Some respond that delays in carrying out executions are the result of this Court's insistence on excessive process. But delays have multiple causes, including "the States' failure to apply constitutionally sufficient procedures at the time of initial [conviction or] sentencing." *Knight*, 528 U. S., at 998 (BREYER, J., dissenting from denial of certiorari). The reversible error rate in capital trials is staggering. More than 30 percent of death verdicts imposed between 1973 and 2000 have been overturned,<sup>1</sup> and 129 inmates sentenced to death during that time have been exonerated, often more than a decade after they were convicted.<sup>2</sup> Judicial process takes time, but the error rate in capital cases illustrates its necessity. We are dutybound to "insure that every safeguard is observed" when "a defendant's life is at stake." *Gregg*, 428 U. S., at 187 (joint opinion of Stewart, Powell, and STEVENS, JJ.).

In sum, our experience during the past three decades has demonstrated that delays in state-sponsored killings are inescapable and that executing defendants after such delays is unacceptably cruel. This inevitable cruelty, coupled with the diminished justification for carrying out an execution after the lapse of so much time, reinforces my opinion that contemporary decisions "to retain the death penalty as a part of our law are the product of habit and inattention rather than an acceptable deliberative process." *Baze*, 553 U. S., at 78, 86 (STEVENS, J., concurring in judgment).

JUSTICE THOMAS, concurring.

I remain "unaware of any support in the American constitutional tradition or in this Court's precedent for the proposition

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<sup>1</sup> Dept. of Justice, Bureau of Justice Statistics Bulletin, Capital Punishment, 2005, p. 14 (Dec. 2006) (App. Table 2), online at <http://www.ojp.usdoj.gov/bjs/pub/pdf/cp05.pdf>. This figure is underinclusive, as it does not account for the fact that many condemned inmates' convictions and sentences are still under review.

<sup>2</sup> See Death Penalty Information Center, Innocence: List of Those Freed from Death Row (Sept. 18, 2008), <http://www.deathpenaltyinfo.org/innocence-list-those-freed-death-row> (showing that an average of nearly 10 years elapsed between an inmate's conviction and his exoneration).



that a defendant can avail himself of the panoply of appellate and collateral procedures and then complain when his execution is delayed.” *Knight v. Florida*, 528 U.S. 990 (1999) (THOMAS, J., concurring in denial of certiorari). Petitioner William Lee Thompson has pleaded guilty to this murder—twice. *Thompson v. State*, 759 So. 2d 650, 654 (Fla. 2000) (*per curiam*). Having confessed, petitioner could have accepted “what the people of Florida have deemed him to deserve: execution.” *Foster v. Florida*, 537 U.S. 990, 991 (2002) (THOMAS, J., concurring in denial of certiorari). But because petitioner chose to challenge his death sentence, JUSTICE STEVENS and JUSTICE BREYER suggest that the subsequent delay caused by petitioner’s 32 years of litigation creates an Eighth Amendment problem. *Ante*, at 1115–1116 (STEVENS, J., statement respecting denial of certiorari); *post*, at 1119–1121 (BREYER, J., dissenting from denial of certiorari). I disagree. It makes “a mockery of our system of justice . . . for a convicted murderer, who, through his own interminable efforts of delay . . . has secured the almost-indefinite postponement of his sentence, to then claim that the almost-indefinite postponement renders his sentence unconstitutional.” *Turner v. Jabe*, 58 F. 3d 924, 933 (CA4 1995) (Luttig, J., concurring in judgment).

JUSTICE BREYER replies that a death-row inmate’s Eighth Amendment challenge to “a delay of more than 30 years” between sentencing and execution should not be “automatically waive[d]” because he chooses to exercise his appellate rights. See *post*, at 1120. But framing the issue in this way obscures the central question. The issue is not whether a death-row inmate’s appeals “waive” any Eighth Amendment right; the issue instead is whether the death-row inmate’s litigation strategy, which delays his execution, provides a justification for the Court to invent a new Eighth Amendment right. It does not. See *Knight, supra*, at 992 (opinion of THOMAS, J.) (“Consistency would seem to demand that those who accept our death penalty jurisprudence as a given also accept the lengthy delay between sentencing and execution as a necessary consequence. . . . It is incongruous to arm capital defendants with an arsenal of ‘constitutional’ claims with which they may delay their executions, and simultaneously to complain when executions are inevitably delayed”).

I also disagree with JUSTICE STEVENS that other aspects of the criminal justice system in this country require the fresh examination of the costs and benefits of retaining the death penalty

that he seeks. *Ante*, at 1115–1116. For example, JUSTICE STEVENS criticizes the “dehumanizing effects” of the manner in which petitioner has been confined, *ante*, at 1115, but he never pauses to consider whether there is a legitimate penological reason for keeping certain inmates in restrictive confinement. See, *e. g.*, Kocieniewski, Death Row Inmate Said to Beat and Kick Another to Death in New Jersey Prison, *New York Times*, Sept. 8, 1999, p. B5. Indeed, the disastrous consequences of this Court’s recent foray into prison management, *Johnson v. California*, 543 U. S. 499 (2005), should have suppressed any urge to second-guess these difficult institutional decisions, *Beard v. Banks*, 548 U. S. 521, 536–537 (2006) (THOMAS, J., concurring in judgment) (noting that after the Court invalidated California’s policy of racially segregating prisoners in its reception centers, the State “subsequently experienced several instances of severe race-based prison violence, including a riot that resulted in 2 fatalities and more than 100 injuries, and significant fighting along racial lines between newly arrived inmates, the very inmates that were subject to the policy invalidated by the Court in *Johnson*”).

JUSTICE STEVENS also points to the 129 death-row inmates that have been “exonerated” since 1973. *Ante*, at 1116. These inmates may have been freed from prison, but that does not necessarily mean that they were declared innocent of the crime for which they were convicted. *Kansas v. Marsh*, 548 U. S. 163, 180, and n. 7 (2006). Many were merely the beneficiaries of “this Court’s Byzantine death penalty jurisprudence.” *Knight, supra*, at 991 (opinion of THOMAS, J.). Moreover, by citing these statistics, JUSTICE STEVENS implies “that the death penalty can only be just in a system that does not permit error.” *Marsh*, 548 U. S., at 181. But no criminal justice system operates without error. There is no constitutional basis for prohibiting Florida “from authorizing the death penalty, even in our imperfect system.” *Ibid*.

Finally, JUSTICE STEVENS altogether refuses to take into consideration the gruesome nature of the crimes that legitimately lead States to authorize the death penalty and juries to impose it. The facts of this case illustrate the point. On March 30, 1976, petitioner and his codefendant were in a motel room with the victim and another woman. They instructed the women to contact their families to obtain money. The victim made the mistake of promising that she could obtain \$200 to \$300; she was able to secure only \$25. Enraged, petitioner’s codefendant ordered her

into the bedroom, removed his chain belt, forced her to undress, and began hitting her in the face while petitioner beat her with the belt. They then rammed a chair leg into her vagina, tearing its inner wall and causing internal bleeding; they repeated the process with a nightstick. Petitioner and his codefendant then tortured her with lit cigarettes and lighters and forced her to eat her sanitary napkin and to lick spilt beer off the floor. All the while, they continued to beat her with the chain belt, the club, and the chair leg. They stopped the attack once to force the victim to again call her mother to ask for money. After the call, petitioner and his codefendant resumed the torture until the victim died. *Thompson, supra*, at 653–654.\*

Three juries recommended that petitioner receive the death penalty for this heinous murder, and petitioner has received judicial review of his sentence on at least 17 occasions. The decision to sentence petitioner to death is not “the product of habit and inattention rather than an acceptable deliberative process.” *Ante*, at 1116 (STEVENS, J., concurring in judgment) (quoting and citing *Baze v. Rees*, 553 U. S. 35, 78, 86 (2008)). It represents the considered judgment of the people of Florida that a death sentence, which is expressly contemplated by the Constitution, see Amdts. 5, 14, is warranted in this case. It is the crime—and not the punishment imposed by the jury or the delay in petitioner’s execution—that was “unacceptably cruel.” *Ante*, at 1116.

JUSTICE BREYER, dissenting.

This petition asks us to determine whether the Eighth Amendment’s prohibition on “cruel and unusual punishments” precludes the execution of a prisoner who has spent over 30 years on death row. JUSTICE STEVENS and I have previously written that this

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\*JUSTICE BREYER suggests that petitioner “may be significantly less culpable than his codefendant, who did not receive the death penalty” principally because Barbara Garritz, the woman who witnessed the murder, averred at petitioner’s third sentencing that he was dominated by his codefendant. *Post*, at 1120. JUSTICE BREYER ignores, however, that petitioner “testified [at his codefendant’s retrial] and took credit for the entire incident” and that Ms. Garritz had previously testified that petitioner “left the bedroom and told” her that he “was so angry he ‘felt like killing Sally [the victim].’” *Thompson v. State*, 389 So. 2d 197, 199–200 (Fla. 1980) (*per curiam*). In any event, JUSTICE BREYER’s factual recitation is entirely beside the point: He concedes that the jury’s decision to sentence petitioner to death was “[r]easonable.” *Post*, at 1121.

is a question that merits the Court's attention, see, *e. g.*, *Lackey v. Texas*, 514 U. S. 1045 (1995) (STEVENS, J., respecting denial of certiorari); *Foster v. Florida*, 537 U. S. 990, 991 (2002) (BREYER, J., dissenting from denial of certiorari); *Knight v. Florida*, 528 U. S. 990, 993 (1999) (same), and the delay here is even longer than the delay in those prior cases. Here, petitioner has been on death row for 32 years, well over half his life. For the reasons we have set forth in the past and for many of those added in JUSTICE STEVENS' separate statement, I would grant this petition.

JUSTICE THOMAS suggests that petitioner cannot now challenge the constitutionality of the delay because much of that delay is his own fault—he caused it by choosing to challenge the sentence that the people of Florida deemed appropriate. See *ante*, at 1116–1117 (opinion concurring in denial of certiorari). I do not believe that petitioner's decision to exercise his right to seek appellate review of his death sentence automatically waives a claim that the Eighth Amendment proscribes a delay of more than 30 years. See *Gregg v. Georgia*, 428 U. S. 153, 198 (1976) (joint opinion of Stewart, Powell, and STEVENS, JJ.) (automatic appeal of all death sentences is “an important additional safeguard against arbitrariness and caprice”). But in any event the delay here resulted in significant part from constitutionally defective death penalty procedures for which petitioner was not responsible. See *Knight, supra*, at 993.

In particular, the delay was partly caused by the sentencing judge's failure to allow the presentation and jury consideration of nonstatutory mitigating circumstances, an approach which we have unanimously held constitutionally forbidden, see *Hitchcock v. Dugger*, 481 U. S. 393, 398–399 (1987). As a result of this error, the Florida Supreme Court remanded for resentencing. See *Thompson v. Dugger*, 515 So. 2d 173 (1987).

At petitioner's resentencing, he presented substantial mitigating evidence, not previously presented, that suggested that he may be significantly less culpable than his codefendant, who did not receive the death penalty. Petitioner, for example, introduced an affidavit of Barbara Garritz, who witnessed the crime for which petitioner was sentenced to death. She described petitioner's codefendant Rocky Surace as “an evil man” and “the devil, himself” and explained that he “manipulate[d] people . . . [into] follow[ing] his orders.” Tr. 2473 (May 31, 1989). By contrast, she described petitioner as “a big, easy-going child who would do just about

anything to please” and who “never seemed to have an idea of his own.” *Id.*, at 2474; see also *ibid.* (“He would do just about anything he was told”). She described the relationship between petitioner and Rocky as follows: “Bill was completely under Rocky’s spell. He hung on every word Rocky said and would do and say everything Rocky did and said. He was like Rocky’s dog. Rocky would give an order and Bill would do it, no questions asked.” *Id.*, at 2475. With respect to the night in question, she explained that, “[e]verything Bill did, he did at Rocky’s direction, just like he always did when I was around the two. I saw what happened and I know that Rocky started and finished the whole thing.” *Ibid.*

Garritz’s testimony was consistent with the picture of petitioner painted by other witnesses. For example, one of petitioner’s teachers testified that while in elementary school petitioner consistently scored in the mid-70’s on IQ tests; those scores qualified him for classes for the educable mentally retarded. *Id.*, at 2178 (May 30, 1989). His teachers also described him as “slow,” a “follower” who was “always . . . eager to please.” *Id.*, at 2185, 2186; see also *id.*, at 2191–2192. A psychologist and a psychiatrist who examined him both described him as showing signs of brain damage, *id.*, at 2510, 2513, 2516, 2523 (June 1, 1989); see also *id.*, at 2570–2571, 2577, and a psychiatrist testified that “the kind of disorder [petitioner] has, he’s easily led and felt very threatened by the co-defendant,” *id.*, at 2564; see also *id.*, at 2602 (“There is no doubt in the world that this man basically appeared to be a rather—rather dependent person who tends to follow the leader. He is not a leader himself. So, whatever Mr. Surace says, he probably goes along with it”). After hearing this evidence, the jury recommended a death sentence by a vote of 7 to 5.

I refer to the evidence only to point out that it is fair, not unfair, to take account of the delay the State caused when it initially refused to allow Thompson to present it at the punishment phase of his trial. I would add that it is the punishment, not the gruesome nature of the crime, which is at issue. Reasonable jurors might, and did, disagree about the appropriateness of executing Thompson for his role in that crime. The question here, however, is whether the Constitution permits that execution after a delay of 32 years—a delay for which the State was in significant part responsible.

I believe we should grant the writ to consider that question.

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*Rehearing Denied*

No. 08–498. DALTON *v.* TILLER ET AL., 555 U. S. 1099;  
No. 08–597. DUMORANGE *v.* CITY OF MIAMI, FLORIDA, 555 U. S. 1101;  
No. 08–657. MARVIN *v.* FRATERNAL ORDER OF EAGLES AERIE #200, 555 U. S. 1138;  
No. 08–6420. SPOTTSVILLE *v.* TERRY, WARDEN, 555 U. S. 1051;  
No. 08–6559. DASISA *v.* UNIVERSITY OF THE DISTRICT OF COLUMBIA BOARD OF TRUSTEES, 555 U. S. 1105;  
No. 08–6683. BULINGTON *v.* QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, 555 U. S. 1074; and  
No. 08–7343. ANDREWS-WILLMANN *v.* PAULSON, SECRETARY OF THE TREASURY, 555 U. S. 1117. Petitions for rehearing denied.

No. 08–510. IVALDY *v.* LORAL SPACE & COMMUNICATIONS LTD. ET AL., 555 U. S. 1126. Petition for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

No. 08–7001. MUCKLE ET AL. *v.* FREEMONT INVESTMENTS & LOANS ET AL., 555 U. S. 1110. Motion for leave to file petition for rehearing denied.

MARCH 10, 2009

*Dismissal Under Rule 46*

No. 08–8345. HARRIS *v.* ILLINOIS. App. Ct. Ill., 1st Dist. Certiorari dismissed under this Court’s Rule 46. Reported below: 382 Ill. App. 3d 1206, 967 N. E. 2d 495.

*Certiorari Denied*

No. 08–9060 (08A784). MARTINEZ *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.

No. 08–9115 (08A797). NEWLAND *v.* GEORGIA. Super. Ct. Butts County, Ga. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied.

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MARCH 13, 2009

*Miscellaneous Order*

No. 08A759. ALLEN, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS, ET AL. *v.* HALLFORD. Application to vacate the stay of execution of sentence of death entered by the United States Court of Appeals for the Eleventh Circuit on February 11, 2009, presented to JUSTICE THOMAS, and by him referred to the Court, denied.

MARCH 18, 2009

*Dismissal Under Rule 46*

No. 08–8612. MILLS *v.* LEMPKE, SUPERINTENDENT, FIVE POINTS CORRECTIONAL FACILITY, ET AL. C. A. 2d Cir. Certiorari dismissed under this Court's Rule 46.

MARCH 20, 2009

*Miscellaneous Orders*

No. 08–22. CAPERTON ET AL. *v.* A. T. MASSEY COAL CO., INC., ET AL. Sup. Ct. App. W. Va. [Certiorari granted, 555 U.S. 1028.] Motion of respondents for leave to file a supplemental brief after argument denied.

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, 555 U.S. 1083.] Motion of Future Claimants Representatives for leave to participate in oral argument as *amici curiae* and for divided argument denied.

MARCH 23, 2009

*Certiorari Granted—Vacated and Remanded*

No. 08–6944. COVINGTON *v.* UNITED STATES. C. A. 10th 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 *Nelson v. United States*, 555 U.S. 350 (2009) (*per curiam*). Reported below: 284 Fed. Appx. 579.



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*Certiorari Dismissed*

No. 08–8203. *SWINSON v. HART*. 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. 08–8212. *BERRYHILL v. EVANS, 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.

No. 08–8258. *BROADES v. OKLAHOMA*. Ct. Crim. App. Okla. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–8456. *COX v. MCDANIEL 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. 08–8610. *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. 08–8846. *IVEY v. DEPARTMENT OF THE TREASURY*. 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: 285 Fed. Appx. 763.

No. 08–8926. *DEERING BEY v. UNITED STATES*. 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.

*Miscellaneous Orders*

No. 08A683. *GALDAMEZ-SANCHEZ v. HOLDER, ATTORNEY GENERAL*. Sup. Ct. Haw. Application for stay, addressed to JUSTICE GINSBURG and referred to the Court, denied.

No. 08A699 (08–1108). *HAEG v. ALASKA*. Ct. App. Alaska. Application for stay, addressed to JUSTICE SCALIA and referred to the Court, denied.



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No. 08A708 (08–1029). *IN RE JOHNSON*. C. A. 5th Cir. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. 08A728 (08–8961). *RODRIGUEZ v. WESTBANK ET AL.* App. Ct. Ill., 1st Dist. Application for stay, addressed to JUSTICE GINSBURG and referred to the Court, denied.

No. 08M66. *TELASCO v. FLORIDA BAR*;

No. 08M68. *DRAPER v. HOBBS ET AL.*;

No. 08M69. *BROWN v. KELLY ET AL.*; and

No. 08M70. *BILLINGS ET AL. v. CAJUN CONSTRUCTORS, INC.* Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 08M67. *MCNEESE v. UNITED STATES*. Motion for leave to file petition for writ of certiorari under seal with redacted copies for the public record granted.

No. 08M71. *BROWDER v. ANDERSON ET AL.* Motion for leave to proceed as a veteran denied.

No. 08–626. *LEVEL 3 COMMUNICATIONS, LLC v. CITY OF ST. LOUIS, MISSOURI*. C. A. 8th Cir.;

No. 08–759. *SPRINT TELEPHONY PCS, L. P. v. SAN DIEGO COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir.; and

No. 08–6261. *ROBERTSON v. UNITED STATES EX REL. WATSON*. Ct. App. D. C. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 08–7709. *NGHIEM v. FUJITSU MICROELECTRONICS, INC., ET AL.* Ct. App. Cal., 6th App. Dist. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [555 U. S. 1151] denied.

No. 08–8300. *RING v. ESTATE OF WREZIC ET AL.* Ct. App. Wis.;

No. 08–7349. *FINCHER v. DIRECTOR, OHIO DEPARTMENT OF JOB AND FAMILY SERVICES*. Ct. App. Ohio, Hamilton County; and

No. 08–8756. *RANSOM v. UNITED STATES*. C. A. 9th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until April 13, 2009, within which to pay

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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. 08–8904. IN RE SALAS;

No. 08–8973. IN RE BRUGGEMAN; and

No. 08–9009. IN RE MYERS. Petitions for writs of habeas corpus denied.

No. 08–8793. IN RE TWITTY. 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. 08–900. IN RE RUIZ RIVERA;

No. 08–8675. IN RE SIMPSON; and

No. 08–8721. IN RE HILL. Petitions for writs of mandamus denied.

No. 08–8194. IN RE MINNFEE. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of prohibition dismissed. See this Court’s Rule 39.8.

#### *Certiorari Denied*

No. 08–432. THOMPSON ET AL. *v.* GLADES COUNTY BOARD OF COMMISSIONERS ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 532 F. 3d 1179.

No. 08–497. AMERISOURCE CORP. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 525 F. 3d 1149.

No. 08–583. ENERGIZER HOLDINGS, INC., ET AL. *v.* INTERNATIONAL TRADE COMMISSION ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 275 Fed. Appx. 969.

No. 08–630. MASHBURN, TRUSTEE *v.* SCRIVNER ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 535 F. 3d 1258.

No. 08–656. JEZIERSKI *v.* HOLDER, ATTORNEY GENERAL. C. A. 7th Cir. Certiorari denied. Reported below: 543 F. 3d 886.

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No. 08–672. *EQUITY IN ATHLETICS, INC. v. DEPARTMENT OF EDUCATION ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 517.

No. 08–673. *CLARK v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 538 F. 3d 803.

No. 08–742. *JESENSKY ET VIR v. DUQUESNE LIGHT CO. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 287 Fed. Appx. 968.

No. 08–750. *FLORES v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 206.

No. 08–752. *BRENNAN’S, INC. v. BRENNAN ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 706.

No. 08–755. *RAMOS v. UNITED STATES;* and

No. 08–756. *COMPEAN v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 537 F. 3d 439.

No. 08–764. *PORTER v. NATIONS CREDIT CONSUMER DISCOUNT CO. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 285 Fed. Appx. 871.

No. 08–773. *SWINDLE v. ARKANSAS.* Sup. Ct. Ark. Certiorari denied. Reported below: 373 Ark. 519, 285 S. W. 3d 200.

No. 08–774. *ASSOCIATED BUILDERS AND CONTRACTORS, SAGINAW VALLEY AREA CHAPTER, ET AL. v. MICHIGAN DEPARTMENT OF LABOR AND ECONOMIC GROWTH ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 543 F. 3d 275.

No. 08–814. *ELLIS v. BRADLEY COUNTY, TENNESSEE.* C. A. 6th Cir. Certiorari denied. Reported below: 387 Fed. Appx. 516.

No. 08–858. *CALDWELL v. CALDWELL ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 545 F. 3d 1126.

No. 08–862. *UNION OF NEEDLETRADES, INDUSTRIAL & TEXTILE EMPLOYEES, AFL–CIO v. PICHLER ET AL., INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED.* C. A. 3d Cir. Certiorari denied. Reported below: 542 F. 3d 380.

No. 08–869. *WOGAN, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF WOGAN v. KUNZE ET AL.* Sup.

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Ct. S. C. Certiorari denied. Reported below: 379 S. C. 581, 666 S. E. 2d 901.

No. 08–882. *O'DWYER ET AL. v. UNITED STATES ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 512.

No. 08–883. *FAIRLEY v. STALDER ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 805.

No. 08–886. *PAVEY v. CONLEY ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 544 F. 3d 739.

No. 08–888. *STOYANOV v. WINTER, SECRETARY OF THE NAVY, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 636.

No. 08–892. *BRAUN v. DENALI BOROUGH.* Sup. Ct. Alaska. Certiorari denied. Reported below: 193 P. 3d 719.

No. 08–896. *MCGILLS GLASS WAREHOUSE ET AL. v. VENTURE TAPE CORP.* C. A. 1st Cir. Certiorari denied. Reported below: 540 F. 3d 56.

No. 08–898. *SHAW v. PFEIFFER ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 735.

No. 08–899. *MONTOYA ET AL. v. TECOLOTE LAND GRANT, BY AND THROUGH TECOLOTE BOARD OF TRUSTEES.* Ct. App. N. M. Certiorari denied. Reported below: 143 N. M. 413, 176 P. 3d 1145.

No. 08–901. *ATLAS VAN LINES, INC. v. LEWIS ET UX.* C. A. 3d Cir. Certiorari denied. Reported below: 542 F. 3d 403.

No. 08–903. *FORGITRON LLC v. ACCURIDE CORP.* C. A. 6th Cir. Certiorari denied.

No. 08–913. *OYENUGA v. HOLDER, ATTORNEY GENERAL, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–915. *MINER ET AL. v. CLINTON COUNTY, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 541 F. 3d 464.

No. 08–936. *TAYLOR v. NEGLEY PARK HOMEOWNERS ASSOCIATION COUNCIL ET AL.* Super. Ct. Pa. Certiorari denied. Reported below: 945 A. 2d 782.

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No. 08–943. *RICH v. KENNY ET AL.* Ct. App. Utah. Certiorari denied. Reported below: 186 P. 3d 989.

No. 08–949. *HILLMAN ET AL. v. OHIO.* Ct. App. Ohio, Wayne County. Certiorari denied. Reported below: 2008-Ohio-3204.

No. 08–950. *FREDERICKSON v. COOP.* C. A. 8th Cir. Certiorari denied. Reported below: 545 F. 3d 652.

No. 08–958. *BALLY TOTAL FITNESS CORP. ET AL. v. BUTCHER.* Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 08–959. *APOTEX, INC. v. JANSSEN PHARMACEUTICA, N. V., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 540 F. 3d 1353.

No. 08–979. *FLORANCE v. TEXAS.* Ct. App. Tex., 5th Dist. Certiorari denied.

No. 08–982. *TORRES REYES v. COLORADO.* Sup. Ct. Colo. Certiorari denied. Reported below: 195 P. 3d 662.

No. 08–986. *HILL v. ILLINOIS.* App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 383 Ill. App. 3d 1150, 968 N. E. 2d 220.

No. 08–1001. *ENERGEN RESOURCES CORP. v. JOLLEY, PERSONAL REPRESENTATIVE OF THE ESTATE OF STAPLETON, DECEASED.* Ct. App. N. M. Certiorari denied. Reported below: 145 N. M. 350, 198 P. 3d 376.

No. 08–1014. *CORNERSTONE AMERICA ET AL. v. HOPKINS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 545 F. 3d 335.

No. 08–1015. *CALDWELL v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 689.

No. 08–1024. *ZIADEH v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 227.

No. 08–1025. *PHELPS v. SABOL, WARDEN, ET AL.* C. A. 1st Cir. Certiorari denied.

No. 08–1035. *SALAS v. DEPARTMENT OF HOMELAND SECURITY.* C. A. Fed. Cir. Certiorari denied. Reported below: 296 Fed. Appx. 28.

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No. 08–1040. *TORZALA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 545 F. 3d 517.

No. 08–1044. *MATHIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 252.

No. 08–1060. *GOLDEN ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 6th Cir. Certiorari denied. Reported below: 548 F. 3d 487.

No. 08–1062. *YANNOTTI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 541 F. 3d 112.

No. 08–1064. *MILBURN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 455.

No. 08–1071. *PAL v. DEPARTMENT OF COMMERCE*. C. A. Fed. Cir. Certiorari denied. Reported below: 301 Fed. Appx. 984.

No. 08–1075. *MCGRIFF v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 287 Fed. Appx. 916.

No. 08–1077. *MEYER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 541 F. 3d 1331.

No. 08–1080. *POSADA CARRILES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 541 F. 3d 344.

No. 08–6652. *CEBALLOS-LLANOS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–6804. *STAHL v. OZMINT, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS*. Sup. Ct. S. C. Certiorari denied.

No. 08–6904. *DIAS ET AL. v. ELIQUE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 276 Fed. Appx. 596.

No. 08–6995. *TYREE v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 942 A. 2d 629.

No. 08–7046. *VASQUEZ-RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 555.

No. 08–7121. *GOODRUM v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITU-*

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TIONS DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 547 F. 3d 249.

No. 08-7200. *POWELL v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 598 Pa. 224, 956 A. 2d 406.

No. 08-7231. *CARPENTER v. NEW YORK*. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 52 App. Div. 3d 1050, 860 N. Y. S. 2d 671.

No. 08-7373. *PURSLEY v. ESTEP, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 651.

No. 08-7423. *MARTIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 767.

No. 08-7440. *DUNCAN v. AYERS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 528 F. 3d 1222.

No. 08-7453. *CONE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 212.

No. 08-7544. *PRUITT v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 597 Pa. 307, 951 A. 2d 307.

No. 08-7620. *SMITH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 284 Fed. Appx. 943.

No. 08-7726. *MENDEZ-GARCIA, AKA ALARCON-MUNIZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 366.

No. 08-7778. *GOMEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 417.

No. 08-7856. *THOMPSON v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 277.

No. 08-7875. *BROWN v. BRADSHAW, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 531 F. 3d 433.

No. 08-7899. *POWELL v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 536 F. 3d 325.

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No. 08–7920. *GODWIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 88.

No. 08–8141. *RIPPY v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA*. C. A. 4th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 569.

No. 08–8146. *PEPIN v. PEPIN*. Sup. Ct. N. H. Certiorari denied.

No. 08–8150. *BRETZING v. HART, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 08–8151. *BROWN v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–8153. *PEREZ v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 980 So. 2d 1126.

No. 08–8156. *SOLARIO v. RYAN, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–8157. *EDWARDS v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 993.

No. 08–8158. *MARTINEZ v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–8164. *MATIN v. NEW YORK STATE POLICE ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–8166. *KRUPP v. SINGER ET AL.* C. A. 8th Cir. Certiorari denied.

No. 08–8167. *KING v. KING*. Ct. App. Colo. Certiorari denied.

No. 08–8171. *ROBENSON v. MCCOLLUM, ATTORNEY GENERAL OF FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–8173. *WILSON v. STOVALL, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–8181. *BOUNNAM v. CARLTON, WARDEN*. C. A. 6th Cir. Certiorari denied.



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No. 08–8182. *DAVIS v. MICHIGAN DEPARTMENT OF CORRECTIONS ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–8183. *ERVIN v. PURKETT, SUPERINTENDENT, EASTERN RECEPTION, DIAGNOSTIC AND CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied.

No. 08–8184. *CARR v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 381 Ill. App. 3d 1134, 966 N. E. 2d 603.

No. 08–8185. *DAVIS v. CALIFORNIA.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 08–8187. *PRIMUS v. PADULA, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 236.

No. 08–8195. *BUTLER v. MOLINAR ET AL.* C. A. 5th Cir. Certiorari denied.

No. 08–8198. *GARZA DELGADO v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–8204. *DUNBAR v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–8209. *MCCREARY v. MCQUIGGIN, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 08–8213. *BOWERS v. JONES.* Ct. App. Utah. Certiorari denied.

