

ORDERS FOR OCTOBER 5, 2009, THROUGH
JANUARY 19, 2010

OCTOBER 5, 2009

Certiorari Granted—Vacated and Remanded

No. 08–906. AFANWI *v.* HOLDER, ATTORNEY GENERAL. C. A. 4th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of the position asserted by the Solicitor General in her brief for respondent filed August 26, 2009. Reported below: 526 F. 3d 788.

No. 08–10150. FRANKEL *v.* UNITED STATES. C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of the position asserted by the Solicitor General in her brief for respondent filed August 4, 2009.

No. 09–5115. HAMILTON *v.* MASSACHUSETTS. App. Ct. Mass. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Melendez-Diaz v. Massachusetts*, 557 U. S. 305 (2009). Reported below: 73 Mass. App. 1122, 900 N. E. 2d 914.

Certiorari Dismissed

No. 08–10117. BOYD *v.* WACHOVIA BANK N. A. ET AL. C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in non-criminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein. Reported below: 308 Fed. Appx. 582.

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No. 08–10168. *HERSHIPS v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–10266. *HOBLEY v. 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. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in non-criminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

No. 08–10401. *HARRIS v. WALKER, WARDEN, ET AL.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–10457. *CASTILLO v. GUIDRY*. Ct. App. La., 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 995 So. 2d 50.

No. 08–10490. *MCCRIGHT v. EVANS, WARDEN*. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 299 Fed. Appx. 743.

No. 08–10543. *KARNOFEL v. GIRARD POLICE DEPARTMENT ET AL.* Ct. App. Ohio, Trumbull County. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–10578. *WELLS v. VASQUEZ, WARDEN*. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–10595. *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. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in non-

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criminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

No. 08–10619. *ASEMANI v. ISLAMIC REPUBLIC OF IRAN ET AL.* C. A. D. C. Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 322 Fed. Appx. 1.

No. 08–10650. *DASISA v. UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES.* 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. 08–10685. *ASEMANI v. UNITED STATES.* C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 328 Fed. Appx. 211.

No. 08–10783. *SMITH v. CHARLESTON COUNTY SCHOOL DISTRICT 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: 318 Fed. Appx. 193.

No. 08–10847. *SIMMONS v. FLECKER.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–10890. *SWAIN v. SMALL, WARDEN.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–10899. *PENK v. COFFMAN, SECRETARY OF STATE OF COLORADO, ET AL.* Sup. Ct. Colo. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–10923. *SHABAZZ v. CALIFORNIA.* Sup. Ct. Cal. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule

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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. 08–10930. *BROWN v. UNITED STATES*. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–10954. *ASEMANI v. MARYLAND 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: 325 Fed. Appx. 244.

No. 08–10969. *ASEMANI v. FISHER 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: 326 Fed. Appx. 210.

No. 08–10986. *STRONG v. ILLINOIS DEPARTMENT OF HUMAN SERVICES*. 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. Reported below: 299 Fed. Appx. 577.

No. 08–10989. *DADE v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO*. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–11013. *ASEMANI v. SMITH 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: 336 Fed. Appx. 336.

No. 08–11035. *DEY v. CALIFORNIA*. Sup. Ct. Cal. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 08–11118. *FRANCIS v. UNITED STATES*. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 09–5029. *MARTIN v. CALIFORNIA*. Sup. Ct. Cal. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

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No. 09–5055. *FENLON v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 09–5074. *WAKEFIELD v. CORDIS CORP.* 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. Reported below: 304 Fed. Appx. 804.

No. 09–5078. *JERRY v. PENNSYLVANIA*. Super. Ct. Pa. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein. Reported below: 964 A. 2d 943.

No. 09–5096. *HOWARD v. INDUSTRIAL COMMISSION OF OHIO ET AL.* Sup. Ct. Ohio. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 122 Ohio St. 3d 1417, 908 N. E. 2d 428.

No. 09–5099. *YOUNG v. DEPARTMENT OF JUSTICE ET AL.* C. A. 10th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 316 Fed. Appx. 764.

No. 09–5111. *SIMMONS v. 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.

No. 09–5142. *REDFORD v. REDFORD*. Ct. App. Ga. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 09–5146. *ASEMANI v. AHMADINEJAD, PRESIDENT OF THE ISLAMIC REPUBLIC OF IRAN*. 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.

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No. 09–5190. *REGER v. WALKER 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. Reported below: 312 Fed. Appx. 624.

No. 09–5214. *EDMOND v. MISSISSIPPI.* Sup. Ct. Miss. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 991 So. 2d 588.

No. 09–5281. *BUTCHER v. GUTHRIE, JUDGE, UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS, 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. Reported below: 332 Fed. Appx. 161.

No. 09–5289. *MOORE v. SCHUETZLE, WARDEN.* 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.

No. 09–5290. *MUNIZ v. NEW MEXICO.* Sup. Ct. N. M. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 146 N. M. 642, 213 P. 3d 792.

No. 09–5356. *CURTO v. SIWEK.* 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. JUSTICE SOTOMAYOR took no part in the consideration or decision of this motion and this petition. Reported below: 322 Fed. Appx. 62.

No. 09–5383. *GLOVER v. THURMER, 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. 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. 09–5398. *JAFFE v. US AIRWAYS, INC., ET AL.* Ct. App. Ariz. Motion of petitioner for leave to proceed *in forma*

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pauperis denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in non-criminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

No. 09–5436. CRUTCHER *v.* WILLIAMS, WARDEN, ET AL. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 09–5451. RUSTON *v.* DALLAS COUNTY, TEXAS, 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. Reported below: 320 Fed. Appx. 262.

No. 09–5488. WALLACE *v.* MOBERG ET AL. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 09–5512. BROWN *v.* RIVERA, WARDEN. 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. 09–5576. SMITH *v.* WRIGLEY, SUPERINTENDENT, NEW CASTLE CORRECTIONAL FACILITY. C. A. 7th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk 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. 09–5630. ODUOK *v.* FERRO 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. Reported below: 303 Fed. Appx. 790.

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No. 09–5790. *SIBLEY v. GRIEVANCE COMMITTEE OF THE SEVENTH JUDICIAL DISTRICT*. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 61 App. Div. 3d 85, 874 N. Y. S.2d 338.

No. 09–5800. *DANSER v. LAWRENCE, JUDGE, UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF INDIANA*. 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. 09–5856. *WAGNER v. UNITED STATES*. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 314 Fed. Appx. 626.

No. 09–5878. *CHILDS v. WEINSHIENK, SENIOR JUDGE, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO*. 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: 320 Fed. Appx. 860.

No. 09–6054. *VOINCHE v. UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF LOUISIANA 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. Reported below: 327 Fed. Appx. 525.

Miscellaneous Orders

No. 08A1098 (08–1204). *GIMBEL v. CALIFORNIA ET AL.*, 556 U. S. 1269. Application for leave to file petition for rehearing in excess of the word limit, addressed to JUSTICE GINSBURG and referred to the Court, denied.

No. 09A140 (09–246). *BRIDGEPORT ROMAN CATHOLIC DIOCESAN CORP. v. NEW YORK TIMES CO. ET AL.* Sup. Ct. Conn. Application for stay, addressed to JUSTICE SCALIA and referred to the Court, denied.

No. 08M92. *TORRES v. AMERADA HESS CORP.*;

No. 09M12. *ROBERSON v. LFI FORT PIERCE, INC., ET AL.*; and

No. 09M17. *ABERCROMBIE v. DEPARTMENT OF AGRICULTURE*. Motions to direct the Clerk to file petitions for writs of certiorari out of time under this Court’s Rule 14.5 denied.

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No. 09M1. STURDIVANT *v.* UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA;

No. 09M2. JONES *v.* GENERAL NUTRITION CENTERS, INC.;

No. 09M4. SCOHY *v.* SAND RIVER PROPERTIES, LLC;

No. 09M5. FRAZIER *v.* RILEY ET AL.;

No. 09M7. MOTTRAM *v.* DAVIS, WARDEN;

No. 09M8. COTTINGHAM *v.* POLICY STUDIES, INC.;

No. 09M9. VANG *v.* McDONALD, ACTING WARDEN;

No. 09M10. EICHWEDEL *v.* ILLINOIS;

No. 09M13. BENITEZ *v.* SODEXHO MARRIOTT SERVICES;

No. 09M16. VANN *v.* UNITED AIRLINES, INC.;

No. 09M18. SELENSKY *v.* ALABAMA;

No. 09M19. SANDERS *v.* NORTH CAROLINA ET AL.;

No. 09M20. NDUKWE *v.* VIOLETTE ET AL.;

No. 09M21. SOLOMON *v.* PHILADELPHIA NEWSPAPERS ET AL.;

No. 09M22. HALE *v.* RIGGINS ET AL.;

No. 09M23. RILEY *v.* PENNSYLVANIA UNEMPLOYMENT COMPENSATION BOARD OF REVIEW;

No. 09M24. SANDERS *v.* ENVIRONMENTAL PROTECTION AGENCY ET AL.;

No. 09M25. WATSON *v.* PRESLESNIK, WARDEN; and

No. 09M26. WEST *v.* UNITED STATES. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 09M3. MOORE *v.* ADVENTIST HEALTH SYSTEM/GEORGIA INC. ET AL.;

No. 09M6. LACEN-BERRIOS *v.* UNITED STATES;

No. 09M14. SEALED PETITIONER *v.* UNITED STATES; and

No. 09M15. SEALED PETITIONERS *v.* UNITED STATES. Motions for leave to file petitions for writs of certiorari under seal with redacted copies for the public record granted.

No. 09M11. STAUB *v.* PROCTOR HOSPITAL. Motion for leave to proceed as a veteran granted.

No. 65, Orig. TEXAS *v.* NEW MEXICO. Motion of the River Master for fees and reimbursement of expenses granted, and the River Master is awarded a total of \$6,910.61 for the period July 1, 2008, through June 30, 2009, to be paid equally by the parties. [For earlier order herein, see, *e. g.*, 555 U.S. 806.]

No. 137, Orig. MONTANA *v.* WYOMING ET AL. Motion of the Special Master for allowance of fees and reimbursement of ex-

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penses granted, and the Special Master is awarded a total of \$40,808.96 for the period October 20, 2008, through June 12, 2009, to be paid equally by the parties. [For earlier order herein, see, *e. g.*, 555 U. S. 968.]

No. 08–472. SALAZAR, SECRETARY OF THE INTERIOR, ET AL. *v.* BUONO. C. A. 9th Cir. [Certiorari granted, 555 U. S. 1169.] Motion of Veterans of Foreign Wars of the United States et al. for leave to intervene denied.

No. 08–538. SCHWAB *v.* REILLY. C. A. 3d Cir. [Certiorari granted, 556 U. S. 1207.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 08–586. JONES ET AL. *v.* HARRIS ASSOCIATES L. P. C. A. 7th Cir. [Certiorari granted, 556 U. S. 1104.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 08–674. NRG POWER MARKETING, LLC, ET AL. *v.* MAINE PUBLIC UTILITIES COMMISSION ET AL. C. A. D. C. Cir. [Certiorari granted, 556 U. S. 1207.] Motion of the Solicitor General for divided argument granted.

No. 08–911. KUCANA *v.* HOLDER, ATTORNEY GENERAL. C. A. 7th Cir. [Certiorari granted, 556 U. S. 1207.] Motion of the Solicitor General for divided argument granted.

No. 08–1151. STOP THE BEACH RENOURISHMENT, INC. *v.* FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION ET AL. Sup. Ct. Fla. [Certiorari granted, 557 U. S. 903.] Motion of Owners' Counsel of America for leave to file a brief as *amicus curiae* out of time granted.

No. 08–1200. JERMAN *v.* CARLISLE, MCNELLIE, RINI, KRAMER & ULRICH LPA ET AL. C. A. 6th Cir. [Certiorari granted, 557 U. S. 933.] Motion of petitioner to dispense with printing the joint appendix granted.

No. 08–1314. WILLIAMSON ET AL. *v.* MAZDA MOTOR OF AMERICA, INC., ET AL. Ct. App. Cal., 4th App. Dist., Div. 3;

No. 08–1423. COSTCO WHOLESALE CORP. *v.* OMEGA, S. A. C. A. 9th Cir.;

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No. 08–1458. MISSOURI GAS ENERGY *v.* SCHMIDT, WOODS COUNTY, OKLAHOMA, ASSESSOR. Sup. Ct. Okla.; and

No. 08–1515. GOLDEN GATE RESTAURANT ASSN. *v.* CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA, ET AL. C. A. 9th Cir. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 08–1596. RHINE *v.* DEATON ET UX. Ct. App. Tex., 2d Dist. The Solicitor General of Texas is invited to file a brief in this case expressing the views of the State of Texas.

No. 08–7412. GRAHAM *v.* FLORIDA. Dist. Ct. App. Fla., 1st Dist. [Certiorari granted, 556 U.S. 1220.] Motion of petitioner for appointment of counsel granted. Bryan S. Gowdy, Esq., of Jacksonville, Fla., is appointed to serve as counsel for petitioner in this case.

No. 08–8224. BURKE *v.* ANISKOVICH ET AL. C. A. 2d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [556 U.S. 1150] denied.

No. 08–9547. IN RE MINNFEE. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [556 U.S. 1268] denied.

No. 08–9603. IN RE HADDAD. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [556 U.S. 1281] denied.

No. 08–9685. VEALE ET AL. *v.* UNITED STATES ET AL. C. A. 1st Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [556 U.S. 1256] denied.

No. 08–9822. BAGLEY *v.* SOUTH CAROLINA. Sup. Ct. S. C. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [557 U.S. 902] granted. Order entered June 15, 2009, vacated.

No. 08–10258. HAYES *v.* UNITED STATES. C. A. Fed. Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [557 U.S. 917] denied.

No. 08–10306. IN RE FARLEY. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [556 U.S. 1280] denied.

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No. 08–10333. *MOORE v. UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON*. C. A. 9th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [557 U.S. 901] denied.

No. 08–10440. *FORD v. CHRISTIANA CARE HEALTH SYSTEMS ET AL.* C. A. 3d Cir.;

No. 08–10625. *GWANJUN KIM v. DEPARTMENT OF LABOR ET AL.* C. A. 6th Cir.;

No. 08–10997. *WILLIAMS v. CHURCH’S CHICKEN ET AL.* Ct. App. Cal., 2d App. Dist.;

No. 09–5205. *NICOLOUDAKIS v. ABRAHAM, PHILADELPHIA DISTRICT ATTORNEY, ET AL.* C. A. 3d Cir.;

No. 09–5294. *ORTEGA v. NAPA COUNTY, CALIFORNIA*. Ct. App. Cal., 1st App. Dist.;

No. 09–5305. *CORINES v. BROWARD COUNTY SHERIFF’S DEPARTMENT ET AL.* C. A. 11th Cir.;

No. 09–5346. *POTTER v. SOUTH COAST PLUMBING SYSTEMS, INC., ET AL.* Ct. App. Cal., 4th App. Dist., Div. 2;

No. 09–5400. *MENKE v. GADDY ET AL.* Ct. App. N. M.;

No. 09–5448. *RODRIGUEZ v. QUALITY ENGINEERING PRODUCTS ET AL.* Dist. Ct. App. Fla., 1st Dist.;

No. 09–5496. *ABBEY v. UNITED STATES*. C. A. 11th Cir.;

No. 09–5515. *QUINN v. UNITED STATES*. C. A. 10th Cir.; and

No. 09–5728. *HOLLIS v. UNITED STATES*. C. A. 7th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until October 26, 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. 08–10564. *IN RE SMITH*;

No. 08–10988. *IN RE CORINES*;

No. 08–11038. *IN RE SIMMONS*;

No. 08–11050. *IN RE SALAZAR*;

No. 09–5139. *IN RE ORTIZ*;

No. 09–5156. *IN RE MORRISON*;

No. 09–5213. *IN RE MARTINEZ*;

No. 09–5308. *IN RE JOHNSON*;

No. 09–5606. *IN RE STAMPS*;

No. 09–5696. *IN RE USHER*;

No. 09–5719. *IN RE BOJONQUEZ*;

No. 09–5753. *IN RE GORDON*;

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No. 09–5754. IN RE HERNANDEZ;
No. 09–5755. IN RE TAPIA-FIERRO;
No. 09–5803. IN RE SCHMIDT;
No. 09–5873. IN RE MORRIS;
No. 09–5880. IN RE COPPAGE;
No. 09–5882. IN RE NEAL-EL;
No. 09–5907. IN RE YORK;
No. 09–5912. IN RE BUTLER;
No. 09–5948. IN RE DEL TORO;
No. 09–5953. IN RE DAVIES;
No. 09–6049. IN RE CARTER;
No. 09–6145. IN RE JACKSON; and
No. 09–6189. IN RE BUSH. Petitions for writs of habeas corpus denied.

No. 08–10784. IN RE SMITH;
No. 08–10886. IN RE ALPINE;
No. 09–5106. IN RE SINQUEFIELD;
No. 09–5122. IN RE SHERRATT;
No. 09–5768. IN RE MILLER;
No. 09–5814. IN RE TREECE;
No. 09–5945. IN RE WILLIAMS;
No. 09–6154. IN RE MILLEN; and
No. 09–6233. IN RE CLUCK. Motions of petitioners for leave to proceed *in forma pauperis* denied, and petitions for writs of habeas corpus dismissed. See this Court’s Rule 39.8.

No. 09–6291. IN RE BENNETT. 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. 08–1559. IN RE CORRIGAN;
No. 08–10443. IN RE RICHARD;
No. 08–10712. IN RE STONIER;
No. 08–10759. IN RE MANSHIP;
No. 08–10927. IN RE ROBERTS;

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No. 08–10974. IN RE SHELTON;
No. 08–11007. IN RE BROWN;
No. 08–11123. IN RE WINNS;
No. 09–211. IN RE FLEMING ET UX.;
No. 09–5332. IN RE ROBINSON;
No. 09–5487. IN RE VANN; and
No. 09–5876. IN RE DALEY. Petitions for writs of mandamus denied.

No. 09–5612. IN RE BRAVO. 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. 08–1549. IN RE BIRKS;
No. 08–11003. IN RE SINGLETARY;
No. 08–11070. IN RE AUGUSTIN; and
No. 09–5411. IN RE ARNOLD. Petitions for writs of mandamus and/or prohibition denied.

No. 08–10356. IN RE ALPINE;
No. 08–10732. IN RE ALPINE;
No. 08–10846. IN RE MICHALSKI;
No. 09–5098. IN RE FOOSE;
No. 09–5442. IN RE HILL; and
No. 09–5595. IN RE MUHAMMAD. Motions of petitioners 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.

No. 08–10941. IN RE TELEMAQUE. Petition for writ of prohibition denied.

Certiorari Denied

No. 08–1048. MARQUARDT *v.* SEBELIUS, SECRETARY OF HEALTH AND HUMAN SERVICES. C. A. 5th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 112.

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No. 08–1082. *CITY OF MAYWOOD, CALIFORNIA, ET AL. v. DENSMORE*. C. A. 9th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 497.

No. 08–1097. *ADAM ET AL. v. SALAZAR, SECRETARY OF THE INTERIOR*. C. A. 9th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 646.

No. 08–1100. *PIRANT v. UNITED STATES POSTAL SERVICE*. C. A. 7th Cir. Certiorari denied. Reported below: 542 F. 3d 202.

No. 08–1117. *BOWEN v. OREGON*. Ct. App. Ore. Certiorari denied. Reported below: 215 Ore. App. 199, 168 P. 3d 1208, and 220 Ore. App. 380, 185 P. 3d 1129.

No. 08–1122. *CLARK ET AL. v. JENKINS*. Ct. App. Tex., 7th Dist. Certiorari denied. Reported below: 248 S. W. 3d 418.

No. 08–1133. *WUTERICH v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 67 M. J. 63.

No. 08–1144. *J. L. SPOONS, INC., ET AL. v. GUZMAN, DIRECTOR, OHIO DEPARTMENT OF PUBLIC SAFETY, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 538 F. 3d 379.

No. 08–1172. *NACCHIO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 555 F. 3d 1234.

No. 08–1176. *FORD v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 548 F. 3d 1.

No. 08–1184. *BOWMAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 564 F. 3d 765.

No. 08–1188. *ROBINSON v. OHIO*. Ct. App. Ohio, Lucas County. Certiorari denied.

No. 08–1205. *BOTES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 316.

No. 08–1213. *CARUSO, DIRECTOR, MICHIGAN DEPARTMENT OF CORRECTIONS, ET AL. v. BAZZETTA ET AL.*; and

No. 08–1345. *BAZZETTA ET AL. v. CARUSO, DIRECTOR, MICHIGAN DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 290 Fed. Appx. 905.

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No. 08–1216. *BARRY v. HOLDER, ATTORNEY GENERAL*. C. A. 11th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 631.

No. 08–1232. *CARLYLE FORTTRAN TRUST v. NVIDIA CORP. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 514.

No. 08–1238. *STOYANOV v. MABUS, SECRETARY OF THE NAVY, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 945.

No. 08–1245. *NATIONAL TAXPAYERS UNION v. SOCIAL SECURITY ADMINISTRATION, OFFICE OF THE INSPECTOR GENERAL*. C. A. 3d Cir. Certiorari denied. Reported below: 302 Fed. Appx. 115.

No. 08–1266. *GUERRA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 283.

No. 08–1280. *MIKOS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 539 F. 3d 706.

No. 08–1283. *CHOOSE LIFE ILLINOIS, INC., ET AL. v. WHITE, SECRETARY OF STATE OF ILLINOIS*. C. A. 7th Cir. Certiorari denied. Reported below: 547 F. 3d 853.

No. 08–1284. *DBC v. PATENT AND TRADEMARK OFFICE, BOARD OF PATENT APPEALS AND INTERFERENCES*. C. A. Fed. Cir. Certiorari denied. Reported below: 545 F. 3d 1373.

No. 08–1285. *FINKER ET AL. v. WEBER*. C. A. 11th Cir. Certiorari denied. Reported below: 554 F. 3d 1379.

No. 08–1287. *FAMILY DOLLAR STORES, INC. v. MORGAN ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 551 F. 3d 1233.

No. 08–1291. *TUCKER ET AL. v. HARDIN COUNTY, TENNESSEE, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 539 F. 3d 526.

No. 08–1295. *CHEEK ET AL. v. CITY OF EDWARDSVILLE, KANSAS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 699.

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No. 08–1300. *GUNDERSON ET AL. v. LIBERTY MUTUAL INSURANCE CO. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 170.

No. 08–1306. *HENDRIX ET AL. v. COFFEY ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 495.

No. 08–1309. *HILL DERMACEUTICALS, INC. v. RX SOLUTIONS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 450.

No. 08–1317. *EMAN v. HOLDER, ATTORNEY GENERAL.* C. A. 4th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 125.

No. 08–1321. *NEW YORK v. ROMEO.* Ct. App. N. Y. Certiorari denied. Reported below: 12 N. Y. 3d 51, 876 N. E. 2d 666.

No. 08–1325. *BARR ET AL. v. LAFON, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS PRINCIPAL OF WILLIAM BLOUNT HIGH SCHOOL, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 538 F. 3d 554.

No. 08–1328. *GREENWELL v. PARSLEY.* C. A. 6th Cir. Certiorari denied. Reported below: 541 F. 3d 401.

No. 08–1330. *SANDS v. DEPARTMENT OF HOMELAND SECURITY ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 418.

No. 08–1337. *KNIGHT v. CHICAGO TRIBUNE CO. ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 385 Ill. App. 3d 347, 895 N. E. 2d 1007.

No. 08–1340. *WIGGENHORN ET AL. v. AXA EQUITABLE LIFE INSURANCE CO. ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 722.

No. 08–1346. *ACOSTA v. CAMPBELL ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 315.

No. 08–1348. *RAILSBACK v. WASHINGTON.* Ct. App. Wash. Certiorari denied.

No. 08–1349. *COFFEY ET AL. v. SOUTHWESTERN BELL TELEPHONE, L. P., ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 544 F. 3d 1101.

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No. 08–1351. *FRAZIER v. SMITH, COMMISSIONER, FLORIDA DEPARTMENT OF EDUCATION, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 535 F. 3d 1279.

No. 08–1352. *ARKANSAS ANNUAL CONFERENCE OF THE AFRICAN METHODIST EPISCOPAL CHURCH, INC., ET AL. v. NEW DIRECTION PRAISE AND WORSHIP CENTER, INC.* Sup. Ct. Ark. Certiorari denied. Reported below: 375 Ark. 428, 291 S. W. 3d 562.

No. 08–1353. *BOROUGH OF CARLSTADT, NEW JERSEY, ET AL. v. TOMU DEVELOPMENT CO., INC.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 08–1355. *LUCAS v. UNIVERSITY OF COLORADO, HEALTH SCIENCES CENTER.* Ct. App. Colo. Certiorari denied.

No. 08–1359. *FISHER v. VANLOVEREN ET AL.* Ct. App. Ohio, Hamilton County. Certiorari denied.

No. 08–1360. *CLAYTON v. PENNSYLVANIA DEPARTMENT OF WELFARE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 304 Fed. Appx. 104.

No. 08–1363. *NARRON v. NORTH CAROLINA.* Ct. App. N. C. Certiorari denied. Reported below: 193 N. C. App. 76, 666 S. E. 2d 860.

No. 08–1366. *ROSCH v. WHATCOM COUNTY, WASHINGTON.* Ct. App. Wash. Certiorari denied. Reported below: 145 Wash. App. 1007.

No. 08–1368. *GILBERT v. POST.* Ct. Civ. App. Okla. Certiorari denied.

No. 08–1370. *JOHNSON v. GEORGE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 299 Fed. Appx. 139.

No. 08–1373. *STANCOURT ET UX., PARENTS OF STANCOURT v. WORTHINGTON CITY SCHOOL DISTRICT.* Ct. App. Ohio, Morgan County. Certiorari denied.

No. 08–1374. *ROBINSON v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 547 F. 3d 632.

No. 08–1376. *CUNDIFF ET AL. v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 555 F. 3d 200.

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No. 08–1379. *GONZALEZ v. CITY OF DEERFIELD BEACH, FLORIDA*. C. A. 11th Cir. Certiorari denied. Reported below: 549 F. 3d 1331.

No. 08–1384. *O'BRYAN ET AL. v. HOLY SEE ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 556 F. 3d 361.

No. 08–1387. *CAHOON v. UTAH*. Sup. Ct. Utah. Certiorari denied. Reported below: 203 P. 3d 957.

No. 08–1391. *ACHOBE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 560 F. 3d 259.

No. 08–1393. *MAY v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 08–1396. *COFFEE BEANERY, LTD., ET AL. v. WW, LLC, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 415.

No. 08–1397. *MORLEY ET UX. v. SMITH ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 103.

No. 08–1403. *DANIELS v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied. Reported below: 165 Wash. 2d 627, 200 P. 3d 711.

No. 08–1404. *DEVON ENERGY CORP. v. SALAZAR, SECRETARY OF THE INTERIOR*. C. A. D. C. Cir. Certiorari denied. Reported below: 551 F. 3d 1030.

No. 08–1409. *FORD MOTOR CO. v. DELAWARE DIRECTOR OF REVENUE*. Sup. Ct. Del. Certiorari denied. Reported below: 963 A. 2d 115.

No. 08–1412. *THOROGOOD v. SEARS, ROEBUCK & Co.* C. A. 7th Cir. Certiorari denied. Reported below: 547 F. 3d 742.

No. 08–1414. *L. M., A MINOR, BY AND THROUGH HIS GUARDIAN AD LITEM, SAM M. ET UX., ET AL. v. CAPISTRANO UNIFIED SCHOOL DISTRICT*. C. A. 9th Cir. Certiorari denied. Reported below: 556 F. 3d 900.

No. 08–1421. *VAN AUKEN v. CATRON, CATRON & POTTOW, P. A., ET AL.* Ct. App. N. M. Certiorari denied. Reported below: 145 N. M. 573, 203 P. 3d 104.

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No. 08-1424. *ROSENTHAL v. COMMITTEE ON PROFESSIONAL STANDARDS*, APPELLATE DIVISION, SUPREME COURT OF NEW YORK, THIRD JUDICIAL DEPARTMENT. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 57 App. Div. 3d 1085, 868 N. Y. S. 2d 820.

No. 08-1429. *BEAL v. CSX CORP. ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 324.

No. 08-1430. *SMITH ET AL., AS CO-PERSONAL REPRESENTATIVES OF THE ESTATE OF SMITH, DECEASED, ET AL. v. FORD MOTOR CO. ET AL.* Ct. Civ. App. Okla. Certiorari denied.

No. 08-1431. *REDDY v. MATTHEWS ET AL.* Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 08-1433. *LAWRENCE v. GOLDBERG.* C. A. 11th Cir. Certiorari denied.

No. 08-1434. *KATZ v. MABUS, SECRETARY OF THE NAVY.* C. A. 3d Cir. Certiorari denied. Reported below: 303 Fed. Appx. 125.

No. 08-1435. *CHUNG v. SUPERIOR COURT OF CALIFORNIA, SAN FRANCISCO COUNTY, ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 08-1437. *RUSSELL ET UX. v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 551 F. 3d 1174.

No. 08-1440. *HAEG v. COLE.* Sup. Ct. Alaska. Certiorari denied. Reported below: 200 P. 3d 317.

No. 08-1444. *ASPEN CREEK ESTATES, LTD. v. TOWN OF BROOKHAVEN, NEW YORK, ET AL.* Ct. App. N. Y. Certiorari denied. Reported below: 12 N. Y. 3d 735, 904 N. E. 2d 816.

No. 08-1445. *CHILDRESS v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 169.

No. 08-1446. *GRAIN ET UX. v. TRINITY HEALTH ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 551 F. 3d 374.

No. 08-1447. *ST. JOHNS UNITED CHURCH OF CHRIST ET AL. v. BABBITT, ADMINISTRATOR, FEDERAL AVIATION ADMINISTRATION,*

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ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 550 F. 3d 1168.

No. 08–1449. CONNECTION DISTRIBUTING CO. ET AL. *v.* HOLDER, ATTORNEY GENERAL. C. A. 6th Cir. Certiorari denied. Reported below: 557 F. 3d 321.

No. 08–1450. JONES *v.* BAYER HEALTHCARE LLC. C. A. 9th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 590.

No. 08–1451. MATTHEW ET AL. *v.* DEPARTMENT OF THE ARMY. C. A. 2d Cir. Certiorari denied. Reported below: 311 Fed. Appx. 409.

No. 08–1452. ADAMS ET AL. *v.* FEDERAL AVIATION ADMINISTRATION ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 550 F. 3d 1174.

No. 08–1454. ASOCIACION DE EMPLEADOS DEL ESTADO LIBRE ASOCIADO DE PUERTO RICO *v.* MONTEAGUDO. C. A. 1st Cir. Certiorari denied. Reported below: 554 F. 3d 164.

No. 08–1455. BAUMHAMMERS *v.* PENNSYLVANIA. Sup. Ct. Pa. Certiorari denied. Reported below: 599 Pa. 1, 960 A. 2d 59.

No. 08–1456. QUINONES *v.* NEW YORK. Ct. App. N. Y. Certiorari denied. Reported below: 12 N. Y. 3d 116, 879 N. E. 2d 1.

No. 08–1460. ARENSDORF *v.* COMMISSIONER OF INTERNAL REVENUE ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 634.

No. 08–1461. MYLAN LABORATORIES, INC., ET AL. *v.* TAKEDA CHEMICAL INDUSTRIES, LTD.; and

No. 08–1463. ALPHAPHARM PTY., LTD., ET AL. *v.* TAKEDA CHEMICAL INDUSTRIES, LTD., ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 549 F. 3d 1381.

No. 08–1464. EAST END PROPERTY COMPANY #1, LLC, ET AL. *v.* TOWN BOARD OF BROOKHAVEN, NEW YORK, ET AL. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 56 App. Div. 3d 773, 868 N. Y. S. 2d 264.

No. 08–1466. SUNARTO *v.* HOLDER, ATTORNEY GENERAL. C. A. 6th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 957.

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No. 08–1467. *CARRANZA v. CHAVEZ ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 559 F. 3d 486.

No. 08–1468. *DONOVAN v. ARKANSAS SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT.* Sup. Ct. Ark. Certiorari denied. Reported below: 375 Ark. 350, 290 S. W. 3d 599.

No. 08–1469. *ORION RESERVES LIMITED PARTNERSHIP v. SALAZAR, SECRETARY OF THE INTERIOR, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 553 F. 3d 697.

No. 08–1471. *SHROPSHIRE, INDIVIDUALLY AND AS NEXT FRIEND OF SHROPSHIRE v. LAIDLAW TRANSIT, INC.* C. A. 6th Cir. Certiorari denied. Reported below: 550 F. 3d 570.

No. 08–1474. *JORDAN ET AL. v. MOSLEY.* C. A. 11th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 803.

No. 08–1475. *HUNG LIN WU v. HOLDER, ATTORNEY GENERAL.* C. A. 9th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 428.

No. 08–1477. *BADEN SPORTS, INC. v. MOLTEN USA, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 556 F. 3d 1300.

No. 08–1483. *KUHN v. BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES.* C. A. 5th Cir. Certiorari denied.

No. 08–1485. *BROWN ET AL. v. ONE BEACON INSURANCE CO., INC.* C. A. 11th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 915.

No. 08–1486. *GAGNON v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 553 F. 3d 1021.

No. 08–1487. *HART v. SAFEWAY, INC.* Ct. App. Ore. Certiorari denied. Reported below: 219 Ore. App. 428, 182 P. 3d 325.

No. 08–1488. *HK SYSTEMS, INC. v. EATON CORP.* C. A. 7th Cir. Certiorari denied. Reported below: 553 F. 3d 1086.

No. 08–1489. *FLYNN v. YARA ET AL.* Sup. Ct. N. M. Certiorari denied.

No. 08–1490. *HOPKINS v. D. C. CHAPMAN VENTURES, INC.* Cir. Ct. W. Va., Nicholas County. Certiorari denied.

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No. 08–1491. *WAGENKNECHT v. LEVIN*, OHIO TAX COMMISSIONER. Sup. Ct. Ohio. Certiorari denied. Reported below: 121 Ohio St. 3d 13, 901 N. E. 2d 772.

No. 08–1492. *WILLETT v. WEST VIRGINIA*. Sup. Ct. App. W. Va. Certiorari denied. Reported below: 223 W. Va. 394, 674 S. E. 2d 602.

No. 08–1493. *BABB v. WATSON ET AL.*, PERSONAL REPRESENTATIVES OF THE ESTATE OF WATSON, ET AL. Ct. App. S. C. Certiorari denied.

No. 08–1495. *DUNN v. INDIANA*. Ct. App. Ind. Certiorari denied. Reported below: 888 N. E. 2d 858.

No. 08–1496. *GLADKIHs v. COLORADO*. Dist. Ct. Colo., Arapahoe County. Certiorari denied.

No. 08–1499. *FISHER v. COLORADO*. Sup. Ct. Colo. Certiorari denied. Reported below: 202 P. 3d 1186.

No. 08–1502. *SAREEN v. SAREEN ET AL.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 51 App. Div. 3d 765, 858 N. Y. S. 2d 285.

No. 08–1503. *ARGO v. TENNESSEE ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–1504. *BOTHE v. HANSEN*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 996 So. 2d 860.

No. 08–1505. *ROACH v. ROACH*. Ct. App. Ariz. Certiorari denied.

No. 08–1508. *KYUNG SUH KIM ET AL. v. SYNOD OF SOUTHERN CALIFORNIA AND HAWAII ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–1510. *GRIJALVA v. MERIT SYSTEMS PROTECTION BOARD*. C. A. Fed. Cir. Certiorari denied. Reported below: 306 Fed. Appx. 607.

No. 08–1511. *GILLEY v. MONSANTO CO., INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 362.

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No. 08–1512. *GATES ET VIR v. SPEEDWAY SUPERAMERICA, L. L. C.* Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 08–1514. *STEPHENS v. UNITED STATES.* C. A. Armed Forces. Certiorari denied. Reported below: 67 M. J. 233.

No. 08–1516. *COX v. DESOTO COUNTY, MISSISSIPPI.* C. A. 5th Cir. Certiorari denied. Reported below: 564 F. 3d 745.

No. 08–1517. *FERNANDEZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 559 F. 3d 303.

No. 08–1518. *MAYER UNIFIED SCHOOL DISTRICT ET AL. v. ARIZONA STATE LAND COMMISSIONER ET AL.* Sup. Ct. Ariz. Certiorari denied. Reported below: 219 Ariz. 562, 201 P. 3d 523.

No. 08–1519. *CHRIN v. IBRIX, INC.* C. A. 3d Cir. Certiorari denied. Reported below: 293 Fed. Appx. 125.

No. 08–1522. *JENKINS v. WORLEY, INDIVIDUALLY AND IN HER OFFICIAL CAPACITY AS SECRETARY OF STATE OF ALABAMA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 490.

No. 08–1523. *LIONETTI v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 298 Fed. Appx. 212.

No. 08–1525. *IMPROV WEST ASSOCIATES ET AL. v. COMEDY CLUB, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 553 F. 3d 1277.

No. 08–1526. *HAUMAN v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied. Reported below: 909 A. 2d 879.

No. 08–1527. *FINSTAD v. FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 295 Fed. Appx. 355.

No. 08–1531. *WOLF v. WISCONSIN.* Ct. App. Wis. Certiorari denied. Reported below: 314 Wis. 2d 748, 760 N. W. 2d 184.

No. 08–1532. *ASHER v. CHASE BANK USA, N. A.* C. A. 7th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 912.

No. 08–1533. *MEHEN v. DELTA AIR LINES, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 621.

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No. 08–1534. *ZDUN ET AL. v. HENDERSON ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 215.

No. 08–1535. *KAVALI v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–1536. *PALAZZO v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 558 F. 3d 400.

No. 08–1537. *KHANNA v. STATE BAR OF CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 176.

No. 08–1538. *FEIGENBAUM v. MERRILL LYNCH & Co. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 308 Fed. Appx. 585.

No. 08–1540. *DIXON v. MIAMI-DADE COUNTY, FLORIDA.* C. A. 11th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 270.

No. 08–1541. *COVARRUBIAS RUEZGA v. CALIFORNIA.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 08–1542. *SPIELVOGEL v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 08–1544. *JALLALI v. NOVA SOUTHEASTERN UNIVERSITY, INC.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 992 So. 2d 338.

No. 08–1545. *EGHBAL ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 548 F. 3d 1281.

No. 08–1546. *KEENER ET AL. v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 551 F. 3d 1358.

No. 08–1548. *BUSINESS PLANNING SYSTEMS, INC. v. PERSONNEL DECISIONS, INC.* Sup. Ct. Del. Certiorari denied. Reported below: 970 A. 2d 256.

No. 08–1550. *FRANKE v. POLY-AMERICA MEDICAL AND DENTAL BENEFITS PLAN.* C. A. 8th Cir. Certiorari denied. Reported below: 555 F. 3d 656.

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No. 08–1552. FREEMAN, INDIVIDUALLY AND IN HIS CAPACITY AS REPRESENTATIVE OF THE ESTATE OF FREEMAN, ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 556 F. 3d 326.

No. 08–1557. MARTI *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 439.

No. 08–1558. IMPERIAL MERCHANT SERVICES, INC., DBA CHECK RECOVERY SYSTEMS, INC. *v.* HUNT, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED. C. A. 9th Cir. Certiorari denied. Reported below: 560 F. 3d 1137.

No. 08–1560. JOLLEY *v.* DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. C. A. Fed. Cir. Certiorari denied. Reported below: 299 Fed. Appx. 966.

No. 08–1561. TJONG *v.* HOLDER, ATTORNEY GENERAL. C. A. 6th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 957.

No. 08–1563. ASTER *v.* ASTER. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 08–1565. KRIGER ET AL. *v.* BOWEN PROPERTY MANAGEMENT ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 526.

No. 08–1567. TEPOEL *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 549.

No. 08–1568. TURAY *v.* RICHARDS ET AL. C. A. 9th Cir. Certiorari denied.

No. 08–1570. CURTIS *v.* NAPOLITANO, SECRETARY OF HOMELAND SECURITY. C. A. 5th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 360.

No. 08–1572. HOFFMAN ET AL. *v.* JONESFILM; and

No. 09–75. JONESFILM *v.* HOFFMAN ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 962.

No. 08–1573. FINE *v.* STATE BAR OF CALIFORNIA. Sup. Ct. Cal. Certiorari denied.

No. 08–1574. GABER *v.* HENDERSON ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 210.

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No. 08–1576. *LINAM v. LINAM*. Sup. Ct. Fla. Certiorari denied. Reported below: 2 So. 3d 982.

No. 08–1577. *MILTON H. GREENE ARCHIVES, INC. v. BPI COMMUNICATIONS, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 572.

No. 08–1578. *LUKE ET AL. v. EMERGENCY ROOMS, P. S., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 496.

No. 08–1579. *RECTOR, WARDENS AND VESTRYMEN OF SAINT JAMES PARISH IN NEWPORT BEACH, CALIFORNIA, ET AL. v. PROTESTANT EPISCOPAL CHURCH IN THE DIOCESE OF LOS ANGELES ET AL.* Sup. Ct. Cal. Certiorari denied. Reported below: 45 Cal. 4th 467, 198 P. 3d 66.

No. 08–1580. *SANDOVAL v. LOS ANGELES COUNTY DEPARTMENT OF PUBLIC SOCIAL SERVICES ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 169 Cal. App. 4th 1167, 87 Cal. Rptr. 3d 334.

No. 08–1581. *BILAL v. ILLINOIS ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION.* Sup. Ct. Ill. Certiorari denied.

No. 08–1582. *RADWANSKI v. RUIZ ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 325 Fed. Appx. 92.

No. 08–1583. *QUINN v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 780.

No. 08–1584. *VALUEPEST.COM OF CHARLOTTE, INC., FKA BUDGET PEST PREVENTION, INC., ET AL. v. BAYER CORP. ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 561 F. 3d 282.

No. 08–1585. *HARRIS v. STANDARD INSURANCE CO. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 583.

No. 08–1586. *FALTAS v. KOON.* Sup. Ct. S. C. Certiorari denied. Reported below: 379 S. C. 150, 666 S. E. 2d 230.

No. 08–1587. *PAULL v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 551 F. 3d 516.

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No. 08–1588. *MENSAH v. HOLDER, ATTORNEY GENERAL, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–1590. *RAR DEVELOPMENT ASSOCIATES v. NEW JERSEY SCHOOLS CONSTRUCTION CORPORATION ET AL.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 08–1591. *PICHOFF, SPECIAL ADMINISTRATOR OF THE ESTATE OF PICHOFF, DECEASED v. QHG OF SPRINGDALE, INC., DBA NORTHWEST HEALTH SYSTEM, AKA NORTHWEST MEDICAL CENTER OF WASHINGTON COUNTY, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 556 F. 3d 728.

No. 08–1593. *NICHOLAS ET UX., INDIVIDUALLY AND AS SUCCESSORS IN INTEREST TO THE ESTATE OF NICHOLAS, DECEASED v. BOYD ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 773.

No. 08–1594. *KHALIL v. HOLDER, ATTORNEY GENERAL.* C. A. 3d Cir. Certiorari denied. Reported below: 309 Fed. Appx. 624.

No. 08–7683. *PATTON v. HARRIS ET AL.* C. A. 7th Cir. Certiorari denied.

No. 08–8246. *SAM v. PENNSYLVANIA.* Sup. Ct. Pa. Certiorari denied. Reported below: 597 Pa. 523, 952 A. 2d 565.

No. 08–8672. *FEURTADO v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 809.

No. 08–8682. *MEISTER v. SCOTT ET AL.* (two judgments). C. A. 11th Cir. Certiorari denied.

No. 08–8713. *JACKSON v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 549 F. 3d 963.

No. 08–8844. *IHMOUD v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 08–8848. *WATSON v. PENNSYLVANIA.* Sup. Ct. Pa. Certiorari denied. Reported below: 597 Pa. 483, 952 A. 2d 541.

No. 08–8871. *PAUL v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 534 F. 3d 832.

No. 08–9100. *MEZA SEGUNDO v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied. Reported below: 270 S. W. 3d 79.

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No. 08–9130. *JONES v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 597 Pa. 286, 951 A. 2d 294.

No. 08–9180. *SKLAR ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. Reported below: 549 F. 3d 1252.

No. 08–9276. *FLORES-PEREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 69.

No. 08–9303. *SMITH v. HAWAII ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 535.

No. 08–9319. *BRENT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 267.

No. 08–9339. *ARMSTRONG ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 550 F. 3d 382.

No. 08–9481. *ELASHI v. UNITED STATES*;
No. 08–9602. *ELASHI v. UNITED STATES*;
No. 08–9938. *ELASHI v. UNITED STATES*; and
No. 08–9939. *ELASHI v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 554 F. 3d 480.

No. 08–9484. *FRANKLIN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 547 F. 3d 726.

No. 08–9493. *MILLER v. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 304 Fed. Appx. 39.

No. 08–9531. *PALIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 558.

No. 08–9535. *McFARLIN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 342.

No. 08–9543. *ZWEIGART v. OREGON*. Sup. Ct. Ore. Certiorari denied. Reported below: 344 Ore. 619, 188 P. 3d 242.

No. 08–9578. *MOHR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 554 F. 3d 604.

No. 08–9606. *WALKER ET AL. v. EPPS, COMMISSIONER, MISSISSIPPI DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 5th Cir. Certiorari denied.

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No. 08–9607. *GARCIA v. ILLINOIS*. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 382 Ill. App. 3d 1215, 967 N. E. 2d 499.

No. 08–9610. *JONES v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 124 Nev. 1483, 238 P. 3d 827.

No. 08–9676. *CARTER v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–9684. *BLAYLOCK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 535 F. 3d 922.

No. 08–9737. *BOYNES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 08–9814. *RAGIN v. UNITED STATES*; and
No. 08–9977. *HOWARD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 760.

No. 08–9834. *HENDERSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 536 F. 3d 776.

No. 08–9882. *SPENCE v. HOLDER, ATTORNEY GENERAL*. C. A. 5th Cir. Certiorari denied.

No. 08–9884. *COOPER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 98.

No. 08–9887. *SAMPATH v. CONCURRENT TECHNOLOGIES CORP.* C. A. 3d Cir. Certiorari denied. Reported below: 299 Fed. Appx. 143.

No. 08–9944. *ZUNIGA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 553 F. 3d 1330.

No. 08–9948. *PREVATTE v. FRENCH, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 547 F. 3d 1300.

No. 08–9992. *MULLEN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 621.

No. 08–9994. *BARNETT v. ROPER, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 541 F. 3d 804.

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No. 08–9995. *BANNISTER v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 232 Ill. 2d 52, 902 N. E. 2d 571.

No. 08–10000. *HUFF v. KENTUCKY RETIREMENT SYSTEMS*. Ct. App. Ky. Certiorari denied.

No. 08–10028. *ROBLEDO-LEYVA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 859.

No. 08–10038. *BENNETT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 555 F. 3d 962.

No. 08–10041. *PELULLO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 305 Fed. Appx. 823.

No. 08–10046. *FURNISH v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied. Reported below: 267 S. W. 3d 656.

No. 08–10061. *NYHAMMER v. NEW JERSEY*. Sup. Ct. N. J. Certiorari denied. Reported below: 197 N. J. 383, 963 A. 2d 316.

No. 08–10071. *GARCIA NUNEZ v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 104.

No. 08–10074. *STITT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 552 F. 3d 345.

No. 08–10075. *RASHID v. UNITED STATES*;

No. 08–10508. *HAQUE v. UNITED STATES*; and

No. 09–5712. *HAQUE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 510.

No. 08–10079. *RICE v. DAVIS, WARDEN*. Sup. Ct. Va. Certiorari denied.

No. 08–10080. *SPEAR v. HOWERTON, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 08–10083. *RAY v. ALLEN, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–10084. *RUIZ v. BIRKETT, WARDEN*. C. A. 6th Cir. Certiorari denied.

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No. 08–10085. *MCNEILL v. GOFF, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 08–10087. *DUMONT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 555 F. 3d 1288.

No. 08–10091. *BARTSCH v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied. Reported below: 167 Cal. App. 4th 896, 84 Cal. Rptr. 3d 410.