No. 08–8218. *MASS v. DEXTER, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 08–8219. *LATTIMORE v. WESTCHESTER COUNTY OFFICE OF THE MEDICAL EXAMINER ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–8220. *LEGERE v. NEW HAMPSHIRE.* Sup. Ct. N. H. Certiorari denied. Reported below: 157 N. H. 746, 958 A. 2d 969.

No. 08–8221. *ADAMS v. MARYLAND.* Ct. App. Md. Certiorari denied. Reported below: 406 Md. 240, 958 A. 2d 295.

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No. 08–8223. *BARTYLLA v. MINNESOTA*. Sup. Ct. Minn. Certiorari denied. Reported below: 755 N. W. 2d 8.

No. 08–8226. *BERNAL v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–8232. *HOUSTON ET AL. v. ENCINITAS UNION SCHOOL DISTRICT ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–8239. *CESAR v. HOLDER, ATTORNEY GENERAL*. C. A. 4th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 533.

No. 08–8250. *CONWAY v. GONZALEZ, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 198.

No. 08–8253. *DIGIUSTO v. FARWELL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 119.

No. 08–8255. *MCMURRY v. WOLFENBARGER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–8260. *BRYANT v. DEPARTMENT OF DEFENSE*. C. A. 8th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 910.

No. 08–8262. *BROWNING v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 124 Nev. 517, 188 P. 3d 60.

No. 08–8264. *CALDWELL v. FOLINO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GREENE, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–8268. *VALE v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 993 So. 2d 514.

No. 08–8269. *LASH v. HOLLIS ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 525 F. 3d 636.

No. 08–8271. *LAUGAND v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 08–8278. *METALLO v. HUMANA MEDICAL PLAN, INC., ET AL.* Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 992 So. 2d 271.

No. 08–8279. *MCCORMICK v. HANOVER INSURANCE GROUP INC. ET AL.* C. A. 6th Cir. Certiorari denied.

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No. 08–8281. *THOMPSON v. UNITED STATES MARINE CORPS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–8283. *PERRY v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 994 So. 2d 1105.

No. 08–8286. *POTEAT v. CHATMAN, WARDEN.* Sup. Ct. Ga. Certiorari denied.

No. 08–8288. *STOVER v. BEARD ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 536 F. 3d 198.

No. 08–8289. *RANALLI v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–8290. *SCOTT-EL v. MINNESOTA.* Ct. App. Minn. Certiorari denied.

No. 08–8291. *SINGH v. MARSHALL, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 08–8295. *BATTLE v. NEW JERSEY.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 08–8297. *BROWN v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–8298. *BUCHANAN v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–8299. *EBEH v. ST. PAUL TRAVELERS ET AL.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 993 So. 2d 525.

No. 08–8301. *KNISLEY v. VASQUEZ, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–8302. *HILDEBRAND v. STECK MANUFACTURING CO., INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 292 Fed. Appx. 921.

No. 08–8303. *MANLEY v. CAMPBELL.* C. A. 9th Cir. Certiorari denied.

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No. 08–8304. *MORALES v. AYERS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–8313. *WILSON v. SCRIBNER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–8340. *BLAKELY v. NAGY ET AL.* Sup. Ct. Miss. Certiorari denied.

No. 08–8342. *HANKERSON v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 987 So. 2d 768.

No. 08–8343. *GUMAN v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 312 Wis. 2d 812, 754 N. W. 2d 254.

No. 08–8353. *STARR v. CATTELL, WARDEN, ET AL.* C. A. 1st Cir. Certiorari denied.

No. 08–8356. *GUTIERREZ v. RUNNELS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 99.

No. 08–8359. *MIZE v. HALL, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 532 F. 3d 1184.

No. 08–8370. *MATTHEWS v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 08–8377. *SMITH v. ROWLAND, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 464.

No. 08–8378. *SANTIAGO v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 996 So. 2d 862.

No. 08–8380. *COTRICH v. SHINSEKI, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 300 Fed. Appx. 930.

No. 08–8383. *MORRIS v. NEW MEXICO*. Dist. Ct. N. M., Dona Ana County. Certiorari denied.

No. 08–8385. *BOYLE v. MCKUNE, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 544 F. 3d 1132.

No. 08–8386. *BRUNSTING v. COLORADO*. Ct. App. Colo. Certiorari denied.

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No. 08–8403. *BELTRAN v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 381 Ill. App. 3d 1133, 966 N. E. 2d 602.

No. 08–8404. *BANKS-BENNETT v. O'BRIEN*. C. A. 3d Cir. Certiorari denied. Reported below: 293 Fed. Appx. 108.

No. 08–8413. *BENNETT v. MILLS, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–8425. *DURANT v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 379 Ill. App. 3d 1073, 957 N. E. 2d 588.

No. 08–8427. *OGUNDIPE v. HOLDER, ATTORNEY GENERAL*. C. A. 4th Cir. Certiorari denied. Reported below: 541 F. 3d 257.

No. 08–8430. *LEUCHTMANN v. MISSOURI*. Sup. Ct. Mo. Certiorari denied.

No. 08–8432. *MICKENS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 08–8449. *GOWAN v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–8477. *HALLAM v. HOLLAND AMERICA LINE, INC., ET AL.* Sup. Ct. Alaska. Certiorari denied. Reported below: 180 P. 3d 955.

No. 08–8481. *MORFIN v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 381 Ill. App. 3d 1138, 966 N. E. 2d 605.

No. 08–8502. *PAYNE v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 275.

No. 08–8517. *CORAL v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied. Reported below: 72 Mass. App. 222, 890 N. E. 2d 146.

No. 08–8563. *POWELL v. PIERCE, WARDEN*. App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 367 Ill. App. 3d 1118, 929 N. E. 2d 179.

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No. 08–8568. *BOATFIELD v. MORROW, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–8598. *CLARK v. MAINE*. Sup. Jud. Ct. Me. Certiorari denied. Reported below: 954 A. 2d 1066.

No. 08–8619. *D’ADDABBO v. UNITED STATES ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 722.

No. 08–8638. *HOWARD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 295.

No. 08–8641. *GEE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 997.

No. 08–8646. *HOLLEY v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 08–8648. *CHANNEY, AKA BRADLEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 390.

No. 08–8649. *DUKES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–8651. *FASCIANA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 540 F. 3d 153.

No. 08–8652. *GORDON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 638.

No. 08–8654. *TURNER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–8660. *LOPEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 547 F. 3d 397.

No. 08–8662. *GWATHNEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 616.

No. 08–8665. *NJAKA v. POTTER, POSTMASTER GENERAL, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 624.

No. 08–8666. *GOODMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 634.

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No. 08–8667. *HILANO, AKA HICIANO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 300 Fed. Appx. 35.

No. 08–8671. *HANEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–8673. *RHYMER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 378.

No. 08–8674. *STEWART v. LAWLER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 299 Fed. Appx. 203.

No. 08–8678. *HERRERA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 302.

No. 08–8680. *FUTCH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–8681. *FLOWERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 77.

No. 08–8684. *SAINT-JEAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 08–8685. *WHITE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 186.

No. 08–8686. *CHRISTIE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–8688. *ELLIOTT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 101.

No. 08–8690. *GONZALEZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–8692. *PULLEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 229.

No. 08–8693. *MORALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 455.

No. 08–8694. *MOSES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 540 F. 3d 263.

No. 08–8695. *MINERD v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 299 Fed. Appx. 110.

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No. 08–8699. *SMITH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 204.

No. 08–8701. *BUIE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 547 F. 3d 401.

No. 08–8702. *AGUIRRE-LOPEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 395.

No. 08–8705. *HERNANDEZ-CONDE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 372.

No. 08–8706. *HARRIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 95.

No. 08–8708. *GRIFFITHS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 244.

No. 08–8711. *GONZALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 202.

No. 08–8714. *JACKS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–8715. *JONES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 294 Fed. Appx. 624.

No. 08–8717. *HOOD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 524.

No. 08–8718. *GONZALES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–8719. *FARMER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–8720. *FILPO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–8723. *MULLICAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–8724. *DAVIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 361.

No. 08–8725. *DIPIETRO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 274 Fed. Appx. 53.



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No. 08–8730. *BARRAZA-MUNOZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 404.

No. 08–8731. *MARTINEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 295 Fed. Appx. 460.

No. 08–8733. *ROMERO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 304 Fed. Appx. 14.

No. 08–8734. *TYREE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 292 Fed. Appx. 207.

No. 08–8739. *RAMIREZ CAMPOS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 08–8743. *LAINES-FUNES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 471.

No. 08–8744. *JONES v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 551 F. 3d 19.

No. 08–8746. *VILLEGAS-ORTIZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 718.

No. 08–8747. *BELL v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 178.

No. 08–8748. *OJO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–8749. *OSLEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 896.

No. 08–8751. *MENA-VALERINO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–8752. *VEDIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 941.

No. 08–8755. *RIOS-REYES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 600.

No. 08–8757. *MOSCOL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 568.

No. 08–8759. *PARRISH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 880.

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No. 08–8762. *JUDD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–8764. *WADE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–8769. *BONNER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–8770. *ALLEN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 638.

No. 08–8775. *DORMER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 08–8777. *DEPACK v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–8781. *SUBLET v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–8782. *SHEPPARD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–8783. *RUBALCAVA-ROACHO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 792.

No. 08–8787. *LAOR v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 269 Fed. Appx. 65.

No. 08–8789. *WEBSTER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 226.

No. 08–8792. *WILSON v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 962 A. 2d 943.

No. 08–8794. *CRUTCHER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 226.

No. 08–8796. *RAYSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–8797. *SPRINGER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 339.

No. 08–8800. *ALTINE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 179.

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No. 08–8805. *HODGE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 292 Fed. Appx. 143.

No. 08–8806. *GRIFFIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 470.

No. 08–8809. *ENNIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–8810. *CASH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 251.

No. 08–8811. *CHANEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 447.

No. 08–8815. *LUCKEY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 933.

No. 08–8819. *THOMPSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 546 F. 3d 1223.

No. 08–8822. *STEPHENS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 315.

No. 08–8824. *OCHOA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–8825. *PONCE-LOPEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 410.

No. 08–8827. *FRAZIER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 801.

No. 08–8838. *DUMONDE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–8839. *HAFED v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–8841. *HARRIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 303.

No. 08–8843. *FLANNERY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–8847. *LEWIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 663.

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No. 08–8849. *HOANG NGUYEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 724.

No. 08–8850. *NIX v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–8854. *CONFREDO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 528 F. 3d 143.

No. 08–8856. *WALLACE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–8859. *RESTO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 544 F. 3d 565.

No. 08–8860. *ROCHA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 328.

No. 08–8863. *BERTHELOT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–8865. *JONES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 548 F. 3d 1366.

No. 08–8866. *LEVY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–8870. *DARNALL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 835.

No. 08–8872. *PERSING v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 152.

No. 08–8874. *MITCHELL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 681.

No. 08–8877. *KNOCK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–8881. *SINCLAIR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 251.

No. 08–8883. *LOWE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–8887. *WRIGHT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 536 F. 3d 819.

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No. 08–8888. *WARREN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–8889. *TORRES-CORTES v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–8892. *SWANSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 561.

No. 08–8893. *MOON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 246.

No. 08–8895. *ANDREWS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–8905. *OLSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 740.

No. 08–8909. *GONZALEZ SANCHEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 555 F. 3d 910.

No. 08–8915. *VALDES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–8919. *BALLESTEROS-RAMIREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–8920. *BLUE BIRD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 548 F. 3d 641.

No. 08–8921. *AVILES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 868.

No. 08–8923. *ALLEVA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 176.

No. 08–8924. *ANDERSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 22.

No. 08–8925. *BERNARD v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 151 Fed. Appx. 76.

No. 08–463. *N. C. P. MARKETING GROUP, INC. v. BG STAR PRODUCTIONS, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 561.

Statement of JUSTICE KENNEDY, with whom JUSTICE BREYER joins, respecting the denial of certiorari.

The object of Chapter 11 of the Bankruptcy Code is to empower a debtor with going concern value to reorganize its operations to become solvent once more. In a typical case, the debtor takes on the role of “debtor in possession,” 11 U. S. C. § 1101(1), allowing it to retain possession and control of its business. A debtor-in-possession operates its business and performs many functions that would fall to the trustee under other chapters of the Bankruptcy Code. § 1107(a).

At issue in this petition is the power of a debtor-in-possession to assume executory contracts held by the debtor before bankruptcy. § 365(a). Section 365 gives the debtor-in-possession the power to assume—that is, to continue to receive the benefits of, while also continuing to perform its obligations under—the debtor’s leases, ongoing performance contracts, and licenses to use the property of others. This power is withdrawn, however, if

“applicable law excuses a party, other than the debtor, to [an executory contract] from accepting performance from or rendering performance to an entity other than the debtor or the debtor in possession, whether or not such contract or lease prohibits or restricts assignment of rights or delegation of duties; and . . . such party does not consent to such assumption or assignment . . . .” §§ 365(c)(1)(A)–(B).

According to the Court of Appeals for the Ninth Circuit, this language means that a debtor-in-possession may assume an executory contract only if hypothetically it might assign that contract to a third party. That is to say, if the debtor-in-possession lacks hypothetical authority to assign a contract, then it may not assume it—even if the debtor-in-possession has no *actual* intention of assigning the contract to another. *In re Catapult Entertainment, Inc.*, 165 F. 3d 747 (CA9 1999). The so-called “hypothetical test” is preferred by a majority of the other Courts of Appeals that have addressed this question. See *In re Sunterra Corp.*, 361 F. 3d 257 (CA4 2004); *In re James Cable Partners, L. P.*, 27 F. 3d 534 (CA11 1994) (*per curiam*); *In re West Electronics, Inc.*, 852 F. 2d 79 (CA3 1988).

The hypothetical test is not, however, without its detractors. One arguable criticism of the hypothetical approach is that it purchases fidelity to the Bankruptcy Code’s text by sacrificing

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sound bankruptcy policy. For one thing, the hypothetical test may prevent debtors-in-possession from continuing to exercise their rights under nonassignable contracts, such as patent and copyright licenses. Without these contracts, some debtors-in-possession may be unable to effect the successful reorganization that Chapter 11 was designed to promote. For another thing, the hypothetical test provides a windfall to nondebtor parties to valuable executory contracts: If the debtor is outside of bankruptcy, then the nondebtor does not have the option to renege on its agreement; but if the debtor seeks bankruptcy protection, then the nondebtor obtains the power to reclaim—and resell at the prevailing, potentially higher market rate—the rights it sold to the debtor.

To prevent § 365(c) from engendering unwise policy, one Court of Appeals, and a number of Bankruptcy Courts, reject the hypothetical test in favor of an “actual test,” under which a Chapter 11 debtor-in-possession may assume an executory contract provided it has no actual intent to assign the contract to a third party. See *Institut Pasteur v. Cambridge Biotech Corp.*, 104 F. 3d 489, 493 (CA1 1997) (applying the actual test); *In re Catapult*, 165 F. 3d, at 749, n. 2 (collecting Bankruptcy Court decisions favoring the actual test). Of course, the actual test may present problems of its own. It may be argued, for instance, that the actual test aligns § 365(c) with sound bankruptcy policy only at the cost of departing from at least one interpretation of the plain text of the law. See *id.*, at 751–755.

The division in the courts over the meaning of § 365(c)(1) is an important one to resolve for bankruptcy courts and for businesses that seek reorganization. This petition for certiorari, however, is not the most suitable case for our resolution of the conflict. Addressing the issue here might first require us to resolve issues that may turn on the correct interpretation of antecedent questions under state law and trademark-protection principles. For those and other reasons, I reluctantly agree with the Court’s decision to deny certiorari. In a different case the Court should consider granting certiorari on this significant question.

No. 08–571. ELKO COUNTY, NEVADA *v.* WILDERNESS SOCIETY ET AL. C. A. 9th Cir. Motion of Mountain States Legal Foundation for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 526 F. 3d 1237.

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No. 08–770. DELL MARKETING L. P., FKA DELL CATALOG SALES L. P. *v.* NEW MEXICO TAXATION AND REVENUE DEPARTMENT. Ct. App. N. M. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 145 N. M. 419, 199 P. 3d 863.

No. 08–975. CLEMENTS *v.* HOLDER, ATTORNEY GENERAL, ET AL. C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

*Rehearing Denied*

No. 07–11412. BANEY *v.* DEPARTMENT OF JUSTICE, 555 U. S. 867;

No. 08–543. POLINER *v.* TEXAS HEALTH SYSTEMS, DBA PRESBYTERIAN HOSPITAL OF DALLAS, ET AL., 555 U. S. 1149;

No. 08–702. WADHWA *v.* MERIT SYSTEMS PROTECTION BOARD, 555 U. S. 1103;

No. 08–5287. BULLARD *v.* NORTH CAROLINA, 555 U. S. 906;

No. 08–6064. VAUGHN *v.* UNITED STATES, 555 U. S. 1139;

No. 08–6556. WELCH *v.* QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, 555 U. S. 1054;

No. 08–6780. SCHMIDT *v.* BODIN ET AL., 555 U. S. 1105;

No. 08–6843. IN RE DIEHL, 555 U. S. 1096;

No. 08–6934. DAIK *v.* FLORIDA, 555 U. S. 1108;

No. 08–6935. JONES *v.* OHIO STATE UNIVERSITY ET AL., 555 U. S. 1109;

No. 08–6972. CHEADLE *v.* DINWIDDIE, WARDEN, 555 U. S. 1109;

No. 08–7053. DOE *v.* AMERICAN AIRLINES, 555 U. S. 1140;

No. 08–7160. SALERNO *v.* NEW JERSEY ET AL., 555 U. S. 1114;

No. 08–7169. EL BEY *v.* MCMASTER, ATTORNEY GENERAL OF SOUTH CAROLINA, ET AL., 555 U. S. 1114;

No. 08–7224. JAMES *v.* CITY OF SPRINGFIELD, MASSACHUSETTS, ET AL., 555 U. S. 1141;

No. 08–7265. TAYLOR *v.* INDIANA, 555 U. S. 1142;

No. 08–7292. PETTY *v.* MERCK & Co., INC., 555 U. S. 1143;

No. 08–7296. PATTERSON *v.* VANDERVER ET AL., 555 U. S. 1115;

No. 08–7298. TAVARES *v.* MEYERS ET AL., 555 U. S. 1116;

No. 08–7421. BRALEY *v.* CALIFORNIA ET AL., 555 U. S. 1157;

No. 08–7434. WARREN *v.* GARTMAN, WARDEN, ET AL., 555 U. S. 1120;



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- No. 08–7519. *BRUNSON v. UNITED STATES*, 555 U. S. 1122;  
No. 08–7598. *IN RE DRYER*, 555 U. S. 1096;  
No. 08–7855. *THOMPSON v. DEPARTMENT OF THE AIR FORCE*,  
555 U. S. 1158; and  
No. 08–8000. *IN RE WHITMILL*, 555 U. S. 1152. Petitions for  
rehearing denied.  
No. 08–7294. *MAVITY v. FRAAS ET AL.*, 555 U. S. 1149. Peti-  
tion for rehearing denied. THE CHIEF JUSTICE took no part in  
the consideration or decision of this petition.  
No. 08–6486. *LLANOS-AGOSTADERO v. UNITED STATES*, 555  
U. S. 1105. Motion for leave to file petition for rehearing denied.

MARCH 25, 2009

*Miscellaneous Orders*

No. 08A794. *DEPARTMENT OF HEALTH AND HUMAN SERVICES v. ALLEY ET AL.* Application for stay, presented to JUSTICE THOMAS, and by him referred to the Court, granted. Permanent injunction issued by the United States District Court for the Northern District of Alabama, No. CV–07–BE–0096–E, on May 8, 2008, is stayed pending final disposition of the appeal by the United States Court of Appeals for the Eleventh Circuit.

No. 08A795. *FLORIDA v. RIGTERINK*. Application to recall and stay the mandate of the Florida Supreme Court, No. SC05–2162, issued February 26, 2009, presented to JUSTICE THOMAS, and by him referred to the Court, granted pending the timely filing and disposition of a petition for writ of certiorari. Should the petition for writ of certiorari be denied, this stay shall terminate automatically. In the event the petition for writ of certiorari is granted, the stay shall terminate upon the issuance of the mandate of this Court. JUSTICE STEVENS, JUSTICE SOUTER, JUSTICE GINSBURG, and JUSTICE BREYER would deny the application.

MARCH 26, 2009

*Miscellaneous Orders.* (For the Court’s orders prescribing amendments to the Federal Rules of Appellate Procedure, see *post*, p. 1293; amendments to the Federal Rules of Bankruptcy Procedure, see *post*, p. 1309; amendments to the Federal Rules of Civil Procedure, see *post*, p. 1343; and amendments to the Federal Rules of Criminal Procedure, see *post*, p. 1365.)

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MARCH 27, 2009

*Miscellaneous Order*

No. 07–1529. *MONTEJO v. LOUISIANA*. Sup. Ct. La. [Certiorari granted, 554 U.S. 944.] Parties are directed to file supplemental briefs addressing the following question: Should *Michigan v. Jackson*, 475 U.S. 625 (1986), be overruled? Briefs, not to exceed 6,000 words, are to be filed simultaneously with the Clerk and served upon opposing counsel on or before 2 p.m., Tuesday, April 14, 2009. *Amicus* briefs, not to exceed 4,500 words, may be filed with the Clerk and served upon counsel to the parties on or before 2 p.m., Tuesday, April 14, 2009. Reply briefs, not to exceed 3,000 words, may be filed with the Clerk and served upon opposing counsel on or before 2 p.m., Friday, April 24, 2009.

MARCH 30, 2009

*Certiorari Granted—Vacated and Remanded*

No. 08–5564. *BROWN 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 *Chambers v. United States*, 555 U.S. 122 (2009). Reported below: 526 F.3d 691.

*Certiorari Dismissed*

No. 08–8224. *BURKE v. ANISKOVICH 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. 08–8307. *BURKE v. UNIVERSAL HEALTH CARE 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. 08–8355. *STRUCK v. COOK COUNTY PUBLIC GUARDIAN*. App. Ct. Ill., 1st Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 08–8388. *WARDELL v. SAUM ET AL.* Dist. Ct. Colo., Lincoln County. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

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No. 08–8773. *DOLENZ v. DALLAS CENTRAL APPRAISAL DISTRICT ET AL.* Ct. App. Tex., 5th Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 259 S. W. 3d 331.

*Miscellaneous Orders*

No. 08M72. *JOHNSON ET UX. v. WILBUR ET AL.* Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 138, Orig. *SOUTH CAROLINA v. NORTH CAROLINA.* Exceptions to the Report of the Special Master are set for oral argument in due course. [For earlier order herein, see, *e. g.*, 555 U. S. 1091.]

No. 08–7848. *PEABODY v. ALLSTATE INSURANCE CO.* Ct. App. Ariz. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [555 U. S. 1166] denied.

No. 08–8336. *IN RE WILLIAMS*;  
No. 08–8445. *IN RE MCCREARY*; and  
No. 08–8951. *IN RE TULL.* Petitions for writs of mandamus denied.

No. 08–8963. *IN RE YUK RUNG TSANG.* Petition for writ of mandamus and/or prohibition denied.

*Certiorari Denied*

No. 07–9756. *REYES-RODRIGUEZ v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 257 Fed. Appx. 222.

No. 07–11001. *DE LA GARZA v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 516 F. 3d 1266.

No. 08–567. *AGRIPOST, LLC, ET AL. v. MIAMI-DADE COUNTY, FLORIDA.* C. A. 11th Cir. Certiorari denied. Reported below: 525 F. 3d 1049.

No. 08–683. *CANNON ET AL. v. GATES, SECRETARY OF DEFENSE, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 538 F. 3d 1328.

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No. 08–696. SOUTHERN SCRAP MATERIAL CO., L. L. C., AS OWNER OF THE SOUTHERN SCRAP DRYDOCK *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 541 F. 3d 584.

No. 08–697. GJIDODA *v.* BAKER, FIELD OFFICE DIRECTOR, SAN DIEGO, IMMIGRATION AND CUSTOMS ENFORCEMENT. C. A. 6th Cir. Certiorari denied.

No. 08–704. BOLTON *v.* CITY OF DALLAS, TEXAS. C. A. 5th Cir. Certiorari denied. Reported below: 541 F. 3d 545.

No. 08–765. VIRGINIA *v.* JAYNES. Sup. Ct. Va. Certiorari denied. Reported below: 276 Va. 443, 666 S. E. 2d 303.

No. 08–812. APA TRANSPORTATION CORP. *v.* TEAMSTERS LOCAL UNION NO. 560 ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 541 F. 3d 233.

No. 08–909. YONG LI *v.* RAYTHEON CO. ET AL. App. Ct. Mass. Certiorari denied. Reported below: 71 Mass. App. 1115, 883 N. E. 2d 342.

No. 08–920. BRYAN MEDIA, INC. *v.* CITY OF ST. PETERSBURG, FLORIDA, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 717.

No. 08–921. McCLAIN *v.* ATTORNEY GRIEVANCE COMMISSION OF MARYLAND. Ct. App. Md. Certiorari denied. Reported below: 406 Md. 1, 956 A. 2d 135.

No. 08–923. KRAMER *v.* VON YOKELY ET AL. Ct. App. Ga. Certiorari denied. Reported below: 291 Ga. App. 375, 662 S. E. 2d 208.

No. 08–928. DIAZ *v.* McNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 589.

No. 08–932. DiCENZO ET AL. *v.* A-BEST PRODUCTS CO., INC., ET AL. Sup. Ct. Ohio. Certiorari denied. Reported below: 120 Ohio St. 3d 149, 897 N. E. 2d 132.

No. 08–934. COLUMBIA IRON & METAL CO. *v.* LINCOLN ELECTRIC CO. ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 527 F. 3d 517.

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No. 08-935. *COOK v. GEORGIA BOARD TO DETERMINE FITNESS OF BAR APPLICANTS ET AL.* Sup. Ct. Ga. Certiorari denied. Reported below: 284 Ga. 575, 668 S. E. 2d 667.

No. 08-940. *ZHUK v. CALIFORNIA.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 08-947. *BANDER FAMILY PARTNERSHIP, L. P. v. TOWERHILL WEALTH MANAGEMENT, LLC, ET AL.* Sup. Ct. Del. Certiorari denied. Reported below: 962 A. 2d 256.

No. 08-952. *TAVORY v. NTP, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 297 Fed. Appx. 976.

No. 08-962. *CENTRAL STATES, SOUTHEAST & SOUTHWEST AREAS PENSION FUND, ET AL. v. GENERAL MATERIALS, INC., DBA WHOLESALE MATERIALS CO.* C. A. 6th Cir. Certiorari denied. Reported below: 535 F. 3d 506.

No. 08-967. *AMERICAN NATIONAL INSURANCE CO. v. CITIBANK N. A.* C. A. 7th Cir. Certiorari denied. Reported below: 543 F. 3d 907.

No. 08-977. *GREEN v. DEPARTMENT OF LABOR ET AL.* C. A. 1st Cir. Certiorari denied.

No. 08-995. *AZADPOUR v. SUN MICROSYSTEMS, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 454.

No. 08-1000. *WILLIAMS v. CONNECTICUT.* App. Ct. Conn. Certiorari denied. Reported below: 106 Conn. App. 323, 941 A. 2d 985.

No. 08-1046. *MOORE ET AL., AS CO-ADMINISTRATORS AND PERSONAL REPRESENTATIVES OF THE ESTATE OF GRADY, DECEASED v. TULEJA ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 546 F. 3d 423.

No. 08-1090. *ADAMS v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 08-1091. *BROWN v. POTTER, POSTMASTER GENERAL.* C. A. 9th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 421.

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No. 08–1092. *ZIEGLER v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. Reported below: 282 Fed. Appx. 869.

No. 08–6026. *FRANKLIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 874.

No. 08–7163. *JOHNSON v. BELL, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 525 F. 3d 466.

No. 08–7405. *SALAZAR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 542 F. 3d 139.

No. 08–7441. *VALLE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 538 F. 3d 341.

No. 08–7468. *JONES v. WALKER, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 540 F. 3d 1277.

No. 08–7764. *CRUZ-FRANCO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–7972. *UPHAUS v. MICHIGAN*. Ct. App. Mich. Certiorari denied. Reported below: 278 Mich. App. 174, 748 N. W. 2d 899.

No. 08–7980. *STRONG v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 263 S. W. 3d 636.

No. 08–7989. *TAYLOR v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 262 S. W. 3d 231.

No. 08–8320. *STEGEMAN v. GEORGIA ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 320.

No. 08–8323. *HALL v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 08–8324. *SHEARING v. GONZALEZ*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 08–8327. *JACKSON v. HINES, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 773.

No. 08–8329. *CARBONELL v. ANDY*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 973 So. 2d 1139.

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No. 08-8330. *EDWARDS v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied. Reported below: 71 Mass. App. 716, 886 N. E. 2d 722.

No. 08-8334. *WILLIAMS v. KUSNAIRS BAR & TAVERN ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 288 Fed. Appx. 847.

No. 08-8338. *HILL v. NCO PORTFOLIO MANAGEMENT*. Sup. Ct. Ind. Certiorari denied.

No. 08-8344. *GONZALEZ v. OLLISON, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08-8346. *GOODEN v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 27 So. 3d 625.

No. 08-8347. *GREEN v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08-8348. *GOODIE v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08-8350. *GOOSBY v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 08-8352. *STOGNER v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 08-8354. *SMYTHE v. CORTEZ MASTO, ATTORNEY GENERAL OF NEVADA*. C. A. 9th Cir. Certiorari denied.

No. 08-8360. *PULLEN-WALKER v. ROOSEVELT UNIVERSITY ET AL.* C. A. 7th Cir. Certiorari denied.

No. 08-8367. *AKINWAMIDE v. TRANSPORTATION INSURANCE CO. ET AL.* Ct. App. Tex., 14th Dist. Certiorari denied.

No. 08-8368. *BURTON v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 383 Ill. App. 3d 1142, 968 N. E. 2d 217.

No. 08-8375. *WHITE v. FLORIDA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 08–8379. *COOKSEY v. McELROY ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–8381. *DELANEY v. JETT ET AL.* App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 379 Ill. App. 3d 1087, 957 N. E. 2d 593.

No. 08–8382. *CORDERO v. DELANO ET UX.* C. A. 2d Cir. Certiorari denied.

No. 08–8387. *BOHANNAN v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–8390. *MORGAN v. NEW YORK.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 48 App. Div. 3d 703, 852 N. Y. S. 2d 328.

No. 08–8392. *MILLER v. CAIN, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 08–8393. *SMITH v. BOBBIE, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 08–8394. *SUTTON v. EVANS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 08–8401. *PERRY v. STATE BAR OF CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 08–8402. *BANKS v. TENNESSEE.* Sup. Ct. Tenn. Certiorari denied. Reported below: 271 S. W. 3d 90.

No. 08–8409. *EVANS v. DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING.* Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 08–8410. *CORNEALUS v. JACQUEZ, ACTING WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 08–8411. *SPEARS v. FORNISS, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–8412. *SMITH v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied.

No. 08–8414. *STEWART v. MICHIGAN.* Cir. Ct. Wayne County, Mich. Certiorari denied.



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No. 08–8415. *SANCHEZ v. WORKERS’ COMPENSATION APPEALS BOARD ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–8416. *POWERS v. SARKO, ADMINISTRATOR OF THE EXXON QUALIFIED SETTLEMENT FUND, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 202.

No. 08–8418. *TIFFER v. WORKER’S COMPENSATION ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 240.

No. 08–8419. *SCOTT v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 08–8422. *CROSBY v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 367 Ill. App. 3d 1089, 929 N. E. 2d 167.

No. 08–8426. *CAMPBELL v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 378 Ill. App. 3d 1119, 955 N. E. 2d 183.

No. 08–8431. *WHITMORE v. SCRIBNER, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–8434. *WASHINGTON v. BURNS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 217.

No. 08–8435. *MERIWETHER v. CHATMAN, WARDEN.* C. A. 11th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 806.

No. 08–8437. *SARR v. HOWES, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 08–8438. *STAMPS v. WHITE, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–8442. *BARNES v. CAIN, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 08–8446. *PITTIER v. SUPERIOR COURT OF CALIFORNIA, SOLANO COUNTY, ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 08–8459. *NORRIS v. FLORIDA.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 993 So. 2d 527.

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No. 08–8460. *ANDERSON v. COURT OF APPEALS OF WISCONSIN, DISTRICT II*. Sup. Ct. Wis. Certiorari denied.

No. 08–8461. *DEXTER v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–8484. *HURD v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 145 Wash. App. 10, 188 P. 3d 510.

No. 08–8491. *HOY v. GIURBINO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–8493. *HERNDON v. UPTON, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 08–8497. *WAGNER v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 08–8506. *RINCKER v. OREGON DEPARTMENT OF CORRECTIONS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 720.

No. 08–8508. *ROMAN v. HAGGETT, SUPERINTENDENT, MT. MCGREGOR CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 08–8546. *CLARK v. DENNY, WARDEN, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 08–8559. *LOMBARDI v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 381 Ill. App. 3d 1137, 966 N. E. 2d 604.

No. 08–8571. *TEXIDOR v. LIEBMAN ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–8603. *WELLS v. HOUSTON*. C. A. 8th Cir. Certiorari denied.

No. 08–8604. *THOMAS v. CITY OF DETROIT, MICHIGAN, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 473.

No. 08–8633. *REEDOM v. TARRANT COUNTY COMMUNITY COLLEGE DISTRICT ET AL.* C. A. 5th Cir. Certiorari denied.

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No. 08–8640. *JIAYANG HUA v. UNIVERSITY OF UTAH ET AL.* Ct. App. Utah. Certiorari denied.

No. 08–8663. *OLIVEIRA v. ERCOLE, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 08–8677. *HALL v. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION ET AL.*; and *HALL v. WHITMORE.* C. A. 4th Cir. Certiorari denied.

No. 08–8691. *PERRY v. EPPS, COMMISSIONER, MISSISSIPPI DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 08–8795. *SALEEM, AKA ANTHONY v. RICCI, ASSOCIATE ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 306 Fed. Appx. 739.

No. 08–8814. *KOLOSKY v. UNUM LIFE INSURANCE COMPANY OF AMERICA.* C. A. 8th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 548.

No. 08–8828. *FRANCO v. CALIFORNIA.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 08–8878. *JOHNSON v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 305 Fed. Appx. 38.

No. 08–8885. *CRAWFORD v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 466.

No. 08–8894. *PITERA v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

No. 08–8910. *SHAW v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 728.

No. 08–8929. *DANGER v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 08–8931. *GONZALEZ-CARVAJAL v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 657.

No. 08–8934. *HASARAFALLY v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

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No. 08–8935. *HAHN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 551 F. 3d 977.

No. 08–8936. *HUNT v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 08–8937. *FLOYD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 881.

No. 08–8945. *SHAW v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–8947. *ANSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 304 Fed. Appx. 1.

No. 08–8948. *BROWN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–8949. *PARKER v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 549 F. 3d 5.

No. 08–8955. *FRANKLIN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 477.

No. 08–8956. *GREEN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–8958. *JACKSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 428.

No. 08–8960. *O’NEILL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–8964. *TORRES-SALAZAR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 328.

No. 08–8967. *SHY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 538 F. 3d 933.

No. 08–8968. *KENNEDY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 309.

No. 08–8977. *RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–8978. *LALIBERTE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 295.

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No. 08–8981. *WRIGHT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 871.

No. 08–8982. *WELLS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–914. *KINGDOM v. LAMARQUE, WARDEN, ET AL.* C. A. 9th Cir. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied. Reported below: 268 Fed. Appx. 671.

No. 08–942. *RODRIGUEZ v. UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT*. C. A. 4th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

No. 08–8913. *JAMES v. UNITED STATES ET AL.* C. A. D. C. Cir. Certiorari before judgment denied.

*Rehearing Denied*

No. 07–513. *HERRING v. UNITED STATES*, 555 U. S. 135;

No. 08–5769. *HAYES v. ANDERSON, WARDEN*, 555 U. S. 951;

No. 08–6670. *BOOK v. TOBIN ET AL.*, 555 U. S. 1105;

No. 08–6799. *SMITH v. CLERK OF THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSEE ET AL.*, 555 U. S. 1037;

No. 08–7022. *LAWTON v. PERRY TOWNSHIP POLICE DEPARTMENT ET AL.*, 555 U. S. 1110;

No. 08–7093. *YODER v. BARTOS, WARDEN, ET AL.*, 555 U. S. 1112;

No. 08–7198. *YODER v. NAPOLITANO*, 555 U. S. 1141;

No. 08–7315. *WESLEY v. JANECKA, WARDEN*, 555 U. S. 1116;

No. 08–7385. *MITCHELL v. ALMAGER, WARDEN*, 555 U. S. 1156;

No. 08–7698. *GRAY v. ILLINOIS*, 555 U. S. 1158; and

No. 08–7797. *McCLAIN v. UNITED STATES*, 555 U. S. 1147. Petitions for rehearing denied.

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*Miscellaneous Orders*

No. 08–103. *REED ELSEVIER, INC., ET AL. v. MUCHNICK ET AL.* C. A. 2d Cir. [Certiorari granted, 555 U. S. 1211.] Deborah Jones Merritt, Esq., of Columbus, Ohio, is invited to brief and

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argue this case as *amicus curiae* in support of the judgment below.

No. 08–1175 (08A834). FLORIDA *v.* POWELL. Sup. Ct. Fla. Application for stay, presented to JUSTICE THOMAS, and by him referred to the Court, granted. Issuance of the mandate of the Florida Supreme Court, No. SC07–2295, stayed pending the disposition of the petition for writ of certiorari. Should the petition for writ of certiorari be denied, this stay shall terminate automatically. In the event the petition for writ of certiorari is granted, the stay shall terminate upon the issuance of the mandate of this Court.

APRIL 3, 2009

*Miscellaneous Orders*

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. [Certiorari granted, 555 U.S. 1092.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. Motion of respondents for divided argument denied.

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, 555 U.S. 1091.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. Time is divided as follows: 30 minutes for petitioners, 30 minutes for respondents, and 10 minutes for the Solicitor General.

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, 555 U.S. 1092.] Motion of petitioners for divided argument denied. Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. Motion of 30 Recognized Leaders of Education Research for leave to file a brief as *amici curiae* out of time granted.

No. 08–305. FOREST GROVE SCHOOL DISTRICT *v.* T. A. C. A. 9th Cir. [Certiorari granted, 555 U.S. 1130.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

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No. 08–322. NORTHWEST AUSTIN MUNICIPAL UTILITY DISTRICT NUMBER ONE *v.* HOLDER, ATTORNEY GENERAL, ET AL. D. C. D. C. [Probable jurisdiction noted *sub nom.* *Northwest Austin Municipal Util. Dist. No. One v. Mukasey*, 555 U. S. 1091.] Motion of the Solicitor General for divided argument granted.

No. 08–453. CUOMO, ATTORNEY GENERAL OF NEW YORK *v.* CLEARING HOUSE ASSN., L. L. C., ET AL. C. A. 2d Cir. [Certiorari granted, 555 U. S. 1130.] Motion of the Solicitor General for divided argument granted.

No. 08–479. SAFFORD UNIFIED SCHOOL DISTRICT #1 ET AL. *v.* REDDING. C. A. 9th Cir. [Certiorari granted, 555 U. S. 1130.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 08–660. UNITED STATES EX REL. EISENSTEIN *v.* CITY OF NEW YORK, NEW YORK, ET AL. C. A. 2d Cir. [Certiorari granted, 555 U. S. 1131.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. Motion of the Solicitor General to permit Jeffrey B. Wall, Esq., to present argument *pro hac vice* granted.

## APRIL 6, 2009

*Certiorari Granted—Vacated and Remanded*

No. 08–5641. MOSLEY *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* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Harbison v. Bell*, *ante*, p. 180. Reported below: 325 Fed. Appx. 394.

*Certiorari Dismissed*

No. 08–8570. ANGEL *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. 08–8697. MAKAS *v.* MIRAGLIA 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. Reported below: 300 Fed. Appx. 9.

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No. 08–8831. *BAILEY v. RENDELL ET AL.* 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. 08–8832. *BAILEY v. WAKEFIELD.* Commw. 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: 958 A. 2d 1158.

No. 08–9123. *PERKINS 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. 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.

#### *Miscellaneous Orders*

No. 08M73. *TRIMBLE v. FLORIDA.* Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 08–7449. *ROLLE v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [555 U. S. 1163] denied.

No. 08–7614. *TAYLOR v. SMITH, DBA PLATINUM PROPERTY MANAGEMENT.* Ct. App. Ohio, Hamilton County. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [555 U. S. 1168] denied.

No. 08–8465. *HAUN v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until April 27, 2009, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

No. 08–9144. *IN RE BLOOMFIELD;*

No. 08–9214. *IN RE KERSHNER;* and



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No. 08–9269. IN RE GARRETT. Petitions for writs of habeas corpus denied.

No. 08–9103. IN RE SZAREWICZ. 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. 08–8463. IN RE DUNLAP. 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. 08–1115. IN RE MARZETT; and

No. 08–9041. IN RE DANOU. Petitions for writs of mandamus and/or prohibition denied.

*Certiorari Granted*

No. 08–970. PERDUE, GOVERNOR OF GEORGIA, ET AL. *v.* KENNY A., BY HIS NEXT FRIEND WINN, ET AL. C. A. 11th Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 532 F. 3d 1209.

*Certiorari Denied*

No. 08–818. ADENA REGIONAL MEDICAL CENTER ET AL. *v.* JOHNSON, ACTING SECRETARY OF HEALTH AND HUMAN SERVICES. C. A. D. C. Cir. Certiorari denied. Reported below: 527 F. 3d 176.

No. 08–822. McLAUGHLIN *v.* MISSOURI. Sup. Ct. Mo. Certiorari denied. Reported below: 265 S. W. 3d 257.

No. 08–948. ANDERSON *v.* LOUISIANA. Sup. Ct. La. Certiorari denied. Reported below: 996 So. 2d 973.

No. 08–955. CYGNUS TELECOMMUNICATIONS TECHNOLOGY, LLC *v.* TELESYS COMMUNICATIONS, LLC, ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 536 F. 3d 1343.

No. 08–957. RHONE *v.* TEXAS. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 08–963. YINGLONG YANG ET AL. *v.* CARTERET REDEVELOPMENT AGENCY. Super. Ct. N. J., App. Div. Certiorari denied.

No. 08–965. METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE *v.* PETTY. C. A. 6th Cir. Certiorari denied. Reported below: 538 F. 3d 431.

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No. 08–966. *OHIO MIDLAND, INC., ET AL. v. PROCTOR, DIRECTOR, OHIO DEPARTMENT OF TRANSPORTATION, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 905.

No. 08–971. *RICCI ET AL. v. PATRICK, GOVERNOR OF MASSACHUSETTS, ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 544 F. 3d 8.

No. 08–973. *TOWNSEND v. UNIVERSITY OF ALASKA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 543 F. 3d 478.

No. 08–976. *KENNEDY v. GRATTAN TOWNSHIP, MICHIGAN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–984. *CATSKILL DEVELOPMENT, L. L. C., ET AL. v. HARRAH’S OPERATING CO., INC., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 547 F. 3d 115.

No. 08–985. *COUSHATTA TRIBE OF LOUISIANA v. MEYER & ASSOCIATES, INC.* Sup. Ct. La. Certiorari denied. Reported below: 992 So. 2d 446.

No. 08–988. *HARRELL v. CITY AND COUNTY OF HONOLULU, HAWAII.* C. A. 9th Cir. Certiorari denied. Reported below: 283 Fed. Appx. 509.

No. 08–989. *LEONARD, DBA THE LEONARD CLINIC OF CHIROPRACTIC v. EDUCATORS MUTUAL LIFE INSURANCE CO.* C. A. 3d Cir. Certiorari denied. Reported below: 298 Fed. Appx. 204.

No. 08–990. *MAHER v. RETIREMENT BOARD OF QUINCY ET AL.* Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 452 Mass. 517, 895 N. E. 2d 1284.

No. 08–991. *WHITE ET AL. v. COCA-COLA CO.* C. A. 11th Cir. Certiorari denied. Reported below: 542 F. 3d 848.

No. 08–994. *BIKKANI v. LEE ET AL.* Sup. Ct. Ohio. Certiorari denied. Reported below: 119 Ohio St. 3d 1429, 892 N. E. 2d 919.

No. 08–997. *DELON v. NEWS & OBSERVER PUBLISHING COMPANY OF RALEIGH, NORTH CAROLINA.* C. A. 4th Cir. Certiorari denied. Reported below: 277 Fed. Appx. 278.

No. 08–1002. *WEISSBURG v. LOS ANGELES COUNTY CIVIL SERVICE COMMISSION ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

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No. 08–1012. *KAY, PARENT OF KAY, A MINOR v. JOHNSON, ACTING SECRETARY OF HEALTH AND HUMAN SERVICES*. C. A. Fed. Cir. Certiorari denied. Reported below: 298 Fed. Appx. 985.

No. 08–1013. *KELLOGG v. ENERGY SAFETY SERVICES, INC., DBA OILIND SAFETY LLC*. C. A. 10th Cir. Certiorari denied. Reported below: 544 F. 3d 1121.

No. 08–1026. *HAHN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 582.

No. 08–1028. *MESSER ET AL. v. DEPARTMENT OF HEALTH AND HUMAN SERVICES* (two judgments). C. A. 9th Cir. Certiorari denied.

No. 08–1031. *EGYPTIAN GODDESS, INC. v. SWISA, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 543 F. 3d 665.

No. 08–1055. *WEI ZHOU v. MARQUETTE UNIVERSITY*. C. A. 7th Cir. Certiorari denied.

No. 08–1057. *CHAPLAINCY OF FULL GOSPEL CHURCHES ET AL. v. DEPARTMENT OF THE NAVY ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 534 F. 3d 756.

No. 08–1058. *KRAMER ET AL. v. THOMAS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 555.

No. 08–1063. *ROWLEY v. CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA, ET AL.* C. A. 4th Cir. Certiorari denied.

No. 08–1111. *BURTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–1126. *MCBEE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 796.

No. 08–6504. *FIELDS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 516 F. 3d 923.

No. 08–6836. *DUNCAN v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 08–7139. *CERNO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 529 F. 3d 926.

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No. 08–7465. *SMULLS v. ROPER*, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied. Reported below: 535 F. 3d 853.

No. 08–7512. *GABRION v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 517 F. 3d 839.

No. 08–7634. *MITCHELL v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 170.

No. 08–7741. *HARDY v. BENNETT ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 806.

No. 08–7785. *HALE v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 119 Ohio St. 3d 118, 892 N. E. 2d 864.

No. 08–8455. *EDWARDS v. TOWNSEL-MUNDAY*. C. A. 6th Cir. Certiorari denied.

No. 08–8457. *CARREON v. DEXTER*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 08–8462. *CAESAR v. MCNEIL*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied.

No. 08–8473. *WRIGHT v. QUARTERMAN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 08–8475. *HILL v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 979 So. 2d 1134.

No. 08–8478. *FULLER v. HARRIS COUNTY*, TEXAS. C. A. 5th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 167.

No. 08–8479. *PANG v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 08–8482. *BATSHEVER v. OKIN*. Ct. App. N. Y. Certiorari denied. Reported below: 11 N. Y. 3d 807, 897 N. E. 2d 1066.

No. 08–8483. *ABU-JAMAL v. BEARD*, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 520 F. 3d 272.

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No. 08–8492. *GREEN v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied.

No. 08–8495. *GRATE v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 198.

No. 08–8498. *THOMPSON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–8499. *HISCOX v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 08–8501. *MERCADO v. SCRIBNER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–8505. *HERNANDEZ v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 08–8509. *GRUNDY v. DAILEY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–8512. *HOEFS v. OREGON*. Ct. App. Ore. Certiorari denied. Reported below: 218 Ore. App. 736, 180 P. 3d 763.

No. 08–8513. *GRIFFIN v. KELLY*. C. A. 10th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 760.

No. 08–8516. *ECHEVARRIA v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 995 So. 2d 502.

No. 08–8520. *STEPPE v. HOOPS, SHERIFF, SAN BERNARDINO COUNTY, CALIFORNIA*. C. A. 9th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 501.

No. 08–8522. *LOSH v. MINNESOTA*. Sup. Ct. Minn. Certiorari denied. Reported below: 755 N. W. 2d 736.

No. 08–8527. *BURGESS v. HARTFORD LIFE INSURANCE*. C. A. 9th Cir. Certiorari denied.

No. 08–8528. *BURGESS v. SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–8533. *EL BEY v. SOUTH CAROLINA*. C. A. 4th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 223.

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No. 08–8539. *YOUNG v. ILLINOIS*. App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 382 Ill. App. 3d 205, 890 N. E. 2d 972.

No. 08–8542. *MANDANAPU v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 08–8547. *COOPER v. DALLAS POLICE ASSN.* C. A. 5th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 318.

No. 08–8548. *ECHENDU v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–8550. *DENEM v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–8556. *PELLENZ v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 981 So. 2d 1207.

No. 08–8557. *MATTOX v. DAVIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–8558. *JAMES v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 992 So. 2d 268.

No. 08–8561. *SWANSON v. BOY SCOUTS OF AMERICA ET AL.* Ct. App. Ohio, Vinton County. Certiorari denied.

No. 08–8564. *PEREZ v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 954 A. 2d 40.

No. 08–8565. *BLUFF v. UTAH ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 46.

No. 08–8566. *BRANDY v. EVANS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–8578. *CAMPBELL v. NELSON, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 864.

No. 08–8589. *WILSON v. DIGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 533 F. 3d 208.

No. 08–8625. *SMALLS v. SMITH, SUPERINTENDENT, SHAWAN-GUNK CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

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No. 08–8632. *BOLUS v. SMITH, SUPERINTENDENT, SHAWANGUNK CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 08–8634. *NESBITT ET AL. v. NEBRASKA BOARD OF PAROLE ET AL.* Sup. Ct. Neb. Certiorari denied.

No. 08–8657. *SLOVINEC v. AMERICAN UNIVERSITY*. C. A. D. C. Cir. Certiorari denied.

No. 08–8703. *ACOSTA v. UNITED STATES MARSHALS SERVICE ET AL.* C. A. 1st Cir. Certiorari denied.

No. 08–8707. *FRANCIS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–8736. *CARTER v. MCDANIEL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–8753. *RIDLING v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 860.

No. 08–8760. *JACKSON v. FRIEL, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 537.

No. 08–8776. *DURAN v. COLORADO*. Ct. App. Colo. Certiorari denied.

No. 08–8780. *WATFORD v. RICCI, ASSOCIATE ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–8818. *JACOBS v. COLLINS, DIRECTOR, OHIO DEPARTMENT OF REHABILITATION AND CORRECTION, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–8834. *SIMS v. HOUSTON, DIRECTOR, NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES*. C. A. 8th Cir. Certiorari denied.

No. 08–8852. *PLAYER v. REESE*. C. A. 5th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 310.

No. 08–8867. *BASSETT v. INDIANA*. Sup. Ct. Ind. Certiorari denied. Reported below: 895 N. E. 2d 1201.

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No. 08–8903. *STOUT v. WAGNER, ACTING WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 750.

No. 08–8954. *MCGEE v. HALL, WARDEN.* C. A. 11th Cir. Certiorari denied.

No. 08–8989. *PENA v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 453.

No. 08–8990. *MELARA-GUZMAN v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 567.

No. 08–8994. *THOMAS v. UNITED STATES;* and

No. 08–9011. *WILLIAMS v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 548 F. 3d 311.

No. 08–8998. *SAMUELS v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 543 F. 3d 1013.

No. 08–8999. *REINHART v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 275 Fed. Appx. 156.

No. 08–9014. *BARTLEY v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 272 Fed. Appx. 239.

No. 08–9015. *BROWN v. UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSEE.* C. A. 6th Cir. Certiorari denied.

No. 08–9016. *MORRIS v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 08–9018. *HARDY v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 420.

No. 08–9021. *DOE v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 295 Fed. Appx. 425.

No. 08–9022. *SANCHEZ-GUERRERO v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 546 F. 3d 328.

No. 08–9023. *REYES-DE LEON v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 541 F. 3d 19.

No. 08–9024. *CAPEHART v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 301 Fed. Appx. 74.



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No. 08–9028. *DIAZ v. PASTRANA, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 08–9030. *GRAY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 64.

No. 08–9031. *HARRIS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–9036. *ALEXANDER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 540 F. 3d 494.

No. 08–9037. *BRIMM v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 588.

No. 08–9039. *SMALLWOOD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–9042. *McKNIGHT v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 553 F. 3d 585.

No. 08–9046. *FUTCH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–9049. *FASHEWE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–9050. *HOLBDY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–9051. *FLORENCE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 865.

No. 08–9055. *RODRIGUEZ-RAMOS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–9057. *LOFTUS v. STATE BAR OF CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–9058. *MARTIN v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 301 Fed. Appx. 975.

No. 08–9065. *WOODBERRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 221.

No. 08–9068. *PICKENS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 556.

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No. 08–9069. *JACKSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 544 F. 3d 1176.

No. 08–9073. *BACHILLER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 868.

No. 08–9079. *THOMAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–9082. *RODRIGUEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 206.

No. 08–9088. *THOMAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 558.

No. 08–9089. *CLAY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 857.

No. 08–9091. *LEVY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 541 F. 3d 1331.

No. 08–9092. *MAYS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 735.

No. 08–9093. *JOHNSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 210.

No. 08–9094. *OWENS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 318.

No. 08–9095. *OHONME v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 706.

No. 08–9097. *NEWCOMB v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 585.

No. 08–9098. *WILLIAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–9105. *MCGURN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 305 Fed. Appx. 879.

No. 08–9106. *PEDRON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 598.

No. 08–9107. *JOHNSON v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS*. C. A. 5th Cir. Certiorari denied.

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No. 08–9108. *TATUM v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 328.

No. 08–9117. *BEDFORD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 615.

No. 08–9119. *BERMUDEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–9124. *SISK v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–9129. *ZAMARRON-MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 328.

No. 08–9135. *SAENZ-RIOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 353.

No. 08–9136. *SAMAS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 301 Fed. Appx. 89.

No. 08–9138. *WALKER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–9140. *PAGE-BEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–9142. *JONES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 310 Fed. Appx. 444.

No. 08–9146. *ESPARZA-MEDRANO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 324.

No. 08–9147. *DEFILIPPO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 546 F. 3d 123.

No. 08–9148. *CARABALLO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 552 F. 3d 6.

No. 08–9151. *MULDROW v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 427.

No. 08–9153. *SHELBY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–9155. *TYKARSKY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 295 Fed. Appx. 498.

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No. 08–9158. *ADKINS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–1022. *VENTAS FINANCE I, LLC v. CALIFORNIA FRANCHISE TAX BOARD*. Ct. App. Cal., 1st App. Dist. Motion of Council on State Taxation for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 165 Cal. App. 4th 1207, 81 Cal. Rptr. 3d 823.

No. 08–8471. *TILLMAN v. NEW LINE CINEMA ET AL.* C. A. 7th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 295 Fed. Appx. 840.

No. 08–9087. *CUAUHTEMOC COVARRUBIAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 302 Fed. Appx. 702.

*Rehearing Denied*

No. 08–727. *PATRICK v. DEPARTMENT OF VETERANS AFFAIRS*, 555 U. S. 1139;

No. 08–795. *BISTAWROS v. LICEA*, 555 U. S. 1173;

No. 08–6879. *FULLER v. BASAL ET AL.*, 555 U. S. 1107;

No. 08–6895. *BROWN v. SHERROD*, 555 U. S. 1107;

No. 08–7219. *RICHARDS v. THOMPSON, WARDEN*, 555 U. S. 1141;

No. 08–7353. *PERRY v. ALLEN, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS, ET AL.*, 555 U. S. 1155;

No. 08–7864. *WILLIS v. DISTRICT OF COLUMBIA HOUSING AUTHORITY*, 555 U. S. 1189;

No. 08–7992. *JANOSSY v. WASHINGTON MUTUAL BANK*, 555 U. S. 1215; and

No. 08–8087. *OLIVO v. GREGOIRE, GOVERNOR OF WASHINGTON*, 555 U. S. 1197. Petitions for rehearing denied.

APRIL 15, 2009

*Certiorari Denied*

No. 08–9788 (08A895). *ROSALES 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

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him referred to the Court, denied. Certiorari denied. Reported below: 565 F. 3d 308.

APRIL 16, 2009

*Certiorari Denied*

No. 08–9807 (08A902). *DILL 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.

APRIL 17, 2009

*Miscellaneous Order*

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. [Certiorari granted, 555 U.S. 1092.] Motion of petitioners to strike respondents’ supplemental brief granted.

APRIL 20, 2009

*Certiorari Dismissed*

No. 08–8618. *CARDWELL v. GRIGSBY ET AL.* Ct. App. Ind. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–8687. *DAVIS v. MORROW 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. 08–8689. *DANIEL v. COLEE 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. 08–8826. *PARKER v. LOUISIANA*. Sup. Ct. La. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 997 So. 2d 554.

No. 08–8830. *BAILEY v. WAKEFIELD 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. 08–8906. *ELLIS v. EMERY, TRUSTEE, 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: 301 Fed. Appx. 697.

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No. 08–9045. HUNDLEY *v.* ZIEGLER 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.

*Miscellaneous Orders*

No. 08A598. MOONEY *v.* UNITED STATES. Application for certificate of appealability, addressed to JUSTICE STEVENS and referred to the Court, denied.

No. 08A692. BAUMGARTEN *v.* SUFFOLK COUNTY, NEW YORK, ET AL. D. C. E. D. N. Y. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. 08A783. ROSENTHAL *v.* COMMITTEE ON PROFESSIONAL STANDARDS, SUPREME COURT OF NEW YORK, APPELLATE DIVISION, THIRD JUDICIAL DEPARTMENT. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Application for stay, addressed to JUSTICE SCALIA and referred to the Court, denied.

No. 08A829. ADAMS ET AL. *v.* SCHMITT ET AL. Luzerne County Ct., Pa. Application for stay, addressed to JUSTICE THOMAS and referred to the Court, denied.

No. 08M74. MITCHELL *v.* YPSILANTI POLICE DEPARTMENT ET AL.; and

No. 08M75. BOROUGH OF CARLSTADT, NEW JERSEY *v.* POTTERS INDUSTRIES, INC., ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 138, Orig. SOUTH CAROLINA *v.* NORTH CAROLINA. Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. Motion of defendant North Carolina and intervenors for divided argument denied. Time divided as follows: 10 minutes to defendant and 20 minutes to intervenors. [For earlier order herein, see, *e.g.*, *ante*, p. 1151.]

No. 08–598. BOBBY, WARDEN *v.* BIES. C. A. 6th Cir. [Certiorari granted, 555 U. S. 1131.] Motion of respondent for leave to proceed *in forma pauperis* granted.

No. 08–7433. IN RE ROLLE. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [555 U. S. 1152] denied.

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No. 08–7546. *CARLTON v. SMITH ET AL.* C. A. 6th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [555 U.S. 1163] denied.

No. 08–7570. *LEAPHART v. STEPHENS.* C. A. 6th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [555 U.S. 1164] denied.

No. 08–7640. *GRETHEN v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [555 U.S. 1164] denied.

No. 08–8014. *BURKE v. BARRISTER LAW GROUP ET AL.* C. A. 2d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1103] denied.

No. 08–8015. *BURKE v. WEINER ET AL.* C. A. 2d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1103] denied.

No. 08–8032. *BURKE v. ALSO CORNERSTONE ET AL.* C. A. 2d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1103] denied.

No. 08–8033. *BURKE v. STANDARD OIL OF CONNECTICUT, INC., DBA STANDARD SECURITY SYSTEM, ET AL.* C. A. 2d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1103] denied.

No. 08–8046. *CREVELING v. WASHINGTON DEPARTMENT OF FISH AND WILDLIFE.* Ct. App. Wash. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [555 U.S. 1166] denied.

No. 08–8048. *BURKE v. CONNECTICUT ET AL.* C. A. 2d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1103] denied.

No. 08–8137. *BURKE v. CONNECTICUT ET AL.* C. A. 2d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1103] denied.

No. 08–8138. *BURKE v. APT FOUNDATION ET AL.* C. A. 2d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1103] denied.

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No. 08–8139. *BURKE v. ALSO CORNERSTONE ET AL.* C. A. 2d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1103] denied.