No. 08–10093. *BACON v. LASWELL ET AL.* Sup. Ct. Nev. Certiorari denied. Reported below: 124 Nev. 1450, 238 P. 3d 794.

No. 08–10094. *MUNOZ v. FORTNER ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 816.

No. 08–10099. *COOK v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 996 So. 2d 224.

No. 08–10106. *PEOPLES v. BARBER ET AL.* (two judgments). C. A. 9th Cir. Certiorari denied.

No. 08–10107. *BRALEY v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–10112. *CURTIS v. OREGON*. Ct. App. Ore. Certiorari denied. Reported below: 223 Ore. App. 259, 195 P. 3d 923.

No. 08–10116. *BENNETT v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 45 Cal. 4th 577, 199 P. 3d 535.

No. 08–10118. *DAVIS v. THIRD JUDICIAL DISTRICT COURT OF NEVADA, LYON COUNTY, ET AL.* Sup. Ct. Nev. Certiorari denied.

No. 08–10120. *STUBL v. PLACE*. C. A. 6th Cir. Certiorari denied.

No. 08–10138. *ANDERSON v. CUNNINGHAM*. C. A. 10th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 706.

No. 08–10140. *BEATY v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied. Reported below: 554 F. 3d 780.

No. 08–10141. *BEEKS v. URIBE, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied.

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No. 08–10144. *LUNA v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 268 S. W. 3d 594.

No. 08–10148. *McMULLEN v. TENNIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 562 F. 3d 231.

No. 08–10153. *MASSIE v. McNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 8 So. 3d 1134.

No. 08–10175. *JENKINS v. McNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–10176. *KAISER v. TEXAS*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 08–10189. *MORALES v. MARQUES*. C. A. 11th Cir. Certiorari denied.

No. 08–10190. *PANDOLFI v. WALL, DIRECTOR, RHODE ISLAND DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 1st Cir. Certiorari denied.

No. 08–10192. *ALIX v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 875.

No. 08–10193. *PORTER v. ADAMS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–10194. *HAMILTON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 45 Cal. 4th 963, 200 P. 3d 898.

No. 08–10195. *FARIAS-GONZALEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 556 F. 3d 1181.

No. 08–10201. *LEDBETTER v. TEXAS*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 08–10205. *JONES v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Va. Certiorari denied.

No. 08–10209. *BERRY v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

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No. 08–10211. *ROMANDETTA v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 663.

No. 08–10214. *WILSON v. BELLEQUE, SUPERINTENDENT, OREGON STATE PENITENTIARY.* C. A. 9th Cir. Certiorari denied. Reported below: 554 F. 3d 816.

No. 08–10215. *ATIENZA WAGAN v. ALAMEIDA.* C. A. 9th Cir. Certiorari denied.

No. 08–10216. *CONNER v. AMERICAN ARBITRATION ASSN. ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 611.

No. 08–10219. *LAY v. SHEFFERMAN.* C. A. 4th Cir. Certiorari denied.

No. 08–10221. *CASTILLO v. TEXAS.* Ct. App. Tex., 3d Dist. Certiorari denied.

No. 08–10225. *SHABAZZ, AKA DENNIS v. FIRST CORRECTIONAL MEDICAL SERVICES ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–10230. *HUNTER v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 29 So. 3d 256.

No. 08–10234. *RICH v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 881.

No. 08–10235. *ARNOLD v. LAMARQUE, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 08–10237. *TOLIVER v. HARTLEY, ACTING WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 298 Fed. Appx. 682.

No. 08–10244. *HERMELO v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–10246. *GREER v. BERGHUIS, WARDEN.* C. A. 6th Cir. Certiorari denied.

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No. 08–10247. *ARMANN v. QUINTANAIS, WARDEN*. C. A. 3d Cir. Certiorari denied. Reported below: 549 F. 3d 279.

No. 08–10248. *ARDLEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 203.

No. 08–10255. *HELTON v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 2 So. 3d 981.

No. 08–10257. *HAWKINS v. HAMLET, LTD., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 918.

No. 08–10259. *HUGHES v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–10261. *McKINNEY v. RAY, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 289 Fed. Appx. 604.

No. 08–10262. *YOUNG v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 08–10265. *GONZALEZ v. SULLIVAN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–10267. *ISAAC v. LAFLER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–10268. *COLLEEN F. v. RIVERSIDE COUNTY DEPARTMENT OF PUBLIC SOCIAL SERVICES*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 08–10269. *PACE v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 189.

No. 08–10270. *QUINTERO v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 08–10273. *COLLINS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 290.

No. 08–10278. *KELLY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 1.

No. 08–10282. *BOND v. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 539 F. 3d 256.

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No. 08–10288. *MOORE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–10291. *RAMEY v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–10296. *UPDIKE v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 152.

No. 08–10304. *MOORER v. JACKSON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–10309. *PAYNE v. TEXAS*. Ct. App. Tex., 3d Dist. Certiorari denied.

No. 08–10312. *SZANTO v. SZANTO*. Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 08–10315. *ARCHER v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 08–10319. *BETHANY v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–10321. *BISHOP v. TERRY, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 08–10323. *SETTS v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 996 So. 2d 219.

No. 08–10326. *GONZALEZ-ZOTELO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 556 F. 3d 736.

No. 08–10336. *BATISTA v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied.

No. 08–10338. *BROWN v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied.

No. 08–10341. *CUNNIFF v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 995 So. 2d 962.

No. 08–10343. *HAWKINS v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 598 Pa. 85, 953 A. 2d 1248.

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No. 08–10346. *HINES v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 08–10347. *JOHNSON v. GIBSON, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 245.

No. 08–10350. *GARCIA v. YARBOROUGH, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 988.

No. 08–10351. *SMITH v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 999 So. 2d 1140.

No. 08–10352. *RILEY v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 08–10355. *M. L. S. v. MISSOURI*. Ct. App. Mo., Western Dist. Certiorari denied. Reported below: 275 S.W. 3d 293.

No. 08–10358. *SWIFT v. STANFORD*. C. A. 5th Cir. Certiorari denied.

No. 08–10361. *MONACELLI v. UPS STORE ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–10362. *CRUZ-MEZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 634.

No. 08–10363. *D'SAACHS v. HALL, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 695.

No. 08–10365. *GILL v. ROCK, SUPERINTENDENT, GREAT MEADOW CORRECTIONAL FACILITY*. Ct. App. N. Y. Certiorari denied. Reported below: 12 N. Y. 3d 1, 903 N. E. 2d 1146.

No. 08–10371. *GARCIA v. RYAN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–10372. *GARDNER v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied.

No. 08–10373. *HEATH v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–10374. *HUGHES v. ESTATE OF HUGHES, DECEASED*. Ct. App. Minn. Certiorari denied.

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No. 08–10375. *HUMPHREY v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 979 So. 2d 283.

No. 08–10376. *HERNANDEZ v. OLLISON, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 52.

No. 08–10378. *GRAHAM v. WASHINGTON, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 281 Fed. Appx. 221.

No. 08–10379. *TREVINO v. EVANS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 970.

No. 08–10382. *LUTZ v. OBAMA, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 08–10387. *SIMON v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 08–10393. *ALLEN v. BELCHER*. C. A. 11th Cir. Certiorari denied.

No. 08–10396. *MCDANIEL v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–10397. *DAVIS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 08–10398. *HARDY v. BENNETT ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 362.

No. 08–10399. *HAYES v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–10402. *FRANCO v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–10403. *GASKIN v. KELLY, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY*. C. A. 5th Cir. Certiorari denied.

No. 08–10404. *FULTZ v. STATE FARM MUTUAL AUTOMOBILE INSURANCE Co.* Sup. Ct. Del. Certiorari denied. Reported below: 966 A. 2d 347.

No. 08–10405. *FORD v. POLK, WARDEN*. C. A. 4th Cir. Certiorari denied.

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No. 08–10408. *CHRISTOPHER v. BETHUNE*. Ct. App. D. C. Certiorari denied. Reported below: 950 A. 2d 75.

No. 08–10411. *DAVIDSON v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–10413. *HODGE ET UX. v. CALVERT COUNTY PUBLIC SCHOOLS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 224.

No. 08–10414. *SIMPSON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 3 So. 3d 1135.

No. 08–10415. *SANTIFER v. EVANS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 857.

No. 08–10416. *REKOW v. HALL, SUPERINTENDENT, TWO RIVERS CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 999.

No. 08–10421. *ROGERS v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 555 F. 3d 483.

No. 08–10422. *PORTILLO v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–10424. *OSBORNE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 544 F. 3d 943.

No. 08–10427. *BABINSKI v. VOSS*. C. A. 9th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 617.

No. 08–10428. *BRIGHT v. WRIGHT, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 813.

No. 08–10431. *DAVIS v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–10432. *COATS v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 08–10434. *HARRIS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 385 Ill. App. 3d 1129, 970 N. E. 2d 128.

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No. 08–10435. *HENDERSON v. LIGGIN ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 214.

No. 08–10438. *GONZALEZ v. SMITH ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 298.

No. 08–10439. *IJADIMINI v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–10444. *WARE v. LANEY ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–10445. *TIMOTHY v. SKOLNIK, DIRECTOR, NEVADA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 63.

No. 08–10450. *PURPURA v. BUSHKIN, GAIMES, GAINS, JONAS & STREAM ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 317 Fed. Appx. 263.

No. 08–10451. *O'KELLEY v. HALL, WARDEN.* Sup. Ct. Ga. Certiorari denied. Reported below: 284 Ga. 758, 670 S. E. 2d 388.

No. 08–10458. *COOK v. GALAZA, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 08–10461. *COLEMAN v. UNITED STATES.* C. A. 10th Cir. Certiorari denied.

No. 08–10466. *DAUGHTERY v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 08–10469. *PIAZZA v. CURRY, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 08–10471. *BATES v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 881.

No. 08–10472. *JOHNSON v. ROPER, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 08–10473. *LAGAITE v. LIVINGSTON, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL.* Ct. App. Tex., 3d Dist. Certiorari denied.

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No. 08–10475. *WOOD v. SCUTT, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 861.

No. 08–10476. *WOODARD v. CITY OF NEW ALBANY, INDIANA*. Ct. App. Ind. Certiorari denied. Reported below: 884 N. E. 2d 953.

No. 08–10477. *CAIRO RODRIGUEZ v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–10480. *OWENS v. GRAMS, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–10483. *OLIVARES v. GARCIA, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 494.

No. 08–10484. *PHILPOT v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 7 So. 3d 535.

No. 08–10487. *WIDNER v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 08–10488. *WATTS v. RUNNELS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 652.

No. 08–10489. *TUCKER v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 987 So. 2d 717.

No. 08–10493. *STRINGER v. IOWA*. Ct. App. Iowa. Certiorari denied. Reported below: 760 N. W. 2d 211.

No. 08–10496. *CONSALVO v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 3 So. 3d 1014.

No. 08–10497. *DORSEY v. COLEMAN, SUPERINTENDENT, FAYETTE STATE CORRECTIONAL INSTITUTION*. C. A. 3d Cir. Certiorari denied.

No. 08–10498. *CHAPMAN v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 385 Ill. App. 3d 1127, 970 N. E. 2d 127.

No. 08–10503. *FANFAN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 558 F. 3d 105.

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No. 08–10504. *HAWKINS v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 694.

No. 08–10505. *FIELDS v. BERRY ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–10506. *GARRETT v. MISSISSIPPI.* Sup. Ct. Miss. Certiorari denied.

No. 08–10509. *GAYLOR v. GERRY, WARDEN.* Super. Ct. N. H., Merrimack County. Certiorari denied.

No. 08–10510. *HARPER v. SOUTHERN STAR CONCRETE.* C. A. 5th Cir. Certiorari denied.

No. 08–10511. *RAIHALA v. WHITBECK ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–10512. *SWIFT v. MISSISSIPPI.* Ct. App. Miss. Certiorari denied. Reported below: 3 So. 3d 1108.

No. 08–10514. *BUNN v. CALIFORNIA.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 08–10515. *BURRUEL v. SPURGEON.* C. A. 9th Cir. Certiorari denied.

No. 08–10518. *BRIGHT v. O’FLAHERTY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 701.

No. 08–10519. *DOAN v. CARTER, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 548 F. 3d 449.

No. 08–10523. *SMALL v. CONNECTICUT.* Sup. Ct. Conn. Certiorari denied. Reported below: 290 Conn. 128, 962 A. 2d 80.

No. 08–10525. *ABRAHAM v. DELAWARE.* Sup. Ct. Del. Certiorari denied. Reported below: 968 A. 2d 491.

No. 08–10526. *BRANNON v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 521.

No. 08–10529. *HUSSER v. DEXTER, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 08–10532. *RIVERA, AKA NOCHEZ-RIVERA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 698.

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No. 08–10534. *DIGGS v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 994 So. 2d 31.

No. 08–10535. *RAMSAY v. BROWARD COUNTY SHERIFF’S OFFICE ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 761.

No. 08–10538. *POWELL v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 2009 Ark. 117.

No. 08–10540. *VOTTA v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied. Reported below: 73 Mass. App. 1117, 899 N. E. 2d 919.

No. 08–10541. *VASQUEZ-OCHOA v. HOLDER, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied.

No. 08–10542. *KHONDAKER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 712.

No. 08–10545. *FLEMING v. RAPELJE, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 556 F. 3d 520.

No. 08–10546. *WAI MUI v. MCGRATH, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 741.

No. 08–10547. *BERKLEY v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 665.

No. 08–10552. *JONES v. GOOGLE INC. ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–10553. *RODRIGUEZ v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–10556. *MERCER v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 381 S. C. 149, 672 S. E. 2d 556.

No. 08–10558. *TUTEN v. TENNIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–10559. *MOWER v. BALLARD, WARDEN*. Cir. Ct. Mercer County, W. Va. Certiorari denied.

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No. 08–10560. *SCOTTI v. CORRIVEAU ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–10561. *EVANS v. O'BRIEN, SUPERINTENDENT, OLD COLONY CORRECTIONAL CENTER.* C. A. 1st Cir. Certiorari denied.

No. 08–10563. *SMITH v. PEPSI BOTTLING GROUP ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 567.

No. 08–10565. *BURWELL v. CITY OF LAS VEGAS, NEVADA.* Sup. Ct. Nev. Certiorari denied.

No. 08–10569. *KENDALL v. STATE BAR OF MICHIGAN ET AL.* Ct. App. Mich. Certiorari denied.

No. 08–10571. *KAMPS v. MILLER-STOUT, SUPERINTENDENT, AIRWAY HEIGHTS CORRECTIONAL CENTER.* C. A. 9th Cir. Certiorari denied.

No. 08–10572. *PANTON v. NASH, WARDEN.* C. A. 3d Cir. Certiorari denied. Reported below: 317 Fed. Appx. 257.

No. 08–10575. *DINKINS v. SEBELIUS, SECRETARY OF HEALTH AND HUMAN SERVICES.* C. A. 11th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 171.

No. 08–10576. *YOUNG v. PRESLEY ET AL.* C. A. 10th Cir. Certiorari denied.

No. 08–10577. *WILLIAMS v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 544 F. 3d 683.

No. 08–10582. *WHITTINGTON v. OWENS-ILLINOIS, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 185.

No. 08–10583. *MCGUIGAN v. HALL, SUPERINTENDENT, TWO RIVERS CORRECTIONAL INSTITUTION.* C. A. 9th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 986.

No. 08–10585. *WRIGHT v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–10586. *THORNE v. LARKINS, WARDEN.* C. A. 8th Cir. Certiorari denied.

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No. 08–10588. *KOR v. FELKER, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 610.

No. 08–10591. *JONES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 654.

No. 08–10592. *TUCKER v. PALMER, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 541 F. 3d 652.

No. 08–10594. *NICHOLS v. MILLS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–10597. *MESHELL v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 2 So. 3d 132.

No. 08–10600. *WRIGHT v. ZOELLER, ATTORNEY GENERAL OF INDIANA*. C. A. 7th Cir. Certiorari denied.

No. 08–10603. *BABB v. DRUG ENFORCEMENT ADMINISTRATION ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 148.

No. 08–10606. *AGUILAR v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 3 So. 3d 316.

No. 08–10607. *BERMUDEZ v. FISCHER, COMMISSIONER, NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES*. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 55 App. Div. 3d 1099, 865 N. Y. S. 2d 400.

No. 08–10612. *STUBL v. PLACE*. C. A. 6th Cir. Certiorari denied.

No. 08–10614. *BARNETT v. BOATWRIGHT, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–10616. *BURKE v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 931 A. 2d 41.

No. 08–10617. *AYRES v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 08–10618. *BRIDGEFORD v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 181 Md. App. 735.

No. 08–10626. *SPENCER v. MICHIGAN DEPARTMENT OF CORRECTIONS*. Ct. App. Mich. Certiorari denied.

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No. 08–10629. *BROWN v. THALER*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 08–10631. *BRENT v. ANGLIN*, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 08–10632. *MCCREE v. HARRY*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 08–10634. *PIERCE v. MISSISSIPPI*. Ct. App. Miss. Certiorari denied. Reported below: 2 So. 3d 641.

No. 08–10635. *ATWATER v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 6 So. 3d 51.

No. 08–10636. *WILSON v. SIMPSON*, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 515 F. 3d 682.

No. 08–10639. *JACKSON v. BENTON*, WARDEN. C. A. 11th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 788.

No. 08–10640. *WOLLSTEIN v. MARY WASHINGTON HOSPITAL ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 568.

No. 08–10641. *DAVIS v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied.

No. 08–10643. *KENYON v. WYOMING DEPARTMENT OF CORRECTIONS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 250.

No. 08–10644. *JACKSON v. ALMAGER*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 08–10646. *RAYMOND v. WEBER*, WARDEN. C. A. 8th Cir. Certiorari denied. Reported below: 552 F. 3d 680.

No. 08–10652. *RENNEKE v. NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES*. Sup. Ct. Neb. Certiorari denied.

No. 08–10658. *MCNEILL v. WAYNE COUNTY, MICHIGAN, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 358.

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No. 08–10659. *CASSELL v. ADAM TOLER MEMORIAL FUNERAL HOME, INC.* Cir. Ct. Wyoming County, W. Va. Certiorari denied.

No. 08–10661. *DALE v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 553 F. 3d 876.

No. 08–10662. *WATSON v. NEW YORK.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 55 App. Div. 3d 934, 865 N. Y. S. 2d 573.

No. 08–10664. *TORRICELLAS v. DAVIDSON, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 504.

No. 08–10665. *WILLENBRING v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 559 F. 3d 225.

No. 08–10667. *WRENN v. OREGON BOARD OF PAROLE AND POST-PRISON SUPERVISION ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 609.

No. 08–10668. *JILES v. UNITED STATES.* C. A. 7th Cir. Certiorari denied.

No. 08–10670. *JENKINS v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION.* C. A. 9th Cir. Certiorari denied.

No. 08–10671. *LINK v. RHODES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 624.

No. 08–10672. *TRIUMPH v. CONNECTICUT.* C. A. 2d Cir. Certiorari denied. Reported below: 308 Fed. Appx. 550.

No. 08–10676. *SNIDER v. GRAYLESS ET AL.* Sup. Ct. Okla. Certiorari denied.

No. 08–10678. *JOHNSON v. ARKANSAS.* Sup. Ct. Ark. Certiorari denied. Reported below: 375 Ark. 462, 291 S. W. 3d 581.

No. 08–10680. *WILSON v. GUTHRIA ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–10681. *WILSON v. CALDWELL ET AL.* C. A. 6th Cir. Certiorari denied.

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No. 08–10682. *WILLIAMS v. BITNER ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 307 Fed. Appx. 609.

No. 08–10683. *BROWN v. MCQUIGGIN, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 08–10684. *BROWN v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–10686. *BROWN v. GUTIERREZ ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 590.

No. 08–10687. *BETHEL v. CITY OF DAPHNE, ALABAMA.* Sup. Ct. Ala. Certiorari denied.

No. 08–10689. *RODRIGUEZ-ZAMOT v. UNITED STATES.* C. A. 1st Cir. Certiorari denied.

No. 08–10690. *SHUMYE v. FELLEKE.* C. A. 9th Cir. Certiorari denied.

No. 08–10691. *RUVALCABA v. BROWN, ATTORNEY GENERAL OF CALIFORNIA.* C. A. 9th Cir. Certiorari denied.

No. 08–10692. *RODRIGUEZ v. MALLINCKRODT, INC.* C. A. 8th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 527.

No. 08–10693. *CANDIA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 08–10695. *ROUSE v. KENTUCKY.* Ct. App. Ky. Certiorari denied.

No. 08–10696. *MARTIN v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 644.

No. 08–10697. *LAY v. GANSLER, ATTORNEY GENERAL OF MARYLAND, ET AL.* C. A. 4th Cir. Certiorari denied.

No. 08–10698. *BROWN v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 828.

No. 08–10700. *FARRIS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 598.

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No. 08–10701. *HARRIS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 556 F. 3d 887.

No. 08–10702. *GIL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 212.

No. 08–10703. *FORD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 550 F. 3d 975.

No. 08–10704. *IKBAL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 604.

No. 08–10705. *HEATH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 559 F. 3d 263.

No. 08–10706. *GRANADO-MENA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 771.

No. 08–10707. *HICKS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 758.

No. 08–10708. *GARZA v. TEXAS*. Ct. App. Tex., 3d Dist. Certiorari denied. Reported below: 261 S.W. 3d 361.

No. 08–10709. *HAGEMAN v. NOOTH, SUPERINTENDENT, SNAKE RIVER CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 996.

No. 08–10710. *ZUNIGA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 653.

No. 08–10711. *TRAINOR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–10713. *SHAH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 951.

No. 08–10714. *SCHEXNAYDER v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 994 So. 2d 29.

No. 08–10715. *STAPLES v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–10716. *NORIEGA-VALENZUELA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 655.

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No. 08–10717. *HARWELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 188.

No. 08–10718. *COLUMNA-ROMERO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 305 Fed. Appx. 42.

No. 08–10719. *DOR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 596.

No. 08–10720. *GARDNER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 668.

No. 08–10721. *GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 707.

No. 08–10722. *CUONG TAN HUYNH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–10725. *GARNER v. MITCHELL, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 557 F. 3d 257.

No. 08–10726. *MERO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 313 Fed. Appx. 544.

No. 08–10727. *REYES v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 600 Pa. 45, 963 A. 2d 436.

No. 08–10728. *STEVENS v. NEVADA*. Sup. Ct. Nev. Certiorari denied.

No. 08–10729. *SEAY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 553 F. 3d 732.

No. 08–10730. *SINGLETON v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–10731. *HAYMOND v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 597.

No. 08–10733. *BHATIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 545 F. 3d 757.

No. 08–10734. *ALICEA-CARDOZA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

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No. 08–10736. *ANDERSON v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–10737. *PERRITTE v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 4 So. 3d 1243.

No. 08–10738. *OLIVIER v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–10739. *BRADLEY v. MISSISSIPPI*. C. A. 5th Cir. Certiorari denied.

No. 08–10740. *BROWN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 596.

No. 08–10741. *JACOBS v. WISCONSIN*. Ct. App. Wis. Certiorari denied.

No. 08–10742. *NEWELL v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 9 So. 3d 615.

No. 08–10743. *OSWALD v. THURMER, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–10744. *THOMAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 587.

No. 08–10745. *TAYLOR v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 362 N. C. 514, 669 S. E. 2d 239.

No. 08–10746. *WATSON v. CITY OF AKRON, OHIO, ET AL.* Ct. App. Ohio, Summit County. Certiorari denied.

No. 08–10747. *KOTH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 66.

No. 08–10748. *OSINAME v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 939.

No. 08–10749. *KAMARA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 304 Fed. Appx. 959.

No. 08–10750. *ESCOBAR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 08–10751. *JONES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 254 Fed. Appx. 711.

No. 08–10752. *SALAZAR LOPEZ, AKA SALAZAR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 660.

No. 08–10753. *SPRINGER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 203.

No. 08–10754. *HARVEY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 305 Fed. Appx. 859.

No. 08–10755. *JANNUZZI v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–10756. *BARRETT v. MISSISSIPPI*. C. A. 5th Cir. Certiorari denied.

No. 08–10757. *BROOKS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 858.

No. 08–10758. *ZAPATA v. HARTLEY, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 543.

No. 08–10761. *LEMUS-GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 563 F. 3d 88.

No. 08–10762. *STYLES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–10763. *SCOTT v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied.

No. 08–10764. *SMITH v. CAMERON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT CRESSON, ET AL.* Sup. Ct. Pa. Certiorari denied. Reported below: 600 Pa. 368, 966 A. 2d 546.

No. 08–10765. *CASTON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 774.

No. 08–10767. *DAVIS v. CITY OF NEW BERN, NORTH CAROLINA, ET AL.* Ct. App. N. C. Certiorari denied. Reported below: 189 N. C. App. 723, 659 S. E. 2d 53.

No. 08–10768. *TAI WANG MAK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

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No. 08–10769. *LONG v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 804.

No. 08–10770. *JEFFRIES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 229.

No. 08–10771. *PIGFORD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 157.

No. 08–10772. *SANDOVAL v. ULIBARRI, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 548 F. 3d 902.

No. 08–10773. *STEWART v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–10774. *STEWART v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 554.

No. 08–10775. *RODRIGUEZ-DUBERNEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 430.

No. 08–10776. *SIMS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–10777. *WILLIAMS v. DREW, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 08–10778. *CRIM v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–10779. *CRUTE, AKA GRIFFIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 239.

No. 08–10780. *DITTRICH v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–10781. *ANDRADE CALLES v. URIBE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–10782. *CHEEK v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 816.

No. 08–10785. *MERCED-RODRIGUEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

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No. 08–10786. *JOSEPH v. HOLDER, ATTORNEY GENERAL*. C. A. 11th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 495.

No. 08–10788. *LITTLE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 286.

No. 08–10789. *PLUMP v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–10790. *MCCALEB v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 552 F. 3d 1053.

No. 08–10791. *ROOKS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 556 F. 3d 1145.

No. 08–10792. *PINKSTON v. NORTH CAROLINA*. Gen. Ct. Justice, Super. Ct. Div., Stanly County, N. C. Certiorari denied.

No. 08–10793. *ELASALI v. MAYER*. Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 08–10794. *BROOKS v. JOHNSON ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 247.

No. 08–10795. *MOSERE v. HOLDER, ATTORNEY GENERAL*. C. A. 4th Cir. Certiorari denied. Reported below: 552 F. 3d 397.

No. 08–10796. *HARLEY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 315 Fed. Appx. 437.

No. 08–10797. *HERNANDEZ-GARAY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 687.

No. 08–10798. *NUNEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 236.

No. 08–10800. *MORGAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–10801. *NABRIED v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 310 Fed. Appx. 529.

No. 08–10802. *MOWATT v. VAIL, SECRETARY, WASHINGTON DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 08–10803. *KING v. NOOTH*, SUPERINTENDENT, SNAKE RIVER CORRECTIONAL INSTITUTION. C. A. 9th Cir. Certiorari denied.

No. 08–10804. *JOHNSON v. THALER*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 08–10805. *KINNEY v. BERGH*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 08–10806. *KELETA v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 552 F. 3d 861.

No. 08–10807. *SMITH v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 08–10808. *STRUNK v. EVANS*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 08–10809. *SANTIAGO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 560 F. 3d 62.

No. 08–10810. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 780.

No. 08–10811. *SANCHEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 801.

No. 08–10812. *WEAVER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 554 F. 3d 718.

No. 08–10815. *DISMUKE v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 08–10816. *CALDWELL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 669.

No. 08–10818. *KHALAFALA v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 08–10819. *WATT v. ROTH ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–10820. *WATTS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 553 F. 3d 603.

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No. 08–10821. *WILLIAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 541 F. 3d 1087.

No. 08–10822. *TARKINGTON v. SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY, ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–10824. *JONES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 352.

No. 08–10825. *LOGAN v. LOUISIANA*. Ct. App. La., 5th Cir. Certiorari denied. Reported below: 986 So. 2d 772.

No. 08–10826. *SOTERO MENZOR v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 276.

No. 08–10828. *MEDINA-VARGAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–10829. *MURRAY v. LOCKE, STATE MEDICAL EXAMINER, ET AL.* C. A. 4th Cir. Certiorari denied.

No. 08–10830. *MOORE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 08–10831. *BAUMRUK v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 280 S. W. 3d 600.

No. 08–10832. *BACKEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–10833. *BENHAM v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–10834. *BARBEE v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–10835. *JACOBS v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 42.

No. 08–10836. *CLUTTER v. BALLARD, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 154.

No. 08–10837. *DALEY v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

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No. 08–10838. *RODRIGUEZ-MARRERO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 08–10839. *RANDLE v. WOODS*. C. A. 5th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 466.

No. 08–10840. *ROWELL v. NEVADA*. Sup. Ct. Nev. Certiorari denied.

No. 08–10841. *SAMUEL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 662.

No. 08–10842. *SONTCHI v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 08–10843. *JONES v. TROMBLEY*. C. A. 6th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 931.

No. 08–10848. *RILEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 296.

No. 08–10849. *SENGVONG v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 4 So. 3d 1235.

No. 08–10850. *REED v. SWILLEY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 266 Fed. Appx. 336.

No. 08–10851. *SCOTT v. CURRY, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–10852. *JACKSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 555 F. 3d 635.

No. 08–10853. *HABURN ET AL. v. KILBY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 580.

No. 08–10854. *WEHR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 821.

No. 08–10855. *MCKEIGHAN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 08–10856. *COOPER v. CAREY, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 566.

No. 08–10857. *J. R. v. MENTAL HEALTH BOARD OF THE FOURTH JUDICIAL DISTRICT* (Reported below: 277 Neb. 362, 762

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N. W. 2d 305); and *O. S. v. MENTAL HEALTH BOARD OF THE FOURTH JUDICIAL DISTRICT* (277 Neb. 577, 763 N. W. 2d 723). Sup. Ct. Neb. Certiorari denied.

No. 08–10858. *SMITH v. ATM VANCOM OF LAS VEGAS ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–10859. *DEL RIO v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 08–10863. *CAMACHO v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 79.

No. 08–10864. *WILLIAMS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 656.

No. 08–10865. *HERNANDEZ TORRES v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 547.

No. 08–10866. *TURPIN v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 514.

No. 08–10867. *WALKER v. CALIFORNIA.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 08–10868. *DANIELS v. McNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.*; and *DANIELS v. UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA.* C. A. 5th Cir. Certiorari denied.

No. 08–10869. *CHRISTIE v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 654.

No. 08–10870. *CHISM v. TURNER, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 08–10871. *CALDWELL v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–10872. *MILLER v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 351.

No. 08–10873. *McCULLIGAN v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied. Reported below: 961 A. 2d 1279.

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No. 08–10874. *TURNER v. JACKSON PARK HOSPITAL ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 879.

No. 08–10875. *MOORE v. HOUSING AUTHORITY OF THE CITY OF LOS ANGELES, CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 08–10876. *MCNULTY v. PENNEY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 212.

No. 08–10877. *VARGAS v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 560 F. 3d 45.

No. 08–10878. *WALTON v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 741.

No. 08–10879. *TROTTER v. HARRISON, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 618.

No. 08–10880. *MILLER v. PALMER, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 08–10881. *RIVERS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 904.

No. 08–10882. *MILLER v. TEXAS.* Ct. App. Tex., 9th Dist. Certiorari denied. Reported below: 262 S. W. 3d 877.

No. 08–10883. *DIAZ-PINEDA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 713.

No. 08–10884. *WAIVIO v. ADVOCATE HEALTH CARE NETWORK ET AL.* C. A. 7th Cir. Certiorari denied.

No. 08–10887. *ADKINS v. SIX, ATTORNEY GENERAL OF KANSAS.* C. A. 10th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 850.

No. 08–10888. *BLUE v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 557 F. 3d 682.

No. 08–10889. *BILLUPS v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 370.

No. 08–10892. *GWANJUN KIM v. WERNETTE ET AL.* Ct. App. Mich. Certiorari denied.

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No. 08–10893. *MARTIN v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 08–10894. *JOHNSON v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 316 Wis. 2d 356, 763 N. W. 2d 248.

No. 08–10895. *MAYER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 560 F. 3d 948.

No. 08–10896. *KELLY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 899.

No. 08–10897. *JOHNSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 227.

No. 08–10898. *PENK v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 733.

No. 08–10900. *REY-GONZALEZ v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 326 Fed. Appx. 95.

No. 08–10901. *MUNOZ-MENDEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 273.

No. 08–10903. *MARTIN v. GRAYER, WARDEN, ET AL.* Sup. Ct. Ga. Certiorari denied.

No. 08–10904. *LEWIS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–10905. *BLACKWELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 373.

No. 08–10906. *BERRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 229.

No. 08–10907. *LEINENBACH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 318 Fed. Appx. 53.

No. 08–10908. *FINNEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 752.

No. 08–10909. *HERNANDEZ v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 4 So. 3d 642.

No. 08–10911. *FLORES v. ADAMS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 514.

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No. 08–10912. *RODEN ET AL. v. DIAH ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 253.

No. 08–10913. *WRIGHT v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 188.

No. 08–10915. *WILLIAMS v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 726.

No. 08–10916. *PHARM v. BARTOW, DIRECTOR, WISCONSIN RESOURCE CENTER.* C. A. 7th Cir. Certiorari denied.

No. 08–10917. *THARPS v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 759.

No. 08–10918. *PHILLIPS v. ILLINOIS.* Sup. Ct. Ill. Certiorari denied. Reported below: 233 Ill. 2d 62, 908 N. E. 2d 1.

No. 08–10919. *KEYES v. UNITED STATES.* C. A. 3d Cir. Certiorari denied.

No. 08–10920. *CURRY v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 231.

No. 08–10921. *MCCLAREN v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 232.

No. 08–10922. *LYNCH v. HERTZIG ET AL.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 08–10924. *REED v. UNITED STATES.* C. A. 7th Cir. Certiorari denied.

No. 08–10925. *SATERSTAD v. STOVER ET AL.* Super. Ct. Pa. Certiorari denied. Reported below: 954 A. 2d 48.

No. 08–10926. *RODGERS v. COLORADO.* Ct. App. Colo. Certiorari denied.

No. 08–10928. *HAND v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 547.

No. 08–10929. *SUTTLE v. BARTOW, DIRECTOR, WISCONSIN RESOURCE CENTER.* C. A. 7th Cir. Certiorari denied.

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No. 08–10931. *BAINES v. FOLINO*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GREENE. C. A. 3d Cir. Certiorari denied.

No. 08–10933. *BLACKMON v. MCBRIDE*, WARDEN. Certiorari denied.

No. 08–10934. *BONNER v. THALER*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 08–10935. *ADAMSON v. POORTER ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–10936. *MOORE v. COMAITES*. C. A. 9th Cir. Certiorari denied.

No. 08–10937. *MARTINEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 521.

No. 08–10938. *MARTIN ET VIR v. SELECT PORTFOLIO SERVICING HOLDING CORP. ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–10939. *DEE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 578.

No. 08–10943. *YOUNG v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–10944. *URISTA v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 08–10945. *VASQUEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 08–10946. *WILKERSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 192.

No. 08–10947. *WATLEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 871.

No. 08–10948. *STONE v. MCKEE*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 08–10949. *CERF v. THALER*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

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No. 08–10950. *BARBER v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 4 So. 3d 9.

No. 08–10951. *BATES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 552 F. 3d 472.

No. 08–10952. *BAVISHI v. UBS FINANCIAL SERVICES, INC., ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–10953. *BROOMFIELD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 441.

No. 08–10955. *BENNETT v. HULICK, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 08–10956. *BLACKSHEAR v. DOWLING ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–10957. *SANDERS v. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ET AL.* C. A. 7th Cir. Certiorari denied.

No. 08–10958. *HANDLEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–10960. *JOHNSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 583.

No. 08–10961. *KING v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 559 F. 3d 810.

No. 08–10962. *ROJAS-BARRERA v. WENGLER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–10963. *REDD ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–10964. *MCCLAIN v. WARREN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 08–10965. *LOWE v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 120 Ohio St. 3d 1451, 898 N. E. 2d 966.

No. 08–10966. *DOOLIN v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 45 Cal. 4th 390, 198 P. 3d 11.

No. 08–10967. *MEDINA-BELTRAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 542 F. 3d 729.

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No. 08–10968. *NESGODA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 559 F. 3d 867.

No. 08–10970. *GONZALES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 558 F. 3d 1193.

No. 08–10972. *NORWOOD v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 08–10973. *ROTEN v. DELOY, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 08–10975. *SAUNDERS, AKA LUCENTE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 553 F. 3d 81.

No. 08–10976. *YAUMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 737.

No. 08–10977. *LASKEY v. CHARLES INDUSTRIES*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 08–10978. *WHITE v. DONLEY, SECRETARY OF THE AIR FORCE, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–10979. *LANZA v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–10980. *LINNIMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 224.

No. 08–10981. *BAZIRUWIHA v. SUPERSHUTTLE INTERNATIONAL CORP. ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 286.

No. 08–10983. *ABRAMS v. DEPARTMENT OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 306 Fed. Appx. 602.

No. 08–10984. *AYALA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 636.

No. 08–10985. *RAZVI v. FIA CARD SERVICES, N. A., FKA MBNA AMERICA BANK, N. A.* Super. Ct. N. J., App. Div. Certiorari denied.

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No. 08–10987. *ERICKSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 561 F. 3d 1150.

No. 08–10990. *SEGURA MORENO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 739.

No. 08–10991. *PARR v. MIDDLE TENNESSEE STATE UNIVERSITY ET AL.* C. A. 6th Cir. Certiorari denied.

No. 08–10992. *BATAZ MARTINEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 848.

No. 08–10995. *JARRARD ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 839.

No. 08–10998. *UDOINYION v. REMAX OF ATLANTA ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–10999. *WALKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 307.

No. 08–11000. *TAYLOR v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied. Reported below: 276 S. W. 3d 800.

No. 08–11001. *WILLIAMS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 888.

No. 08–11002. *RIALS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 384 Ill. App. 3d 1089, 973 N. E. 2d 1088.

No. 08–11004. *STARLING v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 2009 Ark. 156.

No. 08–11005. *BENTLEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 561 F. 3d 803.

No. 08–11006. *BODDEN v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 190 N. C. App. 505, 661 S. E. 2d 23.

No. 08–11008. *MCCORKLE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 804.

No. 08–11009. *MORGAN v. FORD ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 532.

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No. 08–11010. *RANGEL v. ADAMS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 08–11011. *THOMAS v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 263.

No. 08–11014. *LASKEY v. UNITED ONLINE, INC.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 08–11015. *KRAMER v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 84.

No. 08–11017. *JAKAJ v. MICHIGAN.* Cir. Ct. Wayne County, Mich. Certiorari denied.

No. 08–11018. *KINNEY v. IOWA.* C. A. 8th Cir. Certiorari denied.

No. 08–11019. *PERRY v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 560 F. 3d 246.

No. 08–11020. *MCGREGORY v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 378 Ill. App. 3d 1122, 955 N. E. 2d 185.

No. 08–11021. *PERKINS v. NORTH CAROLINA.* C. A. 4th Cir. Certiorari denied.

No. 08–11022. *RHEAULT v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 561 F. 3d 55.

No. 08–11024. *WARD v. DELAWARE.* Sup. Ct. Del. Certiorari denied. Reported below: 970 A. 2d 257.

No. 08–11025. *WELLS v. CARRO, JUDGE, SUPREME COURT OF NEW YORK, NEW YORK COUNTY.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 60 App. Div. 3d 517, 874 N. Y. S. 2d 857.

No. 08–11026. *WHEELER v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 4 So. 3d 599.

No. 08–11027. *WILLIAMS v. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 300 Fed. Appx. 125.

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No. 08–11028. *JOHNSON v. WENGLER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–11029. *KIRKEY v. MIZE, SUPERINTENDENT, PENDLETON CORRECTIONAL FACILITY*. C. A. 7th Cir. Certiorari denied.

No. 08–11030. *EDWARDS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 260.

No. 08–11031. *DAVIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 587.

No. 08–11032. *CARTER v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 959 A. 2d 959.

No. 08–11033. *JOHNSON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 12 So. 3d 220.

No. 08–11036. *DIAZ v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

No. 08–11037. *STEEL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 455.

No. 08–11039. *SANCHEZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 925.

No. 08–11040. *GONZALEZ RIVERA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 323 Fed. Appx. 148.

No. 08–11041. *SHARPE v. STATE BAR OF CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 08–11042. *LEWIS v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 318 Fed. Appx. 1.

No. 08–11043. *LONG v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 378 Ill. App. 3d 1122, 955 N. E. 2d 184.

No. 08–11044. *LINDSEY ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 556 F. 3d 238.

No. 08–11045. *LUGO v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 2 So. 3d 1.

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No. 08–11046. *KESSLER v. MCNEIL*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied.

No. 08–11047. *JIMENEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 284 Fed. Appx. 668.

No. 08–11048. *SCHULZE v. SCHULTZ*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 626.

No. 08–11049. *LUCAS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 326.

No. 08–11051. *MOYTEZ-PINEDA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 859.

No. 08–11052. *PEREZ-CRUZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 558 F. 3d 50.

No. 08–11053. *CRAIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 329.

No. 08–11054. *DEWEAVER v. RUNNELS*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 556 F. 3d 995.

No. 08–11055. *CRANDELL v. LOUISIANA*. Ct. App. La., 2d Cir. Certiorari denied. Reported below: 987 So. 2d 375.

No. 08–11056. *ROBERSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 290.

No. 08–11057. *RAMIREZ v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 08–11059. *FRANKLIN v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 372 Ill. App. 3d 1095, 940 N. E. 2d 305.

No. 08–11061. *FREEMAN v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 386 Ill. App. 3d 1118, 970 N. E. 2d 623.

No. 08–11062. *ISLAND v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 804.

No. 08–11063. *GOODMAN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

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No. 08–11064. *GATEWOOD v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 385 Ill. App. 3d 1128, 970 N. E. 2d 128.

No. 08–11066. *SHIRAISHI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 587.

No. 08–11067. *STAMPS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 385 Ill. App. 3d 1132, 970 N. E. 2d 130.

No. 08–11068. *BOWMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 215.

No. 08–11069. *BOYD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 415.

No. 08–11071. *LUNA v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 994 So. 2d 14.

No. 08–11072. *WRIGHT v. SOUTHWEST AIRLINES ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 232.

No. 08–11073. *WESTBROOK v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 375 Ill. App. 3d 1143, 945 N. E. 2d 697.

No. 08–11074. *BRUCE v. OHIO*. Ct. App. Ohio, Fairfield County. Certiorari denied.

No. 08–11075. *BAKER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 08–11076. *WORKS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 385 Ill. App. 3d 1134, 970 N. E. 2d 131.

No. 08–11077. *BOUTTE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 342.

No. 08–11078. *ADAMSON v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 08–11079. *DIXON v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 16 So. 3d 136.

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No. 08–11081. *NESSSELRODE v. MEASURE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 509.

No. 08–11082. *WILLIAMS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 846.

No. 08–11083. *PACE v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied. Reported below: 556 F. 3d 1211.

No. 08–11084. *WILLIAMS v. WILLIAM BEAUMONT HOSPITAL.* C. A. 6th Cir. Certiorari denied.

No. 08–11085. *COOPER v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 165.

No. 08–11086. *COTTON v. KELLEY, TRUSTEE.* C. A. 11th Cir. Certiorari denied.

No. 08–11087. *ESTRADA-GUERRA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 08–11088. *EVANS v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 08–11089. *SMITH v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 08–11090. *SIGALA-TREJO v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 08–11091. *SWANSON v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 868.

No. 08–11092. *SCOTTI v. SCOTTI.* Ct. App. Mich. Certiorari denied.

No. 08–11093. *MENDOZA-SANDOVAL, AKA SANDOVAL MENDOZA v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 58.

No. 08–11094. *PENA-GOMEZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 348.

No. 08–11095. *THOMPSON v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 554 F. 3d 450.

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No. 08–11096. *KNIGHT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 562 F. 3d 1314.

No. 08–11097. *LOVETT v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 08–11098. *WITHAM v. CHRISTIAN COUNTY, MISSOURI, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 286 Fed. Appx. 960.

No. 08–11099. *MONDRAGON-SANTIAGO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 564 F. 3d 357.

No. 08–11100. *WALLACE v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 384 Ill. App. 3d 1091, 973 N. E. 2d 1089.

No. 08–11101. *PLUMLEE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 210.

No. 08–11102. *TOWNSEND v. KNOWLES, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 562 F. 3d 1200.

No. 08–11103. *BOUMAN v. ROBINSON ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 523.

No. 08–11104. *VAUGHN v. RUNNELS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–11106. *CARRILLO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 08–11108. *CHOINIERE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 517 F. 3d 967.

No. 08–11109. *SEALED PETITIONER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 08–11110. *GUNTER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 551 F. 3d 472.

No. 08–11111. *NELSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 904.

No. 08–11112. *MITCHELL v. KDJM–FM ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 676.

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No. 08–11113. *HERNANDEZ-CASTILLO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 891.

No. 08–11114. *HANDY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 283.

No. 08–11115. *HERNANDEZ, AKA MORENO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 306 Fed. Appx. 719.

No. 08–11116. *HUGHES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 714.

No. 08–11117. *FIGUEROO-SANCHEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–11119. *HERNANDEZ-ZUNIGA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 64.

No. 08–11120. *HERNANDEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 120.

No. 08–11121. *HANNA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 520.

No. 08–11122. *GANT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 08–11124. *WINNS v. UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON*. C. A. 9th Cir. Certiorari denied.

No. 08–11125. *TECH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 317 Fed. Appx. 173.

No. 08–11126. *TUCKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 307.

No. 08–11127. *CHEESEMAN v. CITY OF REEDSPORT, OREGON, ET AL.* Sup. Ct. Ore. Certiorari denied.

No. 08–11128. *CAUGHMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 243.

No. 08–11131. *GRANT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 39.

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No. 08–11132. *GRANT v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 08–11133. *INGRAM v. VAZQUEZ, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–11134. *HYCHE v. CHANDLER, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 299 Fed. Appx. 583.

No. 08–11135. *ELLIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 564 F. 3d 370.

No. 08–11136. *DAVIS v. JONES, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 232.

No. 08–11137. *NELSON v. UNITED STATES* (two judgments). C. A. 7th Cir. Certiorari denied.

No. 08–11138. *DAVIS v. OREGON*. Sup. Ct. Ore. Certiorari denied. Reported below: 345 Ore. 551, 201 P. 3d 185.

No. 08–11139. *WINNETT v. SALINE COUNTY JAIL ET AL.* C. A. 8th Cir. Certiorari denied.

No. 08–11140. *WILLIAMS v. SALAZAR, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 08–11141. *THOMAS v. ST. LOUIS BOARD OF POLICE COMMISSIONERS ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 449.

No. 08–11142. *BURKE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 312 Fed. Appx. 125.

No. 09–2. *FLAHERTY & CRUMRINE PREFERRED INCOME FUND INC. ET AL. v. TXU CORP. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 565 F. 3d 200.

No. 09–4. *EJIKEME v. VIOLET ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 944.

No. 09–5. *FREEMAN v. NORFOLK SOUTHERN CORP. ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 918.

No. 09–6. *YOUNG ET AL. v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 553 F. 3d 1035.

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No. 09–7. *STEVENS v. VONS COS., INC.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 09–11. *RAYBESTOS PRODUCTS CO. v. INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT.* Sup. Ct. Ind. Certiorari denied. Reported below: 897 N. E. 2d 469.

No. 09–12. *SANDOVAL ET AL. v. CITY OF CHICAGO, ILLINOIS.* C. A. 7th Cir. Certiorari denied. Reported below: 560 F. 3d 703.

No. 09–13. *REDSTONE RESOURCES, INC. v. HOLME, ROBERTS & OWEN, LLP, ET AL.* Ct. App. Colo. Certiorari denied.

No. 09–14. *SHANNON, DIRECTOR, ILLINOIS DEPARTMENT OF LABOR, ET AL. v. 520 SOUTH MICHIGAN AVENUE ASSOCIATES, LTD., DBA CONGRESS PLAZA HOTEL & CONVENTION CENTER.* C. A. 7th Cir. Certiorari denied. Reported below: 549 F. 3d 1119.

No. 09–15. *ADAMO, EXECUTOR OF THE ESTATE OF ROSE, ET AL. v. BROWN & WILLIAMSON TOBACCO CORP., SUCCESSOR IN INTEREST TO AMERICAN TOBACCO CO., ET AL.* Ct. App. N. Y. Certiorari denied. Reported below: 11 N. Y. 3d 545, 900 N. E. 2d 966.

No. 09–16. *MURASKI v. MINNESOTA.* Sup. Ct. Minn. Certiorari denied.

No. 09–17. *SILVERMAN ET AL. v. STATE FARM MUTUAL AUTOMOBILE INSURANCE CO.* C. A. 6th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 440.

No. 09–18. *GANG SONG v. TURNER ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–19. *HILL v. UNITED STATES ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 921.

No. 09–20. *GREEN ET AL. v. JEFFERSON COUNTY COMMISSION ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 563 F. 3d 1243.

No. 09–22. *JELOVSEK v. BREDESEN, GOVERNOR OF TENNESSEE, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 545 F. 3d 431.

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No. 09–25. *DIODORO v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 601 Pa. 6, 970 A. 2d 1100.

No. 09–27. *HERNANDEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 937 and 321 Fed. Appx. 606.

No. 09–30. *MOORE v. WILLIAMSBURG REGIONAL HOSPITAL ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 560 F. 3d 166.

No. 09–31. *REYES v. BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ARAPAHOE, COLORADO, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 113.

No. 09–33. *LIN ET AL. v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 561 F. 3d 502.

No. 09–37. *SANTOSO ET UX. v. HOLDER, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 569.

No. 09–39. *DUFRENE BOATS, INC. v. NGA TRINH, INDIVIDUALLY AND ON BEHALF OF HAO TRAN ET AL.* Ct. App. La., 1st Cir. Certiorari denied. Reported below: 6 So. 3d 830.

No. 09–40. *ILLINOIS INVESTMENT TRUST NO. 92–7163 v. AMERICAN GRADING CO.* C. A. 7th Cir. Certiorari denied. Reported below: 562 F. 3d 824.

No. 09–41. *LUNA-HERNANDEZ v. HOLDER, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 691.

No. 09–42. *BUTLER v. GREIF, INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 748.

No. 09–43. *PANNELL v. HALL, WARDEN*. Sup. Ct. Ga. Certiorari denied.

No. 09–44. *CANO v. INDUSTRIAL COMMISSION OF ARIZONA ET AL.* Ct. App. Ariz. Certiorari denied.

No. 09–46. *UNITED STATES EX REL. VUYYURU v. JADHAV ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 555 F. 3d 337.

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No. 09–48. *LAWRENCE v. WELCH ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 531 F. 3d 364.

No. 09–50. *LYGREN v. MIRROR IMAGE INTERNET, INC., ET AL.* Sup. Ct. Del. Certiorari denied.

No. 09–51. *SINGLETON v. FLORIDA DEPARTMENT OF JUVENILE JUSTICE.* C. A. 11th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 222.

No. 09–52. *SKROPITS v. OHIO.* Sup. Ct. Ohio. Certiorari denied. Reported below: 121 Ohio St. 3d 103, 902 N. E. 2d 464.

No. 09–54. *DEPARTMENT OF THE INTERIOR ET AL. v. KERR-MCGEE OIL & GAS CORP.* C. A. 5th Cir. Certiorari denied. Reported below: 554 F. 3d 1082.

No. 09–56. *MARSHALL v. BRANDYWINE CHESAPEAKE HOUSING CORP.* Ct. App. D. C. Certiorari denied.

No. 09–57. *MITRANO v. KELLY.* Ct. Sp. App. Md. Certiorari denied. Reported below: 183 Md. App. 766.

No. 09–58. *ARSHAD, INDIVIDUALLY AND ON BEHALF OF ARSHAD, DECEASED, ET AL. v. CONGEMI, CHIEF OF POLICE, CITY OF KENNER, LOUISIANA, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 09–59. *DOUGLAS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 320.

No. 09–61. *MEYERS v. SOVEREIGN BANK ET AL.* Super. Ct. Pa. Certiorari denied. Reported below: 959 A. 2d 475.

No. 09–62. *PEYTON v. FRED'S STORES OF ARKANSAS, INC.* C. A. 8th Cir. Certiorari denied. Reported below: 561 F. 3d 900.

No. 09–64. *GEORGE v. UNITED STATES.* C. A. 1st Cir. Certiorari denied.

No. 09–65. *SAMADI v. OLIVER.* C. A. 11th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 458.

No. 09–66. *SESSOMS v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

No. 09–67. *WHITESIDE v. RUSSELLVILLE NEWSPAPERS, INC., ET AL.* Sup. Ct. Ark. Certiorari denied. Reported below: 2009 Ark. 135, 295 S. W. 3d 798.

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No. 09-68. *ODOMES v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 6 So. 3d 790.

No. 09-72. *BROCAIL v. DETROIT TIGERS, INC.* Ct. App. Tex., 14th Dist. Certiorari denied. Reported below: 268 S.W. 3d 90.

No. 09-73. *LUNDEBY v. BRUINSMA, EXECUTIVE DIRECTOR, THOMAS J. FREDERICK JUVENILE JUSTICE CENTER, SOUTH BEND, INDIANA, CUSTODIAN, ET AL.* C. A. 7th Cir. Certiorari denied.

No. 09-81. *WILLIAMS CONTROLS, INC. v. CUESTA ET AL., INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED*. Sup. Ct. Okla. Certiorari denied. Reported below: 209 P. 3d 278.

No. 09-83. *POO-BAH ENTERPRISES, INC., DBA CRAZY HORSE TOO v. COOK COUNTY, ILLINOIS, ET AL.* Sup. Ct. Ill. Certiorari denied. Reported below: 232 Ill. 2d 463, 905 N. E. 2d 781.

No. 09-85. *HANI CHEN v. CITY OF NEW YORK, NEW YORK, ET AL.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 54 App. Div. 3d 797, 863 N. Y. S. 2d 373.

No. 09-87. *MARTINEZ, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF GINN v. BEGGS, SHERIFF, CLEVELAND COUNTY, OKLAHOMA, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 563 F. 3d 1082.

No. 09-90. *PIERCE ET AL. v. SAN DIEGO UNIFIED PORT DISTRICT*. C. A. 9th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 351.

No. 09-92. *DAVIS ET VIR v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 6th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 398.

No. 09-93. *ANAPPELL v. AMERICAN EXPRESS BUSINESS FINANCE CORP. ET AL.* C. A. 10th Cir. Certiorari denied.

No. 09-96. *SOMMERS, EXECUTRIX OF THE ESTATE OF SOMMERS, DECEASED v. SOMMERS ET AL.* Ct. App. Ind. Certiorari denied. Reported below: 898 N. E. 2d 1234.

No. 09-97. *RITCHIE ET AL. v. VAST RESOURCES, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 563 F. 3d 1334.

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No. 09–99. *PATTERSON v. AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL–CIO, #2456*. C. A. 3d Cir. Certiorari denied. Reported below: 320 Fed. Appx. 143.

No. 09–100. *MICHIGAN v. DAVIS*. Ct. App. Mich. Certiorari denied.

No. 09–101. *SMITH ET AL. v. THOMAS JEFFERSON UNIVERSITY HOSPITAL ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–105. *KARAGIANNPOULOS v. CITY OF LOWELL, NORTH CAROLINA*. C. A. 4th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 64.

No. 09–107. *CORDY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 560 F. 3d 808.

No. 09–110. *HCA, INC., ET AL. v. AON CORP. ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 384 Ill. App. 3d 1081, 973 N. E. 2d 1084.

No. 09–111. *INGRUM v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 560 F. 3d 1311.

No. 09–112. *RUIZ RIVERA ET AL. v. DEPARTMENT OF EDUCATION ET AL.* C. A. 1st Cir. Certiorari denied.

No. 09–114. *KIRKLAND ET AL. v. WAYNE COUNTY, MICHIGAN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–116. *SECAREA v. REGENTS OF THE UNIVERSITY OF CALIFORNIA ET AL.* Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 09–118. *BRAQUET v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 5th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 432.

No. 09–119. *BADURA ET AL. v. SPAHN ET AL.* Sup. Ct. Neb. Certiorari denied.

No. 09–120. *T. G. v. KENTUCKY CABINET FOR HEALTH AND FAMILY SERVICES*. Sup. Ct. Ky. Certiorari denied.

No. 09–121. *HOY v. MENTOR TOWNSHIP, MICHIGAN*. Sup. Ct. Mich. Certiorari denied. Reported below: 482 Mich. 992, 756 N. W. 2d 64.

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No. 09–123. *KODRIN ET VIR v. STATE FARM FIRE & CASUALTY CO.* C. A. 5th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 671.

No. 09–124. *MORRES v. DEER’S HEAD HOSPITAL CENTER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 216.

No. 09–125. *PIERS v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 69.

No. 09–126. *TANDIONO v. HOLDER, ATTORNEY GENERAL.* C. A. 6th Cir. Certiorari denied.

No. 09–127. *BURNETT v. GENERAL MOTORS CORP. ET AL.* Ct. App. Mich. Certiorari denied.

No. 09–128. *COVALT ET AL. v. ALLSTATE INSURANCE CO.* C. A. 10th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 717.

No. 09–129. *AMERICAN CRYSTAL SUGAR CO. v. VILSACK, SECRETARY OF AGRICULTURE, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 563 F. 3d 822.

No. 09–130. *OWENS v. STEELE, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 549 F. 3d 399.

No. 09–131. *PANNELL v. BURNETTE, WARDEN.* Sup. Ct. Ga. Certiorari denied.

No. 09–132. *DAVIS v. GEORGIA.* Sup. Ct. Ga. Certiorari denied. Reported below: 285 Ga. 343, 676 S. E. 2d 215.

No. 09–134. *RIPLEY v. WYOMING MEDICAL CENTER ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 559 F. 3d 1119.

No. 09–135. *GREEN v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 560 F. 3d 853.

No. 09–136. *MARTIN v. CITY OF SAN ANTONIO, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 669.

No. 09–137. *GOWAN v. WARD COUNTY COMMISSION.* Sup. Ct. N. D. Certiorari denied. Reported below: 764 N. W. 2d 425.

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No. 09–138. GRABER ET AL. *v.* FUQUA. Sup. Ct. Tex. Certiorari denied. Reported below: 279 S. W. 3d 608.

No. 09–143. HUDSON AREA SCHOOLS *v.* PATTERSON ET UX. C. A. 6th Cir. Certiorari denied. Reported below: 551 F. 3d 438.

No. 09–147. ESTATE OF MARTIN *v.* CALIFORNIA DEPARTMENT OF VETERANS AFFAIRS ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 560 F. 3d 1042.

No. 09–148. MSEJ, LLC *v.* TRANSIT CASUALTY COMPANY IN RECEIVERSHIP. Sup. Ct. Mo. Certiorari denied. Reported below: 280 S. W. 3d 621.

No. 09–151. PHILLIPS ET AL. *v.* GATES, SECRETARY OF DEFENSE. C. A. 6th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 577.

No. 09–153. TAYLOR ACQUISITIONS, LLC *v.* CITY OF TAYLOR, MICHIGAN, ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 826.

No. 09–154. FLORIDA ASSOCIATION OF PROFESSIONAL LOBBYISTS, INC., ET AL. *v.* DIVISION OF LEGISLATIVE INFORMATION SERVICES OF THE FLORIDA OFFICE OF LEGISLATIVE SERVICES ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 566 F. 3d 1281.

No. 09–155. MARTINI ET UX. *v.* HOLDER, ATTORNEY GENERAL. C. A. 9th Cir. Certiorari denied.

No. 09–156. APPLEBY *v.* GEREN, SECRETARY OF THE ARMY. C. A. D. C. Cir. Certiorari denied. Reported below: 330 Fed. Appx. 196.

No. 09–159. GARLAND *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 308 Fed. Appx. 636.

No. 09–169. ARENSDORF *v.* GEITHNER, SECRETARY OF THE TREASURY. C. A. 5th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 514.

No. 09–170. UNITED STATES EX REL. GRYNBERG *v.* PACIFIC GAS & ELECTRIC CO. ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 562 F. 3d 1032.

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No. 09–173. *MING YEN HOU v. NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION*. C. A. 2d Cir. Certiorari denied. Reported below: 321 Fed. Appx. 60.

No. 09–175. *JAO ET AL. v. HOLDER, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 520.

No. 09–178. *FARASH v. FLEET BANK, FKA SUMMIT BANK, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 326 Fed. Appx. 77.

No. 09–181. *McMATH v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 559 F. 3d 657.

No. 09–184. *WHITE v. DONLEY, SECRETARY OF THE AIR FORCE*. C. A. 9th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 159.

No. 09–189. *HELGERSON v. TEXAS*. Ct. App. Tex., 13th Dist. Certiorari denied.

No. 09–190. *ROBLES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 971.

No. 09–192. *JONES ET VIR v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 10th Cir. Certiorari denied. Reported below: 560 F. 3d 1196.

No. 09–206. *FORSMAN, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF FORSMAN ET AL., ET AL. v. CESSNA AIRCRAFT CO.* C. A. 11th Cir. Certiorari denied. Reported below: 562 F. 3d 1374.

No. 09–219. *SCHERY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 767.

No. 09–238. *NAVAR v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 557 F. 3d 511.

No. 09–245. *CLARK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 395.

No. 09–5001. *DAVIS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

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No. 09–5002. *GREEN v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 635.

No. 09–5003. *MOSES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 09–5004. *MCCLAIN v. HALL, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 552 F. 3d 1245.

No. 09–5005. *PEREIRA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 866.

No. 09–5006. *LANDERS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 564 F. 3d 1217.

No. 09–5007. *FERNANDEZ MARTINEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 929.

No. 09–5008. *KIPPLE v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 294 Ga. App. 420, 669 S. E. 2d 185.

No. 09–5009. *LOPEZ-MOLDONADO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 318 Fed. Appx. 139.

No. 09–5010. *JAMES v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 385 Ill. App. 3d 1129, 970 N. E. 2d 128.

No. 09–5011. *MARSHALL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 825.

No. 09–5013. *PHILLIPS ET AL. v. PHILLIPS, EXECUTOR OF THE ESTATE OF PHILLIPS, DECEASED, ET AL.* Sup. Ct. Va. Certiorari denied.

No. 09–5014. *MIDDLEBROOKS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 847.

No. 09–5015. *ALVARO F. v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. Reported below: 291 Conn. 1, 966 A. 2d 712.

No. 09–5017. *ASKEW v. AYRES, WARDEN*. C. A. 9th Cir. Certiorari denied.

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No. 09–5018. *BAEZ v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 759 A. 2d 936.

No. 09–5019. *BENNETT v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 558 F. 3d 716.

No. 09–5020. *BROWN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 494.

No. 09–5021. *RAMOS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 852.

No. 09–5023. *MAXWELL v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 2009 Ark. 125.

No. 09–5025. *AMBROSE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–5026. *BANKS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 385 Ill. App. 3d 1126, 970 N. E. 2d 127.

No. 09–5028. *OLVIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 206.

No. 09–5030. *VAN LILLY v. BURTT, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied.

No. 09–5031. *LANGON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 996 So. 2d 212.

No. 09–5032. *LEE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 298.

No. 09–5033. *SPENCER v. HOFBAUER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 09–5034. *RABY v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–5036. *SAVAGE v. BONAVIDACOLA ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 316 Fed. Appx. 191.

No. 09–5037. *RUNYON v. OHIO*. Ct. App. Ohio, Butler County. Certiorari denied.

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No. 09–5038. *SOLAN v. RANCK ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 326 Fed. Appx. 97.

No. 09–5039. *DILLARD v. BAZZLE, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 543.

No. 09–5040. *ROBINSON v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

No. 09–5042. *FERGUSON v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 09–5044. *HARPER v. FLORIDA.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 7 So. 3d 1105.

No. 09–5045. *HOEFERT v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–5046. *HAYWOOD v. TRIBECA LENDING CORP. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 869.

No. 09–5047. *HOGUES v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 684.

No. 09–5048. *HEAROD v. OLLISON, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 09–5049. *HARRIS v. JARRIEL, WARDEN.* C. A. 11th Cir. Certiorari denied.

No. 09–5050. *GREEN v. HORNBREAK, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 915.

No. 09–5051. *FARMER v. MARYLAND.* Ct. Sp. App. Md. Certiorari denied. Reported below: 182 Md. App. 741.

No. 09–5052. *HICKS v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 246.

No. 09–5053. *GRUFF v. WILSON, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 09–5054. *HOOKE v. THURMER, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 09–5056. *FLORA v. SHEETS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 09–5057. *PETERSON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 2 So. 3d 146.

No. 09–5058. *PATTERSON v. CITY OF CHESAPEAKE, VIRGINIA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 573.

No. 09–5059. *HARROD v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 09–5060. *FONTENOT v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–5061. *HAKIM v. THOMAS, SUPERINTENDENT, LUMBERTON CORRECTIONAL INSTITUTION*. Sup. Ct. N. C. Certiorari denied.

No. 09–5062. *TURNER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 880.

No. 09–5063. *WILHELM v. CLARK, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09–5064. *TORIOLA v. APPELLATE DIVISION, SUPREME COURT OF NEW YORK, SECOND JUDICIAL DEPARTMENT, ET AL.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 51 App. Div. 3d 937, 856 N. Y. S. 2d 874.

No. 09–5065. *WELCH v. CHARLAN ET AL.* C. A. 2d Cir. Certiorari denied.

No. 09–5066. *WILLIAMS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 09–5067. *WATSON v. ROZUM, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SOMERSET*. C. A. 3d Cir. Certiorari denied.

No. 09–5068. *HALLFORD v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

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No. 09–5069. *HUGHES v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 09–5071. *DANIEL v. TRANCOSO, WARDEN*. Sup. Ct. Ill. Certiorari denied.

No. 09–5072. *ZAHN v. CITY OF SAN DIEGO, CALIFORNIA*. C. A. 9th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 591.

No. 09–5073. *WHITFIELD v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 377 Ill. App. 3d 1145, 953 N. E. 2d 84.

No. 09–5075. *JONES v. MCDANIEL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 784.

No. 09–5079. *BRAZELTON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 557 F. 3d 750.

No. 09–5080. *AARON v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 385 Ill. App. 3d 1125, 970 N. E. 2d 127.

No. 09–5081. *VOIGT v. WISCONSIN*. Ct. App. Wis. Certiorari denied.

No. 09–5082. *WEEKS v. WHITE’S MILL COLONY, INC.* Ct. App. S. C. Certiorari denied.

No. 09–5084. *MOREHOUSE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 318 Fed. Appx. 87.

No. 09–5085. *PEOPLES v. DAVIS ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–5086. *SMITH v. DENNY, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 68.

No. 09–5087. *GREENE v. FINGER LAKES DEVELOPMENTAL DISABILITIES SERVICE OFFICE ET AL.* C. A. 2d Cir. Certiorari denied.

No. 09–5088. *PEER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 442.

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No. 09–5091. *GARCIA-GRACIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 286.

No. 09–5092. *GREEN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–5093. *HAWTHORNE v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 46 Cal. 4th 67, 205 P. 3d 245.

No. 09–5094. *GODBOULDT v. LAMARQUE, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 745.

No. 09–5095. *FERNANDEZ-ROSARIO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–5097. *HOSTETTER v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 09–5100. *KING v. RYAN, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 564 F. 3d 1133.

No. 09–5101. *JACKSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 324 Fed. Appx. 153.

No. 09–5103. *ROMERO-FACIO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 290.

No. 09–5104. *RAMIREZ-ROSALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 295.

No. 09–5105. *ROSE, AKA SMITH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 324.

No. 09–5107. *TLATENCHI-ENRIQUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 304.

No. 09–5108. *MORALES-MORALES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 321 Fed. Appx. 176.

No. 09–5109. *WOODS v. SOCIAL SECURITY ADMINISTRATION*. C. A. 5th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 720.

No. 09–5110. *DAVIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 359.

No. 09–5112. *BREWER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 561 F. 3d 676.

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No. 09–5113. *BRANIGAN ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–5116. *GARRETT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 294.

No. 09–5117. *HERRERA-MIRANDA, AKA HERRERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 302.

No. 09–5118. *GEMMILL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 309 Fed. Appx. 569.

No. 09–5119. *EMERSON v. COUVILLION ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 507.

No. 09–5121. *SCOVILLE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 561 F. 3d 1174.

No. 09–5125. *MAITRE v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 09–5126. *MACIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 925.

No. 09–5127. *NIXON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 395.

No. 09–5129. *BEAL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 688.

No. 09–5130. *AVALOS-RIOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 234.

No. 09–5132. *CORJASSO v. BROWN, ATTORNEY GENERAL OF CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 567.

No. 09–5133. *WAGGONER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 687.

No. 09–5134. *WOODARD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–5136. *PROPST v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 483.

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No. 09–5137. *VAN LILLY v. KNOX ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 579.

No. 09–5140. *PALEGA v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 556 F. 3d 709.

No. 09–5141. *MOORE v. LAWLER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–5143. *ROSA v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–5145. *BROWN v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 556 F. 3d 1108.

No. 09–5147. *BELTRAN v. DEXTER, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 09–5148. *AGUADO-GUEL v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 09–5149. *ROBINSON v. VIRGINIA.* Sup. Ct. Va. Certiorari denied.

No. 09–5150. *RUELAS v. ARIZONA.* Super. Ct. Ariz., County of Maricopa. Certiorari denied.

No. 09–5151. *THOMAS v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 960.

No. 09–5152. *ZABALA v. NEW YORK.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 58 App. Div. 3d 554, 872 N. Y. S. 2d 104.

No. 09–5153. *VIDAL v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 561 F. 3d 1113.

No. 09–5154. *BELL v. BASS-JONES LESURE, JUDGE, DISTRICT COURT FOR OKLAHOMA COUNTY.* C. A. 10th Cir. Certiorari denied.

No. 09–5155. *BERNAL-JIMENEZ v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

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No. 09–5157. *FULLER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 557 F. 3d 859.

No. 09–5158. *JONES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 827.

No. 09–5160. *LOMAX v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 646.

No. 09–5161. *THOMAS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 753.

No. 09–5163. *LEONOR v. HOUSTON*. C. A. 8th Cir. Certiorari denied.

No. 09–5165. *CANNEDY v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 5 So. 3d 676.

No. 09–5166. *CASTANEDA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 564.

No. 09–5167. *COWAN v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 330 Fed. Appx. 916.

No. 09–5169. *KITTRELL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–5170. *FLOOD v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 327 Fed. Appx. 356.

No. 09–5172. *FLANDERS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 09–5173. *GARCIA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 705.

No. 09–5174. *HATTON v. MINNESOTA*. Ct. App. Minn. Certiorari denied.

No. 09–5175. *HUTCHINSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 316 Fed. Appx. 137.

No. 09–5176. *GORDON v. SUPREME COURT OF TEXAS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 702.

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No. 09–5177. *HARVEY v. LYNCH, SHERIFF, MCLENNAN COUNTY, TEXAS*. C. A. 5th Cir. Certiorari denied.

No. 09–5178. *ISWED v. BOOKER, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–5179. *GRAHAM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 833.

No. 09–5180. *FLOYD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–5181. *HILL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 552 F. 3d 591.

No. 09–5182. *FEREBEE v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 09–5184. *GRIFFIN v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 09–5185. *GONZALEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 881.

No. 09–5186. *HERNANDEZ v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied.

No. 09–5187. *HOFFMAN v. LINCOLN GENERAL INSURANCE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 303 Fed. Appx. 77.

No. 09–5188. *FEBLES v. RIDER, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–5189. *HAYES v. GARCIA, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 442.

No. 09–5191. *SACCOCCIA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 564 F. 3d 502.

No. 09–5193. *THURMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 599.

No. 09–5196. *JOHNSON v. PINCHAK ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 09–5197. *GIDDINGS v. MONTANA*. Sup. Ct. Mont. Certiorari denied. Reported below: 349 Mont. 347, 208 P. 3d 363.

No. 09–5198. *GORMAN v. NATIONAL TRANSPORTATION SAFETY BOARD ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 558 F. 3d 580.

No. 09–5199. *PRICE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 558 F. 3d 270.

No. 09–5200. *BYERS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 561 F. 3d 825.

No. 09–5203. *RUIZ-ARRIAGA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 565 F. 3d 280.

No. 09–5204. *SEBOLT v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 468.

No. 09–5206. *GUERRERO-ROBLEDO, AKA GUERRERO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 565 F. 3d 940.

No. 09–5207. *HAMMOND v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 563 F. 3d 95.

No. 09–5208. *EASTOM v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 879.

No. 09–5209. *LOYA-SOTELLO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 251.

No. 09–5210. *JONES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 689.

No. 09–5211. *CLEMMONS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 835.

No. 09–5212. *KISER v. TENNESSEE*. Sup. Ct. Tenn. Certiorari denied. Reported below: 284 S. W. 3d 227.

No. 09–5215. *COOK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 936.

No. 09–5218. *RODEBAUGH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 561 F. 3d 864.

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No. 09–5219. *TORRES-TONTLE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 873.

No. 09–5223. *PINEDA v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 09–5224. *CARDOSA-FERREIRA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 372.

No. 09–5225. *TRAVIS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 385 Ill. App. 3d 1133, 970 N. E. 2d 130.

No. 09–5227. *SOY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–5228. *MCCARTHY v. JENKINS ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 09–5229. *HAILEY v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–5230. *HOFFMAN v. NEW JERSEY ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–5231. *FARRA v. CARLTON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 09–5232. *HOLBACH v. NORTH DAKOTA*. Sup. Ct. N. D. Certiorari denied. Reported below: 763 N. W. 2d 761.

No. 09–5233. *GIDDENS v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Va. Certiorari denied.

No. 09–5234. *GAINES v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 09–5235. *HARRIS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 1 So. 3d 178.

No. 09–5236. *GRUMBLES v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–5237. *GREENE v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

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No. 09–5238. *HUNT v. WOLFENBARGER*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 09–5239. *HAIRSTON v. HAYNES*, SUPERINTENDENT, WARREN CORRECTIONAL INSTITUTION. C. A. 4th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 273.

No. 09–5240. *HUNGATE v. MABUS*, SECRETARY OF THE NAVY. C. A. 9th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 579.

No. 09–5241. *WALKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 281.

No. 09–5244. *TENSLEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 837.

No. 09–5245. *CHO-ING TSENG v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 950.

No. 09–5246. *BROOKS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 569 F. 3d 1284.

No. 09–5249. *LEAL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 704.

No. 09–5250. *SAGER v. HALL*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 09–5252. *McGEE v. HIGGINS*, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 568 F. 3d 832.

No. 09–5253. *BANNISTER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 256.

No. 09–5254. *ROBINSON ET AL. v. PENNSYLVANIA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 327 Fed. Appx. 321.

No. 09–5255. *HEINEMANN v. WILSON*, WARDEN, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 455.

No. 09–5257. *ELLIOTT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 540.

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No. 09–5258. *EDWARDS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 481.

No. 09–5259. *EL FARRA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 554 F. 3d 752.

No. 09–5260. *WILLIAMS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 557 F. 3d 556.

No. 09–5261. *MARQUEZ v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. Reported below: 291 Conn. 122, 967 A. 2d 56.

No. 09–5262. *JOHNSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 996.

No. 09–5263. *JONES v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 201 P. 3d 869.

No. 09–5264. *JONES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 463.

No. 09–5265. *MASCORRO-CHAVARRIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 385.

No. 09–5266. *SMITH v. WORKMAN, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 550 F. 3d 1258.

No. 09–5268. *WILLIAMS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 562 F. 3d 938.

No. 09–5271. *CLAY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 384.

No. 09–5272. *CANTRELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 785.

No. 09–5273. *EDWARDS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 754.

No. 09–5274. *SONCZALLA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 561 F. 3d 842.

No. 09–5275. *SANCHEZ-ALVAREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 653.

No. 09–5276. *JONES v. PERLMAN, SUPERINTENDENT, MID-STATE CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

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No. 09–5277. *MARTIN v. MERRILL, WARDEN*. C. A. 1st Cir. Certiorari denied.

No. 09–5278. *MARTIN v. HOLDER, ATTORNEY GENERAL*. C. A. 3d Cir. Certiorari denied.

No. 09–5279. *JOINTER v. GARCIA, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09–5280. *ALLEN v. HALL, SUPERINTENDENT, TWO RIVERS CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied.

No. 09–5282. *BEST v. GEICO CASUALTY CO.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

No. 09–5284. *McFARLAND v. DEPPISCH, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 113.

No. 09–5286. *PICKENS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 268.

No. 09–5287. *MULLINS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–5288. *MINGO, AKA MINE v. LAWLER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–5291. *MONTUFAR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 896.

No. 09–5292. *LUKE v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 51 So. 3d 411.

No. 09–5293. *LETIZIA v. NEW YORK*. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied.

No. 09–5295. *McFADDEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 913.

No. 09–5296. *ROSSATY, AKA MENDEZ v. HOLDER, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied.

No. 09–5297. *ROBINSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 264.

No. 09–5298. *SANTOS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

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No. 09–5299. *WASHINGTON v. EXPERIAN ET AL.* C. A. 7th Cir. Certiorari denied.

No. 09–5300. *WILSON v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 911.

No. 09–5302. *YEARBY v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 790.

No. 09–5303. *WALDRON-RAMSEY v. PACHOLKE, SUPERINTENDENT, STAFFORD CREEK CORRECTIONS CENTER.* C. A. 9th Cir. Certiorari denied. Reported below: 556 F. 3d 1008.

No. 09–5304. *EVANS v. LOUISIANA.* Sup. Ct. La. Certiorari denied. Reported below: 993 So. 2d 1218.

No. 09–5306. *LACHIRA v. SUTTON.* App. Ct. Conn. Certiorari denied.

No. 09–5307. *JOYNER v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 619.

No. 09–5309. *JARRELL v. HAINES, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 376.

No. 09–5310. *MAISANO v. RUIZ.* C. A. 9th Cir. Certiorari denied.

No. 09–5311. *SANCHEZ-OXIO v. UNITED STATES.* C. A. 1st Cir. Certiorari denied.

No. 09–5312. *MONACELLI v. HEARTLAND EDUCATIONAL CONSORTIUM ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–5313. *PERRY v. BYRNES* (two judgments). C. A. 9th Cir. Certiorari denied.

No. 09–5314. *AMELO-RODRIGUEZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 390.

No. 09–5315. *BALOGH v. NEW JERSEY.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 09–5316. *BROWN v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 553 F. 3d 768.

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No. 09–5317. *ARIAS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 439.

No. 09–5318. *BERGER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 553 F. 3d 1107.

No. 09–5319. *OKORO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–5320. *DUVALL v. LOMBARDI, DIRECTOR, MISSOURI DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 09–5323. *HERNANDEZ-LOPEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 09–5324. *HERNANDEZ-LUNA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 377.

No. 09–5325. *GONZALEZ v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 09–5326. *E. L. G. v. OREGON*. Ct. App. Ore. Certiorari denied. Reported below: 221 Ore. App. 507, 190 P. 3d 1239.

No. 09–5328. *HOLLAND v. HOLLAND*. Sup. Ct. S. C. Certiorari denied.

No. 09–5329. *GIL-HERNANDEZ v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 309 Fed. Appx. 566.

No. 09–5331. *FIELD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 386.

No. 09–5333. *MATHESON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 808.

No. 09–5334. *SPIKES v. CONNECTICUT*. App. Ct. Conn. Certiorari denied. Reported below: 111 Conn. App. 543, 961 A. 2d 426.

No. 09–5335. *RHODES v. MURPHY, COMMISSIONER, CONNECTICUT DEPARTMENT OF CORRECTION*. App. Ct. Conn. Certiorari denied. Reported below: 111 Conn. App. 903, 959 A. 2d 1094.

No. 09–5336. *DEL VALLE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 323 Fed. Appx. 125.

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No. 09–5337. *FRANCO-FLORES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 558 F. 3d 978.

No. 09–5338. *SIMPSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 270.

No. 09–5339. *THOMAS v. PARKER, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 626.

No. 09–5340. *WILSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–5341. *ROSS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 386.

No. 09–5342. *PRATER v. RUBITSCHUN ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–5343. *DARTY v. SUPERIOR DRIVE SOURCE*. C. A. 6th Cir. Certiorari denied.

No. 09–5344. *CROWE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–5345. *VINCENT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 275.

No. 09–5348. *JONES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 09–5349. *MERRIWEATHER v. REYNOLDS, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied.

No. 09–5350. *PELCH v. YARBOROUGH, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 607.

No. 09–5351. *DONZO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 335 Fed. Appx. 191.

No. 09–5353. *DEL CASTELLO v. SUPERIOR COURT OF CALIFORNIA, ALAMEDA COUNTY*. C. A. 9th Cir. Certiorari denied.

No. 09–5354. *WILLIAMS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 557 F. 3d 943.

No. 09–5357. *RASMUSSEN v. FRAKES, SUPERINTENDENT, COYOTE RIDGE CORRECTIONS CENTER*. C. A. 9th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 500.

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No. 09–5358. *MENDEZ-SANCHEZ, AKA LOPEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 563 F. 3d 935.

No. 09–5359. *TOMPKINS v. MITCHELL, CORRECTIONAL ADMINISTRATOR IV, MOUNTAIN VIEW CORRECTIONAL INSTITUTION*. C. A. 4th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 283.

No. 09–5360. *WASHINGTON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–5361. *ALEXANDRE v. MAINE*. C. A. 1st Cir. Certiorari denied.

No. 09–5362. *BREWER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–5364. *LYNCH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 275.

No. 09–5365. *COLMAN v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–5366. *KING v. NOLAND ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 656.

No. 09–5368. *SCOTT v. HICKMAN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09–5369. *FORD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–5372. *DE LA O v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 307.

No. 09–5373. *MELSON v. ALLEN, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 548 F. 3d 993.

No. 09–5376. *CARR v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

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No. 09–5378. *BANKS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 435.

No. 09–5379. *POWELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 204.

No. 09–5380. *ACUNA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 283.

No. 09–5381. *PRINCE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 742.

No. 09–5382. *BIRTHA v. LOUISIANA*. Sup. Ct. La. Certiorari denied.

No. 09–5384. *GONZALES v. SALAZAR, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09–5385. *FELIX v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 561 F. 3d 1036.

No. 09–5387. *GRAHAM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–5390. *FORD v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–5392. *CAMPBELL v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 1 So. 3d 176.

No. 09–5393. *CARRASQUILLO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 559 F. 3d 34.

No. 09–5394. *JEMISON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 866.

No. 09–5395. *COOKS v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–5397. *SHAMSUD-DIN v. OREGON BOARD OF PAROLE AND POST-PRISON SUPERVISION*. Ct. App. Ore. Certiorari denied.

No. 09–5399. *LEVY v. OHIO ET AL.* C. A. 6th Cir. Certiorari denied.

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No. 09–5402. *MC CLOUD v. KENTUCKY*. Ct. App. Ky. Certiorari denied. Reported below: 279 S. W. 3d 162.

No. 09–5403. *VAUGHN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–5404. *R. W. v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 958 A. 2d 259.

No. 09–5405. *VELAZQUEZ v. LAPE, SUPERINTENDENT, COXSACKIE CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 09–5406. *POWELL v. SAN DIEGO COUNTY HEALTH AND HUMAN SERVICES AGENCY*. Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 09–5408. *WILSON v. SMITH, CORRECTIONAL ADMINISTRATOR, ALBERMARLE CORRECTIONAL INSTITUTION*. C. A. 4th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 608.

No. 09–5409. *GRAVES v. TEXAS*. Ct. App. Tex., 10th Dist. Certiorari denied. Reported below: 271 S. W. 3d 801.

No. 09–5410. *MOMENT v. MARYLAND ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 767.

No. 09–5412. *BRINDA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 464.

No. 09–5413. *ADAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 09–5414. *PINNOCK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 545.

No. 09–5415. *OLOBA-AISONY v. SCRIBNER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09–5416. *BROWN v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Va. Certiorari denied.

No. 09–5417. *RODRIGUEZ PINERO, AKA DOMIEQUE-RODRIGUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 805.

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No. 09–5418. *BERRYMAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 322 Fed. Appx. 216.

No. 09–5420. *CONCEPCION v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 09–5422. *SCOTT v. PARKER, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 758.

No. 09–5423. *WIGGINS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 648.

No. 09–5424. *OLDBEAR v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 568 F. 3d 814.

No. 09–5425. *VAZQUEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 555 F. 3d 923.

No. 09–5427. *BUTLER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 780.

No. 09–5428. *BAKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 213.

No. 09–5431. *BELCHER v. YOUNGER*. App. Ct. Conn. Certiorari denied. Reported below: 112 Conn. App. 901, 963 A. 2d 114.

No. 09–5432. *ANUFORO v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 293 Ga. App. 1, 666 S. E. 2d 50.

No. 09–5433. *BRITO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 09–5435. *STONE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 855.

No. 09–5438. *GRIFFIN v. SEBULIBA*. C. A. 7th Cir. Certiorari denied.

No. 09–5439. *CORNES v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied.

No. 09–5440. *DAVIS v. LAFLER, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 441.

No. 09–5441. *HILL v. HILLIER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 614.

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No. 09–5443. *TUCKER v. CHIPLA COLLEGE*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 7 So. 3d 539.

No. 09–5444. *VANCE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 853.

No. 09–5445. *VILLEGAS-MARTINEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 260.

No. 09–5446. *PINA-GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 420.

No. 09–5447. *BAUGH v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 536.

No. 09–5449. *STEPHENS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–5450. *SANTA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–5452. *RAINEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 779.

No. 09–5453. *SILVA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 301.

No. 09–5454. *SMITH v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 125 Nev. 1081, 281 P. 3d 1222.

No. 09–5456. *DIXON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 348.

No. 09–5457. *DIAZ-ARGUETA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 564 F. 3d 1047.

No. 09–5458. *ROBINSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–5459. *SEPULVEDA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 820.

No. 09–5460. *CALDERON v. HOLDER, ATTORNEY GENERAL*. C. A. 3d Cir. Certiorari denied. Reported below: 309 Fed. Appx. 583.

No. 09–5461. *DE LA FE v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 3 So. 3d 1248.

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No. 09–5462. *CIOCCHETTI v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 745.

No. 09–5463. *CLEMENTS, AKA DION, AKA HARMON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 284.

No. 09–5464. *LITTLES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 873.

No. 09–5465. *MARSHALL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 801.

No. 09–5467. *MARTIN v. SULLIVAN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09–5468. *JOSEPH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–5469. *KOON v. SOUTH CAROLINA*. Ct. Common Pleas of Cherokee County, S. C. Certiorari denied.

No. 09–5470. *PINE v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 09–5471. *MINES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 306 Fed. Appx. 719.

No. 09–5472. *MONROE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 552.

No. 09–5473. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 168.

No. 09–5475. *CORDELL v. SABOL, WARDEN, ET AL.* C. A. 1st Cir. Certiorari denied.

No. 09–5476. *DAVIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 917.

No. 09–5477. *WHITE v. MICHIGAN DEPARTMENT OF CORRECTIONS*. C. A. 6th Cir. Certiorari denied.

No. 09–5478. *WILLIAMS v. WOLFENBARGER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 09–5479. *VELEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 604.

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No. 09–5481. *WRIGHT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–5482. *BECKLES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 565 F. 3d 832.

No. 09–5483. *YOUNG v. SIRMONS, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 551 F. 3d 942.

No. 09–5484. *JONES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 563 F. 3d 725.

No. 09–5485. *CARTER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 560 F. 3d 1107.

No. 09–5486. *CARNEAL v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied. Reported below: 274 S. W. 3d 420.

No. 09–5489. *BERRY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 565 F. 3d 332.

No. 09–5492. *GUEYE v. THOMAS M. COOLEY LAW SCHOOL ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–5493. *ROGERS v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–5494. *FULTS v. UPTON, WARDEN*. Sup. Ct. Ga. Certiorari denied.

No. 09–5495. *ANDERSON v. SOUTHLAND BANK ET AL.* Sup. Ct. Ala. Certiorari denied. Reported below: 21 So. 3d 1196.

No. 09–5497. *BOICE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 301 Fed. Appx. 205.

No. 09–5498. *ANDERSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–5499. *BURKELL v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 992 So. 2d 848.

No. 09–5500. *MURPHY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–5501. *MAGNAN v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 207 P. 3d 397.

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No. 09–5504. *JAQUEZ v. SANDOR, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09–5505. *AILSWORTH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 658.

No. 09–5506. *POLAND v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 963 A. 2d 570.

No. 09–5507. *MEIZLIK v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 7 So. 3d 1117.

No. 09–5508. *ESPINOSA-MARTINEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 49.

No. 09–5509. *NICHOLS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 563 F. 3d 240.

No. 09–5510. *NIEVES v. PHELPS, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–5511. *ROBINSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 676.

No. 09–5513. *APONTE v. CHAMBERLAIN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MUNCY, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–5514. *WRIGHT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 800.

No. 09–5516. *ERVIN v. HOREL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09–5518. *CREUSERE v. WEAVER ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–5519. *TRIPLETT v. ROY, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 720.

No. 09–5520. *TROBEE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 551 F. 3d 835.

No. 09–5521. *OWENS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

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No. 09–5522. *PERRY v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–5523. *MOYA-BRETEON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 839.

No. 09–5524. *TIPTON v. CARLTON, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 213.

No. 09–5525. *TOAZ v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–5526. *WILSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 198.

No. 09–5527. *VAN SWAIT v. EVANS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09–5528. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 524.

No. 09–5529. *MOONEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 737.

No. 09–5530. *MOORE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 567 F. 3d 187.

No. 09–5531. *MOHAMMAD-OMAR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 259.

No. 09–5532. *MORRIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 121.

No. 09–5534. *CLARK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 563 F. 3d 771.

No. 09–5535. *CRUM v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 7 So. 3d 537.

No. 09–5536. *SMITHBACK v. CRAIN ET AL.* C. A. 5th Cir. Certiorari denied.

No. 09–5537. *RIVERA-GARCIA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 558 F. 3d 29.

No. 09–5538. *FOWLER v. KELLY, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY*. C. A. 5th Cir. Certiorari denied.

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No. 09–5539. *ROBINSON v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 290.

No. 09–5540. *SINCLAIR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 880.

No. 09–5541. *SEAMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 602.

No. 09–5543. *JONES v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–5544. *FLOWERS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–5545. *GHARB v. UNITRONICS (1989) (R”G) LTD. ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 318 Fed. Appx. 902.

No. 09–5548. *MARR v. WORTHY, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–5549. *JOHNSON v. KELLY, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 166.

No. 09–5551. *WILSON v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–5552. *TATUM v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 67 M. J. 371.

No. 09–5554. *BOONE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 272.

No. 09–5555. *ABDULLAH v. BREWER, GOVERNOR OF ARIZONA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–5557. *ARGUETA-LOPEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 265.

No. 09–5558. *WILLIAMS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

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No. 09–5559. *HARRELL v. IDAHO*. Sup. Ct. Idaho. Certiorari denied.

No. 09–5560. *GREENE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–5561. *GEORGE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 897.

No. 09–5562. *GREEN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–5563. *GRANGER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 525.

No. 09–5564. *FERGUSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 560 F. 3d 1060.

No. 09–5565. *HARRIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 893.

No. 09–5566. *FLUELLEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–5567. *GILL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 319.

No. 09–5568. *HANNAH v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–5569. *KILBOURNE v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 09–5570. *FORTNER v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 853.

No. 09–5571. *FEARON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–5572. *OLIVER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 824.

No. 09–5573. *MONTEVERDE v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

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No. 09–5574. *CARRASCO-FLORES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 366.

No. 09–5575. *LAUER v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–5578. *SPANO v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–5579. *ROSE v. MONTANA*. Sup. Ct. Mont. Certiorari denied. Reported below: 348 Mont. 291, 202 P. 3d 749.

No. 09–5580. *USCANGA-MORA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 562 F. 3d 1289.

No. 09–5581. *TROUP v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 869.

No. 09–5582. *PHILLIPS v. MISSOURI*. Ct. App. Mo., Southern Dist. Certiorari denied.

No. 09–5584. *LAYTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 564 F. 3d 330.

No. 09–5585. *MARTINEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 834.

No. 09–5586. *KERN v. SHINSEKI, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied.

No. 09–5587. *JACKSON v. MINNESOTA*. Ct. App. Minn. Certiorari denied.

No. 09–5588. *DUDLEY v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 59 App. Div. 3d 200, 873 N. Y. S. 2d 42.

No. 09–5590. *ZIED-CAMPBELL v. RICHMAN ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 317 Fed. Appx. 247.

No. 09–5592. *HESS v. PENNSYLVANIA DEPARTMENT OF CORRECTIONS ET AL.* Sup. Ct. Pa. Certiorari denied. Reported below: 600 Pa. 375, 966 A. 2d 550.

No. 09–5593. *DEAN v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

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No. 09–5594. *VAN MYERS v. ENNIS INDEPENDENT SCHOOL DISTRICT*. C. A. 5th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 375.

No. 09–5596. *HUDSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 338 Fed. Appx. 555.

No. 09–5600. *HAMER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 366.

No. 09–5601. *GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 618.

No. 09–5602. *FRENCH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 09–5603. *HERNANDEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–5604. *GREEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–5605. *GONZALEZ v. ASSET ACCEPTANCE, LLC, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 429.

No. 09–5607. *ROBINSON v. SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 188.

No. 09–5608. *SANTIAGO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 562 F. 3d 411.

No. 09–5609. *ROBINSON v. JACKSON, SUPERINTENDENT, BROWN CREEK CORRECTIONAL INSTITUTION*. C. A. 4th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 493.

No. 09–5611. *MAULDIN v. UNITED STATES PROBATION OFFICE*. C. A. 6th Cir. Certiorari denied.

No. 09–5613. *ARAUJO-CONTRERAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 332.

No. 09–5614. *PLEASE v. KERESTES, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MAHANOEY, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 335 Fed. Appx. 168.

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No. 09–5616. *PRICE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 985.

No. 09–5617. *STOVER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 292 Fed. Appx. 755.

No. 09–5618. *ALLEN v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 973 A. 2d 734.

No. 09–5620. *JONES v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 13 So. 3d 468.

No. 09–5621. *JENSEN v. MISSOURI*. Sup. Ct. Mo. Certiorari denied.

No. 09–5622. *DIALLO v. HOLDER, ATTORNEY GENERAL*. C. A. 4th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 536.

No. 09–5623. *CHARLES v. PENTAGON FEDERAL CREDIT UNION*. Ct. App. Colo. Certiorari denied.

No. 09–5624. *YATES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 277.

No. 09–5625. *THOMAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 863.

No. 09–5626. *THORWARD v. KNOWLES, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 568.

No. 09–5627. *THOMPSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 365.

No. 09–5628. *SOTO-MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 330.

No. 09–5629. *MCDONALD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 667.

No. 09–5631. *FRASURE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 695.

No. 09–5632. *GOODSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 222.

No. 09–5633. *REED v. WEST VIRGINIA*. Sup. Ct. App. W. Va. Certiorari denied. Reported below: 223 W. Va. 312, 674 S. E. 2d 18.

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No. 09–5634. *MEANS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 889.

No. 09–5635. *DOBSHINSKY v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 09–5638. *GRAVES v. ROZUM, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SOMERSET, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–5640. *HUDSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 45.

No. 09–5643. *HANKS v. WRIGHT, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 261.

No. 09–5644. *HALLMAN v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 963 A. 2d 566.

No. 09–5646. *FREEMAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–5647. *HUGHES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 626.

No. 09–5648. *FIELDS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 565 F. 3d 290.

No. 09–5649. *PATE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 684.

No. 09–5650. *STEELE v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 386 Ill. App. 3d 1119, 970 N. E. 2d 624.

No. 09–5652. *PADILLA-RODRIGUEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 724.

No. 09–5653. *DEVORE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 640.

No. 09–5654. *WEATHERTON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 567 F. 3d 149.

No. 09–5655. *MARSHALL v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 739.

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No. 09–5656. *HACKER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 565 F. 3d 522.

No. 09–5657. *SAUCEDO-MARTINEZ, AKA SAUCEDO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 373.