No. 08–8142. *DIX v. UNITED PARCEL SERVICE, INC.* C. A. 11th Cir.;

No. 08–9112. *MURRAY ET UX. v. TOWN OF MANSURA, LOUISIANA, ET AL.* Sup. Ct. La.; and

No. 08–9159. *HOWARD v. INOVA HEALTH CARE SERVICES.* C. A. 4th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until May 11, 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. 08–8374. *IN RE SIMON.* Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [555 U. S. 1211] denied.

No. 08–9342. *IN RE BROOKS;*

No. 08–9434. *IN RE BERRYMAN;* and

No. 08–9477. *IN RE FENNELL.* Petitions for writs of habeas corpus denied.

No. 08–9328. *IN RE DARNELL.* 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. 08–8767. *IN RE MORALES;* and

No. 08–8802. *IN RE FISHER.* Petitions for writs of mandamus denied.

No. 08–9110. *IN RE WARD.* 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. 08–1029. *IN RE JOHNSON.* Petition for writ of mandamus and/or prohibition denied.

No. 08–8837. *IN RE CARLTON.* 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.

No. 08–8774. *IN RE ESTRADA.* Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of prohibition dismissed. See this Court’s Rule 39.8.



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*Certiorari Granted*

No. 08-728. *BLOATE v. UNITED STATES*. C. A. 8th Cir. Certiorari granted. Reported below: 534 F. 3d 893.

No. 08-769. *UNITED STATES v. STEVENS*. C. A. 3d Cir. Certiorari granted. Reported below: 533 F. 3d 218.

No. 08-1065. *POTTAWATTAMIE COUNTY, IOWA, ET AL. v. MCGHEE ET AL.* C. A. 8th Cir. Motion of National Association of Assistant United States Attorneys et al. for leave to file briefs as *amici curiae* granted. Certiorari granted. Reported below: 547 F. 3d 922.

*Certiorari Denied*

No. 08-605. *GONZALEZ-MESIAS v. HOLDER, ATTORNEY GENERAL*. C. A. 1st Cir. Certiorari denied. Reported below: 529 F. 3d 62.

No. 08-636. *GENERAL AUTO SERVICE STATION ET AL. v. CITY OF CHICAGO, ILLINOIS*. C. A. 7th Cir. Certiorari denied. Reported below: 526 F. 3d 991.

No. 08-719. *AMERICAN STEAMSHIP OWNERS MUTUAL PROTECTION & INDEMNITY ASSN., INC. v. ASBESTOSIS CLAIMANTS*. C. A. 2d Cir. Certiorari denied. Reported below: 533 F. 3d 151.

No. 08-757. *PARR v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 545 F. 3d 491.

No. 08-779. *WITTIG v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 528 F. 3d 1280.

No. 08-833. *OLIVER v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 541 F. 3d 329.

No. 08-836. *WELCH v. CHAO, SECRETARY OF LABOR, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 536 F. 3d 269.

No. 08-849. *KIGHT ET AL. v. TURNER*. Ct. App. Md. Certiorari denied. Reported below: 406 Md. 167, 957 A. 2d 984.

No. 08-860. *GWYNN v. WALKER*. C. A. 11th Cir. Certiorari denied. Reported below: 532 F. 3d 1304.

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No. 08–873. *GRUBB v. SOUTHWEST AIRLINES*. C. A. 5th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 383.

No. 08–889. *TRI-UNION SEAFOODS, L. L. C., DBA CHICKEN OF THE SEA v. FELLNER*. C. A. 3d Cir. Certiorari denied. Reported below: 539 F. 3d 237.

No. 08–895. *O&G INDUSTRIES, INC. v. NATIONAL RAILROAD PASSENGER CORPORATION*. C. A. 2d Cir. Certiorari denied. Reported below: 537 F. 3d 153.

No. 08–931. *CALIFORNIA ET AL. v. CACHIL DEHE BAND OF WINTUN INDIANS OF THE COLUSA INDIAN COMMUNITY*. C. A. 9th Cir. Certiorari denied. Reported below: 547 F. 3d 962.

No. 08–999. *ESTILL ET UX. v. COOL ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 25.

No. 08–1005. *ADAMS v. GOLDSMITH*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 994 So. 2d 307.

No. 08–1007. *WIDTFELDT v. VILSACK, SECRETARY OF AGRICULTURE, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 963.

No. 08–1019. *HILAO ET AL. v. REVELSTOKE INVESTMENT CORP., INC.* C. A. 9th Cir. Certiorari denied. Reported below: 536 F. 3d 980.

No. 08–1020. *FRIEDMAN v. MARYLAND INSURANCE ADMINISTRATION ET AL.* Ct. Sp. App. Md. Certiorari denied. Reported below: 180 Md. App. 764, 768.

No. 08–1021. *GILEAD SCIENCES, INC., ET AL. v. ST. CLARE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 536 F. 3d 1049.

No. 08–1030. *SCHWARZENEGGER, GOVERNOR OF CALIFORNIA, ET AL. v. RINCON BAND OF LUISENO MISSION INDIANS OF THE RINCON RESERVATION*. C. A. 9th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 60.

No. 08–1033. *5634 EAST HILLSBOROUGH AVENUE, INC., ET AL. v. HILLSBOROUGH COUNTY, FLORIDA*. C. A. 11th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 435.

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No. 08–1036. *SHAW v. BEAUFORT COUNTY SHERIFF’S OFFICE*. C. A. 4th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 260.

No. 08–1037. *ROBERTS ET AL. v. TORRES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 548 F. 3d 1197.

No. 08–1038. *SNYDER v. SWANSON ET AL.* Ct. Sp. App. Md. Certiorari denied. Reported below: 181 Md. App. 747.

No. 08–1041. *ZOLOTAREV ET AL. v. CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 535 F. 3d 1044.

No. 08–1042. *ERNST & YOUNG ET AL. v. BANKRUPTCY SERVICES, INC.* C. A. 2d Cir. Certiorari denied. Reported below: 529 F. 3d 432.

No. 08–1045. *TAYLOR v. TODD ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 567.

No. 08–1047. *CLEMENT v. MONTANA DEPARTMENT OF LABOR AND INDUSTRY*. Sup. Ct. Mont. Certiorari denied. Reported below: 348 Mont. 370, 211 P. 3d 203.

No. 08–1049. *KREPPEIN v. CRANE ET AL.* C. A. 5th Cir. Certiorari denied.

No. 08–1056. *CHADWICK v. HOLM, WARDEN, ET AL.* Sup. Ct. Pa. Certiorari denied.

No. 08–1070. *SYCAMORE INDUSTRIAL PARK ASSOCIATES v. ERICSSON, INC.* C. A. 7th Cir. Certiorari denied. Reported below: 546 F. 3d 847.

No. 08–1073. *THOMPSON v. FLORIDA BAR*. Sup. Ct. Fla. Certiorari denied. Reported below: 979 So. 2d 917.

No. 08–1074. *ZACHARY v. LOUISIANA*. Ct. App. La., 1st Cir. Certiorari denied. Reported below: 973 So. 2d 176.

No. 08–1079. *SINGH v. HOLDER, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 264 Fed. Appx. 600.

No. 08–1083. *LINDSEY v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied. Reported below: 72 Mass. App. 485, 893 N. E. 2d 52.

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No. 08–1094. *SUMMIT NATIONAL, INC. v. DAIMLERCHRYSLER SERVICES NORTH AMERICA, LLC, FKA MERCEDES-BENZ CREDIT CORP.* C. A. 6th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 916.

No. 08–1095. *JACKSON v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 546 F. 3d 801.

No. 08–1099. *JOY BUILDERS, INC. v. TOWN OF CLARKSTOWN, NEW YORK, ET AL.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 54 App. Div. 3d 761, 864 N. Y. S. 2d 86.

No. 08–1112. *W. R. HUFF ASSET MANAGEMENT Co., LLC v. DELOITTE & TOUCHE, LLP, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 549 F. 3d 100.

No. 08–1141. *PETERSON v. JACKSON ET UX.* Sup. Ct. Kan. Certiorari denied. Reported below: 287 Kan. 590, 196 P. 3d 1180.

No. 08–1142. *MILLER-WAGENKNECHT v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 3d Cir. Certiorari denied. Reported below: 285 Fed. Appx. 956.

No. 08–1147. *GIRAGOSIAN v. RYAN ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 547 F. 3d 59.

No. 08–1153. *BENJAMIN v. DEPARTMENT OF AGRICULTURE.* C. A. Fed. Cir. Certiorari denied. Reported below: 296 Fed. Appx. 37.

No. 08–1160. *JONES v. REGENTS OF THE UNIVERSITY OF CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 164 Cal. App. 4th 1072, 79 Cal. Rptr. 3d 817.

No. 08–1171. *ARLEDGE v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 553 F. 3d 881.

No. 08–1183. *ANTON v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 546 F. 3d 1355.

No. 08–6816. *BIRKETT v. HOLDER, ATTORNEY GENERAL.* C. A. 3d Cir. Certiorari denied. Reported below: 252 Fed. Appx. 516.

No. 08–7048. *HERRERA AGUILAR v. UNITED STATES;* and

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No. 08–8036. *SANCHEZ-SALAZAR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 716.

No. 08–7058. *HYDE ET UX. v. ASTRUE, COMMISSIONER OF SOCIAL SECURITY*. C. A. 5th Cir. Certiorari denied.

No. 08–7215. *HAYES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 535 F. 3d 907.

No. 08–7395. *JENKINS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 537 F. 3d 894.

No. 08–7609. *NADER ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 542 F. 3d 713.

No. 08–7613. *BIGBY v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–7760. *PARSON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 44 Cal. 4th 332, 187 P. 3d 1.

No. 08–7832. *SPEED v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 272 Fed. Appx. 88.

No. 08–7881. *BUSH v. WYOMING*. Sup. Ct. Wyo. Certiorari denied. Reported below: 193 P. 3d 203.

No. 08–8143. *DEL REAL-HURTADO, AKA SANCHEZ-HERNANDEZ v. UNITED STATES* (Reported below: 295 Fed. Appx. 679); and *GUTIERREZ-MEDINA, AKA ROCHA v. UNITED STATES* (296 Fed. Appx. 421). C. A. 5th Cir. Certiorari denied.

No. 08–8148. *MAHDI, AKA SMITH v. BOBBY, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 522 F. 3d 631.

No. 08–8163. *EATON v. INDIANA*. Sup. Ct. Ind. Certiorari denied. Reported below: 889 N. E. 2d 297.

No. 08–8165. *LAND v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–8227. *TORRES v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 541 F. 3d 48.

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No. 08–8452. *FROGGE v. BRANKER, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 51.

No. 08–8518. *DEARDORFF v. ALABAMA*. Sup. Ct. Ala. Certiorari denied. Reported below: 6 So. 3d 1235.

No. 08–8573. *WALDEN v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 27 So. 3d 626.

No. 08–8575. *DENBOW v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–8577. *CHANG v. IARIA*. C. A. 9th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 415.

No. 08–8580. *MATOS MONTALVO v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 598 Pa. 263, 956 A. 2d 926.

No. 08–8584. *TRUONG v. AMERICAN BIBLE SOCIETY*. C. A. 2d Cir. Certiorari denied. Reported below: 295 Fed. Appx. 421.

No. 08–8586. *RANSOM v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 08–8590. *STRACUZZI v. ESTATE OF LEE*. Ct. App. D. C. Certiorari denied. Reported below: 959 A. 2d 1146.

No. 08–8591. *NOBLE v. SECURITAS SECURITY SERVICES USA*. Ct. App. D. C. Certiorari denied. Reported below: 962 A. 2d 943.

No. 08–8592. *DIXON v. LOUISIANA*. Ct. App. La., 2d Cir. Certiorari denied. Reported below: 974 So. 2d 793.

No. 08–8595. *DAVIS v. RICE ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 834.

No. 08–8606. *WARREN v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–8607. *STOKES v. STOKES*. Sup. Ct. Va. Certiorari denied.

No. 08–8608. *LOUMENA v. LOUMENA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

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No. 08–8609. *MEEKS v. TENNESSEE DEPARTMENT OF CORRECTION*. Ct. App. Tenn. Certiorari denied.

No. 08–8613. *MITCHELL, AKA ALI v. BYRD, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 08–8615. *CASTRO v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–8616. *CASTRO v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–8617. *CRISTINI v. HOFBAUER, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 526 F. 3d 888.

No. 08–8620. *SKILLERN v. GEORGIA*. Sup. Ct. Ga. Certiorari denied.

No. 08–8621. *SOCK v. TROMBLEY, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 107.

No. 08–8622. *SOLOMON v. CAMERON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT CRESSON*. C. A. 3d Cir. Certiorari denied.

No. 08–8623. *ROWE v. REGISTER ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–8629. *ANTHONY v. BERGHUIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–8635. *MCNEILL v. KINNEY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 538.

No. 08–8636. *MACIAS v. ILLINOIS*. App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 371 Ill. App. 3d 632, 863 N. E. 2d 776.

No. 08–8643. *GOMEZ v. FIGUEROA*. Sup. Ct. Okla. Certiorari denied.

No. 08–8644. *HARRIS v. FLORIDA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–8645. *HICKS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

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No. 08–8647. *GLOVER v. MCMASTER*, ATTORNEY GENERAL OF SOUTH CAROLINA, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 246.

No. 08–8650. *HARDISON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–8656. *RISLEY v. OWOSU ET AL.* C. A. 5th Cir. Certiorari denied.

No. 08–8658. *ROBINSON v. BERGHUIS*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 08–8659. *SMITH v. CSK AUTO, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 510.

No. 08–8661. *LAGIORGIA v. MCNEIL*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied.

No. 08–8669. *BATES v. BURATTI ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–8670. *GREEN v. HORNBECK*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 08–8676. *FRANCIS v. CONNECTICUT*. App. Ct. Conn. Certiorari denied. Reported below: 108 Conn. App. 901, 947 A. 2d 19.

No. 08–8679. *GEIGER v. CAIN*, WARDEN. C. A. 5th Cir. Certiorari denied. Reported below: 540 F. 3d 303.

No. 08–8683. *MENDOZA v. BERGHUIS*, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 544 F. 3d 650.

No. 08–8698. *MARTIN v. EVANS*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 08–8700. *HAVEN v. WORTH*. C. A. 1st Cir. Certiorari denied.

No. 08–8704. *SERRANO v. GARCIA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 712.

No. 08–8709. *GRAY v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 362 Ill. App. 3d 1232, 919 N. E. 2d 523.



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No. 08–8710. *FOWLER v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 379 Ill. App. 3d 1074, 957 N. E. 2d 588.

No. 08–8712. *LISENKO v. OSADCHUK*. Sup. Ct. Vt. Certiorari denied. Reported below: 184 Vt. 645, 957 A. 2d 405.

No. 08–8722. *PAIGE v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 08–8727. *ESQUIBEL v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 166 Cal. App. 4th 539, 82 Cal. Rptr. 3d 803.

No. 08–8728. *SHAW v. COWART ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 640.

No. 08–8729. *BURDIS v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 08–8732. *PORTER v. VIRGINIA*. Sup. Ct. Va. Certiorari denied. Reported below: 276 Va. 203, 661 S. E. 2d 415.

No. 08–8737. *CAMPBELL v. LEMPKE, SUPERINTENDENT, FIVE POINTS CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 08–8738. *DELPH v. ASTRUE, COMMISSIONER OF SOCIAL SECURITY*. C. A. 8th Cir. Certiorari denied. Reported below: 538 F. 3d 940.

No. 08–8740. *CUMMINGS v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied.

No. 08–8741. *MORTON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 995 So. 2d 233.

No. 08–8742. *JEFFERSON v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–8745. *KISHOR v. SHELTON ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–8750. *MORGAN v. ASTRUE, COMMISSIONER OF SOCIAL SECURITY*. C. A. 10th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 786.

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No. 08–8754. *SALES v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 374 Ark. 222, 289 S. W. 3d 423.

No. 08–8758. *MUKES v. ADDISON, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 760.

No. 08–8761. *JACOBS v. SHERMAN, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 463.

No. 08–8763. *SIMMONS v. LAMARQUE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–8766. *MORRISON v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 08–8768. *BAILEY v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–8771. *MEZA-SAYAS v. CONWAY, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–8772. *MORENO v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–8778. *MOORE v. GREYHOUND LINES CORP.* Ct. App. Wis. Certiorari denied.

No. 08–8779. *WEAVER v. LAWLER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–8784. *WILCOX v. TEXAS*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 08–8785. *MURRELL v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 362 N. C. 375, 665 S. E. 2d 61.

No. 08–8786. *JOHNSON v. LEHMAN ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 295 Fed. Appx. 548.

No. 08–8788. *JACKSON v. HENSE*. C. A. 9th Cir. Certiorari denied.

No. 08–8790. *MCCOY v. ROSENBLATT ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 175.

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No. 08–8799. *BARFIELD v. FLORIDA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–8801. *BURLISON v. ROGERS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 207.

No. 08–8803. *FOUCHE v. HOLDER, ATTORNEY GENERAL.* C. A. D. C. Cir. Certiorari denied. Reported below: 296 Fed. Appx. 74.

No. 08–8804. *HALL v. MCKEE, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 08–8807. *SNYDER v. SMITH, SUPERINTENDENT, SHAWANGUNK CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 08–8808. *SHELTON v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, ET AL.* Sup. Ct. Va. Certiorari denied.

No. 08–8813. *CARTER v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied. Reported below: 861 A. 2d 957.

No. 08–8816. *KENNEMUR v. TEXAS.* Ct. App. Tex., 7th Dist. Certiorari denied. Reported below: 280 S. W. 3d 305.

No. 08–8817. *JORDAN v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 08–8820. *WOOD v. ALABAMA.* Ct. Crim. App. Ala. Certiorari denied. Reported below: 27 So. 3d 628.

No. 08–8821. *HUNTER v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 998 So. 2d 516.

No. 08–8829. *SMITH v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 998 So. 2d 516.

No. 08–8833. *BOGGAN v. CHANDLER, WARDEN.* C. A. 7th Cir. Certiorari denied.

No. 08–8835. *RUSSELL v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied. Reported below: 953 A. 2d 838.

No. 08–8836. *POTTER v. DEROSE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 304 Fed. Appx. 24.

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No. 08–8842. *GALVAN GOMEZ v. RYAN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–8858. *WARREN v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied. Reported below: 165 Wash. 2d 17, 195 P. 3d 940.

No. 08–8869. *COOPER v. GEORGIA*. Ct. App. Ga. Certiorari denied.

No. 08–8875. *MURPHY v. SCHROEDER ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 329.

No. 08–8880. *THOMAS v. SHINSEKI, SECRETARY OF VETERANS AFFAIRS*. C. A. 11th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 317.

No. 08–8884. *JACKSON v. MINNESOTA*. Ct. App. Minn. Certiorari denied.

No. 08–8897. *ATKINSON v. KEMP, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–8912. *SAYERS v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 08–8916. *BRENDLIN v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 45 Cal. 4th 262, 195 P. 3d 1074.

No. 08–8938. *REEVES v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 987 So. 2d 103.

No. 08–8941. *MARTINEZ v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 992 So. 2d 271.

No. 08–8943. *MORGAN v. SCRIBNER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–8965. *CUMMINS v. SOCIAL SECURITY ADMINISTRATION ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 634.

No. 08–8966. *COLEMAN v. HULICK, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–8969. *BANKS v. BLADES, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 08–8971. *BUI v. BERHARDSON ET AL.* C. A. 8th Cir. Certiorari denied.

No. 08–8979. *WRIGHT v. BUTTERWORTH.* Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 2 So. 3d 279.

No. 08–8985. *CASEY-BEICH v. UNITED PARCEL SERVICE, INC.* C. A. 7th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 92.

No. 08–8987. *COLEMAN v. ILLINOIS.* Sup. Ct. Ill. Certiorari denied.

No. 08–8995. *TANIELIAN v. EVANS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 08–8996. *ALEXANDER v. PALAKOVICH, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SMITHFIELD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–8997. *BLACKWELL v. GLICK.* C. A. 9th Cir. Certiorari denied.

No. 08–9001. *SUTTON v. NORTH CAROLINA DEPARTMENT OF LABOR.* C. A. 4th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 245.

No. 08–9002. *DOUCETTE v. ALABAMA.* Ct. Crim. App. Ala. Certiorari denied. Reported below: 10 So. 3d 117.

No. 08–9005. *YANCEY v. THOMAS ET UX.* Ct. Civ. App. Okla. Certiorari denied.

No. 08–9020. *BROOKS v. OHIO.* Ct. App. Ohio, Summit County. Certiorari denied.

No. 08–9029. *SHOMO v. ZON, SUPERINTENDENT, WENDE CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 08–9032. *JONES v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 296 Fed. Appx. 179.

No. 08–9038. *WILLIAMS v. DENNEY, WARDEN, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 08–9040. *RIVERA v. FIRETOG, JUSTICE, SUPREME COURT OF NEW YORK, SECOND JUDICIAL DISTRICT, KINGS COUNTY,*

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ET AL. Ct. App. N. Y. Certiorari denied. Reported below: 11 N. Y. 3d 501, 900 N. E. 2d 952.

No. 08–9053. *HINDMAN v. HEALY ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 278 Fed. Appx. 893.

No. 08–9056. *REY v. UNITED STATES*; and

No. 08–9228. *WEBB v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 545 F. 3d 673.

No. 08–9062. *MURPHY v. DORMIRE, SUPERINTENDENT, JEFFERSON CITY CORRECTIONAL CENTER, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 08–9076. *TEEL v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 387.

No. 08–9086. *CANNON v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 539 F. 3d 601.

No. 08–9099. *VARGAS-RANGEL v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 199.

No. 08–9101. *SELF v. COLORADO.* Ct. App. Colo. Certiorari denied.

No. 08–9111. *METTLE v. OHIO.* Ct. App. Ohio, Franklin County. Certiorari denied.

No. 08–9114. *ANTHONY v. LEWIS, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 994.

No. 08–9127. *SMITH v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION.* C. A. 8th Cir. Certiorari denied.

No. 08–9134. *UECKER v. ROMERO, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 154.

No. 08–9137. *SCHLAGER v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied. Reported below: 953 A. 2d 606.

No. 08–9154. *RICHARDS v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 548 F. 3d 641.

No. 08–9161. *HALL v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

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No. 08–9162. *HIGGINS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 301 Fed. Appx. 169.

No. 08–9163. *HUDSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 262.

No. 08–9164. *GONZALEZ-GONZALEZ v. UNITED STATES* (Reported below: 302 Fed. Appx. 294); and *GONZALEZ-BAUTISTA v. UNITED STATES* (302 Fed. Appx. 294). C. A. 5th Cir. Certiorari denied.

No. 08–9167. *HUNT v. ILLINOIS*. App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 383 Ill. App. 3d 1159, 968 N. E. 2d 224.

No. 08–9168. *GONZALEZ-RODRIGUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 874.

No. 08–9169. *HOLMES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 156.

No. 08–9170. *GOLDBERG v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 538 F. 3d 280.

No. 08–9173. *HUNTER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 08–9174. *HUGHEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–9175. *SPINDLE v. EXECUTIVE BRANCH OF THE UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 318 Fed. Appx. 50.

No. 08–9176. *STEELE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–9178. *MCCALL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 553 F. 3d 821.

No. 08–9182. *RIGGS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 08–9183. *SMITH v. SUTER, CLERK, SUPREME COURT OF THE UNITED STATES, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 308 Fed. Appx. 451.

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No. 08–9189. *WAGNER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–9190. *MURPHY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 552 F. 3d 405.

No. 08–9195. *BULLARD v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–9199. *GRIFFIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–9201. *FLETCHER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 756.

No. 08–9202. *HARVEY v. GALLEGOS, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 142.

No. 08–9203. *FRAZIER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 587.

No. 08–9207. *FORTEZA-GARCIA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–9208. *CISNEROS FLETES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 233.

No. 08–9212. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 524.

No. 08–9213. *MANLEY-SALAAM v. DIARRA*. Ct. App. Ga. Certiorari denied.

No. 08–9217. *SERVIN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 536 F. 3d 542.

No. 08–9218. *REYNOLDS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 931.

No. 08–9219. *MENDOZA v. LANE ET AL.* Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 08–9222. *VELASCO v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 500.

No. 08–9223. *RICHMOND v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.



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No. 08–9226. *QUINTANA-NAVARETTE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 742.

No. 08–9231. *DICKEL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 16.

No. 08–9232. *SOUN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 753.

No. 08–9233. *SYKES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 304 Fed. Appx. 10.

No. 08–9234. *GONZALEZ REYNA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 263.

No. 08–9235. *SARPONG v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 309 Fed. Appx. 464.

No. 08–9237. *PEREZ-CHAVEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 460.

No. 08–9238. *KENNY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 307.

No. 08–9240. *LONG v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 304 Fed. Appx. 982.

No. 08–9245. *BOYD v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 298 Fed. Appx. 25.

No. 08–9247. *OLIVER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 886.

No. 08–9252. *BOONE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 276.

No. 08–9255. *BURKHART v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–9256. *BIELEWICZ v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 302 Fed. Appx. 81.

No. 08–9257. *LIGHTFOOT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–9259. *LIGHTY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 357.

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No. 08–9261. *DEWITT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 365.

No. 08–9262. *DE LA SIERRA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 260.

No. 08–9273. *GUTIERREZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 555 F. 3d 105.

No. 08–9275. *GREEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 392.

No. 08–9277. *HERRERA-CORTES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 513.

No. 08–9279. *WASHINGTON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–9280. *YOUNG v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 784.

No. 08–9281. *GUZMAN-TLASECA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 546 F. 3d 571.

No. 08–9283. *ANDERSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 08–9284. *BARTHELEMY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 207 F. 3d 663.

No. 08–9287. *JACKSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–9288. *JAMES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–9290. *PIERRE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–9291. *DOLL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 275 Fed. Appx. 735.

No. 08–9295. *DODD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 16.

No. 08–9301. *GALLANT ET AL. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 537 F. 3d 1202.

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No. 08–9302. *SANTOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–9307. *COCHRAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 2.

No. 08–9309. *EDWARDS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 409.

No. 08–9310. *PEARSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 571.

No. 08–9312. *MORTON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–9313. *MATERA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 298 Fed. Appx. 61.

No. 08–9315. *DEL SOL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 461.

No. 08–9317. *TURAY v. RICHARDS ET AL.* Ct. App. Wash. Certiorari denied.

No. 08–9322. *BROWN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 311 F. 3d 886.

No. 08–9323. *WILLIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 256.

No. 08–9330. *KIMPSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 45.

No. 08–9332. *HELTON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 842.

No. 08–9333. *DUNKLIN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–9334. *CAMPOS-SALAZAR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 222.

No. 08–9335. *FAVELA CORRAL v. SAMUELS, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 293 Fed. Appx. 844.

No. 08–9337. *DANIELS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 658.

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No. 08–9338. *BRANCH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 304 Fed. Appx. 995.

No. 08–9340. *WHEELER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 535 F. 3d 446.

No. 08–9341. *BUDD v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 549 F. 3d 1140.

No. 08–9344. *ESPINOSA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 141.

No. 08–9346. *ANDRADE DEL SOL v. JORGENSEN ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–9347. *SANCHEZ-VALLADARES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 261.

No. 08–9349. *HUBBARD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 534.

No. 08–9350. *HOLDER v. SHINSEKI, SECRETARY OF VETERANS AFFAIRS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 784.

No. 08–9351. *MCNEESE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 547 F. 3d 1307.

No. 08–9352. *HERNANDEZ-SAINZ, AKA HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 214.

No. 08–9353. *HERRERA-GONZALEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 694.

No. 08–9356. *ENRIQUEZ-ORNELAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 236.

No. 08–9357. *CRUZ-DIAZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 550 F. 3d 169.

No. 08–9358. *CLARK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 08–9361. *MARTINEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–9362. *JAMES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 632.

No. 08–9363. *KYLES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 268.

No. 08–9365. *VIEIRA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 280 Fed. Appx. 26.

No. 08–9366. *THORNTON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–9367. *THREADGILL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 688.

No. 08–9368. *BUSTOS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 656.

No. 08–9375. *CLINTON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–9379. *CHAVEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–9380. *MUNOZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 439.

No. 08–9381. *LEE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 746.

No. 08–9384. *LEGUEN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 298 Fed. Appx. 78.

No. 08–9386. *REDDICK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 819.

No. 08–9389. *ZUBIA-TORRES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 550 F. 3d 1202.

No. 08–9390. *THOMAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 270.

No. 08–9396. *HORSFALL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 552 F. 3d 1275.

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No. 08–9397. *JAMES v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 464 F. 3d 699.

No. 08–9399. *JACOBS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 293 Fed. Appx. 884.

No. 08–9404. *HAWKINS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–9407. *HERNANDEZ v. HOLINKA, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–9409. *DUNLEA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–9411. *DUVERGE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–9416. *DURGA v. TOWNSHIP OF FRANKLIN, NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 08–9420. *HANEIPH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 201.

No. 08–9424. *LEE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 279 Fed. Appx. 78.

No. 08–9427. *MUNSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 297.

No. 08–9428. *NADROSKI v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 209.

No. 08–9433. *BROWN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 386.

No. 08–9435. *BOLDEN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 83.

No. 08–9442. *FULLER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 297.

No. 08–9445. *GOODWIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 727.

No. 08–9446. *GANOE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 538 F. 3d 1117.

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No. 08–9450. *SCOTT v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 08–9455. *HENRY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 331.

No. 08–9456. *HOLZ v. UNITED STATES ET AL.* C. A. 10th Cir. Certiorari denied.

No. 08–9462. *MEADOWS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 204.

No. 08–9464. *GARCIA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 683.

No. 08–9472. *SIMPSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 546 F. 3d 394.

No. 08–8765. *WHITAKER v. ELECTRONIC DATA SYSTEMS CORP. ET AL.* C. A. 6th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 291 Fed. Appx. 764.

No. 08–9177. *SCIPPIO v. UNITED STATES*. C. A. 2d Cir. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied. Reported below: 306 Fed. Appx. 682.