No. 09–5658. *MILLER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 362.

No. 09–5660. *LECHUGA-MONTALVO, AKA LECHOGA-SANCHEZ, AKA LECHUGA-SANCHEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 666.

No. 09–5662. *JACKSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 288.

No. 09–5666. *HARRIS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 544.

No. 09–5667. *GROOMS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 385.

No. 09–5668. *IBANEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 328 Fed. Appx. 673.

No. 09–5669. *SMITH v. TALLMAN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 688.

No. 09–5670. *VASQUEZ-GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 394.

No. 09–5671. *ARRIAGA-GUERRERO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 567 F. 3d 721.

No. 09–5672. *BOHOL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 86.

No. 09–5675. *HILL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–5676. *FELDER v. FISCHER, COMMISSIONER, NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES*. C. A. 2d Cir. Certiorari denied.

No. 09–5677. *HOLYFIELD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 828.

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No. 09–5680. *HOUSTON v. HATHAWAY, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 09–5682. *INMAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 558 F. 3d 742.

No. 09–5685. *JOHNSON v. ADAMS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 538.

No. 09–5687. *LONGORIA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–5688. *JONES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 916.

No. 09–5690. *GORDON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 212.

No. 09–5691. *NELSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 209.

No. 09–5692. *NJOKU v. HOLDER, ATTORNEY GENERAL, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 179.

No. 09–5699. *MEDOWS v. CITY OF CAYCE, SOUTH CAROLINA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 611.

No. 09–5702. *RAMIREZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–5703. *SINGALA v. UNITED STATES ET AL.* C. A. 1st Cir. Certiorari denied.

No. 09–5705. *WRIGHT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 257.

No. 09–5706. *WHITE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 652.

No. 09–5707. *WHITE v. SUPREME COURT OF NEW JERSEY ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 319 Fed. Appx. 171.

No. 09–5709. *FRYE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 267.

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No. 09–5722. *REDD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 562 F. 3d 309.

No. 09–5729. *THOMAS v. THOMAS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 554.

No. 09–5730. *VARGAS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 552 F. 3d 550.

No. 09–5732. *VALDES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 810.

No. 09–5736. *KRSTIC v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 558 F. 3d 1010.

No. 09–5737. *HALL v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–5738. *FERGUSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 836.

No. 09–5743. *BROWN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 915.

No. 09–5745. *AYALA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–5746. *BARBOUR v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 286 Fed. Appx. 802.

No. 09–5749. *HADLEY v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 09–5752. *FEKOS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 318 Fed. Appx. 122.

No. 09–5757. *DICENSO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–5758. *CRUZ-BARRIENTOS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 321 Fed. Appx. 150.

No. 09–5759. *CUTHBERT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 296 Fed. Appx. 904.

No. 09–5760. *DAVIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 351.

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No. 09–5764. *DRYDEN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 563 F. 3d 1168.

No. 09–5766. *MOORE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 688.

No. 09–5769. *ARTEAGA-GIRON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 428.

No. 09–5771. *VENSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 543.

No. 09–5772. *VANN v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–5773. *BATAVICHUS v. HOLDER, ATTORNEY GENERAL*. C. A. 1st Cir. Certiorari denied.

No. 09–5775. *ROSADO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 321 Fed. Appx. 198.

No. 09–5779. *HUNTER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 558 F. 3d 495.

No. 09–5781. *SHELTON, AKA HENDERSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 530.

No. 09–5782. *SIMBA v. BRANCH ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 841.

No. 09–5783. *RAMOS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–5784. *JERDINE v. WEST VIRGINIA*. Cir. Ct. Kanawha County, W. Va. Certiorari denied.

No. 09–5785. *CREED v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 771.

No. 09–5786. *JAMES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–5787. *FORD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 09–5788. *WILSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 842.

No. 09–5791. *RENTERIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 557 F. 3d 1003.

No. 09–5792. *BROWNER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 796.

No. 09–5793. *BROWN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–5795. *DENIS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 560 F. 3d 872.

No. 09–5797. *HINES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 564 F. 3d 754.

No. 09–5799. *CLAUDIO-PANTOJAS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–5802. *GARCIA-CARDENAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 555 F. 3d 1049.

No. 09–5804. *MARINERO-REVELO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 753.

No. 09–5805. *LOREDO-OLIVERA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 349.

No. 09–5806. *LOCKARD v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–5808. *CASTILLO-VALLE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 739.

No. 09–5809. *SIMMONS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 769.

No. 09–5810. *ALEXANDER v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 972.

No. 09–5811. *ROBINSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 322 Fed. Appx. 105.

No. 09–5817. *YANN v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

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No. 09–5819. *DOBLE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 09–5820. *DAWSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 782.

No. 09–5821. *DAVIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 183.

No. 09–5823. *WALKER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 899.

No. 09–5824. *WAGNER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 563 F. 3d 680.

No. 09–5826. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 224.

No. 09–5827. *JOHNSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 564 F. 3d 419.

No. 09–5831. *JORDAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 439.

No. 09–5837. *ANDERSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 773.

No. 09–5838. *ACOSTA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 632.

No. 09–5839. *BARRAGAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 297 Fed. Appx. 604.

No. 09–5840. *BARNES v. MARTINEZ, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 09–5841. *ROBERTS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 09–5842. *GONZALES SANCHEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 802.

No. 09–5845. *PALMER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 401.

No. 09–5846. *STREICH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 560 F. 3d 926.

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No. 09–5847. *RONWIN v. BAYER CORP.* C. A. 10th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 508.

No. 09–5848. *BROOKS v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 599.

No. 09–5853. *MCCULLOUGH v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION.* C. A. 8th Cir. Certiorari denied.

No. 09–5854. *PRINCE v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 400.

No. 09–5857. *WATERMAN v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 569 F. 3d 144.

No. 09–5859. *DADE v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 09–5868. *HOOD ET AL. v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 556 F. 3d 226.

No. 09–5870. *FALKNER v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 699.

No. 09–5871. *HARVEY v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 175.

No. 09–5875. *HIRT v. MONTANA.* Sup. Ct. Mont. Certiorari denied. Reported below: 350 Mont. 162, 206 P. 3d 908.

No. 09–5879. *DOAK v. ILLINOIS.* App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 386 Ill. App. 3d 1132, 970 N. E. 2d 630.

No. 09–5881. *PETER v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 09–5884. *LUNDY v. UNITED STATES.* C. A. 7th Cir. Certiorari denied.

No. 09–5888. *MOORMAN v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 950.

No. 09–5890. *SMITH v. MCBRIDE, WARDEN.* Sup. Ct. App. W. Va. Certiorari denied. Reported below: 224 W. Va. 196, 681 S. E. 2d 81.

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No. 09–5893. *RAINWATER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 431.

No. 09–5895. *HEWITT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 756.

No. 09–5897. *GREGORY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 425.

No. 09–5898. *SERRANO-RANGEL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 14.

No. 09–5900. *SMITH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–5905. *WALKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 183.

No. 09–5908. *DAVIS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 655.

No. 09–5909. *LOBATO v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 125 Nev. 1057, 281 P. 3d 1196.

No. 09–5910. *DOE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 850.

No. 09–5911. *BRITO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 336 Fed. Appx. 225.

No. 09–5914. *CORRALES v. NEVEN, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 32.

No. 09–5915. *RODRIGUEZ v. PENNSYLVANIA BOARD OF PROBATION AND PAROLE*. Commw. Ct. Pa. Certiorari denied.

No. 09–5917. *INGRAM v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 382.

No. 09–5918. *HUGHLEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 171.

No. 09–5919. *GIBSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 391.

No. 09–5922. *CURTIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

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No. 09–5927. *KERNS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 916.

No. 09–5930. *McKINNEY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 324 Fed. Appx. 180.

No. 09–5932. *ROBERTS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 436.

No. 09–5933. *STALLARD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 383.

No. 09–5934. *BURT v. YARBOROUGH, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 23.

No. 09–5936. *MOORE, AKA ROBERTS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 674.

No. 09–5937. *PLUMMER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–5939. *FLAGLER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 551.

No. 09–5940. *SMITH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 650.

No. 09–5942. *RINALDI v. SNIEZEK, WARDEN*. C. A. 3d Cir. Certiorari denied. Reported below: 302 Fed. Appx. 125.

No. 09–5946. *THONGSOPHAPORN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–5947. *THOMPSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 560 F. 3d 745.

No. 09–5950. *PADILLA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 325 Fed. Appx. 131.

No. 09–5951. *PETTIES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 786.

No. 09–5954. *DEGARMO v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 928.

No. 09–5955. *EASON ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 09–5957. *CHAUDHRY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 321 Fed. Appx. 119.

No. 09–5958. *JENKINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 566 F. 3d 160.

No. 09–5959. *LAM v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 730.

No. 09–5961. *MARCUSSE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 265 Fed. Appx. 434.

No. 09–5964. *OTERO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 563 F. 3d 1127.

No. 09–5967. *JORDAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–5968. *ROBERGE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 565 F. 3d 1005.

No. 09–5969. *BUSBY v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 963 A. 2d 167.

No. 09–5970. *BEVERS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 518.

No. 09–5971. *BALDERAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 55.

No. 09–5975. *BOLANOS-RENTERIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–5978. *ROBINSON v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF THE VIRGIN ISLANDS*. C. A. 3d Cir. Certiorari denied. Reported below: 336 Fed. Appx. 171.

No. 09–5979. *RAMIREZ-PONCE v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–5985. *SISNEY v. BEST, INC., ET AL.* Sup. Ct. S. D. Certiorari denied. Reported below: 769 N. W. 2d 456.

No. 09–5987. *NICHOLS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 186.

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No. 09–5991. *VAZQUEZ-HENRIQUEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–5992. *TAPIA-CORTEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 793.

No. 09–5993. *LUCAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 618.

No. 09–5996. *JOHNSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 748.

No. 09–6000. *KENNEDY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–6001. *JOHNSON v. UNITED STATES* (two judgments). Ct. App. D. C. Certiorari denied.

No. 09–6002. *ALLEN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 488.

No. 09–6003. *BENITEZ v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 328 Fed. Appx. 823.

No. 09–6005. *BROWN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 345.

No. 09–6007. *BAXTER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 830.

No. 09–6011. *GAYNOR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–6012. *GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 503.

No. 09–6014. *FRINK v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 183.

No. 09–6015. *HORTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–6016. *GAINES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 605.

No. 09–6017. *HAYDEN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

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No. 09–6018. *HILL v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 969 A. 2d 895.

No. 09–6019. *HORNE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–6023. *STONE, AKA BLAZE, AKA MARSHALL, AKA VOLT, AKA HATCHET, AKA REESE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 745.

No. 09–6026. *DENSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 872.

No. 09–6029. *KELLER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 395.

No. 09–6031. *MARTIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 740.

No. 09–6032. *MARTINEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 557 F. 3d 597.

No. 09–6039. *BAYLOR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 765.

No. 09–6040. *BROWN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 09–6041. *WHITE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 226.

No. 09–6044. *SCALLON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 814.

No. 09–6045. *MOORE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 794.

No. 09–6047. *DYSON v. CORBETT, ATTORNEY GENERAL OF PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–6051. *SANTIAGO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 566 F. 3d 65.

No. 09–6052. *McKENZIE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 834.

No. 09–6056. *WIRSING v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 437.

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No. 09–6060. *MOORE v. MERIT SYSTEMS PROTECTION BOARD*. C. A. Fed. Cir. Certiorari denied. Reported below: 324 Fed. Appx. 905.

No. 09–6063. *THOMAS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 442.

No. 09–6065. *HINES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–6067. *WILSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–6069. *CRAWFORD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 368.

No. 09–6070. *GRANT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 912.

No. 09–6073. *ALMONTE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–6074. *ARMENTA-ALCANTAR v. UNITED STATES* (Reported below: 286 Fed. Appx. 469); *PIZARRO-MONTES v. UNITED STATES*; and *CONTRERAS-BRACAMONTE ET AL. v. UNITED STATES* (338 Fed. Appx. 620). C. A. 9th Cir. Certiorari denied.

No. 09–6076. *PARKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 436.

No. 09–6080. *MARSHALL v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 739.

No. 09–6082. *PAUL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 919.

No. 09–6087. *MOSS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 210.

No. 09–6088. *McKINNEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–6090. *DAVIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 469.

No. 09–6091. *CAMACHO-JIMENEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 654.

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No. 09–6092. *COLLAMORE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 708.

No. 09–6093. *NEWTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 293 Fed. Appx. 201.

No. 09–6094. *RAMIREZ-MEDINA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 485.

No. 09–6095. *SANCHEZ-ROSADO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 555 F. 3d 277.

No. 09–6096. *SCOTT v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 555 F. 3d 605.

No. 09–6098. *MARTIN v. UNITED STATES*; and

No. 09–6123. *GARRISON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 862.

No. 09–6100. *SALAZAR-GALVAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 396.

No. 09–6104. *ANDERSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 8.

No. 09–6106. *BROWN v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH DAKOTA*. C. A. 8th Cir. Certiorari denied.

No. 09–6107. *AZZARA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 09–6110. *WILLIAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 439.

No. 09–6112. *McMULLIN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 568 F. 3d 1.

No. 09–6113. *LACUE v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–6114. *KUEHNE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 647 F. 3d 667.

No. 09–6115. *LEWIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 858.

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No. 09–6116. *KNIGHTON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–6117. *WINDRIX v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 629.

No. 09–6122. *CONARTE v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 972 A. 2d 327.

No. 09–6124. *HOFFMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 601.

No. 09–6126. *GREENSTEIN, AKA DINUNZIO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 322 Fed. Appx. 259.

No. 09–6128. *HARRIS, AKA SULUKI v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 244.

No. 09–6129. *GREENWOOD, AKA GRIMES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 693.

No. 09–6131. *FIGUEROA-CUEVAS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 843.

No. 09–6137. *GRAHAM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 786.

No. 09–6138. *WILLIAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 859.

No. 09–6140. *MORANTE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 957.

No. 09–6141. *JARRETT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–6142. *MATTHEWS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 330 Fed. Appx. 364.

No. 09–6143. *JONES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 332 Fed. Appx. 767.

No. 09–6150. *HALL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 317 Fed. Appx. 203.

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No. 09–6151. *HUNTER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 272.

No. 09–6152. *GANTT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 163.

No. 09–6155. *CULBERSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–6158. *PICKETT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 963.

No. 09–6159. *STARLING v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 477.

No. 09–6161. *GRAY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 562 F. 3d 1330.

No. 09–6162. *ROSS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 323 Fed. Appx. 117.

No. 09–6163. *SPEARMAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–6164. *LINTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 401.

No. 09–6171. *HAVENS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 280.

No. 09–6172. *MITCHELL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–6175. *TAYLOR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 229.

No. 09–6176. *SHERRER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 09–6178. *BROOKS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–6182. *RAMIREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 751.

No. 09–6183. *CAMERON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 378.

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No. 09–6187. *COLEMAN v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 948 A. 2d 534.

No. 09–6190. *BROWN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–6191. *BALLEZA-CORTEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 174.

No. 09–6193. *BILLUPS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 249.

No. 09–6195. *DUARTE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 569 F. 3d 528.

No. 09–6196. *DECLOUET v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 535.

No. 09–6210. *GUEVARA-VIELMA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 486.

No. 09–6212. *TEJADA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–6214. *LEWIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 595.

No. 09–6220. *BOWMAN v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 09–6221. *ARZATE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 363.

No. 09–6222. *ALANDER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 331 Fed. Appx. 913.

No. 09–6223. *ATWELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 538.

No. 08–1103. *MICHIGAN v. WILLIAMS*. Ct. App. Mich. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied.

No. 08–1159. *TEXAS v. MARTINEZ*. Ct. Crim. App. Tex. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 272 S.W. 3d 615.

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No. 08–1226. *RICHARDSON v. COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 532 F. 3d 114.

No. 08–1242. *BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL. v. BOND.* C. A. 3d Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 539 F. 3d 256.

No. 08–1310. *GIBBONS v. SAVAGE, SUPERINTENDENT, GO-WANDA CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 555 F. 3d 112.

No. 08–1319. *ADCOCK ET AL. v. FREIGHTLINER LLC ET AL.* C. A. 4th Cir. Motion of National Federation of Independent Business et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 550 F. 3d 369.

No. 08–1350. *RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS v. STYERS.* C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 547 F. 3d 1026.

No. 08–1354. *DESALVO v. VOLHARD ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 312 Fed. Appx. 394.

No. 08–1358. *HOLMES v. LOUISIANA.* Sup. Ct. La. Motions of National Organization on Fetal Alcohol Syndrome, Constitution Project, Louisiana Association of Criminal Lawyers, and National Center on Domestic and Sexual Violence et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 5 So. 3d 42.

No. 08–1361. *SWISHER INTERNATIONAL, INC. v. VILSACK, SECRETARY OF AGRICULTURE.* C. A. 11th Cir. Motion of Pacific Legal Foundation et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 550 F. 3d 1046.

No. 08–1389. *PRELESNIK, WARDEN v. AVERY.* C. A. 6th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 548 F. 3d 434.

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No. 08–1425. *WELCH, WARDEN v. MOORE*. C. A. 6th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 531 F. 3d 393.

No. 08–1436. *SMITH, LITIGATION TRUSTEE, FARMLAND DAIRIES LLC LITIGATION TRUST, ET AL. v. BANK OF AMERICA CORP. ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 309 Fed. Appx. 536.

No. 08–1439. *ROE ET AL. v. CITY OF WATERBURY, CONNECTICUT, ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 542 F. 3d 31.

No. 08–1459. *MICHIGAN v. DORSEY*. Ct. App. Mich. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied.

No. 08–1479. *PFIZER INC. v. DOTSON*; and

No. 09–29. *DOTSON v. PFIZER INC.* C. A. 4th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of these petitions. Reported below: 558 F. 3d 284.

No. 08–1506. *TENENBAUM v. SONY BMG MUSIC ENTERTAINMENT ET AL.* C. A. 1st Cir. Certiorari denied. THE CHIEF JUSTICE and JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 564 F. 3d 1.

No. 08–1528. *SIKORSKI v. OKEMO MOUNTAIN, INC., ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 303 Fed. Appx. 938.

No. 08–1539. *SMITH, AKA SHINNECOCK SMOKE SHOP v. CUOMO, ATTORNEY GENERAL OF NEW YORK*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 306 Fed. Appx. 645.

No. 08–1543. *SONUGA v. NAPOLITANO, SECRETARY OF HOMELAND SECURITY*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 303 Fed. Appx. 901.

No. 08–1551. *FALSO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 544 F. 3d 110.

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No. 08–1556. *THOMAS v. CITY OF NEW YORK, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE BREYER and JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 305 Fed. Appx. 754.

No. 08–1562. *SEA HAWK SEAFOODS, INC. v. EXXON MOBIL CORP. ET AL.* C. A. 9th Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 303 Fed. Appx. 572.

No. 08–1589. *DOW CHEMICAL CO. v. TANOI ET AL.* C. A. 9th Cir. Motions of Chamber of Commerce of the United States of America et al. and Centerpoint Energy et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 561 F. 3d 945.

No. 08–9348. *HENDERSON v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 08–9899. *BRADLEY v. UNITED STATES;*

No. 08–9990. *HURELL v. UNITED STATES;* and

No. 08–10019. *WATKINS v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of these petitions. Reported below: 555 F. 3d 122.

No. 08–10089. *ZEDNER v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 555 F. 3d 68.

No. 08–10274. *COLE v. BRANKER, WARDEN.* C. A. 4th Cir. Motions of North Carolina Conference of NAACP Branches and Arc of North Carolina for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 328 Fed. Appx. 149.

No. 08–10277. *KILEY v. AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 296 Fed. Appx. 107.

No. 08–10328. *ELGINDY, AKA PACIFIC, AKA VELASCO, AKA VELAZCO v. UNITED STATES;* and

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No. 08–10357. *ROYER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of these petitions. Reported below: 549 F. 3d 886.

No. 08–10348. *GIALTO v. OBAMA, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 296 Fed. Appx. 137.

No. 08–10567. *ANTOINE v. PATTERSON, JUDGE, SUPREME COURT OF NEW YORK, KINGS COUNTY, ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 08–10593. *PALMER v. CITY OF NEW YORK, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 315 Fed. Appx. 350.

No. 08–10596. *NELSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 308 Fed. Appx. 481.

No. 08–10620. *DURAN v. ERCOLE, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 08–10624. *LAVAYEN v. ROCK, SUPERINTENDENT, GREAT MEADOW CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 311 Fed. Appx. 468.

No. 08–10673. *WELCH v. SELSKY ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 08–10724. *FORNEY v. WOODS*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 325 Fed. Appx. 12.

No. 08–10787. *LOPEZ-AJUADO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

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No. 08–10813. *WILLIAMS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 316 Fed. Appx. 687.

No. 08–10817. *CRAIG v. UNITED STATES*. C. A. 10th Cir. Certiorari before judgment denied.

No. 08–10823. *HUEZO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 546 F. 3d 174.

No. 08–10860. *CRUZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 08–10861. *SHISHKIN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 309 Fed. Appx. 520.

No. 08–10891. *JORGENSEN v. SONY BMG MUSIC ENTERTAINMENT*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 310 Fed. Appx. 419.

No. 08–10902. *PALMER v. ERCOLE, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 08–10910. *HAYES v. CONWAY, SUPERINTENDENT, ATTICA CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 08–10959. *GUERRERO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 322 Fed. Appx. 72.

No. 08–10971. *CARR v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 557 F. 3d 93.

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No. 08–10996. *LEGENO v. DOUGLAS ELLIMAN, LLC*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 311 Fed. Appx. 403.

No. 08–11012. *MINAYA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 321 Fed. Appx. 37.

No. 08–11058. *SAMAS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 561 F. 3d 108.

No. 08–11107. *EDWARDS v. MARSHALL, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 08–11129. *DEEKS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 303 Fed. Appx. 507.

No. 08–11130. *GREEN v. ROCK, SUPERINTENDENT, GREAT MEADOW CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–8. *WILLIAMS ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 299 Fed. Appx. 92.

No. 09–9. *MADDOX v. PRUDENTI, ASSOCIATE JUSTICE, APPELLATE DIVISION, SUPREME COURT OF NEW YORK, SECOND JUDICIAL DEPARTMENT, ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 303 Fed. Appx. 962.

No. 09–24. *AMERICAN FAMILY MUTUAL INSURANCE CO. ET AL. v. MONDRY*. C. A. 7th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 557 F. 3d 781.

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No. 09–36. *REPUBLIC OF ARGENTINA v. CAPITAL VENTURES INTERNATIONAL*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 552 F. 3d 289.

No. 09–63. *MCDANIEL, WARDEN v. SECHREST*. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 549 F. 3d 789.

No. 09–71. *SLATER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 322 Fed. Appx. 78.

No. 09–76. *NORDELLA v. BLUE CROSS AND BLUE SHIELD OF CALIFORNIA ET AL.* C. A. 11th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 324 Fed. Appx. 828.

No. 09–78. *BRIARPATCH LTD., LP, ET AL. v. GEISLER ROBERDEAU, INC., ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 312 Fed. Appx. 433.

No. 09–80. *SCHOEDINGER ET AL. v. UNITED HEALTHCARE OF THE MIDWEST, INC.* C. A. 8th Cir. Certiorari denied. JUSTICE THOMAS took no part in the consideration or decision of this petition. Reported below: 557 F. 3d 872.

No. 09–84. *MURPHY, COMMISSIONER, CONNECTICUT DEPARTMENT OF CORRECTION v. BRYANT*. Sup. Ct. Conn. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 290 Conn. 502, 964 A. 2d 1186.

No. 09–214. *PIGNARD v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 303 Fed. Appx. 923.

No. 09–5041. *DAIGNEAULT v. EATON CORP.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–5077. *JOHNSON v. GIRDICH, SUPERINTENDENT, UPSTATE CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari de-

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nied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–5083. *MEJIA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 320 Fed. Appx. 82.

No. 09–5114. *DRACHENBERG v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–5159. *MARTINEZ v. ARTUS, SUPERINTENDENT, CLINTON CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–5162. *MAXWELL v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 318 Fed. Appx. 23.

No. 09–5183. *HOWARD v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 314 Fed. Appx. 344.

No. 09–5216. *SPINELLI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 551 F. 3d 159.

No. 09–5222. *MILORO, AKA RIZZO, AKA DEANGELO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 314 Fed. Appx. 384.

No. 09–5247. *MARINO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 309 Fed. Appx. 523.

No. 09–5283. *MONSIF v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR

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took no part in the consideration or decision of this petition. Reported below: 308 Fed. Appx. 466.

No. 09–5322. *MASON v. GUZDEK ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–5352. *DEDE v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 321 Fed. Appx. 35.

No. 09–5363. *MALTSEV v. ALBANY COUNTY PROBATION DEPARTMENT ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 303 Fed. Appx. 973.

No. 09–5367. *SMITH v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–5375. *CARROLL v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 295 Fed. Appx. 382.

No. 09–5396. *SPIGELMAN v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 320 Fed. Appx. 105.

No. 09–5430. *BOOK v. NORCOTT ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–5503. *LOCURTO v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 306 Fed. Appx. 630.

No. 09–5517. *DAIGNEAULT v. CONNECTICUT JUDICIAL BRANCH.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 309 Fed. Appx. 518.

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No. 09–5599. *GRANT v. WOODS*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 313 Fed. Appx. 376.

No. 09–5610. *RAHEIM v. NEW YORK CITY BOARD OF EDUCATION ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 304 Fed. Appx. 905.

No. 09–5697. *VALENCIA-LOPEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 312 Fed. Appx. 414.

No. 09–5710. *FIGUEROA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–5726. *PEACE v. ASTRUE, COMMISSIONER OF SOCIAL SECURITY*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 300 Fed. Appx. 63.

No. 09–5733. *VARGAS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 564 F. 3d 618.

No. 09–5833. *NICHOLS v. HOLDER, ATTORNEY GENERAL*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–5894. *FORESTIER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 295 Fed. Appx. 428.

No. 09–5913. *SALIM v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 549 F. 3d 67.

No. 09–5931. *ROBINSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 323 Fed. Appx. 86.

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No. 09–5976. *BORCSOK v. CROWE, PAROLE COMMISSIONER, ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 310 Fed. Appx. 460.

No. 09–6120. *SAVOY v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 567 F. 3d 71.

Rehearing Denied

No. 08–7213. *GILL ET AL. v. UNITED STATES*, 555 U. S. 1080;
No. 08–9569. *FLYNN v. KANSAS ET AL.*, 556 U. S. 1248;
No. 08–9773. *HAWK v. REDDING ET AL.* (two judgments), 557 U. S. 908;

No. 08–9942. *SMITH v. WASHINGTON MUTUAL BANK FA ET AL.*, 557 U. S. 924;

No. 08–9980. *SONACHANSINGH v. NEW YORK*, 557 U. S. 940;
No. 08–10034. *BALLARD v. SIMIEN ET AL.*, 557 U. S. 940;
No. 08–10044. *HENDRICKSON v. WASHINGTON*, 557 U. S. 940;
No. 08–10217. *WAIVIO v. BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS AT CHICAGO ET AL.*, 557 U. S. 926; and

No. 08–10218. *CONNER v. LIONS GATE ENTERTAINMENT CORP. ET AL.*, 557 U. S. 942. Petitions for rehearing denied.

No. 08–9749. *PEARSON v. BESTCARE ET AL.*, 557 U. S. 907. Motion for leave to file petition for rehearing denied.

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Dismissal Under Rule 46

No. 09–250. *COLUMBIA VENTURE, LLC, ET AL. v. FEDERAL EMERGENCY MANAGEMENT AGENCY ET AL.* C. A. 4th Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 562 F. 3d 290.

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Certiorari Dismissed

No. 09–5683. *GRIFFIN v. SAMUELS, WARDEN, 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.

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No. 09–5789. *SIBLEY v. UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT*. 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: 564 F. 3d 1335.

No. 09–5861. *CARBIN v. BENNETT 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. 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. 09–5885. *SIBLEY v. FLORIDA BAR 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. 09–5889. *SMITH v. HUCKINS*. Ct. App. Ind. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 904 N. E. 2d 728.

No. 09–5899. *SOTO v. BIRKETT 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. 09–5920. *FARRIS v. WHALEY 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. Reported below: 330 Fed. Appx. 833.

Miscellaneous Orders

No. 09A165. *HALL v. GODDARD, ATTORNEY GENERAL OF ARIZONA, ET AL.* C. A. 9th Cir. Application for stay, addressed to JUSTICE SOTOMAYOR and referred to the Court, denied.

No. D–2453. *IN RE DISBARMENT OF SUTLEY*. Disbarment entered. [For earlier order herein, see 557 U.S. 948.]

No. D–2456. *IN RE DISBARMENT OF FEINMAN*. Disbarment entered. [For earlier order herein, see 557 U.S. 948.]

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No. 09M27. WANZER *v.* TEXAS;

No. 09M28. HEY *v.* ARLINGTON COUNTY DEPARTMENT OF HUMAN SERVICES; and

No. 09M31. SHARKOZY *v.* ALLISON. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 09M29. OWENS *v.* PROVIDIAN FINANCIAL ET AL.; and

No. 09M33. OYAGUE *v.* UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of these motions.

No. 09M30. WAHI *v.* CHARLESTON AREA MEDICAL CENTER ET AL. Motion for leave to file petition for writ of certiorari under seal with redacted copies for the public record granted.

No. 09M32. TYUS *v.* MONTGOMERY, SHERIFF, FAULKNER COUNTY, ARKANSAS, ET AL. Motion to direct the Clerk to file petition for writ of certiorari out of time under this Court's Rule 14.5 denied.

No. 132, Orig. ALABAMA ET AL. *v.* NORTH CAROLINA. Exceptions to the Report of the Special Master are set for oral argument in due course. [For earlier order herein, see 556 U. S. 1206.]

No. 09–5713. O'DWYER *v.* BECNEL ET AL. C. A. 5th Cir.;

No. 09–5763. JAMES *v.* OKLAHOMA. Ct. Crim. App. Okla.;

No. 09–6392. ROUSE *v.* DEPARTMENT OF STATE ET AL. C. A. 9th Cir.; and

No. 09–6442. IN RE LEAF. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until November 3, 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. 09–6313. IN RE FREDRICK;

No. 09–6388. IN RE BEVERLY;

No. 09–6414. IN RE RAMIREZ;

No. 09–6448. IN RE DHURANDHAR;

No. 09–6529. IN RE NDOROMO; and

No. 09–6622. IN RE LILES. Petitions for writs of habeas corpus denied.

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No. 09–5815. IN RE VANN. Petition for writ of mandamus denied.

No. 09–6108. IN RE BUSH. Petition for writ of mandamus and/or prohibition denied.

Certiorari Granted

No. 08–1394. SKILLING *v.* UNITED STATES. C. A. 5th Cir. Certiorari granted. Reported below: 554 F. 3d 529.

No. 09–38. HEALTH CARE SERVICE CORP. *v.* POLLITT ET AL. C. A. 7th Cir. Certiorari granted. Reported below: 558 F. 3d 615.

No. 08–1341. UNITED STATES *v.* MARCUS. C. A. 2d Cir. Certiorari granted. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 538 F. 3d 97.

No. 09–5327. HOLLAND *v.* FLORIDA. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 539 F. 3d 1334.

Certiorari Denied

No. 08–1211. CHURCH HOMES, INC., DBA AVERY HEIGHTS *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 2d Cir. Certiorari denied. Reported below: 303 Fed. Appx. 998.

No. 08–1356. SUNGWOOK KIM *v.* HOLDER, ATTORNEY GENERAL. C. A. 8th Cir. Certiorari denied. Reported below: 560 F. 3d 833.

No. 08–1395. WALLACE ET AL. *v.* MONTANA ET AL. (Reported below: 348 Mont. 205, 201 P. 3d 70); and KAFKA ET AL. *v.* BRIDGEWATER ET AL. (348 Mont. 80, 201 P. 3d 8). Sup. Ct. Mont. Certiorari denied.

No. 08–1476. LOVING *v.* DEPARTMENT OF DEFENSE ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 550 F. 3d 32.

No. 08–1478. KURJI *v.* HOLDER, ATTORNEY GENERAL. C. A. 5th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 129.

No. 08–1482. MINCEY *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 233.

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No. 08–1530. *SIRMONS ET AL. v. WILLIAMS*. C. A. 11th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 354.

No. 08–9822. *BAGLEY v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied.

No. 08–10386. *RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 558 F. 3d 408.

No. 08–10699. *FAYALL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 448.

No. 08–10799. *POE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 556 F. 3d 1113.

No. 08–10814. *ALBERICO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 559 F. 3d 24.

No. 08–10862. *CASTEL v. HOLDER, ATTORNEY GENERAL*. C. A. 3d Cir. Certiorari denied. Reported below: 298 Fed. Appx. 492.

No. 09–23. *SMITH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 555 F. 3d 1158.

No. 09–32. *BARRETT ET UX. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 561 F. 3d 1140.

No. 09–53. *KELLEY v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 3 So. 3d 970.

No. 09–133. *MORTERS v. BARR ET AL.* Ct. App. Wis. Certiorari denied. Reported below: 316 Wis. 2d 413, 763 N. W. 2d 560.

No. 09–139. *EVERSON v. LIBERTY MUTUAL ASSURANCE CO.* C. A. 11th Cir. Certiorari denied.

No. 09–140. *RUSHING v. KELLY, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY*. C. A. 5th Cir. Certiorari denied.

No. 09–145. *BARSCH v. O'TOOLE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 637.

No. 09–146. *ANDERSON v. VANGUARD CAR RENTAL USA INC.* C. A. 11th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 830.

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No. 09–149. *WALKER v. GEICO GENERAL INSURANCE CO. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 558 F. 3d 1025.

No. 09–161. *MILLER, COMMISSIONER, INDIANA BUREAU OF MOTOR VEHICLES v. VILLEGAS ET AL.* Ct. App. Ind. Certiorari denied. Reported below: 894 N. E. 2d 249.

No. 09–164. *RICHMOND, PERSONAL REPRESENTATIVE OF THE ESTATE OF RICHMOND, DECEASED v. PEACEHEALTH, DBA PEACEHEALTH MEDICAL GROUP, ET AL.* Ct. App. Ore. Certiorari denied. Reported below: 224 Ore. App. 477, 200 P. 3d 180.

No. 09–165. *WHITEHEAD v. BRADLEY, ARANT, ROSE & WHITE, LLP, ET AL.* Sup. Ct. Ala. Certiorari denied. Reported below: 54 So. 3d 966.

No. 09–171. *HALLIWELL ET AL. v. SUPERIOR COURT OF CALIFORNIA, SONOMA COUNTY, ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 09–172. *HALLIWELL ET AL. v. SUPERIOR COURT OF CALIFORNIA, SONOMA COUNTY, ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 09–177. *BENNETT ET AL. v. HENDRIX, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS SHERIFF, FORSYTH COUNTY, GEORGIA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 727.

No. 09–179. *HOFMEISTER ET UX. v. CINCINNATI INSURANCE CO.* Ct. App. Ky. Certiorari denied.

No. 09–180. *TYLER HILL CORP. v. YAKIN.* C. A. 2d Cir. Certiorari denied. Reported below: 566 F. 3d 72.

No. 09–196. *WARD v. INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 150, AFL–CIO.* C. A. 7th Cir. Certiorari denied. Reported below: 563 F. 3d 276.

No. 09–210. *FRAZIER v. SEBELIUS, SECRETARY OF HEALTH AND HUMAN SERVICES.* C. A. 9th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 879.

No. 09–226. *FRENCH v. LEMERY.* C. A. 10th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 644.

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No. 09–240. *HAFTERSON ET VIR, PERSONAL REPRESENTATIVES OF THE ESTATE OF HAFTERSON, DECEASED v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–243. *LEIBOWITZ, TRUSTEE v. SYSTEMS DIVISION, INC.* C. A. 7th Cir. Certiorari denied. Reported below: 563 F. 3d 639.

No. 09–249. *MARTINI v. AT&T INC. ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–255. *VELEZ v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 388 Ill. App. 3d 493, 903 N. E. 2d 43.

No. 09–256. *OLOFSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 563 F. 3d 652.

No. 09–268. *MORRIS v. FAMILY DOLLAR STORES OF OHIO, INC.* C. A. 6th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 330.

No. 09–269. *WRIGHT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 772.

No. 09–276. *LIBERTY COUNSEL ET AL. v. FLORIDA BAR BOARD OF GOVERNORS ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 12 So. 3d 183.

No. 09–281. *DEMAREST v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 570 F. 3d 1232.

No. 09–290. *BATTLE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 283.

No. 09–295. *BERT v. COMPTROLLER OF THE TREASURY OF MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 183 Md. App. 760.

No. 09–316. *DAVIS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–319. *LACEY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 569 F. 3d 319.

No. 09–324. *WILEY v. GEITHNER, SECRETARY OF THE TREASURY, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 512.

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No. 09–5012. *MURRAY v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 3 So. 3d 1108.

No. 09–5090. *HYDE v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 13 So. 3d 997.

No. 09–5192. *UPTON v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 559 F. 3d 3.

No. 09–5251. *ROACH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 303 Fed. Appx. 332.

No. 09–5269. *MURPHY v. OHIO*. C. A. 6th Cir. Certiorari denied. Reported below: 551 F. 3d 485.

No. 09–5636. *HENDERSON v. HERNANDEZ, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09–5637. *HILL v. KEMNA, SUPERINTENDENT, CROSSROADS CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 09–5639. *HUDSON v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 209.

No. 09–5641. *HAYNES v. BLACKETTER ET AL.* Ct. App. Ore. Certiorari denied. Reported below: 225 Ore. App. 376, 201 P. 3d 940.

No. 09–5642. *GUNNETT v. WOOD, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 09–5645. *GREEN v. POLLARD, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 09–5651. *ROACH v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 7 So. 3d 911.

No. 09–5663. *WARLICK v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–5664. *WARLICK v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 09–5665. *RUCKER v. NORRIS*, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION. C. A. 8th Cir. Certiorari denied. Reported below: 563 F. 3d 766.

No. 09–5673. *MCNEILL v. WAYNE COUNTY*, MICHIGAN. Cir. Ct. Wayne County, Mich. Certiorari denied.

No. 09–5678. *HUUSKO v. JENKINS*, WARDEN. C. A. 7th Cir. Certiorari denied. Reported below: 556 F. 3d 633.

No. 09–5679. *HUNT v. FELKER*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 09–5681. *GROSS v. KNIGHT*, SUPERINTENDENT, PENDLETON CORRECTIONAL FACILITY. C. A. 7th Cir. Certiorari denied. Reported below: 560 F. 3d 668.

No. 09–5684. *GRAHAM v. ADDISON*, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 670.

No. 09–5686. *LOPEZ v. TEXAS*. Ct. App. Tex., 4th Dist. Certiorari denied. Reported below: 261 S. W. 3d 103.

No. 09–5689. *LOPEZ v. TEXAS*. Ct. App. Tex., 4th Dist. Certiorari denied.

No. 09–5693. *MOORE v. MCNEIL*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied.

No. 09–5695. *THOMAS v. THALER*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 364.

No. 09–5698. *VALLADARES v. MCNEIL*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied.

No. 09–5700. *MOFFETT v. TEXAS*. Ct. App. Tex., 2d Dist. Certiorari denied.

No. 09–5701. *McFARLAND v. THALER*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

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No. 09–5704. *WILLIAMS v. NORRIS*, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION. Sup. Ct. Ark. Certiorari denied.

No. 09–5711. *GRANT v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 205 P. 3d 1.

No. 09–5716. *BONNER v. MARSHALL*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 596.

No. 09–5717. *BATISTE v. THALER*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 09–5718. *BROOKS v. DORMIRE*, SUPERINTENDENT, JEFFERSON CITY CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied.

No. 09–5720. *BAKER v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 295 Ga. App. 162, 671 S. E. 2d 206.

No. 09–5721. *ANDREWS v. HOWES*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 09–5723. *SHANNON v. BERGHUIS*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 09–5724. *ROBINSON v. LEBLANC*, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 09–5725. *RICHARDSON v. THOMAS ET AL.* Commw. Ct. Pa. Certiorari denied. Reported below: 964 A. 2d 61.

No. 09–5727. *MCDANIEL v. SUTHERS*, ATTORNEY GENERAL OF COLORADO, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 734.

No. 09–5735. *LOPEZ v. WALLACE ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 782.

No. 09–5740. *BROWN v. UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT*. C. A. 9th Cir. Certiorari denied.

No. 09–5741. *BLAXTON v. BOCA GRANDE FOODS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–5742. *AGUILAR v. TEXAS*. Ct. App. Tex., 5th Dist. Certiorari denied.

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No. 09–5744. *BARBER v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 994 So. 2d 376.

No. 09–5748. *HAWKINS v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied.

No. 09–5750. *HARRIS v. TERRY, WARDEN*. Sup. Ct. Ga. Certiorari denied.

No. 09–5751. *GOCIO v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 3 So. 3d 316.

No. 09–5756. *PHILLIPS v. DISTRICT OF COLUMBIA ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 313 Fed. Appx. 332.

No. 09–5762. *JOSEPH v. CURRY, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 982.

No. 09–5765. *O'DIAH v. NEW YORK*. Ct. App. N. Y. Certiorari denied.

No. 09–5770. *ANTONSSON v. KAST*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 09–5774. *CHUMPIA v. CITY OF MEMPHIS, TENNESSEE, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–5777. *JOHNSON v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 931 So. 2d 906.

No. 09–5794. *OLIVAREZ v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–5796. *GASKINS v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 09–5798. *RANGEL v. TEXAS*. Ct. App. Tex., 10th Dist. Certiorari denied.

No. 09–5807. *DAVIS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 4 So. 3d 1220.

No. 09–5813. *THOMAS ET AL. v. CITY OF ST. PAUL, MINNESOTA*. C. A. 8th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 541.

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No. 09-5822. *TILLMAN v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 09-5825. *TORRENCE v. OZMINT, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 55.

No. 09-5828. *LARRY v. BRANKER, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 552 F. 3d 356.

No. 09-5829. *JOHNSON v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 09-5832. *LAY v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 10 So. 3d 726.

No. 09-5834. *PAGE v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09-5835. *DEAN v. BLAISDELL, WARDEN*. C. A. 1st Cir. Certiorari denied.

No. 09-5836. *ALLEN v. BARNES, DEPUTY SHERIFF, LOS ANGELES COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 740.

No. 09-5843. *LYLES v. LEMMON ET AL.* C. A. 5th Cir. Certiorari denied.

No. 09-5849. *BRYANT v. METRO/STATE NEWSPAPER*. Sup. Ct. S. C. Certiorari denied.

No. 09-5850. *PERKINS v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 09-5851. *MEDINA v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 381 Ill. App. 3d 1138, 966 N. E. 2d 604.

No. 09-5855. *THOMPSON v. ADAMS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09-5858. *KELLEY v. OHIO*. Ct. App. Ohio, Mahoning County. Certiorari denied. Reported below: 179 Ohio App. 3d 666, 903 N. E. 2d 365.

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No. 09–5860. *EWING v. BERGERON*, SUPERINTENDENT, BRIDGEWATER STATE HOSPITAL. App. Ct. Mass. Certiorari denied. Reported below: 74 Mass. App. 1106, 904 N. E. 2d 494.

No. 09–5862. *DORTCH v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 964 A. 2d 940.

No. 09–5864. *MILLER v. MCNEIL*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied.

No. 09–5865. *MULDROW v. DENNEY*, WARDEN. C. A. 8th Cir. Certiorari denied.

No. 09–5866. *BENSON v. LUTTRELL*, SHERIFF, SHELBY COUNTY, TENNESSEE, ET AL. C. A. 6th Cir. Certiorari denied.

No. 09–5867. *DAVIS v. VANDERVILLE ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–5869. *HEARNS v. NEW HAMPSHIRE STATE PRISON*. C. A. 1st Cir. Certiorari denied.

No. 09–5872. *PEOPLES v. WILLIAMS ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–5874. *GUADARRAMA v. TILTON ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–5877. *CAMPBELL v. SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY (SEPTA)*. Sup. Ct. Pa. Certiorari denied. Reported below: 599 Pa. 463, 961 A. 2d 1228.

No. 09–5883. *YOUNG v. HOLDERNESS ET AL.* Ct. Sp. App. Md. Certiorari denied. Reported below: 183 Md. App. 764, 772.

No. 09–5891. *RUIZ v. HOFBAUER*, WARDEN, ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 427.

No. 09–5892. *ROHDEN v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 09–5902. *GRIFFIN v. ORTIZ ET AL.* Ct. App. Colo. Certiorari denied.

No. 09–5903. *HARRIS v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

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No. 09–5904. *HUNTER v. THALER*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 09–5916. *POWERS v. SNYDER ET AL.* C. A. 7th Cir. Certiorari denied.

No. 09–5921. *HAQUE v. IMMIGRATION AND CUSTOMS ENFORCEMENT ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–5925. *LINTON v. HOLDER*, ATTORNEY GENERAL. C. A. 11th Cir. Certiorari denied.

No. 09–5928. *NIKA v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 124 Nev. 1272, 198 P. 3d 839.

No. 09–5938. *TYSON v. MIZE*, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 09–5956. *CATLEDGE v. MUELLER*, DIRECTOR, FEDERAL BUREAU OF INVESTIGATION, ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 464.

No. 09–5962. *WILSON v. SPENCER*, SUPERINTENDENT, MASSACHUSETTS CORRECTIONAL INSTITUTION AT NORFOLK. C. A. 1st Cir. Certiorari denied.

No. 09–5977. *RITTNER v. WILLIAMS*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 09–5980. *SABET v. INTEL CORP.* C. A. 9th Cir. Certiorari denied.

No. 09–5988. *WARMAN v. MARBERRY*, WARDEN, ET AL. C. A. 6th Cir. Certiorari denied.

No. 09–6006. *BARNES v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 9 So. 3d 623.

No. 09–6010. *GURNSEY v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–6013. *HILL v. DISTRICT OF COLUMBIA DEPARTMENT OF EMPLOYMENT SERVICES ET AL.* Ct. App. D. C. Certiorari denied. Reported below: 964 A. 2d 619.

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No. 09–6028. *CORTINAS v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 124 Nev. 1013, 195 P. 3d 315.

No. 09–6066. *TAYLOR v. ROPER, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 561 F. 3d 859.

No. 09–6089. *CHILDRESS v. CAMERON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT CRESSON*. C. A. 3d Cir. Certiorari denied.

No. 09–6109. *WALKER v. ZENK, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 323 Fed. Appx. 144.

No. 09–6119. *CONN v. KLOPOTOSKI, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 331 Fed. Appx. 122.

No. 09–6174. *GASTON v. UNITED STATES POSTAL SERVICE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 319 Fed. Appx. 155.

No. 09–6200. *WILLIAMS v. DREW, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 09–6205. *MCINTYRE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–6206. *TRAVIS v. PARK CITY MUNICIPAL CORPORATION ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 565 F. 3d 1252.

No. 09–6207. *TATE v. MERIT SYSTEMS PROTECTION BOARD*. C. A. Fed. Cir. Certiorari denied. Reported below: 313 Fed. Appx. 319.

No. 09–6211. *TROXELLE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 319 Fed. Appx. 176.

No. 09–6217. *SMITH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 561 F. 3d 934.

No. 09–6218. *ROLLNESS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 561 F. 3d 996 and 320 Fed. Appx. 797.

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No. 09–6219. *SPRIGGS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 331 Fed. Appx. 163.

No. 09–6230. *POLLINO v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 478.

No. 09–6232. *CLAY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 403.

No. 09–6235. *BROWN v. KERESTES, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MAHANOEY, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–6240. *HUSSAIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 227.

No. 09–6242. *ISOM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 665.

No. 09–6246. *TYLER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–6247. *ALEXEEV v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 330 Fed. Appx. 259.

No. 09–6251. *BIRDSONG v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 573.

No. 09–6252. *MENDOZA-ZARAGOZA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 567 F. 3d 431.

No. 09–6253. *PEREDES v. MARSHALL, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 639.

No. 09–6254. *MOORE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 736.

No. 09–6259. *PINE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 318 Fed. Appx. 84.

No. 09–6262. *HOEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 165.

No. 09–6263. *ROBINSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 237.

No. 09–6264. *PITTS, AKA SMITH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 533.

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No. 09–6269. *DINKENS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–6271. *ELMARDOUDI, AKA SAFIEDDINE, AKA LABIBE, AKA TARDELLI v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 923.

No. 09–6275. *NORRIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 522.

No. 09–6278. *FONVILLE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 673.

No. 09–6279. *ZALDIVAR v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 839.

No. 09–6284. *AZUBIKE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 564 F. 3d 59.

No. 09–6286. *BERMEA-BOONE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 563 F. 3d 621.

No. 09–6287. *MILLER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 288.

No. 09–6288. *RODRIGUEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–6289. *RIVERA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 194.

No. 09–6290. *SCALES, AKA SIMMS, AKA JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 890.

No. 09–6292. *GILYARD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–6293. *MIGGINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 319.

No. 09–6295. *EPPS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 924.

No. 09–6298. *TODD v. FEDERAL CORRECTIONAL INSTITUTION, MEMPHIS, ET AL.* C. A. 6th Cir. Certiorari denied.

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No. 09–6300. *ZAYAS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 568 F. 3d 43.

No. 09–6301. *BROWN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 856.

No. 09–6303. *ROBERTS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 555.

No. 09–6305. *STORY, AKA JONES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 422.

No. 09–6310. *PRATT v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 568 F. 3d 11.

No. 09–6314. *GREEN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–6315. *TAYLOR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 349.

No. 09–6316. *WELLS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 781.

No. 09–6317. *LITTLEJOHN v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 963 A. 2d 167.

No. 09–6320. *COCHRAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 244.

No. 09–6321. *DEAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 329 Fed. Appx. 377.

No. 09–6322. *DE LEON-GODINEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 818.

No. 09–6323. *CIOCAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 332 Fed. Appx. 773.

No. 09–6324. *CANTU v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–6325. *QUEZADA-ENRIQUEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 567 F. 3d 1228.

No. 09–6326. *STEWART v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 102.

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No. 09–6329. *SAVOCA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 567 F. 3d 802.

No. 09–6330. *SETTLE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–6331. *RIVERA v. NOLAN*. C. A. 1st Cir. Certiorari denied.

No. 09–6333. *SULLIVAN, AKA CATHEY, AKA EDWARDS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 445.

No. 09–6335. *DICKENS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 09–6336. *CHESTER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 597.

No. 09–6337. *DOYLE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 706.

No. 09–6340. *JACKSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–6342. *LEWIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 951.

No. 09–6343. *JACKSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 569.

No. 09–6346. *LIRETTE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–6347. *BROWN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 776.

No. 09–6348. *ALEXANDER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 388.

No. 09–6349. *BENITEZ-AVILA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 570 F. 3d 364.

No. 09–6350. *KONSAVICH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 313.

No. 09–6354. *BISHAWI v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

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No. 09–6355. *UNDERWOOD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 825.

No. 09–6356. *WILLIAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–6357. *WILLIAMS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–6358. *THOMAS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 492.

No. 09–6359. *UNDERWOOD v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 92.

No. 09–6360. *PETTIETTE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 338 Fed. Appx. 362.

No. 09–6361. *PORTER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 848.

No. 09–6364. *ROBERTS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 388.

No. 09–6368. *JORDAN v. FEDERAL BUREAU OF PRISONS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 752.

No. 09–6370. *DIAZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–6373. *RASHAD, AKA COLEMAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–6374. *DAVIS v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 09–6377. *HILL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–6380. *GALLAGOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 943.

No. 09–6381. *MULLEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 61.

No. 09–6386. *PHASUNG LU BACCAM v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 562 F.3d 1197.

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No. 09–6390. *ROGERS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 334 Fed. Appx. 485.

No. 09–6393. *TILGHMAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 269.

No. 09–6403. *JAMES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 564 F. 3d 960.

No. 09–6404. *MALONE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–6405. *WHEELER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 250.

No. 09–6407. *URBANO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 563 F. 3d 1150.

No. 09–6409. *BLOCKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 151.

No. 09–6415. *STYER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 573 F. 3d 151.

No. 09–6418. *CLARK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 992.

No. 09–6423. *SCOTT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 822.

No. 09–6427. *MARGUET-PILLADO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 560 F. 3d 1078.

No. 09–6432. *BOAM v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 642.

No. 09–6438. *THOMAS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 565 F. 3d 438.

No. 09–6444. *DARTEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 308.

No. 09–6445. *DOUGLAS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 569 F. 3d 635.

No. 09–6446. *CHATMAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 342 Fed. Appx. 555.

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No. 09–6452. *LOVE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–6455. *POMALES-PIZARRO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 578 F. 3d 78.

No. 09–6456. *MOORE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–6460. *SETSER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 568 F. 3d 482.

No. 09–6466. *ZETINO-MORALES, AKA CETY-MORALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 835.

No. 09–6476. *COLSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 895.

No. 09–6478. *COLLINS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 825.

No. 09–6482. *BELL v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 976 A. 2d 224.

No. 09–6484. *BREWSTER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 8.

No. 09–6485. *BARAJAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 940.

No. 09–6487. *JONES v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–6489. *JOHNS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 332 Fed. Appx. 737.

No. 09–6490. *NOBLE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 326 Fed. Appx. 125.

No. 09–6496. *BUNCHAN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 580 F. 3d 66.

No. 09–6498. *BROWN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–6499. *BENDER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 644.

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No. 09–6503. *SOTO-COSME v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–6506. *EAMES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 279 Fed. Appx. 541.

No. 08–1407. *DTD ENTERPRISES, INC., AKA TOGETHER, AKA TOGETHER-CLARK, AKA TOGETHER DATING SERVICE, ET AL. v. WELLS, ON BEHALF OF HERSELF AND ALL OTHERS SIMILARLY SITUATED*. Super. Ct. N. J., Middlesex County. Certiorari denied.

Statement of JUSTICE KENNEDY, with whom THE CHIEF JUSTICE and JUSTICE SOTOMAYOR join, respecting the denial of the petition for writ of certiorari.

This case began with a contract action brought by DTD Enterprises, Inc. (hereinafter petitioner), a commercial dating-referral service, against respondent, one of petitioner’s customers. The suit alleged that respondent refused to make payments due under a contract. Respondent answered by bringing a class action against petitioner. The trial court certified the class and ordered petitioner to bear all the costs of class notification, on the sole ground (or so it appears) that petitioner could afford to pay and respondent could not.

To the extent that New Jersey law allows a trial court to impose the onerous costs of class notification on a defendant simply because of the relative wealth of the defendant and without any consideration of the underlying merits of the suit, a serious due process question is raised. Where a court has concluded that a plaintiff lacks the means to pay for class certification, the defendant has little hope of recovering its expenditures later if the suit proves meritless; therefore, the court’s order requiring the defendant to pay for the notification “finally destroy[s] a property interest.” *Logan v. Zimmerman Brush Co.*, 455 U. S. 422, 433–434 (1982). The Due Process Clause requires a “‘hearing appropriate to the nature of the case.’” *Boddie v. Connecticut*, 401 U. S. 371, 378 (1971). And there is considerable force to the argument that a hearing in which the trial court does not consider the underlying merits of the class-action suit is not consistent with due process because it is not sufficient, or appropriate, to protect the property interest at stake.

I nonetheless agree with the Court’s denial of certiorari, for two reasons. First, the petition is interlocutory; the state appel-

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late courts denied petitioner leave to appeal the trial court's action. Second, petitioner has filed for bankruptcy, and an automatic bankruptcy stay has issued pursuant to 11 U.S.C. § 362. Respondent contends that the present action comes within the scope of the automatic stay. If we were to grant the petition we would be required to construe New Jersey law without the aid of a reasoned state appellate court decision and to confront a procedural obstacle unrelated to the question presented. Under these circumstances, it is best to deny the petition. It seems advisable, however, to note that the petition for certiorari does implicate issues of constitutional significance.

No. 08–10604. *BAKER ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 554 F. 3d 230.

No. 08–10885. *MCCARGO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–45. *NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION v. SASSER*. C. A. 8th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 553 F. 3d 1121.

No. 09–186. *COLON, AKA LOPEZ v. HOLDER, ATTORNEY GENERAL*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 328 Fed. Appx. 684.

No. 09–5194. *JOSEPHBERG v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 562 F. 3d 478.

No. 09–5761. *LUO v. TOWN OF HEMPSTEAD, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 316 Fed. Appx. 77.

No. 09–5816. *UZAMERE v. ALLEN E. KAYE, P. C., ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

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No. 09–5863. *DAVIS v. SMITH*, SUPERINTENDENT, SHAWANGUNK CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–6280. *LUNA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 328 Fed. Appx. 721.

No. 09–6296. *YALINCAK v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–6408. *AZZARA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 293 Fed. Appx. 814.

No. 09–6430. *ALABI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 334 Fed. Appx. 379.

No. 09–6454. *MITCHELL v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 326 Fed. Appx. 1.

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Certiorari Granted—Vacated and Remanded. (See No. 08–10495, *ante*, p. 1.)

Certiorari Dismissed

No. 09–6035. *MILLEN v. KANSAS CITY STAR*. 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.

No. 09–6121. *SIBLEY v. UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT*. 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.

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No. 09–6312. *POWELL v. KELLER 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.

No. 09–6525. *GENEVIER v. SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY, ET AL.* Ct. App. Cal., 2d App. Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 09–6165. *DIGIANNI v. CUOMO, ATTORNEY GENERAL OF NEW YORK, 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. JUSTICE SOTOMAYOR took no part in the consideration or decision of this motion and this petition.

Miscellaneous Orders

No. 09A356. *DOE ET AL. v. REED, SECRETARY OF STATE OF WASHINGTON, ET AL.* Application, presented to JUSTICE KENNEDY, and by him referred to the Court, granted. Order of the United States Court of Appeals for the Ninth Circuit, case Nos. 09–35818, 09–35826, and 09–35863, entered October 15, 2009, is hereby stayed. The September 10, 2009, order of the United States District Court for the Western District of Washington, case No. C09–5456BHS, granting the motion for preliminary injunction shall remain in effect 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 sending down of the judgment of this Court. JUSTICE STEVENS would deny the application.

No. 09M34. *WINSTEAD, NKA MUHAMMAD v. NEW JERSEY*; and

No. 09M35. *CORREDOR v. FEDERAL AVIATION ADMINISTRATION.* Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 08–969. *HEMI GROUP, LLC, ET AL. v. CITY OF NEW YORK, NEW YORK.* C. A. 2d Cir. [Certiorari granted, 556 U. S. 1220.] Motion of The Campaign for Tobacco-Free Kids for leave to file a brief as *amicus curiae* granted. JUSTICE SOTOMAYOR took no part in the consideration or decision of this motion.

No. 08–1134. *UNITED STUDENT AID FUNDS, INC. v. ESPINOSA.* C. A. 9th Cir. [Certiorari granted, 557 U. S. 903.] Motion of

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Professor Rafael I. Pardo for leave to file a brief as *amicus curiae* granted.

No. 08–1151. STOP THE BEACH RENOURISHMENT, INC. *v.* FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION ET AL. Sup. Ct. Fla. [Certiorari granted, 557 U. S. 903.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 09–5973. TORAIN *v.* AMERITECH ADVANCED DATA SERVICES. C. A. 7th Cir.;

No. 09–6078. GWANJUN KIM *v.* PROGRESSIVE EXPRESS INSURANCE CO. ET AL. C. A. 11th Cir.;

No. 09–6453. ROACH *v.* ROCKINGHAM COUNTY BOARD OF EDUCATION ET AL. C. A. 4th Cir.; and

No. 09–6595. SCHMITZ *v.* UNITED STATES. C. A. 11th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until November 10, 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. 09–6658. IN RE CURTIS;

No. 09–6677. IN RE WARREN;

No. 09–6716. IN RE MARTINEZ; and

No. 09–6733. IN RE VELARDE. Petitions for writs of habeas corpus denied.

No. 09–6708. IN RE BERRY; and

No. 09–6748. IN RE CARBIN. Motions of petitioners for leave to proceed *in forma pauperis* denied, and petitions for writs of habeas corpus dismissed. See this Court's Rule 39.8.

No. 09–5944. IN RE WILLIAMS; and

No. 09–6024. IN RE ROCHESTER. Motions of petitioners for leave to proceed *in forma pauperis* denied, and petitions for writs of mandamus dismissed. See this Court's Rule 39.8.

No. 09–204. IN RE KLAT. Petition for writ of mandamus and/or prohibition denied.

No. 09–6139. IN RE TRAYLOR. 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.

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Certiorari Granted

No. 08–1234. *KIYEMBA ET AL. v. OBAMA, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. D. C. Cir. Certiorari granted. Reported below: 555 F. 3d 1022.

No. 08–1553. *KAWASAKI KISEN KAISHA LTD. ET AL. v. REGAL-BELOIT CORP. ET AL.*; and

No. 08–1554. *UNION PACIFIC RAILROAD CO. v. REGAL-BELOIT CORP. ET AL.* C. A. 9th Cir. Certiorari granted, cases consolidated, and a total of one hour is allotted for oral argument. Reported below: 557 F. 3d 985.

Certiorari Denied

No. 08–1427. *BROCKMAN v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 681.

No. 08–1428. *BURKEY v. MARBERRY, WARDEN.* C. A. 3d Cir. Certiorari denied. Reported below: 556 F. 3d 142.

No. 08–1453. *ROLLINS v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 552 F. 3d 739.

No. 08–1465. *RODRIGUEZ v. UNITED STATES.* C. A. Armed Forces. Certiorari denied. Reported below: 67 M. J. 110.

No. 08–9991. *MOSLEY v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 40.

No. 08–10521. *PARKER v. FLORIDA.* Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 991 So. 2d 411.

No. 08–10993. *MACIAS v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 50.

No. 09–183. *ROBERTS v. BANK OF NEW YORK.* Ct. App. Ore. Certiorari denied. Reported below: 223 Ore. App. 259, 195 P. 3d 923.

No. 09–185. *ANDERSON v. IOWA CITY DEVELOPMENT BOARD ET AL.* Ct. App. Iowa. Certiorari denied. Reported below: 767 N. W. 2d 420.

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No. 09–191. *J. W. v. KNIGHT, SENIOR STATUS JUDGE, CIRCUIT COURT OF MERCER COUNTY, WEST VIRGINIA*. Sup. Ct. App. W. Va. Certiorari denied. Reported below: 223 W. Va. 785, 679 S. E. 2d 617.

No. 09–193. *ABNER v. PROBATE COURT OF MOBILE, ALABAMA*. Sup. Ct. Ala. Certiorari denied.

No. 09–195. *REUST v. ALASKA*. Sup. Ct. Alaska. Certiorari denied. Reported below: 206 P. 3d 437.

No. 09–199. *HALLIWELL ET AL. v. SUPERIOR COURT OF CALIFORNIA, SONOMA COUNTY, ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 09–209. *CULVER v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 22 So. 3d 499.

No. 09–232. *COX v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 09–266. *BOWENS ET AL. v. QUINN, GOVERNOR OF ILLINOIS*. C. A. 7th Cir. Certiorari denied. Reported below: 561 F. 3d 671.

No. 09–286. *SULLIVAN v. UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON DENTAL BRANCH ET AL.* Ct. App. Tex., 10th Dist. Certiorari denied.

No. 09–313. *HOWARD v. DEPARTMENT OF THE ARMY*. C. A. 4th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 765.

No. 09–318. *MORRIS ET AL. v. LANPHER ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 563 F. 3d 399.

No. 09–323. *SCAMBOS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 221.

No. 09–332. *MINH HUYNH ET UX. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 636.

No. 09–339. *TWAY ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 377.

No. 09–344. *DAVIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 279.

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No. 09-349. *YAITSKY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 347.

No. 09-5022. *ROTHERY v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 6 So. 3d 622.

No. 09-5128. *BALENTINE v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 304.

No. 09-5131. *DAVIS v. BRANKER, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 926.

No. 09-5389. *FIELDS v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied. Reported below: 274 S. W. 3d 375.

No. 09-5391. *EVERTSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 509.

No. 09-5896. *CASELL v. WHITE, CORRECTIONAL ADMINISTRATOR, MAURY CORRECTIONAL INSTITUTION*. C. A. 4th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 245.

No. 09-5923. *MAISANO v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09-5926. *REED v. CIRTIN*. Ct. App. Mo., Southern Dist. Certiorari denied. Reported below: 280 S. W. 3d 143.

No. 09-5929. *PRUITT v. SCHOFIELD, WARDEN*. Sup. Ct. Ga. Certiorari denied.

No. 09-5952. *OLIVAS v. NEVEN, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 70.

No. 09-5960. *LONG ET UX. v. WOOD MIZER PRODUCTS INC.* C. A. 5th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 755.

No. 09-5963. *TUNG v. CUEVAS ET AL.* Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 09-5965. *NEUFER v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

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No. 09–5966. *MOORMAN v. JOWERS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 733.

No. 09–5972. *MUHAMMAD, AKA COOPER v. KANNRINE ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–5974. *BARNES v. CAIN, WARDEN.* Sup. Ct. La. Certiorari denied. Reported below: 993 So. 2d 1233.

No. 09–5982. *SUTTON v. CORRECTIONS CORPORATION OF AMERICA ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 685.

No. 09–5983. *QAZZA v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 09–5984. *SERNA v. GOODNO ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 567 F. 3d 944.

No. 09–5989. *WORDLOW v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 387 Ill. App. 3d 1182, 981 N. E. 2d 539.

No. 09–5990. *WILSON v. CURIEL ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–5997. *JOHNSON v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 09–5999. *POWELL v. CURRY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 940.

No. 09–6008. *DEAKINS v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 09–6020. *HARRIS v. SWEATT, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 09–6021. *GATES v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 09–6022. *RODRIGUEZ v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 466.

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No. 09–6025. *CARVER v. VAIL, SECRETARY, WASHINGTON DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 558 F. 3d 869.

No. 09–6027. *DANN v. ARIZONA.* Sup. Ct. Ariz. Certiorari denied. Reported below: 220 Ariz. 351, 207 P. 3d 604.

No. 09–6030. *LACEY v. MONTANA.* Sup. Ct. Mont. Certiorari denied. Reported below: 349 Mont. 371, 204 P. 3d 1192.

No. 09–6033. *LATHAM v. UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 306 Fed. Appx. 716.

No. 09–6042. *HON v. COSMOS JEWELRY, LTD.* C. A. 9th Cir. Certiorari denied.

No. 09–6046. *HAMPTON v. BELLEQUE, SUPERINTENDENT, OREGON STATE PENITENTIARY.* C. A. 9th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 601.

No. 09–6048. *COLE v. TEXAS.* C. A. 5th Cir. Certiorari denied.

No. 09–6053. *KOPY v. RYAN, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 666.

No. 09–6057. *BELL v. NORWOOD ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 306.

No. 09–6058. *HIGGINS v. RANDALL COUNTY SHERIFF'S OFFICE.* Ct. App. Tex., 7th Dist. Certiorari denied.

No. 09–6059. *GARCON v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 7 So. 3d 1098.

No. 09–6061. *OLIPHANT v. MENDOZA-POWERS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 09–6062. *KRISTIADI v. HOLDER, ATTORNEY GENERAL.* C. A. 1st Cir. Certiorari denied.

No. 09–6064. *FAN v. ROE.* Sup. Ct. Cal. Certiorari denied.

No. 09–6079. *KNIGHT v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 6 So. 3d 733.

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No. 09–6136. *NESBITT v. CIRCUIT COURT OF ILLINOIS, COOK COUNTY*. Sup. Ct. Ill. Certiorari denied.

No. 09–6180. *BARRETT v. LAMARQUE, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 131.

No. 09–6181. *BALKO v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–6198. *MONTAGUE v. CARLTON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 09–6199. *WILLIAMS v. QUINN, SUPERINTENDENT, MONROE CORRECTIONAL COMPLEX*. C. A. 9th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 364.

No. 09–6229. *STAMOS v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 09–6238. *LITTLE v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–6260. *OWENS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 09–6273. *OKAFOR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 426.

No. 09–6277. *LEFTWICH v. WEST VIRGINIA*. Cir. Ct. Raleigh County, W. Va. Certiorari denied.

No. 09–6306. *STOGNER v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 09–6327. *WIEGAND v. ZAVARES, EXECUTIVE DIRECTOR, COLORADO DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 837.

No. 09–6332. *SABINO-MORALES v. UNITED STATES*; and

No. 09–6599. *FLORES-DE-JESUS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 569 F. 3d 8.

No. 09–6383. *LOCKETT ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 11th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 464.

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No. 09–6422. *GORDON v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 09–6433. *VORES v. MERIT SYSTEMS PROTECTION BOARD*. C. A. Fed. Cir. Certiorari denied. Reported below: 324 Fed. Appx. 883.

No. 09–6462. *RASHID v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–6464. *WRIGHT v. VOLLAND, JUDGE, SUPERIOR COURT OF ALASKA, THIRD JUDICIAL DISTRICT AT ANCHORAGE, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 496.

No. 09–6494. *WILSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 445.

No. 09–6495. *BONILLA v. UNITED STATES*; and
No. 09–6517. *VILLATORO v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 968 A. 2d 39.

No. 09–6507. *WERST v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 779.

No. 09–6508. *WRIGHT v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 322 Fed. Appx. 148.

No. 09–6513. *GONZALEZ-GAMEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 629.

No. 09–6514. *GREEN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–6515. *HAYES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 222.

No. 09–6519. *PETERSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 228.

No. 09–6520. *CARSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 75.

No. 09–6523. *DECKARD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

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No. 09–6524. *WHITE v. GATES, SECRETARY OF DEFENSE*. C. A. 9th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 134.

No. 09–6530. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 457.

No. 09–6534. *MATTHEWS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–6539. *WILLIAMS ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–6541. *DELAPAZ VASQUEZ v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 560 F. 3d 461.

No. 09–6547. *BOYD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 09–6548. *BLUNTSOON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 960.

No. 09–6551. *JOSEPH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 519.

No. 09–6555. *LOPEZ-CASTAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 419.

No. 09–6561. *DEVEAUX, AKA DOVER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 595.

No. 09–6566. *SOHN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 567 F. 3d 392.

No. 09–6567. *ROBINSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 09–6568. *RODRIGUEZ-OROZCO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 968.

No. 09–6578. *DURONIO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 09–6582. *POWELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 433.

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No. 09–6588. *SMITH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 254.

No. 09–6589. *ROBINSON, AKA MATHURIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 876.

No. 09–6593. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–6596. *SOTO-MACIEL, AKA MACIAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–6597. *GARZA GALLEGOS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 115.

No. 09–6611. *JONES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 279.

No. 09–6612. *LAMERE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 669.

No. 09–6613. *MANZO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 642.

No. 09–6614. *JONES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 367.

No. 09–6615. *MUNIZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 524.

No. 09–6616. *OVERTON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 573 F. 3d 679.

No. 09–6618. *O’CONNOR v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 567 F. 3d 395.

No. 09–6620. *MOHAMED v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 68 M. J. 150.

No. 09–6625. *NIBLOCK v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 165.

No. 09–6628. *DEBERRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 151.

No. 09–6629. *ESPINOSA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 889.

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No. 09–6632. *PETERSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 09–6633. *RUSS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–6634. *POINDEXTER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 342 Fed. Appx. 871.

No. 08–1385. *VIRGINIA v. HARRIS*. Sup. Ct. Va. Certiorari denied. Reported below: 276 Va. 689, 668 S. E. 2d 141.

CHIEF JUSTICE ROBERTS, with whom JUSTICE SCALIA joins, dissenting.

Every year, close to 13,000 people die in alcohol-related car crashes—roughly one death every 40 minutes. See Dept. of Transp., Nat. Hwy. Traffic Safety Admin., Traffic Safety Facts, 2007 Traffic Safety Annual Assessment—Alcohol-Impaired Driving Fatalities 1 (No. 811016, Aug. 2008). Ordinary citizens are well aware of the dangers posed by drunk driving, and they frequently report such conduct to the police. A number of States have adopted programs specifically designed to encourage such tips—programs such as the “Drunkbuster Hotline” in New Mexico and the REDDI program (Report Every Drunk Driver Immediately) in force in several States. See Dept. of Transp., Nat. Hwy. Traffic Safety Admin., Programs Across the United States That Aid Motorists in the Reporting of Impaired Drivers to Law Enforcement (2007).

By a 4-to-3 vote, the Virginia Supreme Court below adopted a rule that will undermine such efforts to get drunk drivers off the road. The decision below commands that police officers following a driver reported to be drunk *do nothing* until they see the driver actually do something unsafe on the road—by which time it may be too late.

Here, a Richmond police officer pulled Joseph Harris over after receiving an anonymous tip that Harris was driving while intoxicated. The tip described Harris, his car, and the direction he was traveling in considerable detail. The officer did not personally witness Harris violate any traffic laws. When Harris was pulled over, however, he reeked of alcohol, his speech was slurred, he almost fell over in attempting to exit his car, and he failed the sobriety tests the officer administered on the scene. Harris was convicted of driving while intoxicated, but the Virginia Supreme

Court overturned the conviction. It concluded that because the officer had failed to independently verify that Harris was driving dangerously, the stop violated the Fourth Amendment's prohibition on unreasonable searches and seizures. 276 Va. 689, 696–698, 668 S. E. 2d 141, 146–147 (2008); see Pet. for Cert. 4 (citing record).

I am not sure that the Fourth Amendment requires such independent corroboration before the police can act, at least in the special context of anonymous tips reporting drunk driving. This is an important question that is not answered by our past decisions, and that has deeply divided federal and state courts. The Court should grant the petition for certiorari to answer the question and resolve the conflict.

On the one hand, our cases allow police to conduct investigative stops based on reasonable suspicion, viewed under the totality of the circumstances. *Terry v. Ohio*, 392 U. S. 1, 22 (1968); *Alabama v. White*, 496 U. S. 325, 328–331 (1990). In *Florida v. J. L.*, 529 U. S. 266, 270 (2000), however, we explained that anonymous tips, in the absence of additional corroboration, typically lack the “indicia of reliability” needed to justify a stop under the reasonable suspicion standard. In *J. L.*, the Court suppressed evidence seized by police after receiving an anonymous tip alleging that a young man, wearing a plaid shirt and waiting at a particular bus stop, was carrying a gun. The majority below relied extensively on *J. L.* in reversing Harris’s conviction.

But it is not clear that *J. L.* applies to anonymous tips reporting drunk or erratic driving. *J. L.* itself suggested that the Fourth Amendment analysis might be different in other situations. The Court declined “to speculate about the circumstances under which the danger alleged in an anonymous tip might be so great as to justify a search even without a showing of reliability.” *Id.*, at 273. It also hinted that “in quarters where the reasonable expectation of Fourth Amendment privacy is diminished,” it might be constitutionally permissible to “conduct protective searches on the basis of information insufficient to justify searches elsewhere.” *Id.*, at 274.

There is no question that drunk driving is a serious and potentially deadly crime, as our cases have repeatedly emphasized. See, e. g., *Michigan Dept. of State Police v. Sitz*, 496 U. S. 444, 451 (1990) (“No one can seriously dispute the magnitude of the drunken driving problem or the States’ interest in eradicating

it. Media reports of alcohol-related death and mutilation on the Nation's roads are legion"). The imminence of the danger posed by drunk drivers exceeds that at issue in other types of cases. In a case like *J. L.*, the police can often observe the subject of a tip and step in before actual harm occurs; with drunk driving, such a wait-and-see approach may prove fatal. Drunk driving is always dangerous, as it is occurring. This Court has in fact recognized that the dangers posed by drunk drivers are unique, frequently upholding anti-drunk-driving policies that might be constitutionally problematic in other, less exigent circumstances.¹

In the absence of controlling precedent on point, a sharp disagreement has emerged among federal and state courts over how to apply the Fourth Amendment in this context. The majority of courts examining the question have upheld investigative stops of allegedly drunk or erratic drivers, even when the police did not personally witness any traffic violations before conducting the stops.² These courts have typically distinguished *J. L.*'s general rule based on some combination of (1) the especially grave and imminent dangers posed by drunk driving; (2) the enhanced reliability of tips alleging illegal activity in public, to which the tipster

¹See, e.g., *Michigan Dept. of State Police v. Sitz*, 496 U. S. 444, 455 (1990) (approving use of field-sobriety checkpoints of all approaching drivers, despite fact that over 98 percent of such drivers were innocent); *South Dakota v. Neville*, 459 U. S. 553, 554, 560 (1983) (upholding state law allowing a defendant's refusal to take a blood-alcohol test to be introduced as evidence against him at trial); *Mackey v. Montrym*, 443 U. S. 1, 17–19 (1979) (upholding state law requiring mandatory suspension of a driver's license upon a drunk-driving suspect's refusal to submit to a breath-analysis test); see also *Indianapolis v. Edmond*, 531 U. S. 32, 37–38 (2000) (noting that in the Fourth Amendment context the Court has upheld government measures "aimed at removing drunk drivers from the road," distinguishing such measures from those with the primary purpose of "detect[ing] evidence of ordinary criminal wrongdoing").

²See, e.g., *United States v. Wheat*, 278 F. 3d 722 (CA8 2001); *People v. Wells*, 38 Cal. 4th 1078, 136 P. 3d 810 (2006); *State v. Prendergast*, 103 Haw. 451, 83 P. 3d 714 (2004); *State v. Walshire*, 634 N. W. 2d 625 (Iowa 2001); *State v. Crawford*, 275 Kan. 492, 67 P. 3d 115 (2003); *Bloomington v. State*, 842 A. 2d 1212 (Del. 2004); *State v. Golotta*, 178 N. J. 205, 837 A. 2d 359 (2003); *State v. Scholl*, 2004 S. D. 85, 684 N. W. 2d 83; *State v. Boyea*, 171 Vt. 401, 765 A. 2d 862 (2000); *State v. Rutzinski*, 2001 WI 22, 241 Wis. 2d 729, 623 N. W. 2d 516.

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was presumably an eyewitness; (3) the fact that traffic stops are typically less invasive than searches or seizures of individuals on foot; and (4) the diminished expectation of privacy enjoyed by individuals driving their cars on public roads. A minority of jurisdictions, meanwhile, take the same position as the Virginia Supreme Court, requiring that officers first confirm an anonymous tip of drunk or erratic driving through their own independent observation.³ This conflict has been expressly noted by the lower courts.⁴

The conflict is clear and the stakes are high. The effect of the rule below will be to grant drunk drivers “one free swerve” before they can legally be pulled over by police. It will be difficult for an officer to explain to the family of a motorist killed by that swerve that the police had a tip that the driver of the other car was drunk, but that they were powerless to pull him over, even for a quick check.

Maybe the decision of the Virginia Supreme Court below was correct, and the Fourth Amendment bars police from acting on anonymous tips of drunk driving unless they can verify each tip. If so, then the dangerous consequences of this rule are unavoidable. But the police should have every legitimate tool at their disposal for getting drunk drivers off the road. I would grant certiorari to determine if this is one of them.

No. 08–1441. *BOIM ET UX. v. SALAH*. C. A. 7th Cir. Motion of Zionist Organization of America for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 549 F. 3d 685.

No. 09–200. *KIM v. CITY OF FEDERAL WAY, WASHINGTON*. C. A. 9th Cir. Certiorari before judgment denied.

No. 09–205. *LAPETINA v. CARLSEN, SUPERINTENDENT, ULSTER CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari

³ See, e. g., *McChesney v. State*, 988 P. 2d 1071 (Wyo. 1999); *Commonwealth v. Lubiejewski*, 49 Mass. App. 212, 729 N. E. 2d 288 (2000); *State v. Sparen*, No. CR00258199S, 2001 WL 206078 (Conn. Super. Ct., Feb. 9, 2001) (unpublished).

⁴ See, e. g., *Wheat, supra*, at 729–730 (reviewing cases upholding stops, then noting that some courts “have reached a different conclusion”); *Wells, supra*, at 1084, 136 P. 3d, at 814 (“split of authority”).

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denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–5906. *WHEELER v. KENTUCKY*. Sup. Ct. Ky. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied.

No. 09–5941. *RODRIGUEZ v. ERCOLE*, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–5986. *MENDOZA v. MARSHALL*, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 330 Fed. Appx. 215.

No. 09–6037. *RUEZGA v. YATES*, WARDEN. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 330 Fed. Appx. 656.

No. 09–6077. *SAQIB v. FEDERAL BUREAU OF INVESTIGATION ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–7104 (09A363). *McCLAIN v. UPTON*, WARDEN. 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.

Rehearing Denied

No. 09–5004 (09A338). *McCLAIN v. HALL*, WARDEN, *ante*, p. 882. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Petition for rehearing denied.

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Miscellaneous Order

No. 09–7210 (09A387). *IN RE BLANTON*. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

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Certiorari Denied

No. 09–7211 (09A391). *BLANTON 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.

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Dismissals Under Rule 46

No. 08–1529. *MIGLIACCIO ET AL. v. CASTANEDA*, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF CASTANEDA, ET AL. C. A. 9th Cir. [Certiorari granted, 557 U. S. 966.] Writ of certiorari dismissed as to petitioners Eugene Migliaccio and Timothy Shack under this Court’s Rule 46.1.

No. 08–1547. *HENNEFORD v. CASTANEDA*, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF CASTANEDA, ET AL. C. A. 9th Cir. [Certiorari granted, 557 U. S. 966.] Writ of certiorari dismissed under this Court’s Rule 46.1.

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Certiorari Granted—Vacated and Remanded

No. 09–69. *NORWOOD v. UNITED STATES*. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Melendez-Diaz v. Massachusetts*, 557 U. S. 305 (2009). Reported below: 555 F. 3d 1061.

Certiorari Dismissed

No. 08–10169. *ORTIZ, AKA LOPEZ ORTIZ v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, 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.

No. 08–10844. *NORTON v. NORRIS 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. 08–10942. *TIBBS v. MCWHORTER 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.

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No. 08–11023. *WHEELER v. MCNEIL*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 09–5377. *PIGGIE v. ROBERTSON ET AL.* C. A. 7th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 09–5437. *CRUTCHER v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 09–5577. *RICHARDSON v. JOHNSON*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 324 Fed. Appx. 209.

No. 09–5591. *TIBBS v. THALER*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 09–6192. *HARRELL v. UNITED STATES.* C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

No. 09–6228. *JACKSON v. PROVINCE*, 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. Reported below: 341 Fed. Appx. 377.

No. 09–6234. *CLUCK v. WASHINGTON.* Sup. Ct. Wash. 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. 09–6536. NADDI *v.* HERNANDEZ, WARDEN, ET AL. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 09–6684. HOWARD *v.* UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO 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.

Certificate Dismissed

No. 09–166. UNITED STATES *v.* SEALE. C. A. 5th Cir. Question certified by the United States Court of Appeals for the Fifth Circuit dismissed. Reported below: 577 F. 3d 566.

Statement of JUSTICE STEVENS, with whom JUSTICE SCALIA joins, respecting the dismissal of the certified question.

This certificate presents us with a pure question of law that may well determine the outcome of a number of cases of ugly racial violence remaining from the 1960’s. The question is what statute of limitations applies to a prosecution under 18 U.S.C. § 1201 commenced in 2007 for a kidnaping offense that occurred in 1964.

James Ford Seale was found guilty of violating § 1201, a provision that does not include its own limitations period. Title 18 U.S.C. § 3281 provides that “any offense punishable by death” may be prosecuted “at any time without limitation,” whereas § 3282(a) imposes a 5-year period of limitations for all other offenses “[e]xcept as otherwise expressly provided by law.” In 1964 a violation of § 1201 was a capital offense when the victim was harmed, and since 1994 a violation of § 1201 has been a capital offense when the kidnaping results in the loss of life. But for more than two decades in between, Seale’s crime was not punishable by death.

Several developments accounted for this. In 1968 this Court held that the death penalty provision in the old § 1201 was unconstitutional because it applied “only to those defendants who assert the right to contest their guilt before a jury,” *United States v. Jackson*, 390 U.S. 570, 581, and in 1972 we cast significant doubt on the constitutionality of death penalty laws nationwide, *Furman v. Georgia*, 408 U.S. 238 (*per curiam*). Following *Furman*, Congress repealed the death penalty clause of § 1201, see Act for

the Protection of Foreign Officials and Official Guests of the United States, Pub. L. 92–539, § 201, 86 Stat. 1072, which had the effect of changing the applicable statute of limitations from § 3281 to § 3282.

In this case, the District Court held that the 1972 repeal did not retroactively change the character of a violation of § 1201 as a capital offense within the meaning of § 3281—and therefore that the prosecution of Seale could go forward—but a panel of the Court of Appeals reversed. 542 F. 3d 1033 (CA5 2008). In response to the Government’s petition for rehearing en banc, the full court vacated the panel decision and, by an equally divided 9-to-9 vote, affirmed the District Court’s ruling on the limitations defense. 570 F. 3d 650 (2009) (*per curiam*); see also *id.*, at 651 (DeMoss, J., dissenting) (noting the affirmance’s “nominal” nature in light of the deadlock). Following the procedure authorized by Congress in 28 U. S. C. § 1254(2) and by this Court’s Rule 19, a majority of the members of the en banc court voted to certify this question of law to us for decision.

The question is narrow, debatable, and important. I recognize that the question reaches us in an interlocutory posture, as Seale appealed his conviction on numerous grounds, and that “[i]t is primarily the task of a Court of Appeals to reconcile its internal difficulties,” *Wisniewski v. United States*, 353 U. S. 901, 902 (1957) (*per curiam*). Yet I see no benefit and significant cost to postponing the question’s resolution. A prompt answer from this Court will expedite the termination of this litigation and determine whether other similar cases may be prosecuted. In these unusual circumstances, certification can serve the interests not only of legal clarity but also of prosecutorial economy and “the proper administration and expedition of judicial business.” *Ibid.*

The certification process has all but disappeared in recent decades. The Court has accepted only a handful of certified cases since the 1940’s and none since 1981; it is a newsworthy event these days when a lower court even tries for certification. Section 1254(2) and this Court’s Rule 19 remain part of our law because the certification process serves a valuable, if limited, function. We ought to avail ourselves of it in an appropriate case. In my judgment, this case should be briefed and set for argument.

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Miscellaneous Orders

No. 09A265. *GIANNONE v. UNITED STATES*. C. A. 4th Cir. Application for bail, addressed to JUSTICE SOTOMAYOR and referred to the Court, denied.

No. 09M36. *RISER v. DEPARTMENT OF THE TREASURY*;

No. 09M37. *BURNES v. UNITED STATES*;

No. 09M40. *MCCOY v. ERCOLE*, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY;

No. 09M41. *BARNES v. HARRISON-BELK ET AL.*; and

No. 09M42. *MANNS v. UNIVERSITY OF ARKANSAS MEDICAL CENTER ET AL.* Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 09M38. *IN RE AL-GHIZZAWI*. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner granted. Motion for leave to file petition for writ of habeas corpus under seal granted.

No. 09M39. *NITRO DISTRIBUTING, INC., ET AL. v. ALTICOR, INC., ET AL.* Motion for leave to file petition for writ of certiorari under seal with redacted copies for the public record granted.

No. 08–861. *FREE ENTERPRISE FUND ET AL. v. PUBLIC COMPANY ACCOUNTING OVERSIGHT BOARD ET AL.* C. A. D. C. Cir. [Certiorari granted, 556 U. S. 1234.] Motion of the Solicitor General for divided argument granted.

No. 08–1134. *UNITED STUDENT AID FUNDS, INC. v. ESPINOSA*. C. A. 9th Cir. [Certiorari granted, 557 U. S. 903.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 08–1322. *ASTRUE, COMMISSIONER OF SOCIAL SECURITY v. RATLIFF*. C. A. 8th Cir. [Certiorari granted, 557 U. S. 965.] Motion of the Solicitor General to dispense with printing the joint appendix granted.

No. 08–1438. *SOSSAMON v. TEXAS ET AL.* C. A. 5th Cir.;

No. 09–109. *CARDINAL v. METRISH, WARDEN*. C. A. 6th Cir.;
and

No. 09–115. *CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA ET AL. v. CANDELARIA ET AL.* C. A. 9th Cir. The

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Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 08–1498. *HOLDER, ATTORNEY GENERAL, ET AL. v. HUMANITARIAN LAW PROJECT ET AL.*; and

No. 09–89. *HUMANITARIAN LAW PROJECT ET AL. v. HOLDER, ATTORNEY GENERAL, ET AL.* C. A. 9th Cir. [Certiorari granted, 557 U. S. 966.] Motion of the parties to amend the briefing schedule granted. Petitioners in No. 09–89 will file an opening brief, not to exceed 18,000 words, on or before November 16, 2009. Petitioners in No. 08–1498 will file a response brief, not to exceed 18,000 words, on or before December 22, 2009. Petitioners in No. 09–89 will file a reply brief, not to exceed 12,000 words, on or before January 21, 2010. Petitioners in No. 08–1498 will file a reply brief, not to exceed 12,000 words, on or before February 12, 2010.

No. 09–34. *PFIZER INC. v. ABDULLAHI ET AL.* C. A. 2d Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States. THE CHIEF JUSTICE and JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–5371. *MCCARTHY v. VILSACK, SECRETARY OF AGRICULTURE, ET AL.* C. A. 7th Cir.;

No. 09–6083. *PRYOR v. WOLFE ET AL.* C. A. 5th Cir.;

No. 09–6103. *AUGUSTIN v. CHASE HOME FINANCE LLC.* C. A. 1st Cir.; and

No. 09–6241. *VADDE v. GEORGIA.* Ct. App. Ga. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until November 23, 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. 09–6773. *IN RE FULLERBLACK*;

No. 09–6802. *IN RE GRINKER*;

No. 09–6899. *IN RE SINGLETON*; and

No. 09–6980. *IN RE LESTER.* Petitions for writs of habeas corpus denied.

No. 09–6157. *IN RE MCCORVEY*;

No. 09–6268. *IN RE CARTER*;

No. 09–6434. *IN RE TELFAIR*; and

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No. 09–6776. IN RE GARRAUD. Petitions for writs of mandamus denied.

No. 08–10694. IN RE ROCHESTER. 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. 09–5226. IN RE RIVAS. Petition for writ of mandamus denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–5102. IN RE WHEELER; and

No. 09–6188. IN RE ALPINE. Motions of petitioners 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.

No. 09–6435. IN RE TELFAIR. Petition for writ of prohibition denied.

Certiorari Granted

No. 08–1457. NEW PROCESS STEEL, L. P. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 7th Cir. Certiorari granted. Reported below: 564 F. 3d 840.

No. 09–223. LEVIN, TAX COMMISSIONER OF OHIO *v.* COMMERCE ENERGY, INC., ET AL. C. A. 6th Cir. Certiorari granted. Reported below: 554 F. 3d 1094.

No. 08–998. HAMILTON, CHAPTER 13 TRUSTEE *v.* LANNING. C. A. 10th Cir. Certiorari granted limited to the following question: “Whether, in calculating the debtor’s ‘projected disposable income’ during the plan period, the bankruptcy court may consider evidence suggesting that the debtor’s income or expenses during that period are likely to be different from her income or expenses during the prefiling period.” Reported below: 545 F. 3d 1269.

Certiorari Denied

No. 08–1418. GROSDIDIER ET AL. *v.* CHAIRMAN, BROADCASTING BOARD OF GOVERNORS. C. A. D. C. Cir. Certiorari denied. Reported below: 560 F. 3d 495.

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No. 08–10337. *BISBY v. CRITES, ASSISTANT WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 312 Fed. Appx. 631.

No. 08–10666. *YOST v. WEST VIRGINIA*. Cir. Ct. Raleigh County, W. Va. Certiorari denied.

No. 08–10723. *N. I. v. ORANGE COUNTY SOCIAL SERVICES AGENCY ET AL.* Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 08–10827. *MUSICK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 291 Fed. Appx. 706.

No. 08–10845. *OGUNDE v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 08–11065. *GUTIERREZ v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 45 Cal. 4th 789, 200 P. 3d 847.

No. 09–3. *DAEWOO ENGINEERING & CONSTRUCTION CO., LTD. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 557 F. 3d 1332.

No. 09–77. *MARTINEZ-RODRIGUEZ v. HOLDER, ATTORNEY GENERAL*. C. A. 10th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 154.

No. 09–88. *BILTMORE FOREST BROADCASTING FM, INC. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 555 F. 3d 1375.

No. 09–95. *GRENADA STAMPING & ASSEMBLY INC. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 5th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 404.

No. 09–117. *APOTEX, INC., ET AL. v. SANOFI-SYNTHELABO ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 550 F. 3d 1075.

No. 09–202. *WARD v. TRANS UNION, LLC*. C. A. 4th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 613.

No. 09–212. *LENHAM v. DISABLED AMERICAN VETERANS ET AL.* Ct. App. N. M. Certiorari denied.

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No. 09–215. *RASPANTI v. OFFICE OF DISCIPLINARY COUNSEL*. Sup. Ct. La. Certiorari denied. Reported below: 8 So. 3d 526.

No. 09–218. *MCCRORY v. CAN DO, INC., ET AL.* Ct. App. La., 3d Cir. Certiorari denied. Reported below: 3 So. 3d 91.

No. 09–228. *MARTINEZ ET UX. v. MASSERI ET AL.* Ct. App. N. M. Certiorari denied.

No. 09–230. *AMORRORTU v. REPUBLIC OF PERU.* C. A. 5th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 400.

No. 09–236. *VENTIMIGLIA v. ST. LOUIS, CHURCH OF GOD, INC., DBA TWIN RIVERS WORSHIP CENTER, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 09–237. *RODRIGUEZ v. UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT.* C. A. D. C. Cir. Certiorari denied.

No. 09–246. *BRIDGEPORT ROMAN CATHOLIC DIOCESAN CORP. ET AL. v. NEW YORK TIMES CO. ET AL.* Sup. Ct. Conn. Certiorari denied. Reported below: 292 Conn. 1, 970 A. 2d 656.

No. 09–248. *MOHAWK INDUSTRIES, INC. v. WILLIAMS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 568 F. 3d 1350.

No. 09–251. *SAFFRAN v. NOVASTAR MORTGAGE, INC.* C. A. 1st Cir. Certiorari denied.

No. 09–254. *AMERICAN INSURANCE CO. ET AL. v. ASTENJOHNSON, INC.* C. A. 3d Cir. Certiorari denied. Reported below: 562 F. 3d 213.

No. 09–258. *ARNOLD v. KPMG LLP ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 334 Fed. Appx. 349.

No. 09–260. *WAYNE-DALTON CORP. v. AMARR Co.* C. A. Fed. Cir. Certiorari denied. Reported below: 318 Fed. Appx. 906.

No. 09–262. *USI MIDATLANTIC, INC., ET AL. v. WILLIAM A. GRAHAM Co., DBA GRAHAM Co.* C. A. 3d Cir. Certiorari denied. Reported below: 568 F. 3d 425.

No. 09–267. *BAZARGANI v. SNYDER ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 329 Fed. Appx. 351.

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No. 09–279. *ROBERTSON v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 09–282. *DAVIS ET AL. v. TILZER ET AL.* Sup. Ct. Kan. Certiorari denied. Reported below: 288 Kan. 477, 204 P. 3d 617.

No. 09–283. *REEVES v. DSI SECURITY SERVICES ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 659.

No. 09–284. *INDEPENDENCE NEWS, INC., ET AL. v. CITY OF CHARLOTTE, NORTH CAROLINA*. C. A. 4th Cir. Certiorari denied. Reported below: 568 F. 3d 148.

No. 09–298. *BLUM v. FEDERAL AVIATION ADMINISTRATION ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 189.

No. 09–299. *MICHIGAN v. SHAFIER*. Sup. Ct. Mich. Certiorari denied. Reported below: 483 Mich. 205, 768 N. W. 2d 305.

No. 09–320. *CHAPMAN ET AL. v. CASNER ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 315 Fed. Appx. 294.

No. 09–334. *HEIMERMANN v. MCCAUGHTRY ET AL.* Ct. App. Wis. Certiorari denied. Reported below: 316 Wis. 2d 355, 763 N. W. 2d 247.

No. 09–336. *RX.COM, INC. v. MEDCO HEALTH SOLUTIONS, INC., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 394.

No. 09–354. *VILLARREAL v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 286 S. W. 3d 321.

No. 09–366. *CURRY v. ALASKA*. Sup. Ct. Alaska. Certiorari denied.