*Rehearing Denied*

No. 08–710. *THEUSCH ET UX. v. BERG ET AL.*, 555 U. S. 1212;

No. 08–733. *SAHA v. LEHMAN ET AL.*, 555 U. S. 1171;

No. 08–885. *BETANCUR v. FLORIDA DEPARTMENT OF HEALTH ET AL.*, 555 U. S. 1213;

No. 08–980. *WHITNEY v. UNITED STATES*, 555 U. S. 1213;

No. 08–5999. *SCOTT v. UNITED STATES*, 555 U. S. 1104;

No. 08–6905. *PRATHER v. HUDSON, WARDEN*, 555 U. S. 1108;

No. 08–6915. *PHILLIPS v. WASHINGTON, WARDEN*, 555 U. S. 1108;

No. 08–6958. *JONES v. ST. LUCIE COUNTY, FLORIDA, ET AL.*, 555 U. S. 1155;

No. 08–6989. *MIRANDA v. UNIVERSITY OF MARYLAND AT COLLEGE PARK*, 555 U. S. 1177;

No. 08–7260. *RAMIREZ v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, 555 U. S. 1142;

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- No. 08–7288. *QUINN v. BATHEJA ET AL.*, 555 U. S. 1142;  
No. 08–7505. *PITCHFORD v. TURBITT*, ADMINISTRATIVE JUDGE,  
MERIT SYSTEMS PROTECTION BOARD, 555 U. S. 1144;  
No. 08–7530. *IN RE WESTON*, 555 U. S. 1168;  
No. 08–7541. *MOORE v. JOHNSON*, DIRECTOR, VIRGINIA DE-  
PARTMENT OF CORRECTIONS, 555 U. S. 1158;  
No. 08–7584. *MATEO, AKA FELICIANO v. UNITED STATES*, 555  
U. S. 1124;  
No. 08–7635. *CRISSUP v. QUARTERMAN*, DIRECTOR, TEXAS DE-  
PARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS  
DIVISION, 555 U. S. 1182;  
No. 08–7645. *SPURLOCK v. DEFENSE FINANCE AND ACCOUNT-  
ING SERVICE*, 555 U. S. 1182;  
No. 08–7661. *RAGEN v. OREGON*, 555 U. S. 1183;  
No. 08–7667. *HERRERA v. QUARTERMAN*, DIRECTOR, TEXAS  
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TIONS DIVISION, 555 U. S. 1183;  
No. 08–7689. *BERNARD v. UNITED STATES*, 555 U. S. 1145;  
No. 08–7740. *HENDRICKS v. SOUTH CAROLINA DEPARTMENT  
OF CORRECTIONS*, 555 U. S. 1185;  
No. 08–7772. *DAVIDSON v. TEXAS*, 555 U. S. 1187;  
No. 08–7773. *COPE v. UNITED STATES*, 555 U. S. 1147;  
No. 08–7809. *SIBLEY v. FLORIDA BAR*, 555 U. S. 1188;  
No. 08–7810. *SIMON v. GEORGIA ET AL.*, 555 U. S. 1188;  
No. 08–7834. *PHOX v. LEE’S SUMMIT SCHOOL DISTRICT*, 555  
U. S. 1189;  
No. 08–7854. *UCAK v. TILLMAN*, WARDEN, 555 U. S. 1189;  
No. 08–7860. *EDMUND v. SMALL*, WARDEN, 555 U. S. 1189;  
No. 08–7861. *EMOJEVWE v. UNITED STATES*, 555 U. S. 1149;  
No. 08–7870. *TURNER, AKA GREENE v. CIVIL SERVICE EM-  
PLOYEES ASSOCIATION LOCAL UNION*, 555 U. S. 1190;  
No. 08–7913. *SIMON v. CITY OF ATLANTA, GEORGIA, ET AL.*,  
555 U. S. 1191;  
No. 08–7951. *BRONAKOWSKI v. BOULDER VALLEY SCHOOL DIS-  
TRICT*, 555 U. S. 1193;  
No. 08–7999. *VILLA v. AYERS*, WARDEN, 555 U. S. 1195;  
No. 08–8029. *MAHONE v. UNITED STATES*, 555 U. S. 1195;  
No. 08–8050. *BAPTISTE v. RUNNELL*, 555 U. S. 1215;  
No. 08–8052. *McKOY v. UNITED STATES*, 555 U. S. 1196;  
No. 08–8088. *IN RE PEKER*, *ante*, p. 1104;  
No. 08–8216. *SCHIPKE v. UNITED STATES*, 555 U. S. 1200;



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No. 08–8371. ZUNIE *v.* UNITED STATES, 555 U. S. 1203; and  
No. 08–8485. GAGLIARDI *v.* UNITED STATES, 555 U. S. 1217.  
Petitions for rehearing denied.

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*Certiorari Granted—Vacated and Remanded*

No. 07–7670. BALL *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: 499 F. 3d 890.

No. 08–693. TESFAGABER *v.* HOLDER, ATTORNEY GENERAL. C. A. 4th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Nken v. Holder*, ante, p. 418.

No. 08–8109. GUNTER *v.* UNITED STATES. C. A. 3d 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 *Spears v. United States*, 555 U. S. 261 (2009) (*per curiam*). Reported below: 527 F. 3d 282.

*Certiorari Dismissed*

No. 08–8791. PETERSEN *v.* GARRETT 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. 08–8876. KING *v.* PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA. Ct. App. D. C. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 963 A. 2d 140.

No. 08–8940. KORNAFEL *v.* THOMAS. 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

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(1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

No. 08–9035. PICKERING-GEORGE *v.* HOLDER, ATTORNEY GENERAL, 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. 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: 285 Fed. Appx. 762.

No. 08–9081. WATERFIELD *v.* FLORIDA. Dist. Ct. App. Fla., 4th Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 1 So. 3d 235.

No. 08–9443. HARRELL *v.* RIVERA, 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: 309 Fed. Appx. 701.

#### *Miscellaneous Orders*

No. 132, Orig. ALABAMA ET AL. *v.* NORTH CAROLINA. Reports of the Special Master are received and ordered filed. Exceptions to the Reports, with supporting briefs, may be filed within 45 days. Replies, if any, with supporting briefs, may be filed within 30 days. Surreply briefs, if any, may be filed within 30 days. [For earlier order herein, see 549 U. S. 1202.]

No. 07–1529. MONTEJO *v.* LOUISIANA. Sup. Ct. La. [Certiorari granted, 554 U. S. 944.] Motion of petitioner for reargument denied.

No. 08–7683. PATTON *v.* HARRIS ET AL. C. A. 7th Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 08–8012. MIERZWA ET UX. *v.* UNITED STATES ET AL. C. A. 3d Cir. Motion of petitioners for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1103] denied.

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No. 08–9568. IN RE PAUL;  
No. 08–9645. IN RE CARDEN; and  
No. 08–9653. IN RE MARTINEZ. Petitions for writs of habeas corpus denied.

No. 08–8862. IN RE RATCLIFF; and  
No. 08–8952. IN RE TWILLEY. 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. 08–538. SCHWAB *v.* REILLY. C. A. 3d Cir. Certiorari granted limited to Questions 1 and 2 presented by the petition. Reported below: 534 F. 3d 173.

No. 08–674. NRG POWER MARKETING, LLC, ET AL. *v.* MAINE PUBLIC UTILITIES COMMISSION ET AL. C. A. D. C. Cir. Certiorari granted. Reported below: 520 F. 3d 464.

No. 08–911. KUCANA *v.* HOLDER, ATTORNEY GENERAL. C. A. 7th Cir. Certiorari granted. Reported below: 533 F. 3d 534.

*Certiorari Denied*

No. 08–17. MERCIER *v.* OHIO. Sup. Ct. Ohio. Certiorari denied. Reported below: 117 Ohio St. 3d 1253, 885 N. E. 2d 942.

No. 08–712. MCELROY *v.* TEXAS. Ct. Crim. App. Tex. Certiorari denied.

No. 08–731. MAGLUTA *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 201.

No. 08–807. LIEBERMAN *v.* ILLINOIS. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 379 Ill. App. 3d 585, 884 N. E. 2d 160.

No. 08–916. VFJ VENTURES, INC. *v.* SURTEES, COMMISSIONER, ALABAMA DEPARTMENT OF REVENUE, ET AL. Sup. Ct. Ala. Certiorari denied. Reported below: 8 So. 3d 983.

No. 08–919. ANDROS *v.* GROSS ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 294 Fed. Appx. 731.

No. 08–922. JACKSON ET AL. *v.* BOARD OF ZONING APPEALS OF FAIRFAX COUNTY ET AL. Sup. Ct. Va. Certiorari denied.

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No. 08–927. *S. E. ET AL. v. GRANT COUNTY BOARD OF EDUCATION ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 544 F. 3d 633.

No. 08–937. *AVENTIS PHARMA S. A. ET AL. v. AMPHASTAR PHARMACEUTICALS, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 525 F. 3d 1334.

No. 08–938. *PHAR-MOR, INC. v. MCKESSON CORP.* C. A. 6th Cir. Certiorari denied. Reported below: 534 F. 3d 502.

No. 08–953. *ROLLAND v. TEXTRON, INC.* C. A. 11th Cir. Certiorari denied.

No. 08–1050. *JOHNSON v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 08–1054. *HODGE v. NAVY YARD SUNOCO, INC., ET AL.* Ct. App. D. C. Certiorari denied.

No. 08–1061. *FAUGHT v. STEVENS ET AL.* Ct. App. Ohio, Clermont County. Certiorari denied.

No. 08–1066. *NEW MEXICO COMMISSIONER OF PUBLIC LANDS v. NEW MEXICO EX REL. STATE ENGINEER ET AL.* Ct. App. N. M. Certiorari denied. Reported below: 145 N. M. 433, 200 P. 3d 86.

No. 08–1067. *HAYES v. GENESEE COUNTY EMPLOYEES' RETIREMENT SYSTEM ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 317.

No. 08–1069. *BROWN v. REDEVELOPMENT AUTHORITY OF THE CITY OF CHESTER, PENNSYLVANIA.* Commw. Ct. Pa. Certiorari denied. Reported below: 946 A. 2d 1154.

No. 08–1076. *CLARK, INDIVIDUALLY AND AS CANDIDATE FOR MINNESOTA SUPREME COURT ASSOCIATE JUSTICE, SEAT #4, ET AL. v. PAWLENTY, GOVERNOR OF MINNESOTA, ET AL.* Sup. Ct. Minn. Certiorari denied. Reported below: 755 N. W. 2d 293.

No. 08–1108. *HAEG v. ALASKA.* Ct. App. Alaska. Certiorari denied.

No. 08–1110. *B. T. PRODUCE Co., INC., ET AL. v. DEPARTMENT OF AGRICULTURE ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 296 Fed. Appx. 78.

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No. 08–1145. *QUIK PAYDAY, INC. v. STORK, ACTING BANK COMMISSIONER, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 549 F. 3d 1302.

No. 08–1148. *MITRANO v. DISTRICT OF COLUMBIA COURT OF APPEALS.* Ct. App. D. C. Certiorari denied. Reported below: 952 A. 2d 901.

No. 08–1150. *ABE v. MICHIGAN STATE UNIVERSITY.* Cir. Ct. Ingham County, Mich. Certiorari denied.

No. 08–1168. *DRACH v. BRUCE, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 514.

No. 08–7940. *VASQUEZ-TORRES v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 222.

No. 08–8034. *SANTANA-AGUIRRE v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 537 F. 3d 929.

No. 08–8093. *MINER v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 188.

No. 08–8110. *HERNANDEZ DOBLE v. PUERTO RICO.* Sup. Ct. P. R. Certiorari denied.

No. 08–8249. *CARASI v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied. Reported below: 44 Cal. 4th 1263, 190 P. 3d 616.

No. 08–8284. *VALLE v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–8294. *BLACKMON v. ALABAMA.* Ct. Crim. App. Ala. Certiorari denied. Reported below: 7 So. 3d 397.

No. 08–8318. *RHODES v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 549 F. 3d 833.

No. 08–8322. *PRIETO v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 372.

No. 08–8335. *JENNINGS v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

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No. 08–8363. *KING v. LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 77.

No. 08–8429. *LOTT v. BAGLEY, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 569 F. 3d 547.

No. 08–8840. *HAMMONDS v. ALABAMA.* Sup. Ct. Ala. Certiorari denied. Reported below: 7 So. 3d 1055.

No. 08–8845. *GARCIA ET UX. v. MICHIGAN CHILDREN’S INSTITUTE.* Ct. App. Mich. Certiorari denied.

No. 08–8851. *DEY v. BARNES, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 08–8853. *CARDOSO v. MASSACHUSETTS.* App. Ct. Mass. Certiorari denied. Reported below: 72 Mass. App. 1118, 893 N. E. 2d 1285.

No. 08–8855. *UHURU v. KHAN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 401.

No. 08–8861. *RAIHALA v. CASS COUNTY DISTRICT JUDGE.* C. A. 6th Cir. Certiorari denied.

No. 08–8868. *BUGADO v. WAGATSUMA, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–8873. *OFUME v. DEPARTMENT OF HOMELAND SECURITY ET AL.* C. A. 1st Cir. Certiorari denied.

No. 08–8882. *LoCONTE v. FLORIDA.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 990 So. 2d 1065.

No. 08–8886. *WALKER v. McNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 08–8896. *ASEMANI v. GREEN, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 166.

No. 08–8898. *ASEMANI v. ISLAMIC REPUBLIC OF IRAN ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 291.

No. 08–8899. *PIZANO v. INDIANA.* Ct. App. Ind. Certiorari denied.

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No. 08–8900. *OSCAR v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 995 So. 2d 506.

No. 08–8901. *SMITH v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 2 So. 3d 278.

No. 08–8907. *DELOZIER v. SIRMONS, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 531 F. 3d 1306.

No. 08–8908. *COLEMAN v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–8911. *SOSA v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–8914. *MIDDLETON v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–8917. *AVILES v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 08–8918. *ANTONSSON v. KAST*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 08–8922. *BROWN v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 270 S. W. 3d 564.

No. 08–8927. *MYERS v. MICHIGAN DEPARTMENT OF CORRECTIONS*. Sup. Ct. Mich. Certiorari denied.

No. 08–8928. *COOPER v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 990 So. 2d 1072.

No. 08–8930. *CASTELLANO v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 08–8939. *SHOATS v. DAVIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–8942. *JOHNSON v. KNOWLES, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 541 F. 3d 933.

No. 08–8946. *BOWERS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 382 Ill. App. 3d 1204, 967 N. E. 2d 494.

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No. 08–8950. *OWENS v. MISSISSIPPI*. Ct. App. Miss. Certiorari denied. Reported below: 996 So. 2d 85.

No. 08–8953. *WRIGHT v. HOWES, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–8959. *KISHOR v. BROWN, ATTORNEY GENERAL OF CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–8961. *RODRIGUEZ v. WESTBANK*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 382 Ill. App. 3d 1212, 967 N. E. 2d 497.

No. 08–8962. *WILLIAMS v. ZAMUDIO ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–8972. *ACHAN v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 08–9017. *CURRY v. CITY OF MANSFIELD, OHIO, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–9054. *SALE v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 8 So. 3d 330.

No. 08–9075. *WHITE v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied.

No. 08–9083. *SANTOS v. MCDANIEL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 645.

No. 08–9085. *CSECH v. IGNACIO ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–9090. *DORSEY v. MCKUNE, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 159.

No. 08–9125. *SMITH v. MCKUNE, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 652.

No. 08–9126. *STEWART v. CHANDLER, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–9143. *LOMAX v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.



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No. 08–9149. *COLLIER v. BAYER*. C. A. 9th Cir. Certiorari denied.

No. 08–9166. *HULL v. CORTEZ MASTO, ATTORNEY GENERAL OF NEVADA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–9171. *HOWARD v. CAMPBELL, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 442.

No. 08–9186. *JACKSON v. MARICOPA COUNTY PUBLIC DEFENDER’S OFFICE*. C. A. 9th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 476.

No. 08–9221. *DUTIL v. MURPHY, SUPERINTENDENT, MASSACHUSETTS TREATMENT CENTER*. C. A. 1st Cir. Certiorari denied. Reported below: 550 F. 3d 154.

No. 08–9270. *GARBER v. CITY OF LOS ANGELES, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 204.

No. 08–9305. *STACKHOUSE v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 945 A. 2d 770.

No. 08–9306. *CRAVER v. FELKER, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–9385. *LEE v. CERULLO ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 287 Fed. Appx. 145.

No. 08–9392. *VASQUEZ v. UNITED STATES*; and  
No. 08–9466. *PERCEL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 553 F. 3d 903.

No. 08–9402. *FIELDS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 774.

No. 08–9414. *SPENCER v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–9429. *SHERMAN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 551 F. 3d 45.

No. 08–9431. *ZYOUT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 282 Fed. Appx. 592.

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No. 08–9436. *BOGDAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 818.

No. 08–9439. *GRANDE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 104.

No. 08–9440. *LORA v. PEARSON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–9457. *VAN DANIELS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–9460. *HAMBERG v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 251.

No. 08–9465. *MIDDLETON v. EBBERT, WARDEN*. C. A. 3d Cir. Certiorari denied. Reported below: 302 Fed. Appx. 68.

No. 08–9467. *BURWELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 185.

No. 08–9468. *BARCLAY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–9469. *BRADSHAW v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–9470. *BEARD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 323.

No. 08–9471. *BERRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 202.

No. 08–9473. *REYES-HERNANDEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–9474. *GORBEY v. UNITED STATES ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 08–9476. *FUSELIER v. MENIFEE, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 110.

No. 08–9485. *GALVAN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 546 F. 3d 1179.

No. 08–9490. *JACKSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 194.

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No. 08–9497. *HOLLEY v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–9498. *HART v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 544 F. 3d 911.

No. 08–9501. *SHARPE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–9505. *HENDRIX v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 733.

No. 08–9506. *HOWELL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–9508. *ADJEI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–9509. *BUCHANAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–9514. *CASILLAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 561.

No. 08–9515. *WILFONG v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 551 F. 3d 1182.

No. 08–9516. *MENDEZ-HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 736.

No. 08–9517. *TOMAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–9520. *KIRTMAN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 278.

No. 08–9521. *WILLIAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 460.

No. 08–9523. *WHITE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 551 F. 3d 381.

No. 08–9525. *THOMAS v. TAMEZ, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 847.

No. 08–9526. *WILLIAMS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

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No. 08–9528. *JEFFERSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 2.

No. 08–9533. *GARCIA SEDANO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 463.

No. 08–9536. *PARKER v. SHINSEKI, SECRETARY OF VETERANS AFFAIRS*. C. A. 6th Cir. Certiorari denied.

No. 08–9542. *WILSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–9546. *RICCARDI v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 99.

No. 08–9549. *ALLS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 842.

No. 08–9556. *MOORE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 130.

No. 08–9557. *Vo v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 431.

No. 08–9564. *PALOS-LUNA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 149.

No. 08–9566. *SOTO-HINOJOSA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 472.

No. 08–790. *DELMARVA POWER & LIGHT CO. ET AL. v. UNITED STATES ET AL.* C. A. Fed. Cir. Motion of National Association of Regulatory Utility Commissioners for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 542 F. 3d 889.

No. 08–1072. *GOLDEN BRIDGE TECHNOLOGY INC. v. MOTOROLA INC. ET AL.* C. A. 5th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 547 F. 3d 266.

No. 08–8337. *YOUNG v. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied. Reported below: 284 Fed. Appx. 958.

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No. 08–8879. *WILSON v. HOREL, WARDEN*. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 315 Fed. Appx. 27.

*Rehearing Denied*

No. 08–6800. *SMITH v. FLORIDA DEPARTMENT OF CORRECTIONS*, 555 U. S. 1106;

No. 08–7136. *DUVERGE v. UNITED STATES*, 555 U. S. 1078;

No. 08–7356. *COLEMAN v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, 555 U. S. 1155;

No. 08–7622. *BLOCKER v. KELLEY ET AL.*, 555 U. S. 1181;

No. 08–7625. *SIMMONS v. MCWILLIAMS, WARDEN*, 555 U. S. 1181;

No. 08–7666. *HOLT v. KEO*, 555 U. S. 1183;

No. 08–7751. *KARNOFEL v. KMART CORP. ET AL.*, 555 U. S. 1186;

No. 08–7759. *MURRAY v. DEPARTMENT OF THE ARMY ET AL.*, 555 U. S. 1146;

No. 08–7808. *SCHWAB v. WASHINGTON*, 555 U. S. 1188;

No. 08–8020. *MORALES v. ABT, LLC*, *ante*, p. 1107;

No. 08–8040. *VIGLIOTTI v. ARTUS, SUPERINTENDENT, CLINTON CORRECTIONAL FACILITY*, 555 U. S. 1215;

No. 08–8073. *WEAVER v. FLORIDA*, *ante*, p. 1108;

No. 08–8083. *FAN v. ROE ET AL.*, *ante*, p. 1109; and

No. 08–8503. *GARVIN v. UNITED STATES*, *ante*, p. 1111. Petitions for rehearing denied.

APRIL 29, 2009

*Certiorari Denied*

No. 08–10076 (08A953). *MIZE v. GEORGIA*. Super. Ct. Oconee County, Ga. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied.

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*Certiorari Denied*

No. 08–10059 (08A949). *JOHNSON v. TEXAS*. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, pre-

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sented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied.

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*Certiorari Granted—Vacated and Remanded*

No. 07–1167. *MEISTER v. INDIANA ET AL.* Ct. App. Ind. Reported below: 864 N. E. 2d 1137; and

No. 07–1411. *OWENS v. KENTUCKY.* Sup. Ct. Ky. Reported below: 244 S. W. 3d 83. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *Arizona v. Gant*, ante, p. 332.

No. 07–8944. *DUNSON v. UNITED STATES.* C. A. 5th Cir. Reported below: 251 Fed. Appx. 906;

No. 07–9504. *BOOKER v. UNITED STATES.* C. A. D. C. Cir. Reported below: 496 F. 3d 717;

No. 08–7096. *QUINTANA v. UNITED STATES*; and *GONZALEZ v. UNITED STATES.* C. A. 5th Cir. Reported below: 288 Fed. Appx. 349 (first judgment); 310 Fed. Appx. 171 (second judgment);

No. 08–7228. *CASPER v. UNITED STATES.* C. A. 5th Cir. Reported below: 536 F. 3d 409; and

No. 08–8159. *CARTER v. NORTH CAROLINA.* Ct. App. N. C. Reported below: 191 N. C. App. 152, 661 S. E. 2d 895. Motions of petitioners for leave to proceed *in forma pauperis* granted. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *Arizona v. Gant*, ante, p. 332.

No. 08–653. *FEDERAL COMMUNICATIONS COMMISSION ET AL. v. CBS CORP. ET AL.* C. A. 3d Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *FCC v. Fox Television Stations, Inc.*, ante, p. 502. Reported below: 535 F. 3d 167.

No. 08–820. *BAIN v. UNITED STATES.* C. A. 8th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Nelson v. United States*, 555 U. S. 350 (2009) (*per curiam*). Reported below: 537 F. 3d 876.

*Miscellaneous Orders*

No. 08A858 (08–1121). *RODRIGUEZ v. STANDING COMMITTEE ON ATTORNEY DISCIPLINE.* C. A. 3d Cir. Application for injunction, addressed to JUSTICE GINSBURG and referred to the Court,

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denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application.

No. 08A874. GALDAMEZ-SANCHEZ *v.* HOLDER, ATTORNEY GENERAL. C. A. 5th Cir. Application for stay, addressed to JUSTICE BREYER and referred to the Court, denied.

No. 08M76. CROSS *v.* UNITED STATES. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 08M77. RANSON *v.* DI PAOLO. Motion to direct the Clerk to file petition for writ of certiorari out of time under this Court's Rule 14.5 denied.

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.] Parties are directed to file supplemental briefs addressing the following questions: (1) If the discharge of the slurry into the lake would violate § 301 or § 306 of the Clean Water Act, would that future violation authorize a court to set aside the permits issued by the United States Army Corps of Engineers, and the Record of Decision issued by the United States Forest Service, as “not in accordance with law,” 5 U. S. C. § 706(2)(A)? See *Pension Benefit Guaranty Corporation v. LTV Corp.*, 496 U. S. 633, 646 (1990). (2) If a discharge comes within the scope of the Environmental Protection Agency's effluent limitations and satisfies the definition of fill material, may the discharger obtain permits under both §§ 402 and 404 of the Clean Water Act? Must the discharger do so?

Briefs, not to exceed 6,000 words, are to be filed simultaneously with the Clerk and served upon opposing counsel on or before 2 p.m., Friday, May 15, 2009. *Amicus* briefs, not to exceed 4,500 words, may be filed with the Clerk and served upon opposing counsel to the parties on or before 2 p.m., Friday, May 15, 2009. Reply briefs, not to exceed 3,000 words, may be filed with the Clerk and served upon opposing counsel on or before 2 p.m., Friday, May 22, 2009.

No. 08-6912. SCHNELLER *v.* ZITOMER, EXECUTRIX OF THE ESTATE OF SCHNELLER. Super. Ct. Pa. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [555 U. S. 1093] denied.

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No. 08–8129. SEARLES *v.* WEST HARTFORD BOARD OF EDUCATION ET AL. C. A. 2d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1102] denied.

No. 08–8194. IN RE MINNFEE. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1126] denied.

No. 08–8307. BURKE *v.* UNIVERSAL HEALTH CARE ET AL. C. A. 2d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1150] denied.

No. 08–8453. CHURCH *v.* UNITED STATES ET AL. C. A. 4th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1102] denied.

No. 08–9783. IN RE PORTER. 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. 08–1087. IN RE JIMENA. Petition for writ of mandamus denied.

No. 08–9483. IN RE CARDONA;

No. 08–9592. IN RE TRUESDALE; and

No. 08–9657. IN RE SPEARS. 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. 08–969. HEMI GROUP, LLC, ET AL. *v.* CITY OF NEW YORK, NEW YORK. C. A. 2d Cir. Certiorari granted. Reported below: 541 F. 3d 425.

No. 08–1008. SHADY GROVE ORTHOPEDIC ASSOCIATES, P. A. *v.* ALLSTATE INSURANCE CO. C. A. 2d Cir. Certiorari granted. Reported below: 549 F. 3d 137.

No. 08–7412. GRAHAM *v.* FLORIDA. Dist. Ct. App. Fla., 1st Dist. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 982 So. 2d 43.



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No. 08–7621. SULLIVAN *v.* FLORIDA. Dist. Ct. App. Fla., 1st Dist. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 987 So. 2d 83.

*Certiorari Denied*

No. 08–687. HUNT *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 521 F. 3d 636.

No. 08–721. FIRST AMERICAN TITLE INSURANCE CO. ET AL. *v.* COMBS, COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS, ET AL. Sup. Ct. Tex. Certiorari denied. Reported below: 258 S. W. 3d 627.

No. 08–777. OLSEN *v.* HOLDER, ATTORNEY GENERAL, ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 541 F. 3d 827.

No. 08–865. CONSOLIDATION COAL CO. *v.* LEVISA COAL CO. Sup. Ct. Va. Certiorari denied. Reported below: 276 Va. 44, 662 S. E. 2d 44.

No. 08–929. COOK ET UX. *v.* AVI CASINO ENTERPRISES, INC., ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 548 F. 3d 718.

No. 08–930. COOK ET UX. *v.* AVI CASINO ENTERPRISES, INC., ET AL. Ct. App. Ariz. Certiorari denied.

No. 08–939. MACKAY *v.* AIRCRAFT MECHANICS FRATERNAL ASSN. ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 695.

No. 08–944. LATIMER, INDIVIDUALLY AND AS SURVIVING SPOUSE OF LATIMER, DECEASED, ET AL. *v.* LAUGHLIN, DBA RIVERSIDE RESORT & CASINO. Ct. App. Ariz. Certiorari denied.

No. 08–956. WINGET ET AL. *v.* JPMORGAN CHASE BANK, N. A., ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 537 F. 3d 565.

No. 08–1088. GLASSEY *v.* AMANO CORP. ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 426.

No. 08–1096. TAYLOR *v.* TEXAS. Ct. App. Tex., 10th Dist. Certiorari denied. Reported below: 268 S. W. 3d 752.

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No. 08–1101. LOUISIANA, THROUGH THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT *v.* TASSIN ET AL. Ct. App. La., 4th Cir. Certiorari denied. Reported below: 989 So. 2d 217.

No. 08–1105. MCLEOD *v.* MICHIGAN DEPARTMENT OF TREASURY. Ct. App. Mich. Certiorari denied.

No. 08–1114. PAVLOVSKIS *v.* CITY OF EAST LANSING, MICHIGAN. Ct. App. Mich. Certiorari denied.

No. 08–1140. ROBINSON *v.* CHASTAIN. Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 08–1162. MPR GLOBAL, INC. *v.* FEDERAL DEPOSIT INSURANCE CORPORATION. C. A. 9th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 620.

No. 08–1189. A. P. S. *v.* MINNESOTA DEPARTMENT OF LABOR ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 27.

No. 08–1210. BISHOP, EXECUTOR OF THE ESTATE OF HESTER *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 276.

No. 08–1215. WARNER *v.* COLUMBIA/JFK MEDICAL CENTER, LLP, DBA JFK MEDICAL CENTER. C. A. 11th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 610.

No. 08–1227. MUKHERJEE *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 107.

No. 08–1235. PATTERSON *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 100.

No. 08–5298. LOPEZ *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 517 F. 3d 1224.

No. 08–5411. WOODS ET AL. *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 271 Fed. Appx. 338.

No. 08–5945. SLUSHER *v.* FURLONG, WARDEN, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 268 Fed. Appx. 789.

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No. 08–7005. *BEDINGER v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 08–7399. *MILLER v. SMITH, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–8005. *CLEMONS v. ROPER, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. Sup. Ct. Mo. Certiorari denied.

No. 08–8080. *DUPRE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 296 Fed. Appx. 113.

No. 08–8280. *WALLACE v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 44 Cal. 4th 1032, 189 P. 3d 911.

No. 08–8300. *RING v. ESTATE OF WREZIC ET AL.* Ct. App. Wis. Certiorari denied. Reported below: 314 Wis. 2d 281, 758 N. W. 2d 925.

No. 08–8976. *STARKS v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 226.

No. 08–8983. *SMITH v. BERGHUIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–8986. *MILLER v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–8991. *MONACELLI v. FLORIDA*. C. A. 11th Cir. Certiorari denied.

No. 08–9003. *ROSADO v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 53 App. Div. 3d 455, 862 N. Y. S. 2d 41.

No. 08–9004. *OCHOA VELEZ v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 08–9006. *MENDEZ TOBAN v. HEDGPETH, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–9007. *TRAN v. SAFECO INSURANCE CO. ET AL.* Ct. App. Ore. Certiorari denied. Reported below: 219 Ore. App. 429, 182 P. 3d 325.

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No. 08–9010. *MINNICH v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 993 So. 2d 520.

No. 08–9012. *BAILUM v. OHIO*. Ct. App. Ohio, Clark County. Certiorari denied.

No. 08–9013. *ARRIETA v. WALKER, DIRECTOR, ILLINOIS DEPARTMENT OF CORRECTIONS*. App. Ct. Ill., 3d Dist. Certiorari denied. Reported below: 382 Ill. App. 3d 1220, 967 N. E. 2d 501.

No. 08–9019. *WANLESS v. BELLEQUE, SUPERINTENDENT, OREGON STATE PENITENTIARY*. Ct. App. Ore. Certiorari denied. Reported below: 223 Ore. App. 495, 196 P. 3d 123.

No. 08–9026. *RHYNE v. RILEY, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 247.

No. 08–9027. *CARR v. KRAMER, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 426.

No. 08–9033. *MATSON v. LUNA, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 269 Fed. Appx. 674.

No. 08–9034. *WILLIAMS v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–9043. *CABALLERO v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–9044. *HESTER v. ARMSTRONG ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 946.

No. 08–9047. *FUDGE v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied.

No. 08–9048. *GARNER v. LOUISIANA*. Ct. App. La., 1st Cir. Certiorari denied. Reported below: 977 So. 2d 307.

No. 08–9052. *HERNANDEZ v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 08–9063. *BURRIS v. BELLEQUE, SUPERINTENDENT, OREGON STATE PENITENTIARY*. C. A. 9th Cir. Certiorari denied.

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No. 08–9066. *ORTIZ v. FRYE ET AL.* Ct. App. Ohio, Jefferson County. Certiorari denied.

No. 08–9118. *BAILEY v. HOLDER, ATTORNEY GENERAL.* C. A. 3d Cir. Certiorari denied. Reported below: 297 Fed. Appx. 168.

No. 08–9150. *MORALES v. SUBIA, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 08–9172. *MCCOY v. WALKER, WARDEN.* C. A. 11th Cir. Certiorari denied.

No. 08–9187. *RAMBO v. NEW JERSEY.* Super. Ct. N. J., App. Div. Certiorari denied. Reported below: 401 N. J. Super. 506, 951 A. 2d 1075.

No. 08–9204. *HERNANDEZ v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 08–9211. *MANZANO v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–9215. *CLANTON v. MUIRFIELD HOLDINGS, LTD., ET AL.* Ct. Civ. App. Ala. Certiorari denied. Reported below: 30 So. 3d 466.

No. 08–9289. *RIVERA v. RUSSO, SUPERINTENDENT, SOUZA BARANOWSKI CORRECTIONAL CENTER.* C. A. 1st Cir. Certiorari denied.

No. 08–9294. *DONOVAN, AKA DONOVAN v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 08–9308. *EGAN v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 38.

No. 08–9345. *COLLINS v. MISSOURI ELECTRIC COOPERATIVES EMPLOYEES CREDIT UNION.* C. A. 8th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 911.

No. 08–9378. *DAHME v. FEINERMAN ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 542.

No. 08–9393. *ANKENY v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

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No. 08–9453. *JOHNSON v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied.

No. 08–9492. *WILLIS v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 319 Fed. Appx. 892.

No. 08–9507. *DOWNS v. COLONIAL COURT APARTMENTS, INC., ET AL.* Sup. Ct. Va. Certiorari denied.

No. 08–9512. *KINNEY v. INTERNAL REVENUE SERVICE ET AL.* C. A. 7th Cir. Certiorari denied.

No. 08–9527. *JARMON v. KERESTES, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MAHANOEY, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–9559. *MOLSBARGER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 551 F. 3d 809.

No. 08–9575. *PERDOMO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 298 Fed. Appx. 185.

No. 08–9576. *ORTIZ-ROMERO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 700.

No. 08–9582. *RODRIGUEZ-RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–9583. *KING v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 554 F. 3d 177.

No. 08–9588. *UPSHAW v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 08–9589. *PURDOM v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–9593. *TEAGUE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 62.

No. 08–9595. *MACKENZIE ET AL. v. DEPARTMENT OF JUSTICE ET AL.* C. A. 5th Cir. Certiorari denied.

No. 08–9596. *BALDRIDGE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 559 F. 3d 1126.

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No. 08–9599. *COLEMAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 300 Fed. Appx. 164.

No. 08–9601. *DOWDELL ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 16.

No. 08–9604. *TUGGLE v. OHIO*. Ct. App. Ohio, Lucas County. Certiorari denied. Reported below: 2008-Ohio-5020.

No. 08–9613. *STARR v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–9614. *MOORE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 130.

No. 08–9615. *ANDRADE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 551 F. 3d 103.

No. 08–9616. *GOWARD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 544.

No. 08–9620. *JONES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 23.

No. 08–9624. *DEL CID-RENDON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 780.

No. 08–9627. *CABAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 241.

No. 08–9628. *ALGARATE-VALENCIA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 550 F. 3d 1238.

No. 08–9630. *MENDEZ-AGUILAR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 305.

No. 08–9633. *RIOS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 284.

No. 08–9635. *HINDMAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 694.

No. 08–9639. *BROWN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 324.

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No. 08–9647. *PORTER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 772.

No. 08–9649. *MORTENSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 385.

No. 08–9654. *GIRALDO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 868.

No. 08–9661. *TORRES-ROMERO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 537 F. 3d 1155.

No. 08–9663. *FELICIANO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 795.

No. 08–9668. *DAVIS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–9670. *BISHOP v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 934.

No. 08–9680. *OLIVERO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 552 F. 3d 34.

No. 08–9681. *PERRY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 548 F. 3d 688.

No. 08–9682. *O’KANE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–9683. *MOZEE v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 963 A. 2d 151.

No. 08–9687. *MARCOS-QUIROGA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 554 F. 3d 1150.

No. 08–9691. *BROWN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 941.

No. 08–9692. *ALEXANDER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 543 F. 3d 819.

No. 08–9693. *ARIAS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–9694. *CRAIG v. UNITED STATES*; and

No. 08–9695. *CRAIG v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 256.



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No. 08–9696. COOPER *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied.

No. 08–1154. JOHNSON *v.* CLARENDON NATIONAL INSURANCE CO. ET AL. Ct. App. Ga. Motion of Truck Safety Coalition et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 293 Ga. App. 103, 666 S. E. 2d 567.

*Rehearing Denied*

No. 08–1028. MESSER ET AL. *v.* DEPARTMENT OF HEALTH AND HUMAN SERVICES, *ante*, p. 1167;

No. 08–1055. WEI ZHOU *v.* MARQUETTE UNIVERSITY, *ante*, p. 1167;

No. 08–7819. IN RE CAMPBELL, 555 U. S. 1168;

No. 08–7859. DOLBERRY *v.* NAPA ET AL., 555 U. S. 1189;

No. 08–7958. LOPEZ ROSIER *v.* HUNTER ET AL., 555 U. S. 1214;

No. 08–7982. RODRIGUEZ *v.* NAPOLITANO, SECRETARY OF HOMELAND SECURITY, 555 U. S. 1194;

No. 08–8072. PORTUGAL, AKA TRUJILLO *v.* COLORADO DIVISION OF INSURANCE, 555 U. S. 1215;

No. 08–8155. STEWART *v.* UNITED STATES, *ante*, p. 1110;

No. 08–8195. BUTLER *v.* MOLINAR ET AL., *ante*, p. 1133;

No. 08–8260. BRYANT *v.* DEPARTMENT OF DEFENSE, *ante*, p. 1134;

No. 08–8339. RAMOS *v.* NEW YORK, *ante*, p. 1110;

No. 08–8366. BEY *v.* UNITED STATES, 555 U. S. 1203;

No. 08–8675. IN RE SIMPSON, *ante*, p. 1126; and

No. 08–8967. SHY *v.* UNITED STATES, *ante*, p. 1160. Petitions for rehearing denied.

MAY 8, 2009

*Certiorari Denied*

No. 08–9971 (08A942). IVEY *v.* OZMINT, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL. Sup. Ct. S. C. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied.

No. 08–10196 (08A981). IVEY *v.* OZMINT, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 4th Cir. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied.

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MAY 14, 2009

*Certiorari Denied*

No. 08–10335 (08A1006). *McNAIR 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.

MAY 15, 2009

*Dismissal Under Rule 46*

No. 08–1228. *QUALCOMM INC. v. BROADCOM CORP.* C. A. Fed. Cir. Certiorari dismissed under this Court’s Rule 46. Reported below: 548 F. 3d 1004.

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*Certiorari Granted—Vacated and Remanded*

No. 07–6309. *MEGGINSON v. UNITED STATES*. C. A. 4th 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 *Arizona v. Gant*, ante, p. 332. Reported below: 245 Fed. Appx. 262.

JUSTICE ALITO, dissenting.

In *Arizona v. Gant*, ante, p. 332, the Court held that a law enforcement officer who arrests a vehicle occupant may search the vehicle if the officer has reason to believe the vehicle contains evidence of the crime of arrest. Ante, at 351. The Court took this test from JUSTICE SCALIA’s separate opinion in *Thornton v. United States*, 541 U. S. 615, 632 (2004) (opinion concurring in judgment), but did not provide an independent explanation of the basis for or the scope of this rule. As I observed in dissent, *Gant*, ante, at 364, this test creates a host of uncertainties, and this case illustrates just one of the problems.

Here, petitioner, a vehicle occupant, was arrested on a warrant for threatening to kill his wife in violation of N. C. Gen. Stat. Ann. § 14–277.1 (Lexis 2007).<sup>\*</sup> It does not appear that petitioner

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<sup>\*</sup> “(a) A person is guilty of a Class 1 misdemeanor if without lawful authority:

“(1) He willfully threatens to physically injure the person or that person’s child, sibling, spouse, or dependent or willfully threatens to damage the property of another;

“(2) The threat is communicated to the other person, orally, in writing, or by any other means;

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told his wife *how* he intended to kill her, *i. e.*, with a gun, knife, bare hands, etc. After petitioner was arrested, his car was searched, and the officer found, among other things, a loaded revolver and drugs. This case thus appears to present an important question regarding the meaning and specificity of the reasonable suspicion requirement in *Gant*. Because of the ambiguity of the new *Gant* test and the frequency of roadside arrests, I would grant certiorari in this case to provide much needed clarification.

No. 07–9086. GROOMS *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 *Arizona v. Gant*, *ante*, p. 332. Reported below: 506 F. 3d 1088.

JUSTICE ALITO, dissenting.

In *Arizona v. Gant*, *ante*, p. 332, the Court held that a law enforcement officer who arrests a vehicle occupant may search the vehicle if the officer has reason to believe the vehicle contains evidence of the crime of arrest. *Ante*, at 351. The Court took this test from JUSTICE SCALIA’s separate opinion in *Thornton v. United States*, 541 U. S. 615, 632 (2004) (opinion concurring in judgment), but did not provide an independent explanation of the basis for or the scope of this rule. As I observed in dissent, *Gant*, *ante*, at 364, this test creates a host of uncertainties, and this case illustrates one of the problems.

The petitioner in this case, after arguing with a bouncer in a bar, threatened to retrieve a gun and return to the bar. The bar called the police, who found petitioner in his car near the bar and arrested him on warrants for a moving violation and failing to secure a load. A search of petitioner’s car disclosed a gun. Under these circumstances the arresting officers did not have reason to believe that the car contained evidence of the offenses for which petitioner was arrested, but it is arguable that the officers had probable cause to arrest petitioner for violating Mo.

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“(3) The threat is made in a manner and under circumstances which would cause a reasonable person to believe that the threat is likely to be carried out; and

“(4) The person threatened believes that the threat will be carried out.

“(b) A violation of this section is a Class 1 misdemeanor.” N. C. Gen. Stat. Ann. § 14–277.1.

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Rev. Stat. § 574.115 (Supp. 2008) (making a terroristic threat).<sup>\*</sup> If an arrest for making a terroristic threat would have been lawful, this case presents the question whether, when a defendant is arrested pursuant to a warrant, a *Gant* evidence-gathering search may be conducted only when there is reason to believe that the vehicle contains evidence of the offense for which the warrant was issued or whether it is also permissible to search the vehicle for evidence of other offenses for which a warrantless arrest could have been made. This question may be of some importance because, prior to *Gant*, an officer who made an arrest pursuant to a warrant had little reason to inventory the applicable criminal code at the scene of the arrest in order to determine whether a warrantless arrest for another offense would also be justified.

In this case, however, uncertainty as to whether the officers had probable cause to arrest under § 574.115 makes review at this time premature.

No. 08–816. *RENASANT BANK v. KIMBERLIN*. C. A. 6th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Arthur Andersen LLP v. Carlisle*, *ante*, p. 624. Reported below: 295 Fed. Appx. 18.

No. 08–5316. *MENDOZA-GONZALEZ 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 *Flores-Figueroa v. United States*, *ante*, p. 646. Reported below: 520 F. 3d 912.

*Certiorari Dismissed*

No. 08–9122. *MCGOWAN v. CANTRELL 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. Reported below: 310 Fed. Appx. 610.

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<sup>\*</sup>This provision provides in relevant part that “[a] person commits the crime of making a terrorist threat if such person communicates a threat to cause an incident or condition involving danger to life:

“[w]ith criminal negligence with regard to the risk of causing the evacuation . . . or closure of any portion of a building . . . .” Mo. Rev. Stat. § 574.115. It is at least arguable that petitioner was negligent with regard to the possibility that the bar would respond to his threat by closing or evacuating its facility in whole or in part.

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No. 08–9227. *ERICKSON v. CAT FANCIERS ASSN. ET AL.* C. A. 1st Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 08–9271. *GRIFFIN v. ASTRUE, COMMISSIONER OF SOCIAL SECURITY.* 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. Reported below: 300 Fed. Appx. 615.

No. 08–9422. *AL GHASHIYAH v. HUIBREGTSE, 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. 08–9786. *MCKINNEY v. UNITED STATES.* 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.

*Miscellaneous Orders*

No. 08M78. *ABELE v. CITY OF BROOKSVILLE, FLORIDA.* Motion for leave to proceed as a veteran denied.

No. 08M79. *KOESTER v. LANFRANCHI 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 the Special Master to be discharged granted, and Arthur L. Littleworth, Esq., of Riverside, Cal., the Special Master in this case, is hereby discharged with the thanks of the Court. [For earlier order herein, see, *e. g.*, 555 U. S. 1095.]

No. 08–974. *LEWIS ET AL. v. CITY OF CHICAGO, ILLINOIS.* The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 08–8463. *IN RE DUNLAP.* Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1165] denied.

No. 08–9123. *PERKINS v. UNITED STATES.* C. A. 4th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1164] denied.

No. 08–9796. *IN RE SMITH;*

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No. 08–9937. IN RE LOPEZ;  
No. 08–9949. IN RE POIRIER; and  
No. 08–10004. IN RE WILHELM. Petitions for writs of habeas corpus denied.

No. 08–9883. IN RE WORD. 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. 08–9854. IN RE WILLIAMS. Petition for writ of mandamus denied.

No. 08–9265. IN RE WOERTH. Petition for writ of mandamus and/or prohibition denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

*Certiorari Granted*

No. 08–861. FREE ENTERPRISE FUND ET AL. *v.* PUBLIC COMPANY ACCOUNTING OVERSIGHT BOARD ET AL. C. A. D. C. Cir. Certiorari granted. Reported below: 537 F. 3d 667.

No. 08–876. BLACK ET AL. *v.* UNITED STATES. C. A. 7th Cir. Certiorari granted. Reported below: 530 F. 3d 596.

No. 08–992. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL. *v.* KINDLER. C. A. 3d Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. JUSTICE ALITO took no part in the consideration or decision of this motion and this petition. Reported below: 542 F. 3d 70.

No. 08–9156. WOOD *v.* ALLEN, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS, ET AL. 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: 542 F. 3d 1281.

*Certiorari Denied*

No. 08–537. SUNRISE VALLEY, LLC, ET AL. *v.* SALAZAR, SECRETARY OF THE INTERIOR, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 528 F. 3d 1251.

No. 08–622. UNITED STATES *v.* VILLANUEVA-SOTELO. C. A. D. C. Cir. Certiorari denied. Reported below: 515 F. 3d 1234.

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No. 08-771. *MORGORICHEV v. HOLDER, ATTORNEY GENERAL*. C. A. 2d Cir. Certiorari denied. Reported below: 274 Fed. Appx. 98.

No. 08-871. *CANADIAN PACIFIC RAILWAY CO. ET AL. v. LUNDEEN ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 532 F. 3d 682.

No. 08-872. *DEDMAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 527 F. 3d 577.

No. 08-878. *CRUZ-GARCIA v. HOLDER, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 285 Fed. Appx. 446.

No. 08-881. *MARCEAU ET AL. v. BLACKFEET HOUSING AUTHORITY ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 540 F. 3d 916.

No. 08-887. *SAN DIEGO COUNTY, CALIFORNIA, ET AL. v. SAN DIEGO NORML ET AL.*; and

No. 08-897. *SAN BERNARDINO COUNTY, CALIFORNIA, ET AL. v. CALIFORNIA ET AL.* Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied. Reported below: 165 Cal. App. 4th 798, 81 Cal. Rptr. 3d 461.

No. 08-960. *BAXTER HEALTHCARE CORP. v. WHITE*. C. A. 6th Cir. Certiorari denied. Reported below: 533 F. 3d 381.

No. 08-978. *HENDLEY ET AL. v. DOMINGUEZ*. C. A. 7th Cir. Certiorari denied. Reported below: 545 F. 3d 585.

No. 08-996. *BUCKLEY v. RACKARD*. C. A. 11th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 791.

No. 08-1004. *BAUDE ET AL. v. HEATH ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 538 F. 3d 608.

No. 08-1006. *MAHARAJ, EXECUTRIX v. SOMMER, EXECUTOR, ET AL.* Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 451 Mass. 615, 888 N. E. 2d 891.

No. 08-1011. *REID v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 300 Fed. Appx. 50.

No. 08-1016. *MCA ASSOCIATES, L. P. v. TOWNSHIP OF MONTVILLE, NEW JERSEY, ET AL.* Super. Ct. N. J., App. Div. Certiorari denied.

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No. 08–1017. BOARD OF COMMISSIONERS FOR THE ORLEANS LEVEE DISTRICT, PARISH OF ORLEANS *v.* LAURENDINE ET AL. Civ. Dist. Ct. La., Orleans Parish. Certiorari denied.

No. 08–1023. LASHWAY ET AL. *v.* CAREPARTNERS, LLC, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 545 F. 3d 867.

No. 08–1059. JEFFERSON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 546 F. 3d 300.

No. 08–1106. GROSS ET AL. *v.* GERMAN FOUNDATION INDUSTRIAL INITIATIVE ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 549 F. 3d 605.

No. 08–1116. TEHRANI *v.* POLAR ELECTRO ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 301 Fed. Appx. 959.

No. 08–1118. KONARSKI ET AL. *v.* CITY OF TUCSON, ARIZONA, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 242.

No. 08–1124. MARCHAND, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF MARCHAND, DECEASED *v.* MARCHAND. Sup. Ct. N. M. Certiorari denied. Reported below: 145 N. M. 378, 199 P. 3d 281.

No. 08–1127. SENECA *v.* UNITED SOUTH AND EASTERN TRIBES ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 741.

No. 08–1128. BROAD ET AL. *v.* WEIGEL ET AL., CO-PERSONAL REPRESENTATIVES OF THE ESTATE OF WEIGEL, DECEASED. C. A. 10th Cir. Certiorari denied. Reported below: 544 F. 3d 1143.

No. 08–1132. L. A. ET VIR *v.* GRANBY BOARD OF EDUCATION. C. A. 2d Cir. Certiorari denied.

No. 08–1135. CHANEY *v.* CITY OF ORLANDO, FLORIDA, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 238.

No. 08–1136. CARLETTI *v.* DELAWARE. Sup. Ct. Del. Certiorari denied. Reported below: 962 A. 2d 916.

No. 08–1138. AUREUS HOLDINGS, LTD., ET AL. *v.* CITY OF DETROIT, MICHIGAN, ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 265.



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No. 08–1139. *ACTION APARTMENT ASSN. v. CITY OF SANTA MONICA, CALIFORNIA, ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 166 Cal. App. 4th 456, 82 Cal. Rptr. 3d 722.

No. 08–1143. *KIVISTO v. GMAC LLC, FKA GENERAL MOTORS ACCEPTANCE CORP.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 978 So. 2d 283.

No. 08–1155. *ROOZ v. KIMMEL.* C. A. 9th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 549.

No. 08–1157. *ROOZ v. KIMMEL.* C. A. 9th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 518.

No. 08–1158. *DIPPIN’ DOTS, INC., ET AL. v. MOSEY ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 298 Fed. Appx. 964.

No. 08–1161. *ROGERS ET UX. v. HESS ET AL.* Ct. App. Minn. Certiorari denied.

No. 08–1163. *GARRETT v. LISTER, FLYNN & KELLY, P. A., ET AL.* Ct. App. S. C. Certiorari denied.

No. 08–1180. *BATTLE v. WEBB.* C. A. 11th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 882.

No. 08–1181. *PRITZKER v. SUPREME COURT OF ILLINOIS.* Sup. Ct. Ill. Certiorari denied.

No. 08–1185. *DUNPHY v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 551 F. 3d 247.

No. 08–1186. *BAYSHORE FORD TRUCK SALES, INC., ET AL. v. FORD MOTOR CO.* C. A. 11th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 943.

No. 08–1187. *STEVO v. KEITH ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 546 F. 3d 405.

No. 08–1190. *LORDES v. HOLDER, ATTORNEY GENERAL.* C. A. 1st Cir. Certiorari denied. Reported below: 288 Fed. Appx. 712.

No. 08–1193. *AMELIO v. NEW JERSEY.* Sup. Ct. N. J. Certiorari denied. Reported below: 197 N. J. 207, 962 A. 2d 498.

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No. 08–1195. *OTTERSON v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 947 A. 2d 1239.

No. 08–1199. *KREUTZER v. CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied. Reported below: 166 Cal. App. 4th 306, 82 Cal. Rptr. 3d 644.

No. 08–1239. *TUCKER v. MONTANA EX REL. BULLOCK, ATTORNEY GENERAL OF MONTANA, ET AL.* Sup. Ct. Mont. Certiorari denied. Reported below: 348 Mont. 372, 211 P. 3d 204.

No. 08–1246. *WURZINGER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 303.

No. 08–1257. *CERNAK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 550.

No. 08–1262. *BRADDY ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 536 F. 3d 1234.

No. 08–1267. *GARRETT-WOODBERRY v. MISSISSIPPI BOARD OF PHARMACY*. C. A. 5th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 289.

No. 08–1270. *BURTON v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 67 M. J. 150.

No. 08–1271. *BRAQUET v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 345.

No. 08–1273. *WAGES v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 952 A. 2d 952.

No. 08–1277. *LANDAVAZO v. TORO Co.* C. A. 5th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 333.

No. 08–1293. *THOMPSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–7829. *WRIGHT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 540 F. 3d 833.

No. 08–7865. *GRANT v. DEPARTMENT OF HOMELAND SECURITY*. C. A. 2d Cir. Certiorari denied. Reported below: 534 F. 3d 102 and 282 Fed. Appx. 948.

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No. 08–7970. *MARTINEZ-DAVALOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 294.

No. 08–8012. *MIERZWA ET UX. v. UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 282 Fed. Appx. 973.

No. 08–8037. *RICHARDSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 537 F. 3d 951.

No. 08–8064. *HUGHES v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 530 F. 3d 336.

No. 08–8106. *COOK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 351.

No. 08–8136. *SPELLS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 537 F. 3d 743.

No. 08–8243. *CORTES-BELTRAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 684.

No. 08–8247. *CLANTON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 538 F. 3d 652.

No. 08–8447. *DANDRIDGE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 08–8537. *GUTIERREZ-QUINTANILLA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 305.

No. 08–8549. *EDWARDS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 534 F. 3d 903.

No. 08–8605. *WRINKLES v. LEVENHAGEN, SUPERINTENDENT, INDIANA STATE PRISON*. C. A. 7th Cir. Certiorari denied. Reported below: 537 F. 3d 804.

No. 08–8639. *GORE v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 08–8664. *MELVIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 556 F. 3d 1190.

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No. 08–8668. *BLANTON v. THALER*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 543 F. 3d 230.

No. 08–8696. *HINCKLEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 550 F. 3d 926.

No. 08–8812. *ENNIS v. NEW YORK*. Ct. App. N. Y. Certiorari denied. Reported below: 11 N. Y. 3d 403, 900 N. E. 2d 915.

No. 08–9000. *ROMAN v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 08–9059. *SAEED v. HUDSON & KEYSE, LLC, ET AL.* Sup. Ct. Pa. Certiorari denied.

No. 08–9067. *MCNEELY v. MCGINNESS*, SHERIFF, SACRAMENTO COUNTY, CALIFORNIA, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 602.

No. 08–9070. *KING v. RUNNELS*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 472.

No. 08–9071. *JOHNSON v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 08–9072. *ARTIS v. CUNNINGHAM*, SUPERINTENDENT, WOODBOURNE CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 08–9074. *BRADLEY v. ILLINOIS*. App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 381 Ill. App. 3d 1160, 966 N. E. 2d 614.

No. 08–9077. *JACKSON v. PALACIOS*. C. A. 9th Cir. Certiorari denied.

No. 08–9078. *RIGGS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 44 Cal. 4th 248, 187 P. 3d 363.

No. 08–9080. *VARGAS v. DILLARD'S DEPARTMENT STORE, INC.* C. A. 6th Cir. Certiorari denied.

No. 08–9084. *SIMMS v. CAIN*, WARDEN. C. A. 5th Cir. Certiorari denied.

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No. 08–9096. *PATTON v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–9102. *STEPHENS v. MILLER, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 719.

No. 08–9104. *SANCHEZ v. EVANS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–9109. *BUTLER v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–9113. *WATKINS v. WATKINS*. Ct. App. Ky. Certiorari denied.

No. 08–9116. *WILLIAMSON v. BECK, SECRETARY, NORTH CAROLINA DEPARTMENT OF CORRECTION*. C. A. 4th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 194.

No. 08–9128. *THOMAS v. BELL, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–9131. *LUCAS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–9132. *KARNES v. TEXAS*. Ct. App. Tex., 2d Dist. Certiorari denied. Reported below: 127 S. W. 3d 184.

No. 08–9133. *MASHAK v. OAKGROVE ET AL.* Ct. App. Minn. Certiorari denied.

No. 08–9139. *BRADY v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 119 Ohio St. 3d 375, 894 N. E. 2d 671.

No. 08–9141. *LONERGAN v. MINNESOTA*. Ct. App. Minn. Certiorari denied.

No. 08–9145. *BOYD v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 08–9152. *MISIGARO v. TEXAS*. Ct. App. Tex., 2d Dist. Certiorari denied.

No. 08–9157. *ALLEN v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

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No. 08–9165. *GORDON v. WALKER, WARDEN*. Sup. Ct. Ga. Certiorari denied.

No. 08–9179. *FOWLER v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 362 N. C. 511, 668 S. E. 2d 343.

No. 08–9184. *LOCKMAN v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 08–9188. *SHOEMAKER v. HULICK, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–9192. *LARREA v. NEW YORK*. Sup. Ct. N. Y., New York County. Certiorari denied.

No. 08–9193. *MONTGOMERY v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 08–9194. *ARIOLA v. LACLAIR, SUPERINTENDENT, GREAT MEADOW CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 08–9196. *ABRAMS v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 08–9197. *FRATICELLI v. PIAZZA, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT COAL TOWNSHIP*. C. A. 3d Cir. Certiorari denied.

No. 08–9198. *GREENE v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 08–9200. *FELDER v. INDIANA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 7th Cir. Certiorari denied.

No. 08–9205. *IRBY v. ILLINOIS*. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 381 Ill. App. 3d 1150, 966 N. E. 2d 610.

No. 08–9206. *HAMPTON v. JINDAL, GOVERNOR OF LOUISIANA, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 460.

No. 08–9209. *TAYLOR ET UX. v. MARION COUNTY SUPERIOR COURT NUMBER SEVEN ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 354.

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No. 08–9216. *WILSON v. MURTHA ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 303 Fed. Appx. 75.

No. 08–9220. *MENA v. KNOWLES, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 08–9224. *SAVOY v. CAIN, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 08–9225. *STONE v. CHASE, WARDEN.* C. A. 11th Cir. Certiorari denied.

No. 08–9229. *BROWN v. RIMMER, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 08–9230. *BROWN v. GEORGIA.* Sup. Ct. Ga. Certiorari denied. Reported below: 284 Ga. 727, 670 S. E. 2d 400.

No. 08–9236. *SAMAD, AKA DUNBAR v. ADAMS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 478.

No. 08–9239. *KENDRICK v. ILLINOIS.* App. Ct. Ill., 2d Dist. Certiorari denied.

No. 08–9241. *BAILEY v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 998 So. 2d 545.

No. 08–9242. *A. G. N. v. TEXAS.* Ct. App. Tex., 7th Dist. Certiorari denied.

No. 08–9244. *BAUGHMAN v. CALIFORNIA.* Ct. App. Cal., 3d App. Dist. Certiorari denied. Reported below: 166 Cal. App. 4th 1316, 83 Cal. Rptr. 3d 570.

No. 08–9248. *PORTIS v. CARUSO, DIRECTOR, MICHIGAN DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–9249. *PIZANO v. INDIANA.* Ct. App. Ind. Certiorari denied. Reported below: 899 N. E. 2d 758.

No. 08–9250. *BROUGHTON v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

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No. 08–9251. *ALLEN-PLOWDEN v. NATIONAL HEALTH CARE OF SUMTER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 76.

No. 08–9253. *HESTER v. WEST VIRGINIA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 109.

No. 08–9254. *GIDDENS v. TEXAS.* Ct. App. Tex., 10th Dist. Certiorari denied. Reported below: 256 S. W. 3d 426.

No. 08–9258. *JONES v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–9260. *ELINE v. FRANK, DIRECTOR, HAWAII DEPARTMENT OF PUBLIC SAFETY.* Sup. Ct. Haw. Certiorari denied.