No. 09–378. *AKINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 335.

No. 09–5016. *BARRETT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 347.

No. 09–5043. *HOVIND v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 615.

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No. 09-5070. *AVILA v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 560 F. 3d 299.

No. 09-5089. *GATEWOOD v. OUTLAW, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 560 F. 3d 843.

No. 09-5144. *RISLEY v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09-5164. *CRUZ v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 303 Fed. Appx. 133.

No. 09-5242. *JONES v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 384 Ill. App. 3d 1087, 973 N. E. 2d 1087.

No. 09-5285. *JOHNSON v. NEVADA DEPARTMENT OF CORRECTIONS ET AL.* Sup. Ct. Nev. Certiorari denied.

No. 09-5321. *COLLIER v. SEARS, ROEBUCK & Co.* C. A. 9th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 213.

No. 09-5347. *THARP v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 478.

No. 09-5533. *CASTRO-COELLO, AKA MOLINAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 354.

No. 09-5546. *LERMA-VELEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 352.

No. 09-5550. *LOPEZ-LEON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 367.

No. 09-5589. *ERAZO-VILLATORO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 383.

No. 09-5619. *ELDRIDGE v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 322.

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No. 09–5674. *FUTCH v. DEWEY ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 317 Fed. Appx. 102.

No. 09–5714. *O'DWYER v. NELSON ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 741.

No. 09–5886. *OWENS v. VIRGINIA ET AL.* Sup. Ct. Va. Certiorari denied.

No. 09–5981. *REED v. HOFBAUER, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 09–6009. *COOK v. ADAMS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 09–6036. *ROBENSON v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–6050. *ROPER v. FARWELL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–6055. *JUSTICE v. KING.* Ct. App. N. Y. Certiorari denied. Reported below: 12 N. Y. 3d 908, 912 N. E. 2d 1066.

No. 09–6068. *CUTAIA v. FLORIDA.* Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 17 So. 3d 1239.

No. 09–6071. *MAISANO v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–6072. *LANGOSH v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 09–6081. *NICELEY v. KENTUCKY.* Ct. App. Ky. Certiorari denied.

No. 09–6084. *WILLIAMS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 09–6086. *WILLIAMS v. MCBRIDE, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 235.

No. 09–6099. *JONES v. YATES, WARDEN.* C. A. 9th Cir. Certiorari denied.

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No. 09–6102. *KENDRICK v. FRANK ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 34.

No. 09–6105. *BORTHWELL v. JACKSON, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 09–6111. *SMITH v. OZMINT, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 4th Cir. Certiorari denied.

No. 09–6118. *RONE v. MICHIGAN.* Sup. Ct. Mich. Certiorari denied. Reported below: 483 Mich. 1018, 765 N. W. 2d 313.

No. 09–6127. *HAWTHORNE v. CARUSO, DIRECTOR, MICHIGAN DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–6130. *GUMBS v. HOLDER, ATTORNEY GENERAL, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 09–6132. *FUENTES RIOS v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–6134. *CARROLL v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 574 F. 3d 1354.

No. 09–6135. *CAIN v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 486.

No. 09–6144. *PEDROSO v. LOUISIANA.* Sup. Ct. La. Certiorari denied. Reported below: 993 So. 2d 1220.

No. 09–6146. *ABRAHAM v. HEINEMANN.* C. A. D. C. Cir. Certiorari denied. Reported below: 325 Fed. Appx. 4.

No. 09–6147. *AMASON v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 09–6148. *SCOTT v. FLORIDA.* Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 6 So. 3d 622.

No. 09–6149. *LOPEZ v. MCKUNE, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 695.

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No. 09–6153. *HARRIS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 385 Ill. App. 3d 1129, 970 N. E. 2d 128.

No. 09–6156. *CHAVEZ v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 12 So. 3d 199.

No. 09–6160. *FLEITAS v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 3 So. 3d 351.

No. 09–6166. *JUDD v. NEW MEXICO*. Ct. App. N. M. Certiorari denied.

No. 09–6168. *WALSH v. UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 328 Fed. Appx. 806.

No. 09–6169. *THEISS v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

No. 09–6170. *WEISER v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–6173. *HIMMELBERGER v. AYERS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09–6177. *BROWN v. AMERICAN INSTITUTE FOR RESEARCH IN THE BEHAVIORAL SCIENCES, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 614.

No. 09–6184. *DAVIE v. MITCHELL, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 547 F. 3d 297.

No. 09–6185. *JONES v. CALIFORNIA*. App. Div., Super. Ct. Cal., County of Modoc. Certiorari denied.

No. 09–6194. *DOYLE v. RITTER, GOVERNOR OF COLORADO, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 164.

No. 09–6197. *NEWMAN v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 09–6201. *TILTON v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 09–6202. *THOMAS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 377 Ill. App. 3d 1144, 953 N. E. 2d 84.

No. 09–6203. *MEREDITH v. ERATH ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 579.

No. 09–6204. *GRAYSON v. STEVENSON, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 159.

No. 09–6209. *HANNON v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 562 F. 3d 1146.

No. 09–6215. *LOPEZ v. KENNEDY ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–6216. *MARTIN v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 09–6225. *BLAKENEY v. BRANKER, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 572.

No. 09–6226. *BERNARD v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 09–6227. *HARLEY v. BEIOH ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 134.

No. 09–6236. *HEARNE v. DAVIS, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 171.

No. 09–6237. *S. B. ET UX. v. J. L.* Ct. App. Mo., Southern Dist. Certiorari denied. Reported below: 280 S. W. 3d 147.

No. 09–6244. *THOMAS v. HOREL, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 85.

No. 09–6248. *BROWN v. SAMANO*. C. A. 9th Cir. Certiorari denied.

No. 09–6249. *ANSEL v. SUPERIOR COURT OF CALIFORNIA, SACRAMENTO COUNTY, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 313 Fed. Appx. 34.

No. 09–6250. *ASHIPA v. OHIO*. Ct. App. Ohio, Hamilton County. Certiorari denied.

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No. 09–6256. *WICK v. PROSPER, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 624.

No. 09–6257. *FLOWERS v. PHELPS, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–6258. *GRAHAM v. MISSOURI*. Ct. App. Mo., Western Dist. Certiorari denied. Reported below: 284 S. W. 3d 735.

No. 09–6261. *TAYLOR v. MINNESOTA*. C. A. 8th Cir. Certiorari denied.

No. 09–6265. *BLIE v. ARTUS, SUPERINTENDENT, CLINTON CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 09–6266. *HARDY v. SMITH, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 09–6267. *BIBBS v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–6270. *DAVIS v. KNOWLES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 557.

No. 09–6272. *CARTER v. GAETZ, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 09–6274. *MILLER v. SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLE, AND PARDON SERVICES*. C. A. 4th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 407.

No. 09–6276. *PEREZ v. COLORADO*. Ct. App. Colo. Certiorari denied.

No. 09–6281. *LAFAVORS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–6282. *DERRICKSON v. DISTRICT ATTORNEY OF DELAWARE COUNTY ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 316 Fed. Appx. 132.

No. 09–6283. *ARTIS v. NEWPORT NEWS SHIPBUILDING & DRYDOCK CO.* C. A. 4th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 306.

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No. 09-6285. *BROWN v. CITY OF PHILADELPHIA, PENNSYLVANIA*. C. A. 3d Cir. Certiorari denied. Reported below: 331 Fed. Appx. 898.

No. 09-6294. *COX v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 383 Ill. App. 3d 1142, 968 N. E. 2d 217.

No. 09-6297. *J. M. B. v. NEW JERSEY*. Sup. Ct. N. J. Certiorari denied. Reported below: 197 N. J. 563, 964 A. 2d 752.

No. 09-6299. *GARCIA v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 09-6304. *SNOW v. KANSAS*. Ct. App. Kan. Certiorari denied. Reported below: 40 Kan. App. 2d 747, 195 P. 3d 282.

No. 09-6311. *MENDEZ v. KNOWLES, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 556 F. 3d 757.

No. 09-6339. *LEWIS v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 340 Fed. Appx. 670.

No. 09-6341. *CARGYLE S. v. PRINCE GEORGE'S COUNTY CHILD PROTECTIVE SERVICES*. Ct. App. Md. Certiorari denied.

No. 09-6363. *ARMSTRONG v. KERESTES, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MAHANOEY, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09-6378. *HUTCHINSON v. MAINE*. Sup. Jud. Ct. Me. Certiorari denied. Reported below: 969 A. 2d 923.

No. 09-6396. *GARCELL v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 363 N. C. 10, 678 S. E. 2d 618.

No. 09-6417. *SMITH v. RICHARDS*. C. A. 9th Cir. Certiorari denied. Reported below: 569 F. 3d 991.

No. 09-6420. *DENICTOLIS ET AL. v. CLARKE, COMMISSIONER, MASSACHUSETTS DEPARTMENT OF CORRECTION*. C. A. 1st Cir. Certiorari denied.

No. 09-6436. *ALMOND v. POLLARD, WARDEN, ET AL.* C. A. 7th Cir. Certiorari denied.

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No. 09–6437. *YODER v. BREWER, GOVERNOR OF ARIZONA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–6440. *PEREZ GONZALEZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 840.

No. 09–6449. *WILLIAMS, AKA STEWART v. ROZUM, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SOMERSET, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–6512. *SMITH v. WEBER, WARDEN.* C. A. 8th Cir. Certiorari denied.

No. 09–6527. *BALL v. HOUSTON, WARDEN.* C. A. 8th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 890.

No. 09–6535. *PETERSON v. ROE, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 658.

No. 09–6537. *TAYLOR v. PURKETT, SUPERINTENDENT, EASTERN RECEPTION, DIAGNOSTIC AND CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied.

No. 09–6540. *ASBELL v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–6552. *JONES v. CARLSON, WARDEN.* C. A. 8th Cir. Certiorari denied.

No. 09–6558. *ELLIS v. SHEARIN, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 212.

No. 09–6562. *ELIZARES v. THOMAS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–6572. *WHEELER v. MILLER.* Ct. App. Md. Certiorari denied. Reported below: 408 Md. 151, 968 A. 2d 1066.

No. 09–6574. *BOYD v. SHERROD, WARDEN.* C. A. 7th Cir. Certiorari denied.

No. 09–6576. *ALBRIGHT-LAZZARI ET VIR v. CONNECTICUT.* App. Ct. Conn. Certiorari denied.

No. 09–6581. *CORRAL v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 387.

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No. 09–6584. *BOWMAN v. COLORADO*. Ct. App. Colo. Certiorari denied.

No. 09–6601. *TROTTER v. GATES, SECRETARY OF DEFENSE*. C. A. 9th Cir. Certiorari denied. Reported below: 288 Fed. Appx. 398.

No. 09–6604. *EVANS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–6607. *CAMPBELL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–6608. *CAO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 687.

No. 09–6626. *CURRIE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 338 Fed. Appx. 158.

No. 09–6635. *MORSE v. MAINE*. C. A. 1st Cir. Certiorari denied.

No. 09–6638. *BRYCE v. MARTINEZ, WARDEN*. C. A. 3d Cir. Certiorari denied. Reported below: 340 Fed. Appx. 759.

No. 09–6640. *WALKER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 230.

No. 09–6643. *McGHEE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–6644. *VAZQUEZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 644.

No. 09–6646. *WALLS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 546 F. 3d 728.

No. 09–6652. *DAUBON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 167.

No. 09–6653. *DOLAMORE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 09–6655. *MONROE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 703.

No. 09–6656. *DUNCAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 270.

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No. 09–6657. *DOUBLIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 572 F. 3d 235.

No. 09–6660. *MORALES-PITONES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 441.

No. 09–6661. *YATES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 452.

No. 09–6663. *SLINGER v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–6667. *ELLIS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 471.

No. 09–6668. *VALLE MERCADO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 390.

No. 09–6670. *CARRILLO-PALACIOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 511.

No. 09–6671. *CROTO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 570 F. 3d 11.

No. 09–6678. *HARDIMON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 660.

No. 09–6680. *HUBER v. UNITED STATES PAROLE COMMISSION*. C. A. 9th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 699.

No. 09–6681. *HAYNES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 420.

No. 09–6685. *BLANCO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 139.

No. 09–6687. *CARTER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–6688. *MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 404.

No. 09–6691. *SALDARRIAGA-PALACIO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 09–6700. *SANTANA v. TRANI, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 360.

No. 09–6702. *BURGIE v. ARKANSAS.* Sup. Ct. Ark. Certiorari denied. Reported below: 2009 Ark. 382.

No. 09–6704. *BALENTINE v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 09–6705. *WAGONER v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 09–6706. *R. T. v. N. G. S. C. ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 240.

No. 09–6710. *ROBINSON v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 287 Fed. Appx. 150.

No. 09–6713. *SIMEK v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 433.

No. 09–6714. *SUITT v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 569 F. 3d 867.

No. 09–6717. *JOHNSON v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 172.

No. 09–6719. *LEWIS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 09–6720. *KNIGHT v. KAMINSKI ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 331 Fed. Appx. 901.

No. 09–6722. *ORTIZ v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 167.

No. 09–6725. *WILLIS v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 09–6727. *SCAIFE v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 172.

No. 09–6728. *SURRATT v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 09–6731. *DODDS, AKA WILSON v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 569 F. 3d 336.

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No. 09–6736. *ARONJA-INDA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 151.

No. 09–6737. *ARELLANO-OCHOS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 163.

No. 09–6739. *KEEN v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–6743. *HOLMES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 750.

No. 09–6745. *GONZALEZ-RAMIREZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 561 F. 3d 22.

No. 09–6746. *MAYLE v. SABOL, WARDEN*. C. A. 1st Cir. Certiorari denied.

No. 09–6747. *MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–6749. *NASH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 386.

No. 09–6753. *YOUNG v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 334 Fed. Appx. 477.

No. 09–6757. *JIMENEZ-ALVARADO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 479.

No. 09–6759. *KINCHION v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 743.

No. 09–6762. *BURNEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 885.

No. 09–6763. *SCOTT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 930.

No. 09–6766. *MOMAH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 470.

No. 09–6770. *HURT v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 295 Fed. Appx. 541.

No. 09–6778. *GUTIERREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

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No. 09–6779. *GARCIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–6781. *JEAN-CHARLES v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–6783. *BOYD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 865.

No. 09–6787. *BRITO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 09–6799. *BARIAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–6800. *BREWER v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 67 M. J. 408.

No. 09–6804. *HAMANI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 09–6807. *CHUNG v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 862.

No. 09–6808. *COLTRANE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 283.

No. 09–6809. *DE LA GARZA-VALLES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 307.

No. 09–6810. *CELEDON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–6813. *ROSS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 700.

No. 09–6814. *RINICK v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 09–6815. *BROWN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–6816. *JONES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 566 F. 3d 353.

No. 09–6819. *SANCHEZ-RAMIREZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 570 F. 3d 75.

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No. 09–6820. *WARFIELD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–6824. *HUMBERT v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 336 Fed. Appx. 132.

No. 09–6827. *DHARNI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 554.

No. 09–6831. *LACEN-BERRIOS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–6837. *SEALED PETITIONER v. UNITED STATES*; and

No. 09–6838. *SEALED PETITIONERS v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 305 Fed. Appx. 669.

No. 09–6840. *CARNEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–6841. *ROBERSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–6844. *BROOKS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 195.

No. 09–6847. *RAMIREZ REYNA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 353.

No. 09–6856. *BLANKS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–6859. *BROWN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 565 F. 3d 1093.

No. 09–6860. *ALEJANDRE-ALCARAZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 122.

No. 09–6869. *MORRIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–6872. *VIGIL v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 775.

No. 09–6873. *MONTOYA-CARMONA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 255.

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No. 08–1415. *FILEBARK ET AL. v. DEPARTMENT OF TRANSPORTATION ET AL.* C. A. D. C. Cir. Motion of National Treasury Employees Union et al. for leave to file a brief as *amici curiae* out of time granted. Certiorari denied. Reported below: 555 F. 3d 1009.

No. 08–10982. *BASARDH v. GATES, SECRETARY OF DEFENSE, ET AL.* C. A. D. C. Cir. Certiorari before judgment denied.

No. 09–28. *EASTERDAY v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 564 F. 3d 1004.

No. 09–49. *LAZARENKO v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 564 F. 3d 1026.

No. 09–74. *SMITH, WARDEN v. MASON.* C. A. 6th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 543 F. 3d 766.

No. 09–104. *AD HOC COMMITTEE OF KENTON COUNTY BONDHOLDERS v. DELTA AIR LINES, INC., ET AL.* C. A. 2d Cir. Motion of Professor George W. Kuney for leave to file a brief as *amicus curiae* granted. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this motion and this petition. Reported below: 309 Fed. Appx. 455.

No. 09–141. *BENNETT v. VERIZON WIRELESS.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 326 Fed. Appx. 9.

No. 09–188. *FISHER v. PENN TRAFFIC CO. ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 319 Fed. Appx. 34.

No. 09–216. *MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. v. ASAY.* C. A. 11th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied.

No. 09–234. *MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS v. THOMAS.* C. A. 11th Cir. Motion of respondent

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for leave to proceed *in forma pauperis* granted. Certiorari denied.

No. 09–261. WUBAYEH ET AL. *v.* CITY OF NEW YORK, NEW YORK, ET AL. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 320 Fed. Appx. 60.

No. 09–321. GOTTLIEB *v.* SECURITIES AND EXCHANGE COMMISSION. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 310 Fed. Appx. 424.

No. 09–6075. SAVINON *v.* KHAHAIFA, SUPERINTENDENT, ORLEANS CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 318 Fed. Appx. 41.

No. 09–6224. BASCIANO *v.* MARTINEZ, WARDEN. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 316 Fed. Appx. 50.

No. 09–6647. SIMMONS *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 560 F. 3d 98.

No. 09–6675. NOSTER *v.* UNITED STATES. C. A. 9th Cir. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied. Reported below: 573 F. 3d 664.

No. 09–6817. MARTINEZ *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 313 Fed. Appx. 402.

No. 09–6825. KOPP *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 562 F. 3d 141.

No. 09–6858. ANDERSON *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

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Miscellaneous Order

No. 09–7379 (09A431). IN RE OLIVER. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

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Certiorari Granted—Reversed and Remanded. (See No. 09–144, *ante*, p. 4.)

Certiorari Dismissed

No. 09–6692. 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. 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: 387 Ill. App. 3d 867, 901 N. E. 2d 946.

No. 09–6715. LEAPHART *v.* CITY OF DETROIT, MICHIGAN, ET AL. Ct. App. Mich. 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. 09–6892. BOYD *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. 09M44. RANDOLPH *v.* COLE. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

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No. 09M45. *HOFFART v. HERMAN ET AL.* Motion for leave to proceed as a veteran denied.

No. 132, Orig. *ALABAMA ET AL. 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 the parties for enlargement of time for oral argument granted and time allocated as follows: 30 minutes for plaintiffs, 10 minutes for the Solicitor General, 40 minutes for defendant, and 10 minutes for plaintiffs. [For earlier order herein, see *ante*, p. 944.]

No. 08–240. *MAC’S SHELL SERVICE, INC., ET AL. v. SHELL OIL PRODUCTS Co. LLC ET AL.*; and

No. 08–372. *SHELL OIL PRODUCTS Co. LLC ET AL. v. MAC’S SHELL SERVICE, INC., ET AL.* C. A. 1st Cir. [Certiorari granted, 557 U. S. 903.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 08–304. *GRAHAM COUNTY SOIL AND WATER CONSERVATION DISTRICT ET AL. v. UNITED STATES EX REL. WILSON.* C. A. 4th Cir. [Certiorari granted, 557 U. S. 918.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 08–905. *MERCK & Co., INC., ET AL. v. REYNOLDS ET AL.* C. A. 3d Cir. [Certiorari granted, 556 U. S. 1257.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 08–1175. *FLORIDA v. POWELL.* Sup. Ct. Fla. [Certiorari granted, 557 U. S. 918.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 08–1214. *GRANITE ROCK Co. v. INTERNATIONAL BROTHERHOOD OF TEAMSTERS ET AL.* C. A. 9th Cir. [Certiorari granted, 557 U. S. 933.] Motion of respondents for divided argument granted.

No. 09–400. *STAUB v. PROCTOR HOSPITAL.* C. A. 7th Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 09–5096. *HOWARD v. INDUSTRIAL COMMISSION OF OHIO ET AL.* Sup. Ct. Ohio. Motion of petitioner for reconsideration

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of order denying leave to proceed *in forma pauperis* [*ante*, p. 805] denied.

No. 09–5856. WAGNER *v.* UNITED STATES. C. A. 4th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 808] denied.

No. 09–6154. IN RE MILLEN. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 813] denied.

No. 09–296. IN RE KALIL. Petition for writ of mandamus and/or prohibition denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

Certiorari Denied

No. 08–1413. LAROCHE *v.* SHINSEKI, SECRETARY OF VETERANS AFFAIRS. C. A. Fed. Cir. Certiorari denied. Reported below: 310 Fed. Appx. 389.

No. 08–1500. FEDERAL EXPRESS CORP. *v.* EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. C. A. 9th Cir. Certiorari denied. Reported below: 558 F. 3d 842.

No. 08–1507. MEIER *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 976.

No. 08–1595. MANNING *v.* UNITED STATES ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 546 F. 3d 430.

No. 08–10454. KNOX ET AL. *v.* NEW YORK. Ct. App. N. Y. Certiorari denied. Reported below: 12 N. Y. 3d 60, 903 N. E. 2d 1149.

No. 09–162. PERRY *v.* THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 663.

No. 09–168. PINNICK ET AL. *v.* CORBOY & DEMETRIO, P. C., ET AL. Sup. Ct. Ill. Certiorari denied.

No. 09–201. SIMPLICITY MANUFACTURING, INC. *v.* BERRIER ET UX. C. A. 3d Cir. Certiorari denied. Reported below: 563 F. 3d 38.

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No. 09–235. *MACERICH MANAGEMENT CO. ET AL. v. UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA LOCAL 586 ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 540 F. 3d 957.

No. 09–278. *RIVAS v. OHIO.* Sup. Ct. Ohio. Certiorari denied. Reported below: 121 Ohio St. 3d 469, 905 N. E. 2d 618.

No. 09–292. *MARTINI v. GODADDY.COM INC. ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–300. *AVERY v. FIRST RESOLUTION MANAGEMENT CORP. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 568 F. 3d 1018.

No. 09–311. *HCA HEALTH SERVICES OF OKLAHOMA, INC., DBA OU MEDICAL CENTER, DBA CHILDREN’S HOSPITAL, ET AL. v. SHINN, A MINOR, BY AND THROUGH HIS PARENTS SHINN ET VIR.* Ct. Civ. App. Okla. Certiorari denied.

No. 09–361. *PIRINCCI v. UNITED PARCEL SERVICE.* Sup. Ct. Fla. Certiorari denied. Reported below: 12 So. 3d 220.

No. 09–371. *HUTZLER v. WEST VIRGINIA.* Sup. Ct. App. W. Va. Certiorari denied. Reported below: 223 W. Va. 461, 677 S. E. 2d 655.

No. 09–387. *DAVIS v. CURRY, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 370.

No. 09–390. *LABER v. GEREN, SECRETARY OF THE ARMY.* C. A. 4th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 266.

No. 09–408. *POLE v. RANDOLPH, ACTING WARDEN.* C. A. 7th Cir. Certiorari denied. Reported below: 570 F. 3d 922.

No. 09–413. *HUSBAND v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 170.

No. 09–414. *HENNESSY ET UX. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 6th Cir. Certiorari denied.

No. 09–422. *MURTAGH v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 1st Cir. Certiorari denied.

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No. 09–425. *EVERY PENNY COUNTS, INC. v. AMERICAN EXPRESS CO. ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 563 F. 3d 1378.

No. 09–5168. *DELGADO v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 286.

No. 09–5267. *BUNYARD v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied. Reported below: 45 Cal. 4th 836, 200 P. 3d 879.

No. 09–5421. *HAWKINS v. COYLE, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 547 F. 3d 540.

No. 09–5598. *HAZELWOOD v. NORTH CAROLINA.* Ct. App. N. C. Certiorari denied. Reported below: 187 N. C. App. 94, 652 S. E. 2d 63.

No. 09–6307. *SHARPE v. RUNNELS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 09–6308. *STONE v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 09–6309. *SPILLMAN v. NEW YORK.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 57 App. Div. 3d 580, 870 N. Y. S. 2d 363.

No. 09–6318. *LOWERY v. UTAH ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 812.

No. 09–6319. *LOPEZ v. LEWIS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 09–6328. *YEAGER v. CITY OF SAN DIEGO, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 133.

No. 09–6334. *DALTON v. TEXAS.* Ct. App. Tex., 3d Dist. Certiorari denied. Reported below: 248 S. W. 3d 866.

No. 09–6344. *KIMBROUGH v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 565 F. 3d 796.

No. 09–6345. *LEE v. ARKANSAS.* Sup. Ct. Ark. Certiorari denied. Reported below: 2009 Ark. 255, 308 S. W. 3d 596.

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No. 09–6351. *BYRD v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied.

No. 09–6352. *BYNUM v. LEVENHAGEN, SUPERINTENDENT, INDIANA STATE PRISON*. C. A. 7th Cir. Certiorari denied. Reported below: 560 F. 3d 678.

No. 09–6353. *ATKINS v. VADLAMUDI ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–6362. *BROOKS v. HUBERT, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 09–6365. *STAFFORD v. ASTRUE, COMMISSIONER OF SOCIAL SECURITY*. C. A. 6th Cir. Certiorari denied.

No. 09–6366. *SEAMAN v. ASTRUE, COMMISSIONER OF SOCIAL SECURITY*. C. A. 3d Cir. Certiorari denied. Reported below: 321 Fed. Appx. 134.

No. 09–6391. *RODRIGUEZ v. EVANS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 692.

No. 09–6416. *RODGERS v. HEDGPETH, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 815.

No. 09–6461. *RODRIGUEZ-MONTELVO v. UNITED STATES* (Reported below: 326 Fed. Appx. 834); and *MENDEZ-MONROY v. UNITED STATES* (333 Fed. Appx. 840). C. A. 5th Cir. Certiorari denied.

No. 09–6470. *EVANS v. CARTLEDGE, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 152.

No. 09–6497. *ALFREDO-CARDENAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 965.

No. 09–6509. *WILLIAMS v. THURMER, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 561 F. 3d 740.

No. 09–6510. *ROBINSON v. CAIN, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 282.

No. 09–6557. *DANIELS v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

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No. 09–6560. *EISENHAUER v. TEXAS DEPARTMENT OF TRANSPORTATION ET AL.* Ct. App. Tex., 2d Dist. Certiorari denied.

No. 09–6575. *BOWMAN v. TENNESSEE.* Ct. Crim. App. Tenn. Certiorari denied. Reported below: 327 S. W. 3d 69.

No. 09–6603. *TOWNSEND v. MINNESOTA.* Sup. Ct. Minn. Certiorari denied. Reported below: 767 N. W. 2d 11.

No. 09–6606. *MOORE v. VIRGINIA.* Sup. Ct. Va. Certiorari denied.

No. 09–6624. *NORFLEET v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 389 Ill. App. 3d 1146, 976 N. E. 2d 1209.

No. 09–6637. *CUMMINGS v. MOORE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 162.

No. 09–6648. *MONCION v. POWER, ADMINISTRATOR, EAST JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–6694. *ROSS v. VIRGINIA.* Sup. Ct. Va. Certiorari denied.

No. 09–6730. *CRUZ v. UNITED STATES*;
No. 09–6821. *PRUDENTE v. UNITED STATES*; and
No. 09–6912. *FLORES v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 572 F. 3d 1254.

No. 09–6744. *HEFFINGTON, INDIVIDUALLY AND ON BEHALF OF HEFFINGTON, DECEASED v. BUSH, FORMER PRESIDENT OF THE UNITED STATES, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 741.

No. 09–6767. *NORMAN v. DELAWARE.* Sup. Ct. Del. Certiorari denied. Reported below: 976 A. 2d 843.

No. 09–6777. *HERBERT v. UNITED STATES ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–6790. *HOLT v. OBAMA, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 321 Fed. Appx. 5.

No. 09–6801. *HERNANDEZ v. GAETZ, WARDEN.* C. A. 7th Cir. Certiorari denied.

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No. 09–6833. *POINDEXTER v. ZAVARES, EXECUTIVE DIRECTOR, COLORADO DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 850.

No. 09–6849. *DOE ET AL. v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 564 F. 3d 305.

No. 09–6853. *OLD CHIEF v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 571 F. 3d 898.

No. 09–6863. *JOHNSON v. GAETZ, WARDEN.* C. A. 7th Cir. Certiorari denied.

No. 09–6866. *ROCHA v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 09–6868. *SAUNDERS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 829.

No. 09–6874. *COVINGTON v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 565 F. 3d 1336.

No. 09–6875. *SALLEY v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 247.

No. 09–6876. *RUSO v. HULICK, WARDEN.* C. A. 7th Cir. Certiorari denied.

No. 09–6879. *GUIBILO v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 336 Fed. Appx. 126.

No. 09–6881. *DEFEO v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 327 Fed. Appx. 257.

No. 09–6882. *COPLEN v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 565 F. 3d 1094.

No. 09–6885. *ANDREWS v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 337 Fed. Appx. 227.

No. 09–6886. *BURKE v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 571 F. 3d 1048.

No. 09–6887. *BIBB v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 364.

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No. 09–6889. *BUENO-SIERRA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–6891. *ALVAREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 995.

No. 09–6898. *WALLENFANG v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 568 F. 3d 649.

No. 09–6900. *LANDIN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–6901. *SERRANO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–6903. *COLEMAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 643.

No. 09–6904. *CHAMBERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 854.

No. 09–6905. *EPPS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 508.

No. 09–6906. *CARRIZOZA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 234.

No. 09–6909. *HORNE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 343.

No. 09–6910. *HARRIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 612.

No. 09–6911. *GUILLORY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 344.

No. 09–6913. *GILLESPIE, AKA MILLSPIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 298.

No. 09–6914. *GARCIA-SANCHEZ v. UNITED STATES* (Reported below: 328 Fed. Appx. 426); and *MARTINEZ-QUEZADA v. UNITED STATES* (345 Fed. Appx. 222). C. A. 9th Cir. Certiorari denied.

No. 09–6917. *QUIAH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 337 Fed. Appx. 233.

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No. 09–6918. *WARREN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 566 F. 3d 1211.

No. 09–6920. *JOHNSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 572 F. 3d 449.

No. 09–6921. *KNIGHT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 900.

No. 09–6922. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 961.

No. 09–6929. *MEADOWS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 571 F. 3d 131.

No. 09–6930. *ESSELL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 09–6932. *ROSS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 569 F. 3d 821.

No. 09–6934. *BARBOSA-TORRES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–6935. *KNIBBS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 258.

No. 09–6940. *GONZALEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–6942. *HALTER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–6944. *HARRIS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 444.

No. 09–6945. *GARCIA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 426.

No. 09–6946. *HANSLEY, AKA HANSELY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 824.

No. 09–6955. *OSAKI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 302 Fed. Appx. 660.

No. 09–6960. *FLECK v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 264.

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No. 09–6964. *PORTER ET AL. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 184.

No. 08–1410. *HANDLE WITH CARE BEHAVIOR MANAGEMENT SYSTEM, INC. v. NEW YORK STATE DIVISION FOR YOUTH ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 546 F. 3d 230.

No. 09–312. *GREENE v. HANOVER DIRECT, INC., ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 326 Fed. Appx. 57.

No. 09–330. *JIN XIN YE v. UNITED STATES* (Reported below: 338 Fed. Appx. 26); and *YUNXIA LIU ET AL. v. UNITED STATES* (336 Fed. Appx. 106). C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–424. *PANNELL v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 321 Fed. Appx. 51.

No. 09–6400. *DAIGNEAULT v. EATON CORP. ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–6927. *BROWN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 328 Fed. Appx. 57.

No. 09–7328 (09A428). *MUHAMMAD v. KELLY, WARDEN*. 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. Reported below: 575 F. 3d 359.

Statement of JUSTICE STEVENS, with whom JUSTICE GINSBURG and JUSTICE SOTOMAYOR join, respecting the denial of the petition for writ of certiorari.

This case highlights once again the perversity of executing inmates before their appeals process has been fully concluded.

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Under our normal practice, Muhammad's timely petition for certiorari would have been reviewed at our Conference on November 24, 2009. Virginia has scheduled his execution for November 10, however, so we must resolve the petition on an expedited basis unless we grant a temporary stay. By denying Muhammad's stay application, we have allowed Virginia to truncate our deliberative process on a matter—involving a death row inmate—that demands the most careful attention. This result is particularly unfortunate in light of the limited time Muhammad was given to make his case in the District Court.

I continue to believe that the Court would be wise to adopt a practice of staying all executions scheduled in advance of the completion of our review of a capital defendant's first application for a federal writ of habeas corpus. See, e. g., *Emmett v. Kelly*, 552 U. S. 942 (2007) (STEVENS, J., joined by GINSBURG, J., respecting denial of certiorari); *Breard v. Greene*, 523 U. S. 371, 379 (1998) (STEVENS, J., dissenting). Such a practice would give meaningful effect to the distinction Congress has drawn between first and successive habeas petitions. See 28 U. S. C. § 2244(b). It would also serve the interests of avoiding irreversible error, facilitating the efficient management of our docket, and preserving basic fairness by ensuring death row inmates receive the same procedural safeguards that ordinary inmates receive.

Having reviewed petitioner's claims, I do not dissent from the Court's decision to deny certiorari. "I do, however, remain firmly convinced that no State should be allowed to foreshorten this Court's orderly review of . . . first-time habeas petition[s] by executing prisoners before that review can be completed." *Emmett*, 552 U. S., at 943.

Rehearing Denied

No. 08–9884. *COOPER v. UNITED STATES*, *ante*, p. 830;

No. 08–10450. *PURPURA v. BUSHKIN, GAIMES, GAINS, JONAS & STREAM ET AL.*, *ante*, p. 840; and

No. 08–11025. *WELLS v. CARRO, JUDGE, SUPREME COURT OF NEW YORK, NEW YORK COUNTY*, *ante*, p. 866. Petitions for rehearing denied.

No. 08–608. *FLIPPING ET AL. v. REILLY*, 555 U. S. 1170. Motion for leave to file petition for rehearing denied.

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Certiorari Granted—Reversed and Remanded. (See No. 08–1263, *ante*, p. 15.)

Certiorari Dismissed

No. 09–6447. COHEN *v.* SYME ET AL. Ct. App. Ariz. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 09–6459. SPURLOCK *v.* BANK OF AMERICA, N. A. Cir. Ct. Wayne County, W. Va. 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. 09–6554. PLUMMER *v.* CALIFORNIA. Sup. Ct. Cal. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

No. 09–6586. SMITH *v.* KNIGHT, SUPERINTENDENT, PENDLETON CORRECTIONAL FACILITY. Ct. App. Ind. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 908 N. E. 2d 1277.

Miscellaneous Orders

No. 09M46. DANIEL *v.* TRANS UNION CONSUMER REPORTING. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

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No. 09M47. OGEDENGBE *v.* UNITED STATES; and

No. 09M50. OGEDENGBE *v.* UNITED STATES. Motions for leave to file petitions for writs of certiorari under seal with redacted copies for the public record granted.

No. 09M48. AHMED *v.* GATES, SECRETARY OF DEFENSE. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner granted.

No. 09M49. JACKSON *v.* SHINSEKI, SECRETARY OF VETERANS AFFAIRS. Motion for leave to proceed as a veteran denied.

No. 08–1569. UNITED STATES *v.* O'BRIEN ET AL. C. A. 1st Cir. [Certiorari granted, 557 U. S. 966.] Motions of Arthur Burgess and Martin O'Brien for appointment of counsel granted. Leslie Feldman-Rumpler, Esq., of Boston, Mass., is appointed to serve as counsel for respondent Arthur Burgess in this case. Timothy P. O'Connell, Esq., of Charlestown, Mass., is appointed to serve as counsel for respondent Martin O'Brien in this case.

No. 08–10846. IN RE MICHALSKI. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 814] denied.

No. 08–10886. IN RE ALPINE. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 813] denied.

No. 09–1. HOLY SEE *v.* DOE. C. A. 9th Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 09–5078. JERRY *v.* PENNSYLVANIA. Super. Ct. Pa. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 805] denied.

No. 09–5398. JAFFE *v.* US AIRWAYS, INC., ET AL. Ct. App. Ariz. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 806] denied.

No. 09–6389. BERAS *v.* CARVLIN ET AL. C. A. 2d Cir.; and

No. 09–6610. JOHNSON *v.* SHINSEKI, SECRETARY OF VETERANS AFFAIRS. C. A. Fed. Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until December 7, 2009, within which to pay the docketing fees required

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by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

No. 09–7103. IN RE CALDWELL; and

No. 09–7202. IN RE MEDEL. Petitions for writs of habeas corpus denied.

No. 09–6467. IN RE MINIX; and

No. 09–7030. IN RE MAXWELL. Petitions for writs of mandamus denied.

No. 09–6501. IN RE WOERTH;

No. 09–6538. IN RE VAN BROUGHTON; and

No. 09–7006. IN RE MINNEMAN. Petitions for writs of mandamus and/or prohibition denied.

No. 09–6412. IN RE ALPINE; and

No. 09–6528. IN RE ALPINE. 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. 09–158. MAGWOOD *v.* PATTERSON, WARDEN, ET AL. C. A. 11th Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 555 F. 3d 968.

Certiorari Denied

No. 08–1378. CHF INDUSTRIES, INC. *v.* PARK B. SMITH, INC. C. A. Fed. Cir. Certiorari denied. Reported below: 309 Fed. Appx. 411.

No. 08–1564. AMERICAN CIVIL LIBERTIES UNION OF FLORIDA ET AL. *v.* MIAMI-DADE COUNTY SCHOOL BOARD ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 557 F. 3d 1177.

No. 08–1566. MCCOMB ET AL. *v.* CREHAN ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 507.

No. 08–10440. FORD *v.* CHRISTIANA CARE HEALTH SYSTEMS ET AL. C. A. 3d Cir. Certiorari denied.

No. 08–10625. GWANJUN KIM *v.* DEPARTMENT OF LABOR ET AL. C. A. 6th Cir. Certiorari denied.

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No. 09–47. UNITED STATES AVIATION UNDERWRITERS, INC., ET AL. *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 562 F. 3d 1297.

No. 09–55. PLATONE *v.* DEPARTMENT OF LABOR. C. A. 4th Cir. Certiorari denied. Reported below: 548 F. 3d 322.

No. 09–108. DAVIS *v.* TARRANT COUNTY, TEXAS, ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 565 F. 3d 214.

No. 09–187. ELLIOTT *v.* WHITE MOUNTAIN APACHE TRIBAL COURT ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 566 F. 3d 842.

No. 09–198. MEDELA AG ET AL. *v.* KINETIC CONCEPTS, INC., ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 554 F. 3d 1010.

No. 09–207. J. R. Y., INDIVIDUALLY AND AS THE ADMINISTRATOR OF THE ESTATE OF B. M. Y., ET AL. *v.* WOODMEN OF THE WORLD LIFE INSURANCE SOCIETY. C. A. 5th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 216.

No. 09–208. WRINN *v.* JOHNSON ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 560.

No. 09–220. WHISENHANT *v.* ALLEN, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied. Reported below: 556 F. 3d 1198.

No. 09–265. INDEPENDENCE INSTITUTE *v.* BUESCHER, SECRETARY OF STATE OF COLORADO. Ct. App. Colo. Certiorari denied. Reported below: 209 P. 3d 1130.

No. 09–280. OBIAJULU *v.* PROFESSIONAL, CLERICAL AND MISCELLANEOUS EMPLOYEES, TEAMSTERS LOCAL UNION No. 995, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 794.

No. 09–303. SMITH *v.* UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT. C. A. 10th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 805.

No. 09–304. ROTHMAN ET AL. *v.* TARGET CORP. ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 556 F. 3d 1310.

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No. 09–307. *BROWN ET UX. v. FALCONE ET AL.* Sup. Ct. Del. Certiorari denied. Reported below: 976 A. 2d 170.

No. 09–308. *U-HAUL COMPANY OF CALIFORNIA v. CITY OF BERKELEY, CALIFORNIA, ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 09–317. *CITY OF PATTERSON, CALIFORNIA v. BUILDING INDUSTRY ASSOCIATION OF CENTRAL CALIFORNIA ET AL.* Ct. App. Cal., 5th App. Dist. Certiorari denied. Reported below: 171 Cal. App. 4th 886, 90 Cal. Rptr. 3d 63.

No. 09–322. *GREGORY ET AL. v. DILLARD’S INC.* C. A. 8th Cir. Certiorari denied. Reported below: 565 F. 3d 464.

No. 09–326. *HARJO ET AL. v. PRO-FOOTBALL, INC.* C. A. D. C. Cir. Certiorari denied. Reported below: 565 F. 3d 880.

No. 09–327. *SAMPSON v. SUN LIFE ASSURANCE COMPANY OF CANADA.* C. A. 1st Cir. Certiorari denied. Reported below: 556 F. 3d 6.

No. 09–368. *JENKINS v. ALABAMA.* Sup. Ct. Ala. Certiorari denied. Reported below: 26 So. 3d 464.

No. 09–372. *FORTE v. KNIGHT RIDDER ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 307 Fed. Appx. 112.

No. 09–382. *CORREA-RUIZ ET AL. v. FORTUNO, GOVERNOR OF PUERTO RICO, ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 573 F. 3d 1.

No. 09–407. *ABREU-VELEZ v. BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 611.

No. 09–421. *MCCLAREN v. WISCONSIN.* Sup. Ct. Wis. Certiorari denied. Reported below: 318 Wis. 2d 739, 767 N. W. 2d 550.

No. 09–433. *WILLS v. POTTER, POSTMASTER GENERAL.* C. A. 11th Cir. Certiorari denied. Reported below: 300 Fed. Appx. 748.

No. 09–437. *SPECHLER v. TOBIN.* C. A. 11th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 870.

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No. 09-443. *BUCK v. INTERNAL REVENUE SERVICE*. C. A. 8th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 540.

No. 09-450. *KOLOAY v. HOLDER, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 729.

No. 09-454. *GAHAGAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09-455. *CLARKE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 564 F. 3d 949.

No. 09-456. *ADAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 338.

No. 09-467. *MILLER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 576 F. 3d 528.

No. 09-5330. *GOSSELIN v. COLORADO*. Ct. App. Colo. Certiorari denied. Reported below: 205 P. 3d 456.

No. 09-5346. *POTTER v. SOUTH COAST PLUMBING SYSTEMS, INC., ET AL.* Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 09-5355. *MONGANE v. HOLDER, ATTORNEY GENERAL*. C. A. 4th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 218.

No. 09-5374. *LUMSDEN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 563 F. 3d 572.

No. 09-5388. *FRANCIS v. MILLER, WARDEN, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 557 F. 3d 894.

No. 09-5448. *RODRIGUEZ v. QUALITY ENGINEERING PRODUCTS ET AL.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 995 So. 2d 987.

No. 09-5474. *CARTER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 566 F. 3d 970.

No. 09-6004. *BUTLER v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 46 Cal. 4th 847, 209 P. 3d 596.

No. 09-6367. *REED v. FLORIDA ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 09–6369. EDMOND *v.* CASKEY, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 09–6371. ENRIQUEZ *v.* THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 09–6372. CLERVIL *v.* MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied.

No. 09–6375. MCCARTHY *v.* UNKNOWN. C. A. 9th Cir. Certiorari denied.

No. 09–6376. D'ANGELO *v.* RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 338 Fed. Appx. 583.

No. 09–6382. ODOM *v.* OZMINT, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 254.

No. 09–6385. PETERSEN *v.* MICHIGAN DEPARTMENT OF CORRECTIONS. Sup. Ct. Mich. Certiorari denied.

No. 09–6387. BARKUS *v.* RUNNELS, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 09–6397. CHRISTIAN *v.* CALIFORNIA ET AL. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 09–6398. DEL RIO *v.* TEXAS ET AL. C. A. 5th Cir. Certiorari denied.

No. 09–6402. STATEN *v.* PARKER, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 166.

No. 09–6410. BYNES *v.* OKLAHOMA. Ct. Crim. App. Okla. Certiorari denied.

No. 09–6411. WHIRTY *v.* THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 09–6413. ROTH *v.* PENNSYLVANIA. Super. Ct. Pa. Certiorari denied. Reported below: 943 A. 2d 321.

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No. 09–6419. *DUTRA v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 09–6421. *DERRINGER v. MOORE ET AL.* Ct. App. N. M. Certiorari denied.

No. 09–6424. *SIMMONS v. BAZZLE, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 149.

No. 09–6426. *SMALL v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 11 So. 3d 960.

No. 09–6428. *MOHIUDDIN v. RAYTHEON CO.* C. A. 9th Cir. Certiorari denied.

No. 09–6431. *BABLES v. KANSAS CITY, MISSOURI, SCHOOL DISTRICT*. C. A. 8th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 678.

No. 09–6439. *McGEE v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 12 So. 3d 752.

No. 09–6443. *MCCRAY v. GLASS*. Ct. App. Tex., 3d Dist. Certiorari denied.

No. 09–6450. *LOMAX v. MIZE, SUPERINTENDENT, RECEPTION DIAGNOSTIC CENTER*. C. A. 7th Cir. Certiorari denied.

No. 09–6451. *KITCHEN v. MICHIGAN ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–6458. *TORRES v. AMERADA HESS CORP.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 09–6463. *BROWN v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 09–6468. *TELFAIR v. TANDY, ADMINISTRATOR, DRUG ENFORCEMENT AGENCY, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 564 F. 3d 176.

No. 09–6469. *DANIEL v. SCOTT ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–6471. *DALY v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 09-6473. *COTTON v. COLEMAN*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT FAYETTE. C. A. 3d Cir. Certiorari denied.

No. 09-6474. *DAVIS v. HARMON*, WARDEN, ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 448.

No. 09-6475. *COLLIE v. MCNEIL*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 709.

No. 09-6477. *DARBY v. MOORE*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 567.

No. 09-6479. *DAHL v. THALER*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 09-6480. *CHAVARRIA v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 09-6481. *TAYLOR v. MURPHY*, COMMISSIONER, CONNECTICUT DEPARTMENT OF CORRECTION, ET AL. C. A. 2d Cir. Certiorari denied.

No. 09-6483. *WHITE v. LUOMA*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 09-6486. *ASANTE v. NEW YORK*. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 47 App. Div. 3d 1129, 849 N. Y. S. 2d 184.

No. 09-6488. *JUDD v. NEW MEXICO*. Ct. App. N. M. Certiorari denied.

No. 09-6493. *LARSON v. MINNESOTA*. Ct. App. Minn. Certiorari denied.

No. 09-6500. *ANDREWS v. CITY OF SEATTLE*, WASHINGTON. Ct. App. Wash. Certiorari denied.

No. 09-6502. *TAYLOR ET UX. v. NATIONAL CITY BANK*. Sup. Ct. Ind. Certiorari denied.

No. 09-6505. *MEEHAN v. NEW YORK*. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied.

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No. 09–6511. *SANCHEZ v. MCNEIL*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied.

No. 09–6522. *EDE v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 600 Pa. 506, 968 A. 2d 228.

No. 09–6526. *AYYAR v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 09–6532. *MARSHALL v. ALABAMA*. Sup. Ct. Ala. Certiorari denied. Reported below: 20 So. 3d 830.

No. 09–6533. *LAForge v. IOWA*. Ct. App. Iowa. Certiorari denied. Reported below: 772 N. W. 2d 15.

No. 09–6542. *MONACELLI v. LEE COUNTY EDUCATION ASSN. ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–6543. *MONACELLI v. HEARTLAND EDUCATIONAL CONSORTIUM ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–6544. *TURNER v. RUNNELS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09–6545. *NUNLEY v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 09–6546. *MILLER v. FRIEL, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 09–6550. *WELLS v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 147 Wash. App. 1018.

No. 09–6553. *BROOM v. STRICKLAND, GOVERNOR OF OHIO, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 579 F. 3d 553.

No. 09–6556. *WATKINS v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied.

No. 09–6559. *DOORBAL v. MCNEIL*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied. Reported below: 572 F. 3d 1222.

No. 09–6563. *MONACELLI v. HEARTLAND EDUCATIONAL CONSORTIUM ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 09–6564. HUNG NGUYEN *v.* SUPERIOR COURT OF CALIFORNIA, ORANGE COUNTY, ET AL. Sup. Ct. Cal. Certiorari denied.

No. 09–6565. REEVES *v.* LOUISIANA. Sup. Ct. La. Certiorari denied. Reported below: 11 So. 3d 1031.

No. 09–6569. BURROUGHS, BY AND THROUGH HER NEXT FRIEND BURROUGHS *v.* BROADSPIRE, FKA KEMPER INSURANCE CO. C. A. 11th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 730.

No. 09–6570. ADAMS *v.* HONDA ENGINEERING NORTH AMERICA, INC. Sup. Ct. Ohio. Certiorari denied. Reported below: 122 Ohio St. 3d 1411, 907 N. E. 2d 1194.

No. 09–6571. BOWNES *v.* EPPS, COMMISSIONER MISSISSIPPI DEPARTMENT OF CORRECTIONS. C. A. 5th Cir. Certiorari denied.

No. 09–6573. MAXWELL *v.* TALLEY ET AL. C. A. 8th Cir. Certiorari denied.

No. 09–6587. SCOTT *v.* HANSON. C. A. 5th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 490.

No. 09–6619. POLONCZYK *v.* ARKANSAS ET AL. C. A. 5th Cir. Certiorari denied.

No. 09–6639. YEBOAH-SEFAH *v.* RUSSO, SUPERINTENDENT, SOUZA-BARANOWSKI CORRECTIONAL CENTER. C. A. 1st Cir. Certiorari denied. Reported below: 556 F. 3d 53.

No. 09–6642. MUHAMMAD *v.* SAPP ET AL. C. A. 11th Cir. Certiorari denied.

No. 09–6649. NDONGO *v.* HOLDER, ATTORNEY GENERAL. C. A. 4th Cir. Certiorari denied.

No. 09–6695. SANG *v.* SCRIBNER, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 09–6724. VALVERDE *v.* ARIZONA. Sup. Ct. Ariz. Certiorari denied. Reported below: 220 Ariz. 582, 208 P. 3d 233.

No. 09–6735. BRAMIT *v.* CALIFORNIA. Sup. Ct. Cal. Certiorari denied. Reported below: 46 Cal. 4th 1221, 210 P. 3d 1171.

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No. 09–6756. *TATE v. WARREN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 09–6758. *JEANLOUIS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 09–6761. *OWENS v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 09–6769. *STANKO v. DAVIS, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 744.

No. 09–6772. *FOBBS v. POTTER, POSTMASTER GENERAL*. C. A. 5th Cir. Certiorari denied. Reported below: 338 Fed. Appx. 359.

No. 09–6793. *MARTIN v. REYNOLDS, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 304 Fed. Appx. 176.

No. 09–6870. *JAMISON v. DELAWARE*. Sup. Ct. Del. Certiorari denied. Reported below: 977 A. 2d 898.

No. 09–6908. *HYDE v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 336 Fed. Appx. 996.

No. 09–6923. *MARK v. BAUER ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 771.

No. 09–6941. *HOLSTICK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–6958. *BECKETT v. GANSLER, ATTORNEY GENERAL OF MARYLAND, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 338 Fed. Appx. 293.

No. 09–6963. *HADDAD v. HERTZ CORP.* C. A. 8th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 475.

No. 09–6978. *LEATCH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 12.

No. 09–6979. *KOLLAR v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–6981. *MORGAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 338 Fed. Appx. 849.

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No. 09–6984. *DANIELS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 201.

No. 09–6989. *GARCIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–6990. *WHITE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 484.

No. 09–6996. *JEFFERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 370 F. 3d 557.

No. 09–6999. *JONES v. PLATTEVIEW APARTMENTS ET AL.* Ct. App. Neb. Certiorari denied.

No. 09–7002. *WATTERS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 572 F. 3d 479.

No. 09–7005. *WISE v. FLOYD, JUDGE, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 908.

No. 09–7008. *ALLEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 796.

No. 09–7010. *CAIN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–7011. *CRUZ-GRAMAJO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 570 F. 3d 1162.

No. 09–7015. *SANCHES MONTES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 09–7020. *KINDSFATHER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 09–7022. *KNIGHT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 137.

No. 09–7024. *HERRING v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 431.

No. 09–7025. *GABLE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 576.

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No. 09–7026. *HICKS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 575 F. 3d 130.

No. 09–7027. *HARRIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 894.

No. 09–7028. *PORTER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 338 Fed. Appx. 300.

No. 09–7032. *WYLIE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 888.

No. 09–7034. *RODRIGUEZ-MENDIOLA, AKA BANUELOS, AKA BANNALES, AKA HERRERA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–7036. *KARIM-PANAHI v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 09–7037. *SMITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 400.

No. 09–7038. *MUNIZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 192.

No. 09–7039. *MORGAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 798.

No. 09–7041. *CALLE-OCHOA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–7042. *CASTRO-GUEVARRA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 575 F. 3d 550.

No. 09–7044. *ADAMS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 338 Fed. Appx. 417.

No. 09–7045. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 350 Fed. Appx. 320.

No. 09–7046. *MACKAY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 367.

No. 09–7049. *HERNANDEZ SUAREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 09–7052. *HERNANDEZ-HERNANDEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 09–7053. *GIBSON v. VAUGHAN, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 172.

No. 09–7055. *GARCIA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–7059. *GRESHAM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–7061. *CANTU v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 186.

No. 09–7065. *LONGSTREET v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 567 F. 3d 911.

No. 09–7067. *PONTON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 337 Fed. Appx. 179.

No. 09–7068. *NELSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 709.

No. 09–7070. *PULLIAM v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 566 F. 3d 784.

No. 09–7075. *CAMERON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 399.

No. 09–7076. *CAREY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 337 Fed. Appx. 256.

No. 09–7077. *ESQUIVEL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–7078. *DAHLER v. HOLINKA, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 09–7080. *TORRES-TORRES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–7081. *WOODBERRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 267 Fed. Appx. 221.

No. 09–7084. *LOERA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 565 F. 3d 406.

No. 09–7090. *POLAK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 573 F. 3d 428.

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No. 09–7091. *PUCKETT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 817.

No. 09–7093. *KIDERLEN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 569 F. 3d 358.

No. 09–7095. *LAURY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 634.

No. 09–7100. *TURNER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 569 F. 3d 637.

No. 09–7101. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 09–7105. *CANIPE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 569 F. 3d 597.

No. 09–7107. *OSUNA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 147.

No. 09–7110. *STRAHAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 565 F. 3d 1047.

No. 09–7111. *SCOTT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 907.

No. 09–7113. *AKERS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 798.

No. 09–7115. *ANDERSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 557.

No. 09–7118. *BLURTON v. NORTH DAKOTA*. Sup. Ct. N. D. Certiorari denied. Reported below: 770 N. W. 2d 231.

No. 09–7122. *OBASOHAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 798.

No. 09–7124. *MONTOYA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 573 F. 3d 1011.

No. 09–7126. *MARTINEZ-VASQUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–7128. *WALLACE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 573 F. 3d 82.

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No. 09–7133. MICHEL *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 568 F. 3d 125.

No. 09–7137. NELSON *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied.

No. 09–7138. CASTILLO-HERNANDEZ *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied.

No. 09–174. GLOGOWER *v.* CLARK, LIQUIDATOR OF NATIONAL BUSINESS ASSOCIATION TRUST ET AL. C. A. 9th Cir. Motion of National Association of Insurance Commissioners for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 320 Fed. Appx. 809.

No. 09–217. PETERS *v.* SCIVANTAGE ET AL. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 564 F. 3d 110.

No. 09–360. LEVINE *v.* MCCABE ET AL. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 327 Fed. Appx. 315.

No. 09–427. GRANT *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 338 Fed. Appx. 19.

No. 09–444 (09A452). ELLIOTT *v.* KELLY, WARDEN. 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. JUSTICE STEVENS, JUSTICE GINSBURG, and JUSTICE SOTOMAYOR would grant the application for stay of execution.

No. 09–6919. DUNLAP *v.* GRAHAM, SUPERINTENDENT, AUBURN CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 583 F. 3d 160.

No. 09–6982. PITCHER *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consid-

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eration or decision of this petition. Reported below: 316 Fed. Appx. 60.

No. 09–7003. *TOWNSEND v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 573 F. 3d 138.

No. 09–7064. *TAVARES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 328 Fed. Appx. 741.

No. 09–7072. *TYSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 338 Fed. Appx. 38.

No. 09–7106. *PARRA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 249 Fed. Appx. 226.

Rehearing Denied

No. 08–10148. *McMULLEN v. TENNIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW, ET AL.*, *ante*, p. 833;

No. 08–10150. *FRANKEL v. UNITED STATES*, *ante*, p. 801;

No. 08–10268. *COLLEEN F. v. RIVERSIDE COUNTY DEPARTMENT OF PUBLIC SOCIAL SERVICES*, *ante*, p. 835;

No. 08–10504. *HAWKINS v. CALIFORNIA ET AL.*, *ante*, p. 842;

No. 08–10508. *HAQUE v. UNITED STATES*, *ante*, p. 831;

No. 08–10512. *SWIFT v. MISSISSIPPI*, *ante*, p. 842;

No. 08–10576. *YOUNG v. PRESLEY ET AL.*, *ante*, p. 844;

No. 08–10600. *WRIGHT v. ZOELLER, ATTORNEY GENERAL OF INDIANA*, *ante*, p. 845;

No. 08–10738. *OLIVIER v. CALIFORNIA*, *ante*, p. 851;

No. 08–10927. *IN RE ROBERTS*, *ante*, p. 813;

No. 08–11003. *IN RE SINGLETARY*, *ante*, p. 814;

No. 08–11127. *CHEESEMAN v. CITY OF REEDSPORT, OREGON, ET AL.*, *ante*, p. 872;

No. 09–5034. *RABY v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, *ante*, p. 883;

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No. 09–5086. SMITH *v.* DENNY, WARDEN, *ante*, p. 886;
No. 09–5237. GREENE *v.* MCNEIL, SECRETARY, FLORIDA DE-
PARTMENT OF CORRECTIONS, *ante*, p. 893;
No. 09–5439. CORNES *v.* ILLINOIS, *ante*, p. 903;
No. 09–5793. BROWN *v.* UNITED STATES, *ante*, p. 919;
No. 09–5847. RONWIN *v.* BAYER CORP., *ante*, p. 921; and
No. 09–6060. MOORE *v.* MERIT SYSTEMS PROTECTION BOARD,
ante, p. 927. Petitions for rehearing denied.

NOVEMBER 18, 2009

Certiorari Denied

No. 09–7505 (09A472). SIMPSON *v.* THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS, JUSTICE GINSBURG, and JUSTICE SOTOMAYOR would grant the application for stay of execution. Reported below: 341 Fed. Appx. 68.

NOVEMBER 19, 2009

Certiorari Denied

No. 09–7567 (09A466). THOMPSON *v.* TEXAS. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied.

NOVEMBER 23, 2009

Dismissal Under Rule 46

No. 09–563. PETERS *v.* UNITED STATES. C. A. 8th Cir. Certiorari dismissed under this Court’s Rule 46.1.

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Certiorari Granted—Reversed and Remanded. (See No. 08–10537, *ante*, p. 30.)

Certiorari Granted—Vacated and Remanded

No. 08–10314. WEBSTER *v.* COOPER, WARDEN. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis*

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granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Jimenez v. Quarterman*, 555 U. S. 113 (2009).

JUSTICE SCALIA, dissenting.

Petitioner was convicted and sentenced in Louisiana state court. His motion for reconsideration of the sentence was denied on April 15, 2003, and he did not appeal. After initiating postconviction relief, he filed in the trial court a “motion to vacate sentence and resentence defendant” on the ground that he had not had a lawyer present at the sentencing. That motion was granted, and on June 2, 2004, petitioner was resentenced, this time with a lawyer, to the same term of incarceration.

After the conclusion of state postconviction relief, petitioner filed a petition in federal court for habeas corpus under 28 U. S. C. § 2254. The District Court thought that the 1-year statute of limitations provided by § 2244(d)(1)(A) started to run on May 15, 2003, 30 days after the Louisiana trial court denied petitioner’s motion for reconsideration of sentence. Accordingly, it concluded that the statute had expired before petitioner filed his federal habeas petition. The Fifth Circuit denied a certificate of appealability.

Our recent decision in *Jimenez v. Quarterman*, 555 U. S. 113 (2009), held that the statute of limitations of § 2244(d)(1)(A) does not begin to run until the expiration of the time allowed to seek direct appeal, even if the state court allows an out-of-time appeal during state collateral review. *Id.*, at 121. The parties do not agree, and it is not clear, whether under Louisiana law petitioner’s motion to vacate would be regarded as restarting the clock for his direct appeal. If so, then the *Jimenez* error is obvious; if not, there is no error. Today, without request by (or even warning to) the parties, the Court grants certiorari, vacates the Fifth Circuit’s judgment without determination of the merits, and remands for further consideration in light of *Jimenez*.

I certainly agree that we have the power to GVR “where an intervening factor has arisen that has a legal bearing upon the decision.” *Lawrence v. Chater*, 516 U. S. 163, 191–192 (1996) (SCALIA, J., dissenting). The purpose of such an “intervening-factor” GVR is to give the court to which we remand the first opportunity to consider the factor—in this case a new decision of ours. Though we have sometimes GVR’d in light of decisions

that *preceded* the decision vacated, see, *e.g.*, *Grier v. United States*, 419 U.S. 989 (1974), I have acquiesced in this expansion of “intervening-factor” GVRs only when (as in *Grier*) our decision came so soon before the judgment in question “that the lower court might have been unaware of it,” *Lawrence, supra*, at 181 (SCALIA, J., dissenting). This is not such a case: We decided *Jimenez* on January 13, 2009, more than two months before the Fifth Circuit denied the certificate. There is thus no basis for regarding that decision as an “intervening” factor—that is, one that the Court of Appeals did not have before it.

This is not, of course, the first time the Court has GVR’d on the basis of a case decided long before the Court of Appeals ruled, see, *e.g.*, *Robinson v. Story*, 469 U.S. 1081 (1984) (three months), nor the first time I have protested, see *Lawrence, supra*, at 184 (SCALIA, J., dissenting) (more than a year). This practice has created a new mode of disposition, a sort of ersatz summary reversal. We do not say that the judgment below was wrong, but since we suspect that it *may* be wrong and do not want to waste *our* time figuring it out, we instruct the Court of Appeals to do the job again, with a particular issue prominently in mind.

It surely suggests something is amiss that this case would be over, and petitioner would be worse off, if he had *asked* us to reverse the judgment below on the basis of *Jimenez*. Since he did not argue that ground to the Court of Appeals, and since that court did not address it, we would almost certainly deny certiorari. See *Adarand Constructors, Inc. v. Mineta*, 534 U.S. 103, 108–109 (2001) (*per curiam*) (dismissing a writ as improvidently granted because the question at issue was not raised or considered below). Have we established a new system in which a party’s repetition before this Court of his failure below (here, the failure to invoke *Jimenez*) cures—and causes us to reward—his earlier failure? Or perhaps we are developing a new system in which *all* arguably valid points not raised and not discussed below—*whether or not* belatedly raised here—will be sent back for a redo by the Court of Appeals. And if we can apply this failure-friendly practice to a neglected precedent two months old, there is no reason in principle not to apply it to a neglected precedent two years old.

In my view we have no power to set aside the duly recorded judgments of lower courts unless we find them to be in error, or unless they are cast in doubt by a factor arising after they were

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rendered. The GVR for consideration of a day's old Supreme Court case is already a technical violation of sound practice and should not be extended further. Since we review judgments rather than opinions, a lower court's failure to discuss a pre-existing factor it *should* have discussed is no basis for reversal. Once we disregard the logic (and the attendant limits) of "intervening-factor" GVRS, they metastasize into today's monster. We should at least give it a new and honest name—not GVR, but perhaps SRMEOPR: Summary Remand for a More Extensive Opinion than Petitioner Requested. If the acronym is ugly, so is the monster.

No. 09–160. DEPARTMENT OF DEFENSE ET AL. *v.* AMERICAN CIVIL LIBERTIES UNION ET AL. C. A. 2d Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of §565 of the Department of Homeland Security Appropriations Act, 2010, and the certification by the Secretary of Defense pursuant to that provision. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 543 F. 3d 59.

Certiorari Dismissed

No. 09–6600. SIKORA *v.* CLANDESTINE ATTACKERS/ASSAILANTS ET AL. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

No. 09–6686. BAUMER *v.* CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 09–6697. SMITH *v.* MCKUNE. 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. 09–6721. WAKEFIELD *v.* WALT DISNEY CO. ET AL. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pau-*

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peris denied, and certiorari dismissed. See this Court's Rule 39.8. JUSTICE ALITO took no part in the consideration or decision of this motion and this petition. Reported below: 321 Fed. Appx. 685.

No. 09–6741. *HURST v. STATE FARM MUTUAL AUTOMOBILE INSURANCE Co. 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: 324 Fed. Appx. 261.

No. 09–6750. *DAVIS v. BAY AREA RAPID TRANSIT DISTRICT*. Ct. App. Cal., 1st App. Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

Miscellaneous Orders

No. 09A208. *COHEN v. HOLDER, ATTORNEY GENERAL*. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. 09A280 (09–6959). *ALBRIGHT-LAZZARI ET VIR v. CONNECTICUT*. Sup. Ct. Conn. Application for stay, addressed to JUSTICE ALITO and referred to the Court, denied.

No. D–2457. *IN RE DISCIPLINE OF SICILIANO*. Anthony J. Siciliano, of West Springfield, Mass., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D–2458. *IN RE DISCIPLINE OF DEMARCO*. Leo P. DeMarco, of Malden, Mass., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D–2459. *IN RE DISCIPLINE OF PASSMORE*. J. Lincoln Passmore, of Dover, Mass., is suspended from the practice of law

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in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2460. *IN RE DISCIPLINE OF BERMAN*. Jeffrey Neil Berman, of Newton Center, Mass., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2461. *IN RE DISCIPLINE OF FINNERTY*. Thomas E. Finnerty, of South Boston, Mass., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2462. *IN RE DISCIPLINE OF SHEEHAN*. Stafford Sheehan, of Fall River, Mass., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2463. *IN RE DISCIPLINE OF SACHAR*. Bruce N. Sachar, of Lynn, Mass., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 09M51. *VILLE v. UNITED AIRLINES, INC.*;

No. 09M52. *GARGANO ET AL. v. LIBERTY INTERNATIONAL UNDERWRITERS, INC., ET AL.*;

No. 09M53. *ALVAREZ-OCANEGRAS v. UNITED STATES*;

No. 09M54. *REX v. FEDERAL AVIATION ADMINISTRATION ET AL.*;

No. 09M55. *YANCEY v. LUDWIG, TRUSTEE*; and

No. 09M56. *MYERS v. SILBERMANN ET AL.* Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 07-11191. *BRISCOE ET AL. v. VIRGINIA*. Sup. Ct. Va. [Certiorari granted, 557 U.S. 933.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 08-1224. *UNITED STATES v. COMSTOCK ET AL.* C. A. 4th Cir. [Certiorari granted, 557 U.S. 918.] Motion of Kansas et al.

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for leave to participate in oral argument as *amici curiae* and for divided argument denied.

No. 08–10543. KARNOFEL *v.* GIRARD POLICE DEPARTMENT ET AL. Ct. App. Ohio, Trumbull County. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 802] denied.

No. 08–10578. WELLS *v.* VASQUEZ, WARDEN. C. A. 9th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 802] denied.

No. 08–10650. DASISA *v.* UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES. C. A. 1st Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 803] denied.

No. 08–10732. IN RE ALPINE. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 814] denied.

No. 08–10847. SIMMONS *v.* FLECKER. C. A. 9th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 803] denied.

No. 08–10986. STRONG *v.* ILLINOIS DEPARTMENT OF HUMAN SERVICES. C. A. 7th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 804] denied.

No. 08–10997. WILLIAMS *v.* CHURCH’S CHICKEN ET AL. Ct. App. Cal., 2d App. Dist. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 812] denied.

No. 09–5074. WAKEFIELD *v.* CORDIS CORP. C. A. 11th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 805] denied.

No. 09–5111. SIMMONS *v.* CALIFORNIA ET AL. C. A. 9th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 805] denied.

No. 09–5356. CURTO *v.* SIWEK. C. A. 2d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in*

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forma pauperis [ante, p. 806] denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this motion.

No. 09–5373. MELSON *v.* ALLEN, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS, ante, p. 900. Respondent is requested to file a response to the petition for rehearing within 30 days.

No. 09–5576. SMITH *v.* WRIGLEY, SUPERINTENDENT, NEW CASTLE CORRECTIONAL FACILITY. C. A. 7th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 807] denied.

No. 09–5814. IN RE TREECE. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 813] denied.

No. 09–5920. FARRIS *v.* WHALEY ET AL. C. A. 11th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 943] denied.

No. 09–5945. IN RE WILLIAMS. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 813] denied.

No. 09–6035. MILLEN *v.* KANSAS CITY STAR. C. A. 8th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 966] denied.

No. 09–6139. IN RE TRAYLOR. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 968] denied.

No. 09–6291. IN RE BENNETT. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 813] denied.

No. 09–6636. CLINE *v.* UTAH ET AL. Ct. App. Utah;

No. 09–6764. ROYSE *v.* CORNING GLASS WORKS, INC. C. A. 6th Cir.;

No. 09–6985. RUCKER *v.* ILLINOIS DEPARTMENT OF CHILDREN AND FAMILY SERVICES. C. A. 7th Cir.; and

No. 09–7326. ISA *v.* UNITED STATES. C. A. 7th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until December 21, 2009, within which to

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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. 09-6442. IN RE LEAF; and

No. 09-7258. IN RE NEWMAN. Petitions for writs of habeas corpus denied.

No. 09-351. IN RE PESARIK; and

No. 09-7229. IN RE WALSH. Petitions for writs of mandamus denied.

No. 09-7050. IN RE DANTZLER. Petition for writ of mandamus and/or prohibition denied.

Certiorari Granted

No. 08-1191. MORRISON ET AL. *v.* NATIONAL AUSTRALIA BANK LTD. ET AL. C. A. 2d Cir. Certiorari granted. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 547 F. 3d 167.

No. 09-338. RENICO, WARDEN *v.* LETT. C. A. 6th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 316 Fed. Appx. 421.

No. 09-5201. BARBER ET AL. *v.* THOMAS, WARDEN. C. A. 9th Cir. Motion of petitioners for leave to proceed *in forma pauperis* granted. Certiorari granted.

Certiorari Denied

No. 08-1392. MASSIS *v.* HOLDER, ATTORNEY GENERAL, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 549 F. 3d 631.

No. 08-1494. ARGUELLES-OLIVARES *v.* HOLDER, ATTORNEY GENERAL. C. A. 5th Cir. Certiorari denied. Reported below: 526 F. 3d 171.

No. 08-1575. LINDER *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 552 F. 3d 391.

No. 09-10. JOYNER *v.* ARKANSAS. Sup. Ct. Ark. Certiorari denied. Reported below: 2009 Ark. 168, 303 S. W. 3d 54.

No. 09-26. HERTZ, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF HERTZ, DECEASED *v.* UNITED

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STATES. C. A. 6th Cir. Certiorari denied. Reported below: 560 F. 3d 616.

No. 09–70. *MODERN, INC., ET AL. v. ST. JOHNS RIVER WATER MANAGEMENT DISTRICT ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 330.

No. 09–86. *BOULWARE v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 558 F. 3d 971.

No. 09–98. *SCURLARK v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 560 F. 3d 839.

No. 09–102. *VIRGINIA v. RUDOLPH.* Sup. Ct. Va. Certiorari denied. Reported below: 277 Va. 209, 722 S. E. 2d 527.

No. 09–106. *PEDERNERA v. HOLDER, ATTORNEY GENERAL.* C. A. 11th Cir. Certiorari denied.

No. 09–113. *PRICE v. UNITED STATES TRUSTEE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 564 F. 3d 1052.

No. 09–222. *MATHENY, INDIVIDUALLY AND AS SURVIVING SPOUSE OF MATHENY, DECEASED, ET AL. v. TENNESSEE VALLEY AUTHORITY.* C. A. 6th Cir. Certiorari denied. Reported below: 557 F. 3d 311.

No. 09–225. *BLOCK ET AL. v. SHINSEKI, SECRETARY OF VETERANS AFFAIRS, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 329 Fed. Appx. 285.

No. 09–231. *BROWN ET AL. v. HOVATTER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 561 F. 3d 357.

No. 09–241. *WILKINSON v. PALMETTO STATE TRANSPORTATION Co. ET AL.* Sup. Ct. S. C. Certiorari denied. Reported below: 382 S. C. 295, 676 S. E. 2d 700.

No. 09–242. *PYKE, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF PYKE, DECEASED, ET AL. v. CUOMO ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 567 F. 3d 74.

No. 09–257. *CORDER v. LEWIS PALMER SCHOOL DISTRICT No. 38.* C. A. 10th Cir. Certiorari denied. Reported below: 566 F. 3d 1219.

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No. 09–297. *FORD MOTOR Co. v. BUELL-WILSON ET AL.* Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 09–331. *HARPER, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF HARPER, DECEASED, ET AL. v. UNITED SERVICES AUTOMOBILE ASSN. ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 302.

No. 09–340. *POWELL ET AL. v. CAREY INTERNATIONAL, INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 829.

No. 09–345. *GERARD v. BOARD OF REGENTS OF GEORGIA ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 818.

No. 09–352. *WHITMORE v. PIERCE COUNTY DEPARTMENT OF COMMUNITY CORRECTIONS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 595.

No. 09–362. *BOSTON SCIENTIFIC CORP. ET AL. v. CORDIS CORP.*; and

No. 09–365. *CORDIS CORP. v. BOSTON SCIENTIFIC CORP. ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 561 F. 3d 1319.

No. 09–363. *COOPER v. AYERS, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 510 F. 3d 870.

No. 09–369. *MAGGARD ET VIR v. FORD MOTOR Co.* C. A. 6th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 367.

No. 09–373. *HALLINAN ET AL. v. FRATERNAL ORDER OF POLICE, CHICAGO LODGE 7, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 570 F. 3d 811.

No. 09–374. *HOFFMAN v. UNITED AIRLINES, INC.* C. A. 7th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 429.

No. 09–380. *BELTRAN LOZANO v. HOLDER, ATTORNEY GENERAL.* C. A. 11th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 312.

No. 09–381. *CONSTANT v. CALIFORNIA DEPARTMENT OF TRANSPORTATION.* Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

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No. 09–391. *WHITE v. DEPARTMENT OF DEFENSE ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–393. *BAUMGARTNER v. OHIO*. Ct. App. Ohio, Cuyahoga County. Certiorari denied. Reported below: 122 Ohio St. 3d 1457, 908 N. E. 2d 946.

No. 09–398. *LOUISIANA v. ABSHIRE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 574 F. 3d 267.

No. 09–399. *MOORE v. ADVENTIST HEALTH SYSTEM/GEORGIA INC. ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 209.

No. 09–411. *THOMAS v. SHINSEKI, SECRETARY OF VETERANS AFFAIRS, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 09–415. *ANDERSON-TULLY Co. v. McDANIEL, ATTORNEY GENERAL OF ARKANSAS*. C. A. 8th Cir. Certiorari denied. Reported below: 571 F. 3d 760.

No. 09–428. *WASHINGTON v. DEPARTMENT OF DEFENSE, DEFENSE LOGISTICS AGENCY*. C. A. 4th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 285.

No. 09–431. *CITY OF ALBANY POLICE DEPARTMENT ET AL. v. LEWIS*. C. A. 2d Cir. Certiorari denied. Reported below: 332 Fed. Appx. 641.

No. 09–449. *PATRICK v. SHINSEKI, SECRETARY OF VETERANS AFFAIRS*. C. A. 9th Cir. Certiorari denied.

No. 09–462. *THOMAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 338 Fed. Appx. 397.

No. 09–463. *BROOKENS v. SOLIS, SECRETARY OF LABOR*. C. A. D. C. Cir. Certiorari denied.

No. 09–464. *BENSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 561 F. 3d 718.

No. 09–478. *TRIVEDI v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 679.

No. 09–486. *HARLEY ET UX. v. SECURITIES AND EXCHANGE COMMISSION*. C. A. 3d Cir. Certiorari denied. Reported below: 294 Fed. Appx. 711.

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No. 09–496. *BROWN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 571 F. 3d 492.

No. 09–5027. *MCNEILL v. STAMPER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 255.

No. 09–5035. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–5305. *CORINES v. BROWARD COUNTY SHERIFF’S DEPARTMENT ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 493.

No. 09–5429. *BENALLY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 546 F. 3d 1230.

No. 09–5434. *ABEBE v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 09–5480. *BARRIOS-BELTRAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 384.

No. 09–5496. *ABBEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 560 F. 3d 513.

No. 09–5542. *SHELTON v. ROPER, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 563 F. 3d 404.

No. 09–5547. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 890.

No. 09–5583. *PARACHA v. GATES, SECRETARY OF DEFENSE*. C. A. D. C. Cir. Certiorari denied.

No. 09–5597. *GARCIA-ECHAVERRIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 353.

No. 09–5615. *OLIVER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 550 F. 3d 734.

No. 09–5715. *MIRANDA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 858.

No. 09–5728. *HOLLIS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 14.

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No. 09–5739. *DEL GALLO v. PARENT ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 557 F. 3d 58.

No. 09–5747. *FLICK v. KENTUCKY.* Sup. Ct. Ky. Certiorari denied.

No. 09–5780. *HOJAN v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 3 So. 3d 1204.

No. 09–6133. *CARRUTH v. ALABAMA.* Sup. Ct. Ala. Certiorari denied. Reported below: 21 So. 3d 770.

No. 09–6302. *SMITH v. MITCHELL, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 567 F. 3d 246.

No. 09–6379. *GARY v. HALL, WARDEN.* C. A. 11th Cir. Certiorari denied. Reported below: 558 F. 3d 1229.

No. 09–6392. *ROUSE v. DEPARTMENT OF STATE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 567 F. 3d 408.

No. 09–6518. *WALTER v. PENNSYLVANIA.* Sup. Ct. Pa. Certiorari denied. Reported below: 600 Pa. 392, 966 A. 2d 560.

No. 09–6579. *ENDENCIA v. ADT SECURITY SERVICES, INC.* C. A. 7th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 457.

No. 09–6580. *ENSEY v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 09–6583. *WARE v. GARNETT ET AL.* C. A. 7th Cir. Certiorari denied.

No. 09–6585. *KILPATRICK v. HERNANDEZ ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 353 Fed. Appx. 84.

No. 09–6590. *SMITH v. FLORIDA.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 9 So. 3d 633.

No. 09–6591. *RAINES v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 09–6592. *TORRES v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

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No. 09–6594. *SKINNER v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 210 P. 3d 840.

No. 09–6602. *WHITE v. SCHOOL DISTRICT OF PHILADELPHIA*. C. A. 3d Cir. Certiorari denied. Reported below: 326 Fed. Appx. 102.

No. 09–6617. *NITSCHKE v. COASTAL TANK CLEANING ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 310 Fed. Appx. 183.

No. 09–6621. *JOHNSTON v. ALLEN*. C. A. 4th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 231.

No. 09–6623. *LARSON v. GONZALEZ, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–6631. *EDWARDS v. ROZUM, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SOMERSET, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 337 Fed. Appx. 236.

No. 09–6641. *LAMARCA v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 568 F. 3d 929.

No. 09–6651. *MCCREARY v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 09–6654. *COLEMAN v. OTT, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 09–6662. *CUTTS v. HETZEL, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–6665. *CARDENAS v. FIGUEROA, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09–6666. *CORONA-CUEVAS v. HALL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09–6669. *MOORE v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 222 Ariz. 1, 213 P. 3d 150.

No. 09–6672. *VEALE v. NEW HAMPSHIRE*. Sup. Ct. N. H. Certiorari denied. Reported below: 158 N. H. 632, 972 A. 2d 1009.

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No. 09–6674. *MILLEN v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 19 So. 3d 311.

No. 09–6676. *MOSLEY v. UPTON, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 09–6683. *FALSO v. ABLEST STAFFING SERVICES ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 328 Fed. Appx. 54.

No. 09–6689. *JOHNSON v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 284 S. W. 3d 561.

No. 09–6690. *HOLGUIN v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 09–6693. *STARKS v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–6696. *BUNDRANT v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–6698. *RIPPY v. BURKETT*. C. A. 4th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 898.

No. 09–6699. *SPIVEY v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–6701. *RUNGE v. MINNESOTA*. Ct. App. Minn. Certiorari denied.

No. 09–6703. *BERRY v. PORTERFIELD*. C. A. 4th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 245.

No. 09–6707. *THOMAS v. TELEGRAPH PUBLISHING CO. ET AL.* Sup. Ct. N. H. Certiorari denied.

No. 09–6709. *BROWN v. HATHAWAY, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 09–6711. *STREATER v. GREGORY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 520.

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No. 09–6712. *BROWER v. MCNEIL*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied.

No. 09–6718. *LEONARD v. IOWA*. Ct. App. Iowa. Certiorari denied. Reported below: 771 N. W. 2d 651.

No. 09–6723. *TRIMBLE v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 122 Ohio St. 3d 297, 911 N. E. 2d 242.

No. 09–6726. *WALKER v. MCCANN ET AL.* C. A. 7th Cir. Certiorari denied.

No. 09–6729. *DALY v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 09–6734. *WILSON v. HAUCK*, ADMINISTRATOR, EDNA MAHAN CORRECTIONAL FACILITY FOR WOMEN, ET AL. C. A. 3d Cir. Certiorari denied.

No. 09–6740. *MABE v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 385 Ill. App. 3d 1130, 970 N. E. 2d 129.

No. 09–6751. *CULBERO v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 57 App. Div. 3d 316, 869 N. Y. S. 2d 78.

No. 09–6752. *DAVIS v. CORRECTIONAL MEDICAL SYSTEMS ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 334 Fed. Appx. 519.

No. 09–6754. *PARKER v. BOARD OF SUPERVISORS, UNIVERSITY OF LOUISIANA-LAFAYETTE*. C. A. 5th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 465.

No. 09–6771. *GROVES v. SHINSEKI*, SECRETARY OF VETERANS AFFAIRS. C. A. Fed. Cir. Certiorari denied. Reported below: 324 Fed. Appx. 898.

No. 09–6788. *CARDENAS NEGRETE v. HOLDER*, ATTORNEY GENERAL. C. A. 9th Cir. Certiorari denied.

No. 09–6794. *OGUAGHA v. CRAVENER*. C. A. 5th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 378.

No. 09–6797. *HARTMAN v. VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 364.

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No. 09–6803. *HRUSOVSKY v. SJOLUND*. Super. Ct. Pa. Certiorari denied. Reported below: 965 A. 2d 309.

No. 09–6806. *MCCALL v. CROSTHWAIT ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 871.

No. 09–6830. *MERRITT v. SHINSEKI, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 337 Fed. Appx. 897.

No. 09–6877. *JARDINE v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 124 Nev. 1481, 238 P. 3d 826.

No. 09–6883. *CRAVER v. FRANCO*. C. A. 9th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 690.

No. 09–6890. *BURNES v. ROGERS, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 09–6924. *KRZYWKOWSKI v. BOBBY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 09–6948. *GOMEZ v. CLARK, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09–6968. *HARTMANN v. DELAWARE*. Sup. Ct. Del. Certiorari denied. Reported below: 970 A. 2d 256.

No. 09–6986. *ALSTON v. COURT OF APPEALS OF WISCONSIN, DISTRICT I*. Sup. Ct. Wis. Certiorari denied. Reported below: 319 Wis. 2d 216, 775 N. W. 2d 104.

No. 09–6993. *SLAUGHTER v. EPPS, COMMISSIONER, MISSISSIPPI DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 731.

No. 09–7017. *WRIGHT v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–7062. *DE JESUS v. ACEVEDO, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 567 F. 3d 941.

No. 09–7069. *GARNETT v. UTTECHT, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. C. A. 9th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 671.

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No. 09–7071. *PARMELEE v. MCKENNA*, ATTORNEY GENERAL OF WASHINGTON. C. A. 9th Cir. Certiorari denied.

No. 09–7074. *PRENDERGAST v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 338 Fed. Appx. 843.

No. 09–7079. *CHAVIS v. FISCHER*, COMMISSIONER, NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 333 Fed. Appx. 641.

No. 09–7083. *POWELL v. KENTUCKY*. Ct. App. Ky. Certiorari denied.

No. 09–7094. *LOPEZ v. THURMER*, WARDEN. C. A. 7th Cir. Certiorari denied. Reported below: 573 F. 3d 484.

No. 09–7099. *WILLIAMS v. GEITHNER*, SECRETARY OF THE TREASURY. C. A. 11th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 175.

No. 09–7145. *RIVERA v. RIOS*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 09–7148. *NAILOR v. CASTILLO*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 09–7154. *DOE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 09–7155. *DAVIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–7157. *MURPHY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 572 F. 3d 563.

No. 09–7159. *PABLO-GONZALEZ, AKA GONZALES, AKA GARCIA-GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 246.

No. 09–7162. *SANCHEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 569 F. 3d 995.

No. 09–7163. *AMREYA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 825.

No. 09–7164. *ARMSTRONG v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 889.

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No. 09–7166. *JUAREZ-GALVAN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 572 F. 3d 1156.

No. 09–7169. *WILLIAMS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 09–7171. *BROCK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 573 F. 3d 497.

No. 09–7176. *KING v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–7177. *LOWE v. MATHY, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 09–7178. *WARRICK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 338 Fed. Appx. 881.

No. 09–7179. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 840.

No. 09–7180. *SUAREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 551.

No. 09–7181. *COX v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 565 F. 3d 1013.

No. 09–7182. *DOTSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 570 F. 3d 1067.

No. 09–7183. *COOPER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 837.

No. 09–7184. *CONTRERA-AGUILAR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 338 Fed. Appx. 736.

No. 09–7185. *GILDEN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 312.

No. 09–7187. *BOYD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 259.

No. 09–7189. *BRIONES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 09–7190. *BILLUE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 576 F. 3d 898.

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No. 09–7192. *GRANT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–7193. *FROST v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 725.

No. 09–7195. *GALLOWAY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 829.

No. 09–7198. *HERRERA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 349 Fed. Appx. 737.

No. 09–7200. *AVERY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 259.

No. 09–7204. *BARNETT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 574 F. 3d 600.

No. 09–7207. *WATSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 226.

No. 09–7208. *JOHNSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 869.

No. 09–7213. *BUSH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 826.

No. 09–7214. *PITA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 537.

No. 09–7215. *McAFFEE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 435.

No. 09–7216. *POWELL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 09–7217. *BROWN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–7221. *ALLAN-SELVIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 347 Fed. Appx. 314.

No. 09–7222. *SPAULDING v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 942.

No. 09–7226. *PETTIFORD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 352.

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No. 09–7227. *WADE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 509.

No. 09–7230. *WRIGHT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–7231. *WEATHERSPOON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 338 Fed. Appx. 143.

No. 09–7234. *SANCHEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 641.

No. 09–7235. *LUGO LUNA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 332 Fed. Appx. 778.

No. 09–7237. *MARTINEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 338 Fed. Appx. 846.

No. 09–7238. *LIBMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 614.

No. 09–7240. *MACKEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 243.

No. 09–7248. *WASHINGTON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 338 Fed. Appx. 877.

No. 09–7249. *TIMLEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 338 Fed. Appx. 782.

No. 09–7251. *MADRIGAL-DIAZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 657.

No. 09–7253. *PIRTLE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 108.

No. 09–7254. *ANDERSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 878.

No. 09–7256. *WILSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–7261. *STRICKLIN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 599.

No. 09–7269. *MURPHY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 578 F. 3d 719.

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No. 09-7271. *PARRA-GONZALEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 887.

No. 09-7273. *LEE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 541.

No. 09-7274. *KATTARIA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 553 F. 3d 1171.

No. 09-7285. *LNU v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 575 F. 3d 298.

No. 09-7288. *SMITH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 575 F. 3d 308.

No. 09-7289. *MITCHELL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 613.

No. 09-7295. *EREME v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 340.

No. 09-7296. *DONOVAN v. GOVERNMENT OF THE VIRGIN ISLANDS*. C. A. 3d Cir. Certiorari denied. Reported below: 335 Fed. Appx. 206.

No. 09-7298. *PERAZA-CARRILLO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 344 Fed. Appx. 357.

No. 09-7299. *COFFMAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09-7300. *CHILDRESS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 954.

No. 09-7301. *DANIELS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09-7303. *BELTRAN-GARCIA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 338 Fed. Appx. 765.

No. 09-7304. *LOPEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 552.

No. 09-7310. *JACKSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 09-7312. *GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 400.

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No. 09–7314. *HOLMES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 339 Fed. Appx. 151.

No. 09–7315. *HARRIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 471.

No. 09–7316. *GUERRERO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 345 Fed. Appx. 274.

No. 09–7317. *GLADNEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 338 Fed. Appx. 734.

No. 09–7318. *FELAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 499.

No. 09–7321. *HALL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 340.

No. 09–7323. *HAYMAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 338 Fed. Appx. 872.

No. 09–7324. *HOLYCROSS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 81.

No. 09–7327. *PEGUERO v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 394.

No. 09–7331. *ORTIZ-RUIZ, AKA GARCIA-SALGADO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 66.

No. 09–7332. *PEREIRA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–7334. *MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–7335. *LEWIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 905.

No. 09–7336. *JACKSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 576 F. 3d 465.

No. 09–7337. *JOHNSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–7340. *BOUDREAU v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 564 F. 3d 431.

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No. 09-7341. *BANKS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09-7342. *ANGULO-HERNANDEZ ET AL. v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 565 F. 3d 2.

No. 09-7343. *BENTON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 969.

No. 09-7344. *BERKEFELT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 566.

No. 09-7345. *BOOKER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 576 F. 3d 506.

No. 09-7346. *BRYANT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 259.

No. 09-7348. *BEVERLY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 44.

No. 09-7349. *BUTLER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09-348. *TRADIN ORGANICS USA, INC. v. MARYLAND CASUALTY Co.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 325 Fed. Appx. 10.

No. 09-376. *PITKINS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT LAUREL HIGHLANDS, ET AL. v. HUMMEL*. C. A. 3d Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 564 F. 3d 290.

No. 09-383. *PARK MINI STORAGE CENTER Co. v. SAM'S EAST, INC., DBA SAM'S CLUB*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 11 So. 3d 951.

No. 09-5217. *SCOTT v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 321 Fed. Appx. 71.

No. 09-5553. *BRISCO v. ERCOLE, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari de-

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nied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 565 F. 3d 80.

No. 09–6609. DIXON *v.* GRANT ET AL. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–6645. WILLIAMS *v.* JONES, SUPERINTENDENT, HYDE CORRECTIONAL INSTITUTION. C. A. 4th Cir. Certiorari before judgment denied.

No. 09–6738. JONES *v.* SCRIBNER, WARDEN, ET AL. C. A. 9th Cir. Certiorari before judgment denied.

No. 09–7146. REYES *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

Rehearing Denied

No. 08–1172. NACCHIO *v.* UNITED STATES, *ante*, p. 815;

No. 08–1348. RAILSBACK *v.* WASHINGTON, *ante*, p. 817;

No. 08–1421. VAN AUKEN *v.* CATRON, CATRON & POTTOW, P. A., ET AL., *ante*, p. 819;

No. 08–1485. BROWN ET AL. *v.* ONE BEACON INSURANCE CO., INC., *ante*, p. 822;

No. 08–1491. WAGENKNECHT *v.* LEVIN, OHIO TAX COMMISSIONER, *ante*, p. 823;

No. 08–1533. MEHEN *v.* DELTA AIR LINES, INC., ET AL., *ante*, p. 824;

No. 08–1576. LINAM *v.* LINAM, *ante*, p. 827;

No. 08–9887. SAMPATH *v.* CONCURRENT TECHNOLOGIES CORP., *ante*, p. 830;

No. 08–10257. HAWKINS *v.* HAMLET, LTD., ET AL., *ante*, p. 835;

No. 08–10358. SWIFT *v.* STANFORD, *ante*, p. 837;

No. 08–10361. MONACELLI *v.* UPS STORE ET AL., *ante*, p. 837;

No. 08–10431. DAVIS *v.* THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 839;

No. 08–10444. WARE *v.* LANEY ET AL., *ante*, p. 840;

No. 08–10451. O’KELLEY *v.* HALL, WARDEN, *ante*, p. 840;

No. 08–10497. DORSEY *v.* COLEMAN, SUPERINTENDENT, FAYETTE STATE CORRECTIONAL INSTITUTION, *ante*, p. 841;

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- No. 08–10575. *DINKINS v. SEBELIUS, SECRETARY OF HEALTH AND HUMAN SERVICES*, *ante*, p. 844;
- No. 08–10617. *AYRES v. VIRGINIA*, *ante*, p. 845;
- No. 08–10636. *WILSON v. SIMPSON, WARDEN*, *ante*, p. 846;
- No. 08–10824. *JONES v. UNITED STATES*, *ante*, p. 856;
- No. 08–10829. *MURRAY v. LOCKE, STATE MEDICAL EXAMINER, ET AL.*, *ante*, p. 856;
- No. 08–10956. *BLACKSHEAR v. DOWLING ET AL.*, *ante*, p. 863;
- No. 08–10978. *WHITE v. DONLEY, SECRETARY OF THE AIR FORCE, ET AL.*, *ante*, p. 864;
- No. 08–11007. *IN RE BROWN*, *ante*, p. 814;
- No. 08–11036. *DIAZ v. FLORIDA*, *ante*, p. 867;
- No. 08–11066. *SHIRAIISHI v. UNITED STATES*, *ante*, p. 869;
- No. 08–11084. *WILLIAMS v. WILLIAM BEAUMONT HOSPITAL*, *ante*, p. 870;
- No. 09–7. *STEVENS v. VONS COS., INC.*, *ante*, p. 874;
- No. 09–19. *HILL v. UNITED STATES ET AL.*, *ante*, p. 874;
- No. 09–44. *CANO v. INDUSTRIAL COMMISSION OF ARIZONA ET AL.*, *ante*, p. 875;
- No. 09–46. *UNITED STATES EX REL. VUYYURU v. JADHAV ET AL.*, *ante*, p. 875;
- No. 09–72. *BROCAIL v. DETROIT TIGERS, INC.*, *ante*, p. 877;
- No. 09–99. *PATTERSON v. AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL–CIO, #2456*, *ante*, p. 878;
- No. 09–116. *SECAREA v. REGENTS OF THE UNIVERSITY OF CALIFORNIA ET AL.*, *ante*, p. 878;
- No. 09–130. *OWENS v. STEELE, WARDEN*, *ante*, p. 879;
- No. 09–133. *MORTERS v. BARR ET AL.*, *ante*, p. 946;
- No. 09–5046. *HAYWOOD v. TRIBECA LENDING CORP. ET AL.*, *ante*, p. 884;
- No. 09–5047. *HOGUES v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, *ante*, p. 884;
- No. 09–5058. *PATTERSON v. CITY OF CHESAPEAKE, VIRGINIA, ET AL.*, *ante*, p. 885;
- No. 09–5072. *ZAHN v. CITY OF SAN DIEGO, CALIFORNIA*, *ante*, p. 886;
- No. 09–5082. *WEEKS v. WHITE’S MILL COLONY, INC.*, *ante*, p. 886;

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No. 09–5087. *GREENE v. FINGER LAKES DEVELOPMENTAL DISABILITIES SERVICE OFFICE ET AL.*, *ante*, p. 886;

No. 09–5145. *BROWN v. UNITED STATES*, *ante*, p. 889;

No. 09–5198. *GORMAN v. NATIONAL TRANSPORTATION SAFETY BOARD ET AL.*, *ante*, p. 892;

No. 09–5235. *HARRIS v. FLORIDA*, *ante*, p. 893;

No. 09–5238. *HUNT v. WOLFENBARGER, WARDEN*, *ante*, p. 894;

No. 09–5282. *BEST v. GEICO CASUALTY CO.*, *ante*, p. 896;

No. 09–5287. *MULLINS v. UNITED STATES*, *ante*, p. 896;

No. 09–5312. *MONACELLI v. HEARTLAND EDUCATIONAL CONSORTIUM ET AL.*, *ante*, p. 897;

No. 09–5328. *HOLLAND v. HOLLAND*, *ante*, p. 898;

No. 09–5359. *TOMPKINS v. MITCHELL, CORRECTIONAL ADMINISTRATOR IV, MOUNTAIN VIEW CORRECTIONAL INSTITUTION*, *ante*, p. 900;

No. 09–5406. *POWELL v. SAN DIEGO COUNTY HEALTH AND HUMAN SERVICES AGENCY*, *ante*, p. 902;

No. 09–5438. *GRIFFIN v. SEBULIBA*, *ante*, p. 903;

No. 09–5518. *CREUSERE v. WEAVER ET AL.*, *ante*, p. 907;

No. 09–5552. *TATUM v. UNITED STATES*, *ante*, p. 909;

No. 09–5582. *PHILLIPS v. MISSOURI*, *ante*, p. 911;

No. 09–5643. *HANKS v. WRIGHT, WARDEN, ET AL.*, *ante*, p. 914;

No. 09–5707. *WHITE v. SUPREME COURT OF NEW JERSEY ET AL.*, *ante*, p. 916;

No. 09–5735. *LOPEZ v. WALLACE ET AL.*, *ante*, p. 951;

No. 09–5770. *ANTONSSON v. KAST*, *ante*, p. 952;

No. 09–5921. *HAQUE v. IMMIGRATION AND CUSTOMS ENFORCEMENT ET AL.*, *ante*, p. 955; and

No. 09–5979. *RAMIREZ-PONCE v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.*, *ante*, p. 924. Petitions for rehearing denied.