No. 08–9263. *GRAY v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 379 Ill. App. 3d 1074, 957 N. E. 2d 588.

No. 08–9264. *HUNT v. WOLFENBARGER, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 08–9266. *GEORGE v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–9267. *HARRIS v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–9268. *GONZALEZ-LORA v. HOLDER, ATTORNEY GENERAL.* C. A. 3d Cir. Certiorari denied. Reported below: 314 Fed. Appx. 447.

No. 08–9272. *ELINE v. COUNCIL ON AMERICAN-IRANIAN RELATIONS ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–9274. *FREEMAN v. MOORE, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 285.

No. 08–9278. *WALKER v. FELKER, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 455.

No. 08–9282. *CHAVEZ v. CALIFORNIA.* Ct. App. Cal., 5th App. Dist. Certiorari denied.



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No. 08–9285. *KING v. RANEY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–9286. *JENKINS v. SCHRIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–9292. *JONES v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 947 A. 2d 826.

No. 08–9293. *RAMEY v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 378 Ill. App. 3d 1123, 955 N. E. 2d 185.

No. 08–9296. *CURRY v. MCKEE, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–9299. *REID v. MOORE, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–9300. *REYES v. DEXTER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–9314. *LANOSA v. FRANK, DIRECTOR, HAWAII DEPARTMENT OF PUBLIC SAFETY, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 565.

No. 08–9316. *BISHOP v. MANN*. C. A. 9th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 131.

No. 08–9329. *PARKER v. PLILER, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 81.

No. 08–9331. *JACOBSEN v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–9354. *HARRISON v. CENTRAL INTELLIGENCE AGENCY ET AL.* C. A. 7th Cir. Certiorari denied.

No. 08–9355. *CASSIDY v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–9360. *SCROGGINS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 08–9376. *DOMBROWSKI v. MINGO, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 543 F. 3d 1270.

No. 08–9382. *MARTINEZ v. POTTER, POSTMASTER GENERAL, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–9401. *GEARY v. GERRY, WARDEN*. C. A. 1st Cir. Certiorari denied.

No. 08–9408. *GILBERT v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 382 Ill. App. 3d 1205, 967 N. E. 2d 494.

No. 08–9410. *DAVIS, AKA OLIVER, AKA DALTON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 247.

No. 08–9412. *SMITH v. McCANN, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–9415. *COLLIER v. LOS ANGELES COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 594.

No. 08–9423. *KELLEY v. HUMBLE INDEPENDENT SCHOOL DISTRICT*. C. A. 5th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 641.

No. 08–9425. *LEWIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 186.

No. 08–9430. *SHAHIDEH v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied. Reported below: 482 Mich. 1156, 758 N. W. 2d 536.

No. 08–9432. *PARNELL v. HOUSTON, DIRECTOR, NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 08–9438. *HILLARY v. McNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 569.

No. 08–9452. *LEE v. A & W PRITCHARD ENTERPRISES, INC., ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–9458. *CAMPBELL v. HOOKSETT SCHOOL DISTRICT ET AL.*; and

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No. 08–9459. *CAMPBELL v. HOOKSETT SCHOOL DISTRICT*. C. A. 1st Cir. Certiorari denied.

No. 08–9478. *STEINER v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 987 So. 2d 92.

No. 08–9488. *FINFROCK v. CRIST, GOVERNOR OF FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–9491. *HUGHES v. OLSON, WARDEN*. Ct. Crim. App. Tenn. Certiorari denied.

No. 08–9494. *PEDRAZA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 550 F. 3d 1218.

No. 08–9500. *MCCRARY v. OHIO*. Ct. App. Ohio, Lucas County. Certiorari denied.

No. 08–9513. *LOVALL v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–9519. *DILLARD v. MINNESOTA*. Ct. App. Minn. Certiorari denied.

No. 08–9529. *TURNER v. MICHIGAN*. Cir. Ct. Wayne County, Mich. Certiorari denied.

No. 08–9530. *ALLEN v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 999 So. 2d 644.

No. 08–9532. *OPARAJI v. NORTH EAST AUTO-MARINE TERMINAL ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 297 Fed. Appx. 142.

No. 08–9555. *COLEMAN v. ROPER, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 08–9561. *HALL v. WILLIAMSON, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–9562. *HUGHES v. PARKER, WARDEN*. Ct. Crim. App. Tenn. Certiorari denied.

No. 08–9567. *JACKSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 605.

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No. 08–9569. *FLYNN v. KANSAS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 809.

No. 08–9570. *ENNIS v. NEVADA DEPARTMENT OF CORRECTIONS ET AL.* Sup. Ct. Nev. Certiorari denied. Reported below: 124 Nev. 1465, 238 P. 3d 809.

No. 08–9573. *DELATORRE v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS.* C. A. 7th Cir. Certiorari denied.

No. 08–9574. *DANIEL v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 08–9579. *HOWELL v. DELAWARE.* C. A. 4th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 675.

No. 08–9585. *JONES v. PITCHER, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 08–9600. *DiSTASIO v. OHIO.* C. A. 6th Cir. Certiorari denied.

No. 08–9609. *ISRAEL v. SCHNEIDER NATIONAL CARRIERS ET AL.* Sup. Ct. Minn. Certiorari denied. Reported below: 756 N. W. 2d 263.

No. 08–9629. *FAN v. ROE ET AL.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 08–9631. *OLIN v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 298 Fed. Appx. 986.

No. 08–9637. *WHATLEY v. TERRY, WARDEN.* Sup. Ct. Ga. Certiorari denied. Reported below: 284 Ga. 555, 668 S. E. 2d 651.

No. 08–9644. *ESPINOZA v. COLORADO.* Ct. App. Colo. Certiorari denied.

No. 08–9673. *CROOK v. MERIT SYSTEMS PROTECTION BOARD.* C. A. Fed. Cir. Certiorari denied. Reported below: 301 Fed. Appx. 982.

No. 08–9679. *TRAVIS v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION.* C. A. 8th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 334.

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No. 08–9706. *LAZARO v. MERIT SYSTEMS PROTECTION BOARD*. C. A. Fed. Cir. Certiorari denied. Reported below: 306 Fed. Appx. 592.

No. 08–9707. *KENLEY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 299 Fed. Appx. 184.

No. 08–9708. *MARTINEZ-VALDIOSERA v. UNITED STATES* (Reported below: 307 Fed. Appx. 61); and *RODRIGUEZ-VANEGAS v. UNITED STATES* (316 Fed. Appx. 652). C. A. 9th Cir. Certiorari denied.

No. 08–9710. *ARIAS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–9712. *BARBER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–9713. *IRVING v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 161.

No. 08–9714. *BROWN v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 67 M. J. 147.

No. 08–9715. *QUIJADA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 986.

No. 08–9716. *SPENCER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 700.

No. 08–9717. *SIME v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 08–9719. *ALEGRIA-GONZALEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 95.

No. 08–9722. *CHAPPELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 275.

No. 08–9724. *LEVY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 311 Fed. Appx. 533.

No. 08–9732. *BECK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 557 F. 3d 619.

No. 08–9733. *BROWN v. BAGLEY, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied.

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No. 08–9734. *CUSANO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–9739. *CONARD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 08–9741. *CLARKE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 411.

No. 08–9745. *BRITTON v. UNITED STATES ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–9746. *MONTGOMERY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 555 F. 3d 623.

No. 08–9747. *PERONE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 305 Fed. Appx. 809.

No. 08–9748. *MORENO-ESPADA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–9752. *WOOTEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 663.

No. 08–9753. *JIMENEZ VALENCIA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–9754. *PORTILLO-ACOSTA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 678.

No. 08–9757. *TAFT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 256.

No. 08–9759. *WIMBLEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 553 F. 3d 455.

No. 08–9760. *KISSI v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 199.

No. 08–9763. *RUIZ, AKA ARAIZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 351.

No. 08–9764. *RAMIREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 99.

No. 08–9765. *ROBINSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 746.

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No. 08–9767. *JOHNSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 539 F. 3d 449.

No. 08–9768. *ALMENAS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 553 F. 3d 27.

No. 08–9769. *BROCK-DAVIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 537.

No. 08–9770. *ALAMA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–9775. *EDWARDS, AKA NORTH, AKA ENORTH, AKA DAWSON, AKA MOON, AKA MORGAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 340.

No. 08–9780. *PARKS v. MARBERRY, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–9785. *DEPUTY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–9791. *HUGHES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 388.

No. 08–9792. *BALL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 549.

No. 08–9794. *STRATMAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–9798. *PEOPLES v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 962 A. 2d 942.

No. 08–9799. *DEJEAR v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 552 F. 3d 1196.

No. 08–9803. *SANTOS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 519.

No. 08–9809. *LOWE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–9811. *MITCHELL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–9813. *SALINAS-RUIZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 147.

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No. 08–9817. *MARQUEZ-ALVARADO v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–9820. *BERTRAM v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 214.

No. 08–9824. *COLON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–9829. *HOLLIS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 552 F. 3d 1191.

No. 08–9831. *HELLER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 551 F. 3d 1108.

No. 08–9833. *GRAHAM v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 553 F. 3d 6.

No. 08–9837. *DAUBERMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 995.

No. 08–9842. *SANTIAGO-LUGO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–9843. *DURAN-LUQUE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 461.

No. 08–9844. *KIM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 324.

No. 08–9847. *JACKSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 94.

No. 08–9848. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–9855. *WILLIAMS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–9856. *CRUZ v. LAMANNA, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 948.

No. 08–9857. *REED v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–9864. *BROWNLEE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.



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No. 08–9870. MATEO, AKA CARLOS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 08–9877. KILGORE *v.* DREW, WARDEN, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 645.

No. 08–9878. LESANE *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 694.

No. 08–9889. STERLING *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 555 F. 3d 452.

No. 08–9890. STARR *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied.

No. 08–9891. SCHOTZ *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied.

No. 08–9896. BROWN *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied.

No. 08–9903. COMBS *v.* UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF KENTUCKY. C. A. 6th Cir. Certiorari denied.

No. 08–9904. DADE *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 193.

No. 08–1032. ALLEN, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS *v.* WILLIAMS. C. A. 11th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 542 F. 3d 1326.

No. 08–1039. STEINBECK ET AL. *v.* PENGUIN GROUP (USA) INC. ET AL. C. A. 2d Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 537 F. 3d 193.

No. 08–1121. RODRIGUEZ *v.* STANDING COMMITTEE ON ATTORNEY DISCIPLINE. C. A. 3d Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 304 Fed. Appx. 947.

No. 08–9210. OSTERHOFF *v.* NOOTH, SUPERINTENDENT, SNAKE RIVER CORRECTIONAL INSTITUTION. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 303 Fed. Appx. 505.

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No. 08–9243. *BANSAL v. MICROSOFT HOTMAIL*. C. A. 3d Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 267 Fed. Appx. 184.

*Rehearing Denied*

- No. 07–1315. *KNOWLES, WARDEN v. MIRZAYANCE*, *ante*, p. 111;  
No. 08–882. *O'DWYER ET AL. v. UNITED STATES ET AL.*, *ante*, p. 1128;  
No. 08–883. *FAIRLEY v. STALDER ET AL.*, *ante*, p. 1128;  
No. 08–936. *TAYLOR v. NEGLEY PARK HOMEOWNERS ASSOCIATION COUNCIL ET AL.*, *ante*, p. 1128;  
No. 08–1091. *BROWN v. POTTER, POSTMASTER GENERAL*, *ante*, p. 1153;  
No. 08–6547. *MILLER v. UNITED STATES*, 555 U.S. 1176;  
No. 08–7163. *JOHNSON v. BELL, WARDEN*, *ante*, p. 1154;  
No. 08–7531. *WILICH v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, 555 U.S. 1179;  
No. 08–7647. *BRANHAM v. CARUSO, DIRECTOR, MICHIGAN DEPARTMENT OF CORRECTIONS*, 555 U.S. 1182;  
No. 08–7703. *FOREMAN v. WEINSTEIN ET AL.*, 555 U.S. 1184;  
No. 08–7818. *MILLER v. SMITH, WARDEN*, 555 U.S. 1188;  
No. 08–8092. *MINOR v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, *ante*, p. 1109;  
No. 08–8100. *BROWN v. GIURBINO, WARDEN, ET AL.*, *ante*, p. 1109;  
No. 08–8178. *KIMMIE v. WILKERSON ET AL.*, 555 U.S. 1215;  
No. 08–8182. *DAVIS v. MICHIGAN DEPARTMENT OF CORRECTIONS ET AL.*, *ante*, p. 1133;  
No. 08–8213. *BOWERS v. JONES*, *ante*, p. 1133;  
No. 08–8283. *PERRY v. FLORIDA*, *ante*, p. 1135;  
No. 08–8289. *RANALLI v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.*, *ante*, p. 1135;  
No. 08–8291. *SINGH v. MARSHALL, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY*, *ante*, p. 1135;  
No. 08–8324. *SHEARING v. GONZALEZ*, *ante*, p. 1154;

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No. 08–8325. *HOSACK v. INTERNAL REVENUE SERVICE*, 555 U. S. 1216;

No. 08–8482. *BATSHEVER v. OKIN*, *ante*, p. 1168;

No. 08–8490. *HOWARD, AKA MILES v. UNITED STATES*, *ante*, p. 1111;

No. 08–8561. *SWANSON v. BOY SCOUTS OF AMERICA ET AL.*, *ante*, p. 1170;

No. 08–8640. *JIAYANG HUA v. UNIVERSITY OF UTAH ET AL.*, *ante*, p. 1159;

No. 08–8677. *HALL v. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION ET AL.*, *ante*, p. 1159; and

No. 08–8688. *ELLIOTT v. UNITED STATES*, *ante*, p. 1139. Petitions for rehearing denied.

No. 08–7243. *IN RE EVANS*, 555 U. S. 1068. Motion for leave to file petition for rehearing denied.

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*Miscellaneous Orders*

No. 08A1030. *SKILLICORN v. ROPER, SUPERINTENDENT, POTOSI CORRECTIONAL FACILITY*. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied.

No. 08–10442 (08A1022). *IN RE SKILLICORN*. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

*Certiorari Denied*

No. 08–1422 (08A1021). *MIDDLETON ET AL. v. MISSOURI DEPARTMENT OF CORRECTIONS ET AL.* Sup. Ct. Mo. Application of Dennis J. Skillicorn for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Certiorari denied. Reported below: 278 S. W. 3d 193.

No. 08–10449 (08A1029). *SKILLICORN ET AL. v. NIXON, GOVERNOR OF MISSOURI*. C. A. 8th Cir. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Certiorari denied.

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*Certiorari Granted—Vacated and Remanded*

No. 07–958. HUNTER, AKA DEMORALES, ET AL. *v.* HYDRICK ET AL. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Ashcroft v. Iqbal*, ante, p. 662. Reported below: 500 F. 3d 978.

No. 08–8235. GRIFFIN *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 *Chambers v. United States*, 555 U. S. 122 (2009). Reported below: 287 Fed. Appx. 845.

*Certiorari Granted—Remanded*

No. 07–827. HASTY *v.* IQBAL; and

No. 07–1150. HAWK SAWYER ET AL. *v.* IQBAL ET AL. C. A. 2d Cir. The Court reversed the judgment below in *Ashcroft v. Iqbal*, ante, p. 662. Therefore, certiorari granted, and cases remanded for further proceedings. Reported below: 490 F. 3d 143.

*Certiorari Dismissed*

No. 08–9403. HAFED *v.* STATE OF ISRAEL. 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. 08–9685. VEALE ET AL. *v.* UNITED STATES ET AL. C. A. 1st Cir. Motion of petitioners for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

*Miscellaneous Orders*

No. 08–10015. IN RE KIM;

No. 08–10068. IN RE MCCORMICK; and

No. 08–10081. IN RE SEEBOTH. Petitions for writs of habeas corpus denied.

No. 08–1192. IN RE JOHNSON; and

No. 08–9437. IN RE BEVILACQUA-BOLLADA. Petitions for writs of mandamus denied.

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No. 08–1170. IN RE WHITEFORD ET AL. Petition for writ of prohibition denied.

*Certiorari Granted*

No. 08–905. MERCK & CO., INC., ET AL. *v.* REYNOLDS ET AL. C. A. 3d Cir. Certiorari granted. Reported below: 543 F. 3d 150.

*Certiorari Denied*

No. 08–801. MOJICA ET VIR, LEGAL REPRESENTATIVES OF ACEVEDO *v.* SIBELIUS, SECRETARY OF HEALTH AND HUMAN SERVICES. C. A. Fed. Cir. Certiorari denied. Reported below: 287 Fed. Appx. 103.

No. 08–866. NEVADA *v.* HARTE. Sup. Ct. Nev. Certiorari denied. Reported below: 124 Nev. 969, 194 P. 3d 1263.

No. 08–904. HENSLEY ET VIR *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 531 F. 3d 1052.

No. 08–961. MCKINNEY ET AL., JOINTLY AND SEVERALLY *v.* PARSONS. C. A. 6th Cir. Certiorari denied. Reported below: 533 F. 3d 492.

No. 08–1010. DAIMLERCHRYSLER CORP. *v.* FLAX ET AL. Sup. Ct. Tenn. Certiorari denied. Reported below: 272 S. W. 3d 521.

No. 08–1078. EAST FIRST STREET, L. L. C., ET AL. *v.* BOARD OF ADJUSTMENTS ET AL. Ct. App. La., 1st Cir. Certiorari denied. Reported below: 986 So. 2d 257.

No. 08–1093. TU MY TONG *v.* WILLIAM H. BROWNSTEIN & ASSOCIATES ET AL. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–1164. HOUSE OF REALTY, INC. *v.* MIDWEST CITY, OKLAHOMA, ET AL. Sup. Ct. Okla. Certiorari denied. Reported below: 198 P. 3d 886.

No. 08–1166. MADDEN *v.* ARIZONA. Ct. App. Ariz. Certiorari denied.

No. 08–1177. HAYES LEMMERZ INTERNATIONAL, INC., ET AL. *v.* LACKS INDUSTRIES, INC. C. A. Fed. Cir. Certiorari denied. Reported below: 300 Fed. Appx. 904.

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No. 08–1178. REID, PERSONAL REPRESENTATIVE OF THE ESTATE OF MERLINO, DECEASED, ET AL. *v.* NEW HAMPSHIRE INDEMNITY CO. C. A. 11th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 459.

No. 08–1182. WILMINGTON HOSPITALITY, LLC *v.* NEW CASTLE COUNTY, DELAWARE. Sup. Ct. Del. Certiorari denied. Reported below: 963 A. 2d 738.

No. 08–1208. CALIFORNIA ET AL. *v.* SAN PASQUAL BAND OF MISSION INDIANS. C. A. 9th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 880.

No. 08–1218. GAGNON, DBA MISTER COMPUTER *v.* ASSET MARKETING SYSTEMS, INC. C. A. 9th Cir. Certiorari denied. Reported below: 542 F. 3d 748.

No. 08–1241. MCLEAN *v.* MCGINNIS ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 548 F. 3d 613.

No. 08–1248. SNEATHEN *v.* FLORIDA. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 998 So. 2d 624.

No. 08–7997. MAY *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 535 F. 3d 912.

No. 08–8131. PIERSON *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 544 F. 3d 933.

No. 08–8487. GAREY *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 546 F. 3d 1359.

No. 08–8823. PAYNE *v.* ALLEN, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied. Reported below: 539 F. 3d 1297.

No. 08–8857. WILLIAMS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 599.

No. 08–8864. KENNEDY *v.* PENNSYLVANIA. Sup. Ct. Pa. Certiorari denied. Reported below: 598 Pa. 621, 959 A. 2d 916.

No. 08–8944. SAUNDERS *v.* ALABAMA. Ct. Crim. App. Ala. Certiorari denied. Reported below: 10 So. 3d 53.

No. 08–9298. RILEY *v.* CARROLL, WARDEN, ET AL. C. A. 3d Cir. Certiorari denied.

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No. 08–9304. *STOREY v. KNOX COUNTY, TENNESSEE, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–9311. *LILLARD v. SERVICE SOLUTIONS CORP. ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–9318. *WHITE v. CAIN, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 08–9320. *TONES v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–9321. *WILSON v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 385 Ill. App. 3d 1133, 970 N. E. 2d 130.

No. 08–9324. *CHRISTY v. BRADSHAW, SHERIFF, PALM BEACH COUNTY, FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 658.

No. 08–9325. *CARTER v. SMITH, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 08–9326. *DIXIE v. BOWEN CENTER ET AL.* C. A. 7th Cir. Certiorari denied.

No. 08–9327. *CLOUD v. BECKSTROM, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 08–9336. *EDELBACHER v. CALDERON, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–9343. *BRYAN v. BOSTICK, CLERK, CIRCUIT COURT OF SOUTH CAROLINA, JASPER COUNTY.* Sup. Ct. S. C. Certiorari denied.

No. 08–9359. *MUNIZ v. JANECKA, WARDEN.* Dist. Ct. N. M., Valencia County. Certiorari denied.

No. 08–9369. *WARREN v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 08–9370. *TAYLOR v. REYNOLDS, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 359.

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No. 08–9371. *WALKER v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 08–9372. *SMITH v. TEXAS*. Ct. App. Tex., 11th Dist. Certiorari denied.

No. 08–9373. *RICHARDSON v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–9374. *RAMOS v. NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied.

No. 08–9377. *DUNKLE v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 08–9383. *KIMBLE v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 08–9387. *ROUSH v. BURT, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 754.

No. 08–9388. *K. W. v. HUDSON COUNTY DEPARTMENT OF HUMAN SERVICES*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 08–9394. *CARTER v. LEMPKE, SUPERINTENDENT, FIVE POINTS CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 08–9395. *PEREZ v. GRIFFIN ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 304 Fed. Appx. 72.

No. 08–9398. *JOHNSON v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–9400. *HUGHES v. HAVILAND, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–9405. *HIPPLER v. MINNESOTA*. Ct. App. Minn. Certiorari denied.

No. 08–9406. *FRANKS v. BURT, WARDEN*. C. A. 6th Cir. Certiorari denied.



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No. 08–9413. *SHMELEV v. MINNESOTA*. Ct. App. Minn. Certiorari denied.

No. 08–9417. *FRANKLIN v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–9418. *HALL v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 848.

No. 08–9419. *GONZALES v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–9421. *FRYER v. CURRY, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–9426. *ORSELLO v. GAFFNEY ET AL.* C. A. 8th Cir. Certiorari denied.

No. 08–9447. *HERRINGTON v. FRAZIER, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 08–9451. *RAISER v. BRIGHAM YOUNG UNIVERSITY*. C. A. 10th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 750.

No. 08–9463. *PEOPLES v. BRUNSMAN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–9518. *PIMENTAL v. SPENCER, SUPERINTENDENT, MASSACHUSETTS CORRECTIONAL INSTITUTION AT NORFOLK*. C. A. 1st Cir. Certiorari denied. Reported below: 305 Fed. Appx. 672.

No. 08–9522. *DAT HUU VU v. KRAMER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–9541. *VILLANUEVA v. SALAZAR, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–9591. *MONTANEZ v. ADAMS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–9608. *FIELDS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 774.

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No. 08–9611. *LAWSON v. YATES, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–9618. *BJARKO v. SCHUETZLE, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 08–9621. *MACKENZIE v. NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 55 App. Div. 3d 929, 865 N. Y. S. 2d 571.

No. 08–9636. *WILEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–9646. *ROBERTSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 224.

No. 08–9648. *MIDDLETON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–9650. *MUHAMMAD v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 08–9658. *STEWART v. INTERNATIONAL LONGSHOREMEN’S ASSOCIATION, LOCAL No. 1408*. C. A. 11th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 527.

No. 08–9660. *WAY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–9662. *HARRIS v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied.

No. 08–9675. *DAVILA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 805.

No. 08–9688. *JONES v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 08–9709. *AGUILERA v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 08–9743. *PONCE v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 08–9827. *EVANS v. DELAWARE*. Sup. Ct. Del. Certiorari denied. Reported below: 968 A. 2d 491.

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No. 08–9832. *HOWELL v. DELAWARE*. C. A. 3d Cir. Certiorari denied.

No. 08–9836. *ANDERSON v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 545 F. 3d 1072.

No. 08–9850. *LOONEY ET UX. v. CAMPBELL ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–9865. *BRUNSTING v. COLORADO*. Ct. App. Colo. Certiorari denied.

No. 08–9880. *RICKS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 343.

No. 08–9885. *TURNER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 553 F. 3d 1337.

No. 08–9898. *BROWN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 306 Fed. Appx. 719.

No. 08–9905. *JAMES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 307 Fed. Appx. 503.

No. 08–9906. *KLEIN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 297 Fed. Appx. 19.

No. 08–9909. *ALARCON v. CHASE HOME FINANCE LLC*. C. A. 5th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 772.

No. 08–9913. *MCRAE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 184.

No. 08–9914. *WYATT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–9915. *MASTERS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 750.

No. 08–9916. *LAROCCA v. FISHER, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 259 Fed. Appx. 168.

No. 08–9918. *AVILA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–9919. *BASHAM v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 237.

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No. 08–9920. *BORDER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–9921. *BUFORD v. MARBERRY, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–9923. *DADE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 08–9925. *TAYLOR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 240.

No. 08–9930. *EVANS v. MUELLER, DIRECTOR, FEDERAL BUREAU OF INVESTIGATION*. C. A. D. C. Cir. Certiorari denied.

No. 08–9932. *LATHAM v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–9934. *MARTINEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 851.

No. 08–9935. *MANESS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 914.

No. 08–9940. *SIMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 195.

No. 08–9941. *SANCHEZ-GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 829.

No. 08–9945. *VARELA-ZUBIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 843.

No. 08–9954. *BROYLES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 99.

No. 08–9959. *DUNIGAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 555 F. 3d 501.

No. 08–9961. *DOWNES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 310.

No. 08–9963. *VINAS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 307 Fed. Appx. 554.

No. 08–9965. *PHILLIPS v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 946 A. 2d 103.

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No. 08–9967. *ARMSTRONG v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–9973. *GOODMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 811.

No. 08–9975. *HERNANDEZ-CAUDILLO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 543.

No. 08–9978. *FABEL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 932.

No. 08–9979. *RESTREPO-PEREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 487.

No. 08–9983. *HERNANDEZ-FUNEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 799.

No. 08–9985. *GOMEZ-CALDERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 885.

No. 08–9986. *HENRIQUEZ-CASTILLO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 85.

No. 08–9989. *FRAMPTON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 307 Fed. Appx. 535.

No. 08–9993. *RICHARDS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 548 F. 3d 641.

No. 08–9997. *BATTIEST v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 553 F. 3d 1132.

No. 08–10002. *SPARKS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 713.

No. 08–10003. *TUCKER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 553 F. 3d 1073.

No. 08–10005. *WILLIAMS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 855.

No. 08–10008. *NEWMAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–10011. *LOUDD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

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No. 08–10013. *LOUIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 559 F. 3d 1220.

No. 08–10014. *KIET TUONG LIEU v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 586.

No. 08–10020. *TURNER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–10022. *WARD v. STANSBERRY, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 300.

No. 08–10026. *EASLEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 993.

No. 08–10027. *DRIGGERS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 559 F. 3d 1021 and 319 Fed. Appx. 665.

No. 08–10031. *JONES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 687.

No. 08–10033. *RHODES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–10042. *DE PENA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

*Rehearing Denied*

No. 08–7626. *HOFFMAN v. FOLINO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GREENE, ET AL.*, 555 U. S. 1182;

No. 08–7995. *MAXWELL v. SMITH*, *ante*, p. 1107;

No. 08–8047. *THREADGILL v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, *ante*, p. 1108;

No. 08–8183. *ERVIN v. PURKETT, SUPERINTENDENT, EASTERN RECEPTION, DIAGNOSTIC AND CORRECTIONAL CENTER*, *ante*, p. 1133;

No. 08–8219. *LATTIMORE v. WESTCHESTER COUNTY OFFICE OF THE MEDICAL EXAMINER ET AL.*, *ante*, p. 1133;

No. 08–8299. *EBEH v. ST. PAUL TRAVELERS ET AL.*, *ante*, p. 1135;

No. 08–8367. *AKINWAMIDE v. TRANSPORTATION INSURANCE CO. ET AL.*, *ante*, p. 1155;

No. 08–8404. *BANKS-BENNETT v. O'BRIEN*, *ante*, p. 1137;

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No. 08–8411. SPEARS *v.* FORNISS, WARDEN, ET AL., *ante*, p. 1156;

No. 08–8418. TIFFER *v.* WORKER’S COMPENSATION ET AL., *ante*, p. 1157;

No. 08–8502. PAYNE *v.* JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, *ante*, p. 1137;

No. 08–8533. EL BEY *v.* SOUTH CAROLINA, *ante*, p. 1169;

No. 08–8657. SLOVINEC *v.* AMERICAN UNIVERSITY, *ante*, p. 1171; and

No. 08–8777. DEPACK *v.* UNITED STATES, *ante*, p. 1142. Petitions for rehearing denied.

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*Certiorari Granted—Reversed and Remanded.* (See No. 08–1034, *ante*, p. 838.)

*Certiorari Granted—Vacated and Remanded*

No. 07–9519. KOEHL *v.* MIRZA ET AL. Ct. App. N. Y. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Haywood v. Drown*, *ante*, p. 729. Reported below: 9 N. Y. 3d 985, 878 N. E. 2d 603.

*Certiorari Dismissed*

No. 08–9634. SPURLOCK *v.* UNITED STATES ARMY CORPS OF ENGINEERS ET AL. 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: 308 Fed. Appx. 669.

*Miscellaneous Orders*

No. 08–1191. MORRISON ET AL. *v.* NATIONAL AUSTRALIA BANK LTD. 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.

No. 08–10185. IN RE CARMONY;

No. 08–10236. IN RE DIEHL; and

No. 08–10260. IN RE O’NEAL. Petitions for writs of habeas corpus denied.

No. 08–9835. IN RE LEONARD; and

No. 08–10078. IN RE STONIER. Petitions for writs of mandamus denied.

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No. 08–1230. *IN RE KILCULLEN*. Petition for writ of mandamus and/or prohibition denied.

No. 08–9547. *IN RE MINNFEE*; and

No. 08–9548. *IN RE MINNFEE*. Motions of petitioner for leave to proceed *in forma pauperis* denied, and petitions for writs of prohibition dismissed. See this Court’s Rule 39.8.

*Certiorari Granted*

No. 08–964. *BILSKI ET AL. v. DOLL, ACTING UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND ACTING DIRECTOR, PATENT AND TRADEMARK OFFICE*. C. A. Fed. Cir. Certiorari granted. Reported below: 545 F. 3d 943.

*Certiorari Denied*

No. 08–720. *CALLAHAN v. FERMON ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 526 F. 3d 1040.

No. 08–805. *SSC ODIN OPERATING Co., LLC, DBA ODIN HEALTHCARE CENTER v. CARTER, SPECIAL ADMINISTRATOR OF THE ESTATE OF GOTT, DECEASED*. App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 381 Ill. App. 3d 717, 885 N. E. 2d 1204.

No. 08–853. *ZESSAR v. KEITH ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 536 F. 3d 788.

No. 08–1068. *GAGLIANO v. RELIANCE STANDARD LIFE INSURANCE Co.* C. A. 4th Cir. Certiorari denied. Reported below: 547 F. 3d 230.

No. 08–1081. *CAVERA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 550 F. 3d 180.

No. 08–1084. *TAYLOR v. MISSOURI*. Sup. Ct. Mo. Certiorari denied.

No. 08–1085. *SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY v. COOPER ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 548 F. 3d 296.

No. 08–1197. *SMACK APPAREL Co. ET AL. v. BOARD OF SUPERVISORS OF THE LOUISIANA STATE UNIVERSITY AND AGRICUL-*



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TURAL AND MECHANICAL COLLEGE ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 550 F. 3d 465.

No. 08-1204. GIMBEL *v.* CALIFORNIA ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 123.

No. 08-1217. KEATING *v.* ABBOTT ET AL. Sup. Ct. S. D. Certiorari denied. Reported below: 759 N. W. 2d 131.

No. 08-1219. HORTON *v.* COMMISSION ON PROFESSIONAL COMPETENCE ET AL. Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 08-1250. QUIROZ ARRATIA *v.* HOLDER, ATTORNEY GENERAL. C. A. 9th Cir. Certiorari denied.

No. 08-1253. VANKESTEREN *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 553 F. 3d 286.

No. 08-1261. NINESTAR TECHNOLOGY CO., LTD., ET AL. *v.* INTERNATIONAL TRADE COMMISSION ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 309 Fed. Appx. 388.

No. 08-1265. DEGENES *v.* MURPHY, UNITED STATES CONGRESSMAN. C. A. 3d Cir. Certiorari denied. Reported below: 289 Fed. Appx. 558.

No. 08-1272. ALTOMARE ET AL. *v.* SECURITIES AND EXCHANGE COMMISSION. C. A. 2d Cir. Certiorari denied. Reported below: 300 Fed. Appx. 70.

No. 08-1290. WILLIAMS *v.* MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied. Reported below: 557 F. 3d 1287.

No. 08-1294. ASTER *v.* ASTER. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 08-1324. AWAD *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 551 F. 3d 930.

No. 08-1331. HYNES *v.* SONIDO, INC. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 50 App. Div. 3d 314, 855 N. Y. S. 2d 83.

No. 08-1334. TURNER *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 551 F. 3d 657.

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No. 08–1338. *MCNEILL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 285 Fed. Appx. 975.

No. 08–1347. *KRAMER ET UX. v. KUBICKA ET UX*. Super. Ct. Pa. Certiorari denied. Reported below: 953 A. 2d 612.

No. 08–5920. *GOODGION v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 253 Fed. Appx. 403.

No. 08–6756. *GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 248 Fed. Appx. 202.

No. 08–8118. *SMITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 685.

No. 08–8179. *BELL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 235 Fed. Appx. 461.

No. 08–8358. *GREEN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 532 F. 3d 538.

No. 08–8933. *HENSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 550 F. 3d 739.

No. 08–8957. *MASHBURN v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 7 So. 3d 453.

No. 08–8970. *AMOUZOU v. HOLDER, ATTORNEY GENERAL*. C. A. 4th Cir. Certiorari denied.

No. 08–8984. *DUNN v. PLILER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–9441. *HARMAN v. BEEBE, GOVERNOR OF ARKANSAS, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 08–9444. *FLOOD v. DAVIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–9448. *MCCONICO v. COOKE, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–9449. *STALEY v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 284 Ga. 873, 672 S. E. 2d 615.

No. 08–9461. *GONZALES v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

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No. 08–9475. *IGLESIAS v. DAVIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–9479. *CO QUY DUONG v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–9482. *CEASER v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 379 Ill. App. 3d 1073, 957 N. E. 2d 587.

No. 08–9486. *FOULIARD v. TOWN OF BROOKFIELD, WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 314 Wis. 2d 507, 758 N. W. 2d 224.

No. 08–9487. *GRAY v. QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–9489. *MATZ v. THURMER, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–9495. *PAGE v. UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT*. C. A. 9th Cir. Certiorari denied.

No. 08–9499. *RAZVI v. CITIBANK SOUTH DAKOTA, N. A., ET AL.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 08–9502. *RAY v. PARKER, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 274.

No. 08–9504. *HENDERSON v. SMITH, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–9510. *BOYKINS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–9511. *BURNHAM v. MILLS, SUPERINTENDENT, EASTERN OREGON CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied.

No. 08–9524. *ZACHARIE v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–9534. *GUERRERO v. TEXAS*. Ct. App. Tex., 13th Dist. Certiorari denied.

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No. 08–9537. *HUSKEY v. MCNEIL*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied.

No. 08–9539. *WANG v. STATE UNIVERSITY OF NEW YORK HEALTH SCIENCES CENTER AT STONY BROOK ET AL.*; and *WANG v. UNITED STATES MEDICAL LICENSE EXAMINATION SECRETARIAT*. C. A. 2d Cir. Certiorari denied.

No. 08–9540. *WALKER v. BANKS*, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 08–9544. *SIMPSON v. GENESEE COUNTY SHERIFF’S DEPARTMENT ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–9545. *RAISER v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH*. C. A. 10th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 619.

No. 08–9551. *DAVIS v. JOHNSON*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 192.

No. 08–9552. *DRAYTON v. CASTRO*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 632.

No. 08–9553. *DAVENPORT v. OREGON DRIVER AND MOTOR VEHICLE SERVICES*. Ct. App. Ore. Certiorari denied. Reported below: 224 Ore. App. 477, 200 P. 3d 180.

No. 08–9554. *DODD v. INDIANA*. Ct. App. Ind. Certiorari denied. Reported below: 894 N. E. 2d 1111.

No. 08–9558. *WRIGHT v. HAWS*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 08–9563. *MERCER v. CHERVENAK ET AL.* Ct. Sp. App. Md. Certiorari denied. Reported below: 181 Md. App. 736, 743.

No. 08–9565. *VAN NGUYEN v. LOUISIANA*. Ct. App. La., 3d Cir. Certiorari denied.

No. 08–9577. *SANDOVAL MENDOZA v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–9625. *CUATETE-HERNANDEZ, AKA CUATETE v. HOLDER*, ATTORNEY GENERAL. C. A. 9th Cir. Certiorari denied.

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No. 08–9651. *JURADO v. RYAN, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 78.

No. 08–9659. *TORRES v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 08–9701. *DEFOY v. BRITTON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HOUTZDALE, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 301 Fed. Appx. 177.

No. 08–9711. *BEST v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–9720. *WALTER v. CULLY, SUPERINTENDENT, LIVINGSTON CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 08–9721. *NEWSOME v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 559.

No. 08–9736. *SNIPES v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 08–9738. *CRAWFORD v. BAXTER HEALTHCARE CORP.* C. A. 5th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 77.

No. 08–9758. *WILLIAMS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 126.

No. 08–9761. *LAWVER v. NEBRASKA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 8th Cir. Certiorari denied.

No. 08–9771. *BOUMAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–9777. *TERRY v. CITY OF PITTSBURGH, PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 297 Fed. Appx. 82.

No. 08–9778. *COX v. GILSON, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–9804. *TIMMON v. WOOD ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–9812. *SOTO v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

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No. 08–9818. *JONES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 606.

No. 08–9826. *TAYLOR v. REYNOLDS, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 196.

No. 08–9830. *HENDERSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–9839. *STARKS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 551 F. 3d 839.

No. 08–9851. *LEVELS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–9853. *LIDDELL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 543 F. 3d 877.

No. 08–9871. *COLES v. CIRCUIT COURT OF AUGUSTA COUNTY, VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 08–9894. *AYRES v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 08–9976. *ROLANDIS G. v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 232 Ill. 2d 13, 902 N. E. 2d 600.

No. 08–9981. *SMALL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 307 Fed. Appx. 703.

No. 08–9984. *GAGNIER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–9996. *BUIE v. ILLINOIS*. App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 384 Ill. App. 3d 1111, 973 N. E. 2d 1098.

No. 08–10007. *ORLANDO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 553 F. 3d 1235.

No. 08–10017. *MACK v. ANGLIN, WARDEN, ET AL.* Sup. Ct. Ill. Certiorari denied.

No. 08–10029. *RIOS-FLORES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 488.

No. 08–10030. *SABATINO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

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No. 08–10032. *ROSS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 160.

No. 08–10037. *BARLOW v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 307 Fed. Appx. 678.

No. 08–10040. *SPEZZIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 853.

No. 08–10045. *HOWARD v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 319 Fed. Appx. 165.

No. 08–10047. *HUMPHRIES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 892.

No. 08–10049. *OFFORD v. WENGLER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–10052. *CAMPBELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 599.

No. 08–10053. *CESAL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–10056. *WHITE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 910.

No. 08–10063. *WELSH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 222.

No. 08–10064. *TUCKER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 518.

No. 08–10067. *NAVARRO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 312 Fed. Appx. 378.

No. 08–10070. *DUNCAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 308 Fed. Appx. 601.

No. 08–10073. *RHODES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–10086. *COOK v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 792.

No. 08–10088. *MARCEAU v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 554 F. 3d 24.

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No. 08–10090. *REED v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 598.

No. 08–10092. *DE LA MORA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 813.

No. 08–10096. *WATTLETON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–10102. *VAS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 313 Fed. Appx. 559.

No. 08–10104. *LEWIS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 554 F. 3d 208.

No. 08–10108. *COLEMAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 9.

No. 08–10109. *DOWAI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 959.

No. 08–10113. *McHENRY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–10115. *BUTLER v. SANDERS, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 08–10123. *LEWIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 58.

No. 08–10125. *MYERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 553 F. 3d 328.

No. 08–10127. *RODDY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–10128. *ARMSTEAD v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 11.

No. 08–10129. *BARNES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 293.

No. 08–10131. *BERAS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–10132. *CAMACHO-MALDONADO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 235.



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No. 08–10133. *PERRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 242.

No. 08–10134. *PATTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 206.

No. 08–10135. *WILSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 239.

No. 08–10136. *WILKS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–10137. *BRYANT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 417 Fed. Appx. 220.

No. 08–10142. *MOODY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 564 F. 3d 754.

No. 08–10143. *KELLEY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 551 F. 3d 171.

No. 08–10146. *MAUSKAR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 557 F. 3d 219.

No. 08–10151. *MARTINEZ-MENERA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 548 F. 3d 1158.

No. 08–10152. *MARCH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–10156. *SMITH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 942.

No. 08–10157. *GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 794.

No. 08–10160. *WILLIAMS v. CRAIG, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 153.

No. 08–10161. *HAWKINS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 548 F. 3d 1143.

No. 08–10162. *GRINNAGE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 334.

No. 08–10164. *HIDALGO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 309 Fed. Appx. 618.

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No. 08–10170. *RODRIGUEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–10171. *LEE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 545 F. 3d 678.

No. 08–10172. *JOHNSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 480.

No. 08–10174. *BROWNLEE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 23.

No. 08–10178. *PITRE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 294 Fed. Appx. 690.

No. 08–10180. *VIGILLE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 919.

No. 08–10188. *SMITH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–10191. *LAVERDE-GUTIERREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–1209. *PELLA CORP. ET AL. v. ANDERSEN CORP.* C. A. Fed. Cir. Motion of respondent for leave to file a brief in opposition under seal with redacted copies for the public record granted. Certiorari denied. Reported below: 300 Fed. Appx. 893.

No. 08–9496. *PRATER v. RUBITSCHUN ET AL.* C. A. 6th Cir. Certiorari before judgment denied.

*Rehearing Denied*

No. 08–997. *DELOH v. NEWS & OBSERVER PUBLISHING COMPANY OF RALEIGH, NORTH CAROLINA*, *ante*, p. 1166;

No. 08–8382. *CORDERO v. DELANO ET UX.*, *ante*, p. 1156;

No. 08–8697. *MAKAS v. MIRAGLIA ET AL.*, *ante*, p. 1163;

No. 08–8762. *JUDD v. UNITED STATES*, *ante*, p. 1142;

No. 08–8913. *JAMES v. UNITED STATES ET AL.*, *ante*, p. 1161;

No. 08–8971. *BUI v. BERHARDSON ET AL.*, *ante*, p. 1193;

No. 08–9021. *DOE v. UNITED STATES*, *ante*, p. 1172; and

No. 08–9065. *WOODBERRY v. UNITED STATES*, *ante*, p. 1173. Petitions for rehearing denied.

No. 08–8471. *TILLMAN v. NEW LINE CINEMA ET AL.*, *ante*, p. 1176. Petition for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

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No. 07–5730. ELLISON *v.* ROGERS, ADMINISTRATOR, ADULT DIAGNOSTIC AND TREATMENT CENTER, ET AL., 552 U. S. 957; and

No. 08–8360. PULLEN-WALKER *v.* ROOSEVELT UNIVERSITY ET AL., *ante*, p. 1155. Motions for leave to file petitions for rehearing denied.

JUNE 2, 2009

*Certiorari Denied*

No. 08–10645 (08A1069). WILSON *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: 333 Fed. Appx. 28.

No. 08–10647 (08A1071). WILSON *v.* OHIO. Ct. App. Ohio, Lorain County. 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: 2009-Ohio-2347.

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*Certiorari Granted—Vacated and Remanded*

No. 08–983. SERNA-GUERRA *v.* HOLDER, ATTORNEY GENERAL. C. A. 5th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Chambers v. United States*, 555 U. S. 122 (2009). Reported below: 285 Fed. Appx. 110.

No. 08–8197. SMITH *v.* UNITED STATES. C. A. 4th 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. Booker*, 543 U. S. 220 (2005). Reported below: 321 Fed. Appx. 229.

*Certiorari Dismissed*

No. 08–9638. BELL-BOSTON *v.* SUPERIOR COURT OF THE DISTRICT OF COLUMBIA. 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)

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(*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein. Reported below: 321 Fed. Appx. 6.

No. 08–9667. GRIFFIN *v.* GASH. 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. Reported below: 317 Fed. Appx. 782.

No. 08–9671. AVERY *v.* WRENN, COMMISSIONER, NEW HAMPSHIRE DEPARTMENT OF CORRECTIONS, ET AL. C. A. 1st Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. JUSTICE SOUTER took no part in the consideration or decision of this motion and this petition.

No. 08–9772. BAKER *v.* MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. 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: 7 So. 3d 1097.

#### *Miscellaneous Orders*

No. 08M80. LOCKETT *v.* ADAMS, WARDEN; and

No. 08M82. MCMILLIAN *v.* CAROCHI, WARDEN, ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 08M81. BELL *v.* PENNSYLVANIA ET AL. Motion to direct the Clerk to file an original action denied.

No. 08–1120. AMERICAN HOME PRODUCTS CORP., DBA WYETH, ET AL. *v.* FERRARI ET AL. Sup. Ct. Ga. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 08–10420. IN RE JENKINS. Petition for writ of habeas corpus denied.

No. 08–10306. IN RE FARLEY. 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. 08–9897. IN RE BRUNSILIUS. Petition for writ of mandamus denied.

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No. 08–9603. *IN RE HADDAD*. 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 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

No. 08–9664. *IN RE MCCREARY*. 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. 08–1107. *HERTZ CORP. v. FRIEND ET AL.* C. A. 9th Cir. Certiorari granted. Reported below: 297 Fed. Appx. 690.

No. 08–1119. *MILAVETZ, GALLOP & MILAVETZ, P. A., ET AL. v. UNITED STATES*; and

No. 08–1225. *UNITED STATES v. MILAVETZ, GALLOP & MILAVETZ, P. A., ET AL.* C. A. 8th Cir. Certiorari granted, cases consolidated, and a total of one hour is allotted for oral argument. Reported below: 541 F. 3d 785.

*Certiorari Denied*

No. 08–846. *NAVAJO NATION ET AL. v. UNITED STATES FOREST SERVICE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 535 F. 3d 1058.

No. 08–894. *SNYDER ET AL. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 399.

No. 08–945. *EMPRESS CASINO JOLIET CORP. ET AL. v. GIANNOULIAS, ILLINOIS STATE TREASURER, ET AL.* Sup. Ct. Ill. Certiorari denied. Reported below: 231 Ill. 2d 62, 896 N. E. 2d 277.

No. 08–968. *HOUSTON v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 529 F. 3d 743.

No. 08–981. *YUSUF ET AL. v. UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 536 F. 3d 178.

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No. 08–1098. MADSEN, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED *v.* JPMORGAN CHASE BANK, N. A. Sup. Ct. Utah. Certiorari denied. Reported below: 199 P. 3d 898.

No. 08–1102. MCCLUNG ET UX. *v.* CITY OF SUMNER, WASHINGTON. C. A. 9th Cir. Certiorari denied. Reported below: 548 F. 3d 1219.

No. 08–1104. TANKERSLEY *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 537 F. 3d 1100.

No. 08–1220. HENDERSON *v.* ROBERTSON ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 642.

No. 08–1221. PERRY ET AL. *v.* MIRFASIHI ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 551 F. 3d 682.

No. 08–1231. NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE ET AL. *v.* BILLUPS ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 554 F. 3d 1340.

No. 08–1240. ARIZONA EX REL. THOMAS, MARICOPA COUNTY ATTORNEY *v.* ARELLANO, JUDGE, SUPERIOR COURT OF ARIZONA, MARICOPA COUNTY, ET AL. Ct. App. Ariz. Certiorari denied.

No. 08–1247. STAR NORTHWEST, INC., DBA KENMORE LANES ET AL. *v.* CITY OF KENMORE, WASHINGTON, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 280 Fed. Appx. 654 and 308 Fed. Appx. 62.

No. 08–1252. MITRANO *v.* SUPREME COURT OF NEW HAMPSHIRE. Sup. Ct. N. H. Certiorari denied.

No. 08–1256. CHEESE *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 827.

No. 08–1260. KOZLOWSKI ET AL. *v.* NEW YORK. Ct. App. N. Y. Certiorari denied. Reported below: 11 N. Y. 3d 223, 898 N. E. 2d 891.

No. 08–1274. SODOMSKY *v.* PENNSYLVANIA. Super. Ct. Pa. Certiorari denied. Reported below: 939 A. 2d 363.

No. 08–1305. PEQUENO *v.* SCHMIDT. C. A. 5th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 372.

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No. 08–1326. *FERNANDEZ v. HAYDEN, DIRECTOR, NATIONAL SECURITY AGENCY*. C. A. 4th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 725.

No. 08–1333. *McRAE v. EVANS*. C. A. 4th Cir. Certiorari denied.

No. 08–1336. *LINVILLE v. MINNESOTA*. Ct. App. Minn. Certiorari denied. Reported below: 755 N. W. 2d 314.

No. 08–1357. *VICKNAIR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–1364. *YUNQUE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–1367. *REYEROS ET AL. v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 537 F. 3d 270.

No. 08–1380. *JOHNSTON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 660.

No. 08–1381. *MARQUEZ ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 559 F. 3d 303.

No. 08–8142. *DIX v. UNITED PARCEL SERVICE, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 816.

No. 08–8521. *LOPEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 399.

No. 08–8798. *SATTAZAHN v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 597 Pa. 648, 952 A. 2d 640.

No. 08–8890. *VERA-RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 398.

No. 08–8988. *ODEH v. UNITED STATES*; and

No. 08–9998. *AL-'OWHALI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 552 F. 3d 177.

No. 08–8993. *MARTIN v. HOLDER, ATTORNEY GENERAL*. C. A. 5th Cir. Certiorari denied.

No. 08–9008. *DURONIO v. HOLDER, ATTORNEY GENERAL, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 293 Fed. Appx. 155.

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No. 08–9061. *PILLADO-CHAPARRO, AKA MARTINEZ-GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 543 F. 3d 202.

No. 08–9159. *HOWARD v. INOVA HEALTH CARE SERVICES*. C. A. 4th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 166.

No. 08–9571. *ELLISON v. BLACK ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–9572. *CHRISTY v. MILGRAM, ATTORNEY GENERAL OF NEW JERSEY, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–9581. *FEROLA v. RUSHTON, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 174.

No. 08–9584. *LEE v. NEW YORK*. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 50 App. Div. 3d 1603, 856 N. Y. S. 2d 421.

No. 08–9586. *ZAVALA v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 08–9587. *YODER v. MCWILLIAMS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–9590. *MILES v. SCUTT, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–9594. *WRIGHT v. CATES ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 235.

No. 08–9597. *BRANAM v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 08–9598. *BENJAMIN v. SOUTH CAROLINA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 240.

No. 08–9605. *MARTIN v. ALAMEDA COUNTY BOARD OF SUPERVISORS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 646.

No. 08–9612. *RUVALCABA v. BROWN, ATTORNEY GENERAL OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.



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No. 08–9619. ADAMS *v.* BURT, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 08–9622. HIEBER *v.* STEARNS. Ct. App. Mich. Certiorari denied.

No. 08–9623. DAVIS *v.* CITY OF SAN DIEGO, CALIFORNIA, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 691.

No. 08–9626. COLEMAN-BEY *v.* BOUCHARD ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 287 Fed. Appx. 420.

No. 08–9632. GROSS ET AL. *v.* LINCOLN TOWNSHIP, MICHIGAN, ET AL. C. A. 6th Cir. Certiorari denied.

No. 08–9641. WOOTEN *v.* HOREL, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 540 F. 3d 1019.

No. 08–9643. DIXON *v.* GRUBBS, JUDGE, SUPERIOR COURT OF GEORGIA, COBB JUDICIAL CIRCUIT. Sup. Ct. Ga. Certiorari denied.

No. 08–9652. AUSTIN *v.* HARDIN ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 84.

No. 08–9655. SCANTLAND *v.* CLINTON TOWNSHIP POLICE DEPARTMENT ET AL. C. A. 6th Cir. Certiorari denied.

No. 08–9656. REYES *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 165 Cal. App. 4th 426, 80 Cal. Rptr. 3d 619.

No. 08–9665. HACKETT *v.* PENNSYLVANIA. Sup. Ct. Pa. Certiorari denied. Reported below: 598 Pa. 350, 956 A. 2d 978.

No. 08–9666. LIDDELL *v.* BOCK, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 08–9672. CLARK *v.* KELLY, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY. C. A. 5th Cir. Certiorari denied.

No. 08–9674. COOK *v.* ADAMS, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 08–9677. DAVIS *v.* PRELESNIK, WARDEN. C. A. 6th Cir. Certiorari denied.

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No. 08–9686. *BIGGINS v. MINNER ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–9689. *JOHNSON v. TENNIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 549 F. 3d 296.

No. 08–9690. *JAMES v. SMITH, SUPERINTENDENT, SHAWANGUNK CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 08–9697. *DAVIS v. TEXAS.* Ct. App. Tex., 4th Dist. Certiorari denied.

No. 08–9700. *CASWELL v. NEW YORK.* App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 56 App. Div. 3d 1300, 867 N. Y. S. 2d 638.

No. 08–9702. *D. H. v. OHIO.* Sup. Ct. Ohio. Certiorari denied. Reported below: 120 Ohio St. 3d 540, 901 N. E. 2d 209.

No. 08–9755. *MCMANUS v. ASTRUE, COMMISSIONER OF SOCIAL SECURITY.* C. A. 2d Cir. Certiorari denied. Reported below: 298 Fed. Appx. 60.

No. 08–9782. *OTTO v. SCHUETZLE, WARDEN.* C. A. 8th Cir. Certiorari denied.

No. 08–9793. *BARRAQUIAS v. SHINSEKI, SECRETARY OF VETERANS AFFAIRS.* C. A. Fed. Cir. Certiorari denied. Reported below: 301 Fed. Appx. 947.

No. 08–9802. *VISINAIZ v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 384 Ill. App. 3d 1091, 973 N. E. 2d 1089.

No. 08–9806. *CAMBRIDGE v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–9816. *COTTRELL v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 942.

No. 08–9819. *WATSON v. FLORIDA.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 3 So. 3d 324.

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No. 08–9874. *CASTLE v. HARRINGTON, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–9879. *SIMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 372.

No. 08–9881. *SMITH v. DUFFEY, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 08–9895. *AUSTIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 700.

No. 08–9901. *CARR v. REED, SECRETARY OF STATE OF WASHINGTON, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 588.

No. 08–9955. *DEERING BEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–10018. *LOWE v. KAPLAN ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 993.

No. 08–10050. *DOYLE v. CELLA ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 644.

No. 08–10055. *KARNOFEL v. DWYCO XEROX OFFICE CENTER*. Ct. App. Ohio, Mahoning County. Certiorari denied.

No. 08–10072. *McHENRY v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 11 So. 3d 950.

No. 08–10077. *WILLIAMS v. BIDEN, ATTORNEY GENERAL OF DELAWARE*. C. A. 3d Cir. Certiorari denied.

No. 08–10155. *RODRIGUEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 310 Fed. Appx. 442.

No. 08–10177. *MOORE v. UNITED STATES POSTAL SERVICE ET AL.* C. A. 7th Cir. Certiorari denied.

No. 08–10179. *MERRYFIELD v. TURNER ET AL.* Ct. App. Kan. Certiorari denied. Reported below: 40 Kan. App. 2d xv, 191 P. 3d 1137.

No. 08–10182. *DAWSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 149.

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No. 08–10183. *ELZAHABI v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 557 F. 3d 879.

No. 08–10186. *GARCIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 314.

No. 08–10187. *FARIAS-SANDOVAL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 815.

No. 08–10197. *NICHOLS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 248 Fed. Appx. 105.

No. 08–10198. *COUNCIL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 261 Fed. Appx. 532.

No. 08–10199. *JOCHUM v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 679.

No. 08–10203. *MILLER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–10204. *JAMES v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied.

No. 08–10206. *BAGLEY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–10212. *DICKERSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 870.

No. 08–10220. *VAN DE CRUIZE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–10222. *SEPULVEDA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–10223. *ROGERS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 556 F. 3d 1130.

No. 08–10227. *NESTON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 821.

No. 08–10228. *CHENG WAI LING v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–10232. *MORETA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 310 Fed. Appx. 534.

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No. 08–10238. DAVID *v.* SCHULTZ, WARDEN. C. A. 3d Cir. Certiorari denied. Reported below: 305 Fed. Appx. 854.

No. 08–10240. ENGLISH *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 08–10241. DAVILA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 08–10242. CEBALLOS-SILVA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 812.

No. 08–10243. MARSH *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 561 F. 3d 81.

No. 08–10249. BUTERA *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 27.

No. 08–10250. BARRAGAN *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 77.

No. 08–10251. GARCIA-RENTERIA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 552.

No. 08–10254. GREGORY ET UX. *v.* UNITED STATES BANKRUPTCY ADMINISTRATOR ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 216.

No. 08–824. PIETRANGELO *v.* GATES, SECRETARY OF DEFENSE, ET AL. C. A. 1st Cir. Motion of petitioner to strike brief of Cook respondents denied. Motion of petitioner to seal attachment A to motion to strike granted. Motion of Cook respondents to withdraw brief filed January 26, 2009, granted. Certiorari denied. Reported below: 528 F. 3d 42.

No. 08–1173. AMALGAMATED TRANSIT UNION LOCAL NO. 1338 *v.* DALLAS AREA RAPID TRANSIT. Sup. Ct. Tex. Motion of Amalgamated Transit Union for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 273 S. W. 3d 659.

No. 08–1236. GIMBEL *v.* CALIFORNIA ET AL. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 308 Fed. Appx. 124.

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No. 08–1237. *SOUTH CAROLINA v. COUNCIL*. Sup. Ct. S. C. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 380 S. C. 159, 670 S. E. 2d 356.

No. 08–1243. *MICHIGAN v. SWAFFORD*. Sup. Ct. Mich. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 483 Mich. 1, 762 N. W. 2d 902.

No. 08–9860. *VAN BUREN v. WALKER, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition.

*Rehearing Denied*

No. 08–704. *BOLTON v. CITY OF DALLAS, TEXAS*, *ante*, p. 1152;  
No. 08–977. *GREEN v. DEPARTMENT OF LABOR ET AL.*, *ante*, p. 1153;

No. 08–1005. *ADAMS v. GOLDSMITH*, *ante*, p. 1182;

No. 08–1007. *WIDTFELDT v. VILSACK, SECRETARY OF AGRICULTURE, ET AL.*, *ante*, p. 1182;

No. 08–8157. *EDWARDS v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*, *ante*, p. 1132;

No. 08–8329. *CARBONELL v. ANDY*, *ante*, p. 1154;

No. 08–8415. *SANCHEZ v. WORKERS' COMPENSATION APPEALS BOARD ET AL.*, *ante*, p. 1157;

No. 08–8669. *BATES v. BURATTI ET AL.*, *ante*, p. 1188;

No. 08–8778. *MOORE v. GREYHOUND LINES CORP.*, *ante*, p. 1190;

No. 08–8781. *SUBLET v. UNITED STATES*, *ante*, p. 1142;

No. 08–8809. *ENNIS v. UNITED STATES*, *ante*, p. 1143;

No. 08–8869. *COOPER v. GEORGIA*, *ante*, p. 1192;

No. 08–9409. *DUNLEA v. UNITED STATES*, *ante*, p. 1202; and

No. 08–9536. *PARKER v. SHINSEKI, SECRETARY OF VETERANS AFFAIRS*, *ante*, p. 1216. Petitions for rehearing denied.

No. 08–7630. *HOPKINS v. WHITE, SECRETARY OF STATE OF ILLINOIS, ET AL.*, 555 U. S. 1182. Motion for leave to file petition for rehearing denied.