No. 08–1354. *DESALVO v. VOLHARD ET AL.*, *ante*, p. 932. Petition for rehearing denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 08–1511. *GILLEY v. MONSANTO CO., INC., ET AL.*, *ante*, p. 823. Motion of petitioner to defer consideration of petition for rehearing denied. Petition for rehearing denied.

No. 08–8135. *SIMS v. CITY OF NEW YORK, NEW YORK, ET AL.*, 556 U.S. 1110. Motion for leave to file petition for rehearing

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denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this motion.

No. 09–5692. NJOKU *v.* HOLDER, ATTORNEY GENERAL, ET AL., *ante*, p. 916. Motion for leave to file petition for rehearing denied.

DECEMBER 2, 2009

Certiorari Denied

No. 09–7839 (09A521). JOHNSON *v.* BREDESEN, GOVERNOR OF TENNESSEE, 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.

Statement of JUSTICE STEVENS, with whom JUSTICE BREYER joins, respecting the denial of the petition for writ of certiorari.

Petitioner Cecil Johnson, Jr., has been confined to a solitary cell awaiting his execution for nearly 29 years.¹ Johnson bears little, if any, responsibility for this delay. After his execution date was set and on the day the Governor of Tennessee denied him clemency, Johnson brought this Eighth Amendment challenge under Rev. Stat. § 1979, 42 U. S. C. § 1983, to enjoin the State from executing him after this lengthy and inhumane delay. See *Lackey v. Texas*, 514 U. S. 1045, 1045–1046 (1995) (STEVENS, J., statement respecting denial of certiorari); see also *Thompson v. McNeil*, 556 U. S. 1114, 1115–1116 (2009) (same); *id.*, at 1119–1120 (BREYER, J., dissenting from denial of certiorari). Because I remain steadfast in my view “that executing defendants after such delays is unacceptably cruel,” *id.*, at 1116, I would grant the stay application and the petition for certiorari.

Johnson was tried and convicted of three counts of first-degree murder in 1981. He continues to maintain his innocence. Verified Complaint in No. 3:09–1133 (MD Tenn.), ¶ 9, App. to Pet. for Cert. 15. There was no physical evidence tying Johnson to the crime. See *Johnson v. Bell*, 525 F. 3d 466, 490 (CA6 2008) (Cole, J., dissenting). In 1992 a change in state law gave Johnson access, for the first time, to substantial evidence undermining key

¹“Inmates who are under a sentence of death shall be single-celled and housed in a maximum security unit separate from the general population.” State of Tennessee, Dept. of Correction, Administrative Policies and Procedures, Index #506.14(VI)(B)(2) (2009), online at <http://www.state.tn.us/correction/pdf/506-14.pdf> (as visited Dec. 1, 2009).

eyewitness testimony against him. *Id.*, at 473. This evidence calls into question the persuasive force of the eyewitness' testimony, and, consequently, whether Johnson's conviction was infected with constitutional error. See *Brady v. Maryland*, 373 U. S. 83 (1963); *Johnson*, 525 F. 3d, at 490 (Cole, J., dissenting). The merits of Johnson's *Brady* claim are not before us; we denied certiorari on this issue several months ago. 556 U. S. 1154 (2009). But the constitutional concerns raised by Judge Cole's dissent only underscore my strongly held view that state-caused delay in state-sponsored killings can be unacceptably cruel. See *Thompson*, 556 U. S., at 1116.² We cannot know as a definitive matter whether, if the State had not withheld exculpatory evidence, Johnson would have been convicted of these crimes. We do know that Johnson would not have waited for 11 years on death row before the State met its disclosure obligations. In short, this is as compelling a case as I have encountered for addressing the constitutional concerns that I raised in *Lackey*.

This case deserves our full attention for another reason. Johnson has brought his Eighth Amendment claim under 42 U. S. C. §1983. More typically, such claims have been brought in habeas corpus. See, e.g., *Thompson v. Secretary for Dept. of Corrections*, 517 F. 3d 1279, 1280 (CA11 2008) (*per curiam*); *Allen v. Ornoski*, 435 F. 3d 946, 956–960 (CA9 2006); cf. *Knight v. Florida*, 528 U. S. 990, 998 (1999) (BREYER, J., dissenting from denial of certiorari) (discussing *Lackey* claim raised after state resentencing on successful habeas corpus petition). This case's posture raises two important questions: whether a *Lackey* claim is cognizable under §1983; and, if it is not, whether a second federal habeas petition raising a *Lackey* claim is a successive petition under 28 U. S. C. §2244(b)(2). The Sixth Circuit agreed with the District Court's conclusion that a stand-alone *Lackey* challenge under §1983 is the "functional equivalent" of a habeas corpus challenge, App. to Pet. for Cert. 9 (District Court opinion), and thus must proceed under 28 U. S. C. §2244(b)(2)'s successive petition bar, see *Allen*, 435 F. 3d, at 956–960. The resolution of these

²The possibility that there was constitutional error in Johnson's case is far from unique. See Root, Cruel and Unusual Punishment: A Reconsideration of the *Lackey* Claim, 27 N. Y. U. Rev. L. & Soc. Change 281, 312–313 (2002) (discussing error rates in capital trials) (citing J. Liebman, J. Fagan, & V. West, A Broken System: Error Rates in Capital Cases, 1973–1995, p. 5 (2000)).

questions below poses a nearly insurmountable hurdle for those seeking to raise similar Eighth Amendment challenges.

In my view, these procedural questions are inextricably linked to the two underlying evils of intolerable delay. First, the delay itself subjects death row inmates to decades of especially severe, dehumanizing conditions of confinement. See *Thompson*, 556 U. S., at 1115 (STEVENS, J., statement respecting denial of certiorari); *Lackey*, 514 U. S., at 1046–1047 (same); see also *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”). Second, “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.” *Thompson*, 556 U. S., at 1115 (STEVENS, J., statement respecting denial of certiorari). In other words, the penological justifications for the death penalty diminish as the delay lengthens. *Ibid.*; *Lackey*, 514 U. S., at 1046–1047. Thus, I find constitutionally significant both the conditions of confinement and the nature of the penalty itself.

In light of these coextensive concerns, I find it quite difficult to conclude, as the courts below did, that Johnson’s § 1983 action is the functional equivalent of a habeas petition. Both the gravamen of petitioner’s complaint and one of the central concerns animating *Lackey* is that the “method” of the State’s execution of a death sentence—a lengthy delay due in no small part to the State’s malfeasance in this case—is itself unconstitutional. We have held that “method” of execution claims are cognizable under § 1983. *Hill v. McDonough*, 547 U. S. 573, 580 (2006); see also *Nelson v. Campbell*, 541 U. S. 637, 645–647 (2004). But a successful *Lackey* claim would have the effect of rendering invalid a particular death sentence, suggesting that Johnson’s *Lackey* claim “directly call[s] into question the ‘fact’ or ‘validity’ of the sentence itself,” *Nelson*, 541 U. S., at 644. Were petitioner to prevail, it is true that the State will not be able to go forward in this case “by simply altering its method of execution,” *ibid.* On the other hand, it is equally true that, had the State not carried out his sentence in this intolerably cruel manner, the State would have been quite free, as a constitutional matter, to “go forward with the sentence,” *ibid.*

Although the Court of Appeals' treatment of Johnson's claim as a habeas challenge is a close question, its decision to apply § 2244(b)(2)'s successive habeas bar is not. The Sixth Circuit's decision has the curious effect of forcing Johnson to bring a *Lackey* claim prematurely, possibly at a time before it is ripe.³ Moreover, construing this claim as the functional equivalent of a habeas action also has the unfortunate effect of inviting further delay: A petitioner would be compelled to return to state court to exhaust his *Lackey* claim in the first instance under 28 U. S. C. § 2254(b)(1). For these reasons, I am persuaded that a *Lackey* claim, like a claim that one is mentally incompetent to be executed, should, at the very least, not accrue until an execution date is set. See *Ceja v. Stewart*, 134 F. 3d 1368, 1371–1372 (CA9 1998) (Fletcher, J., dissenting); cf. *Panetti v. Quarterman*, 551 U. S. 930, 945 (2007).

When I first expressed my views in *Lackey*, I did not envision such procedural obstacles to the consideration of a claim that nearly three decades of delay on death row, much of it caused by the State, has deprived a person of his Eighth Amendment right to avoid cruel and unusual punishment. One does not need to accept the proposition “that the imposition of the death penalty represents ‘the pointless and needless extinction of life with only marginal contributions to any discernible social or public purposes,’” *Baze v. Rees*, 553 U. S. 35, 86 (2008) (STEVENS, J., concurring in judgment) (quoting *Furman*, 408 U. S., at 312 (White, J., concurring)), in order to agree that the imposition of the death penalty on these extreme facts is without constitutional justification. Most regrettably, a majority of this Court continues to find these issues not of sufficient weight to merit our attention.

JUSTICE THOMAS, concurring.

In 1981, the petitioner in this case was convicted and sentenced to death for three brutal murders he committed in the course of

³The State argues, and the courts below agreed, that Johnson should have brought his Eighth Amendment claim in the federal habeas proceeding he commenced in 1999. At that point in time, Johnson had been on death row for 18 years. This was one year longer than the petitioner in *Lackey*. Of course, by 1999, the Court had denied certiorari in *Lackey* and in *Knight v. Florida*, 528 U. S. 990 (1999), which involved a 19-year delay. Therefore, when Johnson filed his federal habeas action, he had reason to believe that an 18-year delay was not long enough to trigger Eighth Amendment concerns and that any *Lackey*-based claim was premature.

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a robbery. He spent the next 29 years challenging his conviction and sentence in state and federal judicial proceedings and in a petition for executive clemency. His challenges were unsuccessful. He now contends that the very proceedings he used to contest his sentence should prohibit the State from carrying it out, because executing him after the “lengthy and inhumane delay” occasioned by his appeals would violate the Eighth Amendment’s prohibition on “cruel and unusual” punishment. See *ante*, at 1067 (STEVENSON, J., statement respecting denial of certiorari) (citing *Lackey v. Texas*, 514 U.S. 1045, 1045–1046 (1995)).

It has been 14 years since JUSTICE STEVENSON proposed this “novel” Eighth Amendment argument. *Id.*, at 1045. I was unaware of any constitutional support for the argument then. See *Knight v. Florida*, 528 U.S. 990 (1999) (THOMAS, J., concurring in denial of certiorari). And I am unaware of any support for it now. There is simply no authority “in the American constitutional tradition or in this Court’s precedent for the proposition that a defendant can avail himself of the panoply of appellate and collateral procedures and then complain when his execution is delayed.” *Thompson v. McNeil*, 556 U.S. 1114, 1116–1117 (2009) (same) (internal quotation marks omitted). Petitioner cites no evidence otherwise and, for all his current complaints about delay, did not raise a *Lackey* objection to the speed of his proceedings in the 1999 habeas petition he filed 18 years into his tenure on death row. See *ante*, at 1070, n. 3.

Undeterred, JUSTICE STEVENSON insists that petitioner’s Eighth Amendment claim warrants relief. It does not, and JUSTICE STEVENSON’S arguments to the contrary stand in stark contrast not only to history and precedent, but also to his own recent statement in *Muhammad v. Kelly*, *ante*, at 1019 (statement respecting denial of certiorari), decrying the “perversity of executing inmates before their appeals process has been fully concluded.” In JUSTICE STEVENSON’S view, it seems the State can never get the timing just right. The reason, he has said, is that the death penalty itself is wrong. *McNeil*, *supra*, at 1116 (statement respecting denial of certiorari) (citing *Baze v. Rees*, 553 U.S. 35, 78, 86 (2008) (STEVENSON, J., concurring in judgment)). But that is where he deviates from the Constitution and where proponents of his view are forced to find their support in precedent from the “European Court of Human Rights, the Supreme Court of Zimbabwe, the

Supreme Court of India, or the Privy Council.” *Knight, supra*, at 990 (THOMAS, J., concurring in denial of certiorari).

Eager to distinguish this case from *Knight* and all the other cases in which the Court has refused to grant relief on *Lackey* grounds, JUSTICE STEVENS asserts that the petition here presents important questions regarding the proper procedural vehicle for bringing a *Lackey* claim that merit this Court’s review. First, the procedural posture in which a *Lackey* claim arises does not change the fact that the claim itself has no constitutional foundation. Accordingly, the claim’s procedural posture does not matter for purposes of merits relief; a *Lackey* claim would fail no matter how it arrived. In addition, JUSTICE STEVENS concedes that the unusual contours of petitioner’s Eighth Amendment claim are the reason the procedural questions in this case are difficult. Given that, our order in this case rightly adheres to our precedents denying relief on *Lackey* claims, however presented. Second, even if the procedural claims in this case had merit, they would not warrant review because JUSTICE STEVENS admits that a “successful *Lackey* claim would have the effect of rendering invalid a particular death sentence,” *ante*, at 1069, and thus would “directly call into question the “fact” or “validity” of the sentence itself,” *ibid.* (quoting *Nelson v. Campbell*, 541 U.S. 637, 644 (2004)). Accordingly, the Sixth Circuit plainly did not err in treating petitioner’s §1983 motion as “the functional equivalent of” a habeas petition. *Ante*, at 1069. And for the reasons above, the panel’s treatment of the petition as a second or successive petition would not, even if reversed, entitle petitioner to the merits relief he seeks.

At bottom, JUSTICE STEVENS’ arguments boil down to policy disagreements with the Constitution and the Tennessee Legislature. *Ibid.* (“[D]elaying an execution does not further public purposes of retribution and deterrence but only diminishes whatever possible benefit society might receive from petitioner’s death. . . . In other words, the penological justifications for the death penalty diminish as the delay lengthens” (internal quotation marks omitted)). Such views, no matter how “steadfast[ly]” held, *ante*, at 1067, are not grounds for enjoining petitioner’s execution or for granting certiorari on the procedural questions that attend his *Lackey* claim. As long as our system affords capital defendants the procedural safeguards this Court has long endorsed, defendants who avail themselves of these procedures will face the

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delays JUSTICE STEVENS laments. There are, of course, alternatives. As Blackstone observed, the principle that “punishment should follow the crime as early as possible” found expression in a “statute[,] 25 Geo. II. c. 37,” decreeing that “in case of murder, the judge shall in his sentence direct execution to be performed on the next day but one after sentence passed.” 4 W. Blackstone, *Commentaries on the Laws of England* 397 (1769). I have no doubt that such a system would avoid the diminishing justification problem JUSTICE STEVENS identifies, but I am equally confident that such a system would find little support from this Court. See *Knight, supra*, at 990, n. 1 (THOMAS, J., concurring). I thus concur in the denial of certiorari.

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Miscellaneous Order

No. 09–7843 (09A524). IN RE WOODS. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

Certiorari Denied

No. 09–7879 (09A533). WOODS *v.* TEXAS. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. JUSTICE SOTOMAYOR would grant the application for stay of execution. Reported below: 296 S. W. 3d 587.

No. 09–7880 (09A535). WOODS *v.* LIVINGSTON, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. Reported below: 354 Fed. Appx. 863.

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Certiorari Granted—Reversed and Remanded. (See No. 09–91, *ante*, p. 45.)

Certiorari Dismissed

No. 09–6768. STALEY *v.* HALL, WARDEN. 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.

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No. 09–6818. *SMITH v. DONAHUE 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. Reported below: 907 N. E. 2d 553.

No. 09–6828. *CALDWELL v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 09–6843. *DASISA v. EXPERT CARE NURSING SERVICE, INC.* 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. 09–6871. *ADDLEMAN v. WASHINGTON ET AL.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 09–6878. *HON CHUNG LAU v. GIURBINA, WARDEN, ET AL.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 09–6888. *BEAVER 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: 18 So. 3d 527.

No. 09–6969. *GOSSETT v. ADMINISTRATION OF GEORGE W. BUSH ET AL.* C. A. 10th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 336 Fed. Appx. 843.

Miscellaneous Orders

No. 09M43. *DE JOHNSON v. HOLDER, ATTORNEY GENERAL.* Motion of petitioner for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner granted. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 08–1341. *UNITED STATES v. MARCUS.* C. A. 2d Cir. [Certiorari granted, *ante*, p. 945.] Motion of the Solicitor General

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to dispense with printing the joint appendix granted. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–5327. *HOLLAND v. FLORIDA*. C. A. 11th Cir. [Certiorari granted, *ante*, p. 945.] Motion of petitioner for appointment of counsel granted. Todd G. Scher, Esq., of Miami Beach, Fla., is appointed to serve as counsel for petitioner in this case.

No. 09–5768. *IN RE MILLER*. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 813] denied.

No. 09–6525. *GENEVIER v. SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY, ET AL.* Ct. App. Cal., 2d App. Dist. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 967] denied.

No. 09–6684. *HOWARD v. UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO ET AL.* C. A. D. C. Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 985] denied.

No. 09–6732. *ROGERS v. KBR TECHNICAL SERVICES, INC.* C. A. 5th Cir.; and

No. 09–6765. *MCGORE v. BIRKETT, WARDEN*. C. A. 6th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until December 28, 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. 09–7290. *IN RE AL-GHIZZAWI*;

No. 09–7454. *IN RE MILLER*; and

No. 09–7511. *IN RE BROMELL*. Petitions for writs of habeas corpus denied.

No. 09–7470. *IN RE ARMSTRONG*. 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. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–6857. *IN RE BIVENS*. Petition for writ of mandamus denied.

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No. 09–6854. *IN RE OYAGUE*. Petition for writ of mandamus denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

Certiorari Granted

No. 08–1371. CHRISTIAN LEGAL SOCIETY CHAPTER OF THE UNIVERSITY OF CALIFORNIA, HASTINGS COLLEGE OF THE LAW, AKA HASTINGS CHRISTIAN FELLOWSHIP *v.* MARTINEZ ET AL. C. A. 9th Cir. Certiorari granted. Reported below: 319 Fed. Appx. 645.

No. 09–6338. *DILLON v. UNITED STATES*. C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 572 F. 3d 146.

Certiorari Denied

No. 08–10760. *MOULING v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 557 F. 3d 658.

No. 09–270. *MARLEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 567 F. 3d 1030.

No. 09–341. *D’ARIA v. GLASS ET AL.*; and

No. 09–410. *EVANS v. GLASS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 452.

No. 09–396. *HUDSON v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 296 Ga. App. 758, 675 S. E. 2d 603.

No. 09–397. *HENLEY v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 285 Ga. 500, 678 S. E. 2d 884.

No. 09–401. *FIEGER v. SUPREME COURT OF SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied.

No. 09–403. *JONES v. CITY OF FRANKLIN, TENNESSEE*. C. A. 6th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 938.

No. 09–404. *YMCA OF METROPOLITAN CHICAGO ET AL. v. U. S. BANK, TRUSTEE OF THE ROE ANN LOCKHART OBRA ‘93 TRUST, ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 409 Ill. App. 3d 548, 946 N. E. 2d 850.

No. 09–405. *UNITED STATES EX REL. DARIAN v. ACCENT BUILDERS, INC., ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 09–406. UNITED STATES EX REL. DARIAN *v.* PASTERNAK ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 342 Fed. Appx. 254.

No. 09–423. STACEY, EXECUTOR OF THE ESTATE OF STACEY, DECEASED *v.* TIERNEY. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 09–452. FASTOV *v.* CHRISTIE’S INTERNATIONAL PLC ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 324 Fed. Appx. 10.

No. 09–488. THOMAS KINKADE CO., LLC, ET AL. *v.* HAZLEWOOD ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 629.

No. 09–512. SMITH *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. Reported below: 333 Fed. Appx. 607.

No. 09–514. CLARKE *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 562 F. 3d 1158.

No. 09–526. PHENGSENGKHAM *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 423.

No. 09–534. CATLETT *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 681.

No. 09–552. LEDINGHAM *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 150.

No. 09–5076. KINCAID-CHAUNCEY *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 556 F. 3d 923.

No. 09–5515. QUINN *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 308 Fed. Appx. 293.

No. 09–5694. BOLDEN *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 545 F. 3d 609.

No. 09–5708. AL UZAYTI, AKA AL LIBBI *v.* GATES, SECRETARY OF DEFENSE. C. A. D. C. Cir. Certiorari denied.

No. 09–5734. LUSTER *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 224.

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No. 09–6078. *GWANJUN KIM v. PROGRESSIVE EXPRESS INSURANCE CO. ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–6186. *LEWIS v. ALABAMA*. Sup. Ct. Ala. Certiorari denied. Reported below: 24 So. 3d 540.

No. 09–6243. *VARGA v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 390.

No. 09–6453. *ROACH v. ROCKINGHAM COUNTY BOARD OF EDUCATION ET AL.* C. A. 4th Cir. Certiorari denied.

No. 09–6774. *GALACHE v. KENAN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09–6775. *GATES v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 09–6780. *FROST v. TONEY*. C. A. 4th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 296.

No. 09–6782. *BUNDRANT v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–6784. *ANDERSON v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–6786. *BROWN v. CITY OF PHILADELPHIA, PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 331 Fed. Appx. 898.

No. 09–6789. *OM v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 09–6791. *GARLAND v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–6796. *HRUSOVSKY v. HARLOW, SUPERINTENDENT, STATE REGIONAL CORRECTIONAL FACILITY AT MERCER, ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 09–6798. *HAGINS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 09–6805. *PIERCE v. UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 09–6811. *DUMAS v. WONG, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 442.

No. 09–6812. *JOHNSON v. GARCIA ET AL.* C. A. 7th Cir. Certiorari denied.

No. 09–6829. *PELLETIER v. GERRY, WARDEN*. C. A. 1st Cir. Certiorari denied.

No. 09–6836. *MILLEN v. MANAGEMENT CLEANING CONTROLS*. Sup. Ct. Tenn. Certiorari denied.

No. 09–6842. *SHELTON v. KING, SUPERINTENDENT, SOUTH MISSISSIPPI CORRECTIONAL FACILITY*. C. A. 5th Cir. Certiorari denied.

No. 09–6848. *DE LA VEGA v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 09–6850. *DELEON-PUENTES v. SHERRY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 09–6851. *DAY v. TRYBULSKI*. C. A. 2d Cir. Certiorari denied.

No. 09–6852. *PARADISE v. ROBERTS, WARDEN*. Sup. Ct. Ga. Certiorari denied.

No. 09–6855. *O'DWYER v. LOUISIANA ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 309 Fed. Appx. 833.

No. 09–6861. *KNOWLES v. PROVINCE, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 439.

No. 09–6862. *KUPERMAN v. GERRY, WARDEN*. C. A. 1st Cir. Certiorari denied.

No. 09–6864. *LEWIS v. BURTT, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 233.

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No. 09–6867. *IBARRA PEREZ v. OREGON*. Ct. App. Ore. Certiorari denied. Reported below: 218 Ore. App. 375, 180 P. 3d 185.

No. 09–6880. *COOPER v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 17 So. 3d 705.

No. 09–6893. *BARKER v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 09–6894. *ARRELLANO v. TEXAS*. Ct. App. Tex., 13th Dist. Certiorari denied.

No. 09–6895. *BELL v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 492.

No. 09–6896. *WALKER v. CARTER COUNTY, KENTUCKY, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–6897. *YOUNG v. BODISON, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 205.

No. 09–6926. *KIRNON v. KLOPOTOSKI, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–6950. *MIDI v. HOLDER, ATTORNEY GENERAL*. C. A. 4th Cir. Certiorari denied. Reported below: 566 F. 3d 132.

No. 09–6971. *IGNACIO v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 689.

No. 09–6992. *BALLENGER v. MAUNEY, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 224.

No. 09–6994. *MIDDLETON v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 09–7021. *MARSHNER v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 184 Md. App. 751.

No. 09–7029. *JOHNSON v. OREGON*. Sup. Ct. Ore. Certiorari denied. Reported below: 346 Ore. 258, 210 P. 3d 906.

No. 09–7109. *SANTOS v. DiGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 09–7120. *LAMBERT v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 09–7129. *CRUZ v. LAWLER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–7135. *DYKE v. CLARKE, COMMISSIONER, MASSACHUSETTS DEPARTMENT OF CORRECTION*. C. A. 1st Cir. Certiorari denied.

No. 09–7139. *SCRIBER v. KOPPEL, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 461.

No. 09–7150. *RECTOR v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 285 Ga. 714, 681 S. E. 2d 157.

No. 09–7151. *SWISHER v. WAKEFIELD ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–7152. *SLADE v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 964 A. 2d 446.

No. 09–7194. *HANSON v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 206 P. 3d 1020.

No. 09–7196. *FULLER v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied.

No. 09–7205. *BLEDSON v. BRUCE, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 569 F. 3d 1223.

No. 09–7209. *PATTEN v. FLEMING, CHIEF JUDGE, UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF GEORGIA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–7212. *KIRKPATRICK v. ILLINOIS*. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 389 Ill. App. 3d 1151, 976 N. E. 2d 1211.

No. 09–7224. *CLARK v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 577 F. 3d 273.

No. 09–7241. *MACIAS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 18 So. 3d 1038.

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No. 09–7242. *CLARK v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 599 Pa. 204, 961 A. 2d 80.

No. 09–7255. *WHITE v. RABNER, CHIEF JUSTICE, SUPREME COURT OF NEW JERSEY*. C. A. 3d Cir. Certiorari denied. Reported below: 349 Fed. Appx. 681.

No. 09–7329. *SOLIS-MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–7355. *RICHARDSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 347 Fed. Appx. 481.

No. 09–7356. *SHAREEF v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 576 F. 3d 365.

No. 09–7359. *BARRERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 347 Fed. Appx. 51.

No. 09–7364. *ROMERO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 470.

No. 09–7369. *MATHIS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 331 Fed. Appx. 997.

No. 09–7371. *BRYANT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–7372. *WELCH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 859.

No. 09–7375. *CORDOVA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 427.

No. 09–7376. *DEPUTY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–7378. *VELASQUEZ-MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 285.

No. 09–7380. *PRATT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–7387. *FOX v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 573 F. 3d 1050.

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No. 09–7389. *GAMBLE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 572 F. 3d 472.

No. 09–7393. *OSEQUERA-MORALES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–7396. *DIALLO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 575 F. 3d 252.

No. 09–7401. *ORTKIESE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–7403. *BALDWIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 518.

No. 09–7404. *ROBERTSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 568 F. 3d 1203.

No. 09–7406. *SALDANA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–7407. *SAVAGE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–7409. *HARTSTEIN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 557 F. 3d 589.

No. 09–7411. *PAYAN-CARRILL, AKA MATA-CARILLO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 292.

No. 09–7416. *SANDERS v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 975 A. 2d 165.

No. 09–7417. *RIVERA-CASTANEDA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 337.

No. 09–7420. *WILSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 562.

No. 09–7421. *CULVERHOUSE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–7422. *GATHERUM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 338 Fed. Appx. 271.

No. 09–7427. *GRIDER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 820.

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No. 09–7429. *GARCIA-VILLEGAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 575 F. 3d 949.

No. 09–7430. *HILLIARD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 500.

No. 09–7431. *HENDERSON-EL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–7432. *HOLMES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 334.

No. 09–7434. *HERNANDEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–7437. *GRUBER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–7438. *HIGGINS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 557 F. 3d 381.

No. 09–7439. *GRIGGS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 569 F. 3d 341.

No. 09–7440. *NWEKE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 237.

No. 09–7447. *ROMERO v. UNITED STATES PAROLE COMMISSION*. C. A. 5th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 245.

No. 09–7449. *PORTER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–7459. *FRAUENDORFER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–7463. *GAINER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–7464. *HUNTER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–7465. *CARAPIA-GARCIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–7473. *MEDINA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 493.

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No. 09–7474. *MICHAEL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 576 F. 3d 323.

No. 09–7475. *ORUCHE v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 333 Fed. Appx. 578.

No. 09–7477. *MAYBERRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 859.

No. 09–7482. *YARBROUGH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 266.

No. 09–7491. *VASQUEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 08–1375. *CASSENS TRANSPORT CO. ET AL. v. BROWN ET AL.* C. A. 6th Cir. Motions of Michigan Self-Insurers Association, American Trucking Associations, Inc., DRI–The Voice of the Defense Bar, and National Council of Self-Insurers et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 546 F. 3d 347.

No. 09–536. *BURKE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–7362. *SURIEL v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 335 Fed. Appx. 136.

No. 09–7397. *FLORES CARRETO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 583 F. 3d 152.

No. 09–7908 (09A543). *BIROS 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: 588 F. 3d 921.

Rehearing Denied

No. 08–1389. *PRELESNIK, WARDEN v. AVERY*, *ante*, p. 932;

No. 08–10085. *MCNEILL v. GOFF, WARDEN*, *ante*, p. 832;

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- No. 08–10225. SHABAZZ, AKA DENNIS *v.* FIRST CORRECTIONAL MEDICAL SERVICES ET AL., *ante*, p. 834;
- No. 08–10488. WATTS *v.* RUNNELS, WARDEN, ET AL., *ante*, p. 841;
- No. 08–10511. RAIHALA *v.* WHITBECK ET AL., *ante*, p. 842;
- No. 08–10643. KENYON *v.* WYOMING DEPARTMENT OF CORRECTIONS ET AL., *ante*, p. 846;
- No. 08–10728. STEVENS *v.* NEVADA, *ante*, p. 850;
- No. 08–10743. OSWALD *v.* THURMER, WARDEN, *ante*, p. 851;
- No. 08–10841. SAMUEL *v.* UNITED STATES, *ante*, p. 857;
- No. 08–10962. ROJAS-BARRERA *v.* WENGLER, WARDEN, *ante*, p. 863;
- No. 08–10977. LASKEY *v.* CHARLES INDUSTRIES, *ante*, p. 864;
- No. 08–11014. LASKEY *v.* UNITED ONLINE, INC., *ante*, p. 866;
- No. 09–101. SMITH ET AL. *v.* THOMAS JEFFERSON UNIVERSITY HOSPITAL ET AL., *ante*, p. 878;
- No. 09–171. HALLIWELL ET AL. *v.* SUPERIOR COURT OF CALIFORNIA, SONOMA COUNTY, ET AL., *ante*, p. 947;
- No. 09–172. HALLIWELL ET AL. *v.* SUPERIOR COURT OF CALIFORNIA, SONOMA COUNTY, ET AL., *ante*, p. 947;
- No. 09–199. HALLIWELL ET AL. *v.* SUPERIOR COURT OF CALIFORNIA, SONOMA COUNTY, ET AL., *ante*, p. 970;
- No. 09–210. FRAZIER *v.* SEBELIUS, SECRETARY OF HEALTH AND HUMAN SERVICES, *ante*, p. 947;
- No. 09–295. BERT *v.* COMPTROLLER OF THE TREASURY OF MARYLAND, *ante*, p. 948;
- No. 09–324. WILEY *v.* GEITHNER, SECRETARY OF THE TREASURY, ET AL., *ante*, p. 948;
- No. 09–5097. HOSTETTER *v.* VIRGINIA, *ante*, p. 887;
- No. 09–5109. WOODS *v.* SOCIAL SECURITY ADMINISTRATION, *ante*, p. 887;
- No. 09–5228. MCCARTHY *v.* JENKINS ET AL., *ante*, p. 893;
- No. 09–5349. MERRIWEATHER *v.* REYNOLDS, WARDEN, ET AL., *ante*, p. 899;
- No. 09–5458. ROBINSON *v.* UNITED STATES, *ante*, p. 904;
- No. 09–5605. GONZALEZ *v.* ASSET ACCEPTANCE, LLC, ET AL., *ante*, p. 912;
- No. 09–5867. DAVIS *v.* VANDERVILLE ET AL., *ante*, p. 954;
- No. 09–5902. GRIFFIN *v.* ORTIZ ET AL., *ante*, p. 954;
- No. 09–6013. HILL *v.* DISTRICT OF COLUMBIA DEPARTMENT OF EMPLOYMENT SERVICES ET AL., *ante*, p. 955;

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No. 09–6168. WALSH *v.* UNITED STATES ET AL., *ante*, p. 996;
No. 09–6211. TROXELLE *v.* UNITED STATES, *ante*, p. 956; and
No. 09–6773. IN RE FULLERBLACK, *ante*, p. 988. Petitions for rehearing denied.

No. 08–10348. GIALTO *v.* OBAMA, PRESIDENT OF THE UNITED STATES, ET AL., *ante*, p. 935;

No. 08–10996. LEGENO *v.* DOUGLAS ELLIMAN, LLC, *ante*, p. 937; and

No. 09–5610. RAHEIM *v.* NEW YORK CITY BOARD OF EDUCATION ET AL., *ante*, p. 941. Petitions for rehearing denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of these petitions.

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Certiorari Denied

No. 09–7912 (09A551). BIROS *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: 589 F. 3d 210.

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Certiorari Granted—Vacated and Remanded

No. 09–285. INDIANA STATE POLICE PENSION TRUST ET AL. *v.* CHRYSLER LLC ET AL. C. A. 2d Cir. Motion of Washington Legal Foundation et al. for leave to file a brief as *amici curiae* granted. Certiorari granted, judgment vacated, and case remanded with instructions to dismiss the appeal as moot. See *United States v. Munsingwear, Inc.*, 340 U.S. 36 (1950). Reported below: 576 F. 3d 108.

Certiorari Dismissed

No. 09–6916. HOWARD *v.* SUPREME COURT OF OHIO 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. 09–6938. MICHALSKI *v.* LEMPKE, SUPERINTENDENT, FIVE POINTS CORRECTIONAL FACILITY. C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certio-

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rari dismissed. See this Court's Rule 39.8. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–6943. HUMPHREY *v.* ONONDAGA COUNTY SHERIFF'S DEPARTMENT ET AL. C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. 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. 09–7123. PANNELL *v.* PENFOLD 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. 09–7149. MILLEN *v.* NATIONAL COLLEGIATE ATHLETIC ASSN. ET AL. C. A. 7th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 09–7160. MILLEN *v.* COMMERCIAL APPEAL. 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. 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. 09–7260. REYNOSO *v.* ROCK, SUPERINTENDENT, GREAT MEADOW CORRECTIONAL FACILITY. 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. 09–7398. SWENDRA *v.* COLORADO. Ct. App. Colo. 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. 09–7594. BAZEMORE *v.* UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF GEORGIA. 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.

Miscellaneous Orders

No. 09M57. SALTER *v.* MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS; and

No. 09M58. HUPP *v.* KURPINSKY ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 08–645. ABBOTT *v.* ABBOTT. C. A. 5th Cir. [Certiorari granted, 557 U. S. 933.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. Motion of S&W International ChildFind Program et al. for leave to participate in oral argument as *amici curiae* and for divided argument denied.

No. 08–661. AMERICAN NEEDLE, INC. *v.* NATIONAL FOOTBALL LEAGUE ET AL. C. A. 7th Cir. [Certiorari granted, 557 U. S. 933.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted and time allocated as follows: 30 minutes for petitioner, 10 minutes for the Solicitor General, and 30 minutes for respondents.

No. 08–810. CONKRIGHT ET AL. *v.* FROMMERT ET AL. C. A. 2d Cir. [Certiorari granted, 557 U. S. 933.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. JUSTICE SOTOMAYOR took no part in the consideration or decision of this motion.

No. 08–1200. JERMAN *v.* CARLISLE, MCNELLIE, RINI, KRAMER & ULRICH L. P. A. ET AL. C. A. 6th Cir. [Certiorari granted, 557 U. S. 933.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 08–1521. McDONALD ET AL. *v.* CITY OF CHICAGO, ILLINOIS, ET AL. C. A. 7th Cir. [Certiorari granted, 557 U. S. 965.] Motion of American Legislative Exchange Council for leave to file a brief as *amicus curiae* granted.

No. 08–10457. CASTILLO *v.* GUIDRY. Ct. App. La., 5th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 802] denied.

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No. 08–10783. SMITH *v.* CHARLESTON COUNTY SCHOOL DISTRICT ET AL. C. A. 4th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 803] denied.

No. 09–291. THOMPSON *v.* NORTH AMERICAN STAINLESS, LP. C. A. 6th Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 09–5577. RICHARDSON *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* [*ante*, p. 984] denied.

No. 09–5713. O'DWYER *v.* BECNEL ET AL. C. A. 5th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 944] denied.

No. 09–6188. IN RE ALPINE. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 989] denied.

No. 09–6595. SCHMITZ *v.* UNITED STATES. C. A. 11th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 968] denied.

No. 09–7899. QUINTANILLA *v.* UNITED STATES. C. A. 5th Cir. Motion of petitioner to expedite consideration of petition for writ of certiorari denied.

No. 09–7634. IN RE CAIN; and

No. 09–7688. IN RE TRUAX. Petitions for writs of habeas corpus denied.

Certiorari Granted

No. 08–1332. CITY OF ONTARIO, CALIFORNIA, ET AL. *v.* QUON ET AL. C. A. 9th Cir. Certiorari granted. Reported below: 529 F. 3d 892.

No. 08–6261. ROBERTSON *v.* UNITED STATES EX REL. WATSON. Ct. App. D. C. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted limited to the following question: “Whether an action for criminal contempt in a congressionally created court may constitutionally be brought in the name and pursuant to the power of a private person, rather than

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in the name and pursuant to the power of the United States.”
Reported below: 940 A. 2d 1050.

No. 09–60. *CARACHURI-ROSENDO v. HOLDER, ATTORNEY GENERAL*. C. A. 5th Cir. Certiorari granted. Reported below: 570 F. 3d 263.

Certiorari Denied

No. 08–1472. *USA MOBILITY WIRELESS, INC. v. QUON ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 529 F. 3d 892.

No. 08–10252. *HONKEN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 541 F. 3d 1146.

No. 09–157. *JINGHAI LI v. HOLDER, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 387.

No. 09–227. *RASUL ET AL. v. MYERS ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 563 F. 3d 527.

No. 09–244. *UNITED STATES v. BOWDEN*. C. A. 11th Cir. Certiorari denied.

No. 09–259. *METRO LIGHTS, L. L. C. v. CITY OF LOS ANGELES, CALIFORNIA*. C. A. 9th Cir. Certiorari denied. Reported below: 551 F. 3d 898.

No. 09–274. *RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS v. SCOTT*. C. A. 9th Cir. Certiorari denied. Reported below: 567 F. 3d 573.

No. 09–301. *COMMON CAUSE OF PENNSYLVANIA ET AL. v. PENNSYLVANIA ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 558 F. 3d 249.

No. 09–309. *TIME WARNER TELECOM OF OREGON, LLC v. CITY OF PORTLAND, OREGON, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 496.

No. 09–353. *MERRITT v. UNITED PARCEL SERVICE, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 410.

No. 09–429. *ELLENBERG v. NEW MEXICO MILITARY INSTITUTE ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 572 F. 3d 815.

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No. 09–434. *VATHIS v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 9 So. 3d 622.

No. 09–436. *ROY v. MINNESOTA*. Ct. App. Minn. Certiorari denied. Reported below: 761 N. W. 2d 883.

No. 09–441. *VENTIMIGLIA ET UX. v. ST. LOUIS, CHURCH OF GOD, INC., DBA TWIN RIVERS WORSHIP CENTER, ET AL.* Ct. App. Mo., Eastern Dist. Certiorari denied. Reported below: 284 S. W. 3d 681.

No. 09–465. *BOWERS v. CITY OF EUGENE, OREGON, ET AL.* Ct. App. Ore. Certiorari denied. Reported below: 227 Ore. App. 290, 205 P. 3d 890.

No. 09–492. *LEWIS ET AL. v. CITGO PETROLEUM CORP.* C. A. 7th Cir. Certiorari denied. Reported below: 561 F. 3d 698.

No. 09–508. *NOVELTY, INC. v. DRUG ENFORCEMENT ADMINISTRATION ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 571 F. 3d 1176.

No. 09–521. *GRUND v. SPRINKLE*. Sup. Ct. Ga. Certiorari denied.

No. 09–557. *ROYAL OAK ENTERTAINMENT, L. L. C., ET AL. v. CITY OF ROYAL OAK, MICHIGAN, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 482.

No. 09–582. *BETTS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 576 F. 3d 738.

No. 09–584. *BURTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 469.

No. 09–5124. *MARMOLEJO-CAMPOS, AKA RAMOS ARMANDO v. HOLDER, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 558 F. 3d 903.

No. 09–5171. *HERNANDEZ-CARRERA ET AL. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 547 F. 3d 1237.

No. 09–5466. *LOPEZ-GARCIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 565 F. 3d 1306.

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No. 09-5767. *NEAL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 564 F. 3d 1351.

No. 09-5812. *AL-NASHIRI v. GATES, SECRETARY OF DEFENSE*. C. A. D. C. Cir. Certiorari denied.

No. 09-5830. *KAUFMAN ET UX. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 546 F. 3d 1242.

No. 09-5924. *MARTINEZ-VALDEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 507.

No. 09-5973. *TORAIN v. AMERITECH ADVANCED DATA SERVICES*. C. A. 7th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 433.

No. 09-6038. *BRIGHAM v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 569 F. 3d 220.

No. 09-6101. *SIMPSON v. ALABAMA DEPARTMENT OF HUMAN RESOURCES ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 311 Fed. Appx. 264.

No. 09-6395. *HARRIMON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 568 F. 3d 531.

No. 09-6399. *CLAYBORN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 322 Fed. Appx. 99.

No. 09-6406. *YOUNG v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 283 S. W. 3d 854.

No. 09-6630. *TERRAZAS LOYA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09-6826. *ESTEP v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09-6884. *DUQUESNE v. HARRISON ET AL.* C. A. 4th Cir. Certiorari denied.

No. 09-6902. *DAVIS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 13 So. 3d 468.

No. 09-6931. *CORDELL v. PACIFIC INDEMNITY CO. ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 956.

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No. 09–6933. *MCQUIRTER v. MICHIGAN*. Cir. Ct. Jackson County, Mich. Certiorari denied.

No. 09–6936. *KENNEDY v. REESE*. C. A. 11th Cir. Certiorari denied.

No. 09–6939. *ENTLER v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied.

No. 09–6947. *HALL v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 09–6949. *GARIBAY v. LEWIS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 568.

No. 09–6951. *GARCIA v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied.

No. 09–6952. *FINFROCK v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 4 So. 3d 33.

No. 09–6953. *FINFROCK v. CRIST, GOVERNOR OF FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–6954. *VIRGLE v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 534.

No. 09–6956. *KINNEY v. MCQUIGGIN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 09–6957. *HICKOX v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 7 So. 3d 1101.

No. 09–6959. *ALBRIGHT-LAZZARI ET VIR v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. Reported below: 287 Conn. 925, 951 A. 2d 573.

No. 09–6961. *HARDISON v. DAVIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 09–6962. *IVY v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied.

No. 09–6965. *FLORES v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

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No. 09–6966. *ISRAEL v. RIDLEY-TURNER ET AL.* Ct. App. Ind. Certiorari denied. Reported below: 906 N. E. 2d 283.

No. 09–6967. *HAYNES v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 09–6970. *GARCIA v. FELKER, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 09–6972. *HOLLIS v. RUNNELS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 09–6973. *HUTCHINS v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 09–6974. *HARRIS v. CITY OF CULVER CITY, CALIFORNIA, ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 09–6975. *FREEMAN v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 446.

No. 09–6976. *DEBOSE v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–6987. *BUNDRANT v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 09–6988. *BUNDRANT v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 09–6991. *MEJIA v. ADAMS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 09–6995. *RIGGINS v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 09–6997. *MAYS v. DINWIDDIE, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 580 F. 3d 1136.

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No. 09–6998. *MACHADO v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 09–7000. *LARSON v. WILLIAMS ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–7001. *MALONE v. CAMPBELL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–7004. *PRICE ET VIR v. LOUISIANA DEPARTMENT OF EDUCATION ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 559.

No. 09–7009. *VAN DANG v. EVANS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09–7014. *MORGAN v. CHANDLER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 09–7016. *YOUNG v. TRANSPORTATION DEPUTY SHERIFF I ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 368.

No. 09–7040. *EFFLER v. IOWA*. Sup. Ct. Iowa. Certiorari denied. Reported below: 769 N. W. 2d 880.

No. 09–7085. *KNIGHT v. BELLEQUE, SUPERINTENDENT, OREGON STATE PENITENTIARY*. C. A. 9th Cir. Certiorari denied.

No. 09–7170. *CARMONA v. ASTRUE, COMMISSIONER OF SOCIAL SECURITY*. C. A. 2d Cir. Certiorari denied.

No. 09–7223. *SUMNER v. DAVIS, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 937.

No. 09–7243. *ELMORE v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 122 Ohio St. 3d 472, 912 N. E. 2d 582.

No. 09–7281. *ANTON v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–7339. *BOSSE v. NAPOLITANO, SECRETARY OF HOMELAND SECURITY, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 633.

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No. 09-7386. *HABERMAN v. CENTURY 21 CHAMBERLAIN & ASSOCIATES ET AL.* Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied. Reported below: 173 Cal. App. 4th 1, 92 Cal. Rptr. 3d 249.

No. 09-7425. *MCGRIGGS v. MISSISSIPPI.* Ct. App. Miss. Certiorari denied. Reported below: 14 So. 3d 746.

No. 09-7462. *FIGORE v. LINDSAY, WARDEN.* C. A. 3d Cir. Certiorari denied. Reported below: 336 Fed. Appx. 168.

No. 09-7467. *CHARLES v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 576 F. 3d 1060.

No. 09-7480. *REED v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 342 Fed. Appx. 800.

No. 09-7494. *HUTCHINS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 349 Fed. Appx. 920.

No. 09-7500. *SOLANO-MORETA v. RIOS, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 09-7502. *SMITH v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 342 Fed. Appx. 905.

No. 09-7509. *BURGESS v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 576 F. 3d 1078.

No. 09-7514. *McKNIGHT v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 09-7515. *RELIFORD v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 09-7518. *THOMAS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 328.

No. 09-7521. *BECERRA-FUENTES v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 957.

No. 09-7522. *SMITH v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 576 F. 3d 762.

No. 09-7529. *JENNINGS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

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No. 09–7530. *LYNCH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 570.

No. 09–7531. *MILLER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–7532. *MURPHY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 342 Fed. Appx. 228.

No. 09–7533. *ROSALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 65.

No. 09–7536. *BROWN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–7541. *GOODSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 569 F. 3d 379.

No. 09–7543. *HERNANDEZ-CURIEL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 418.

No. 09–7544. *HULL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 573.

No. 09–7545. *OGEDENGBE v. UNITED STATES*; and
No. 09–7546. *OGEDENGBE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 09–7549. *CARTER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–7551. *ANDREWS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 577 F. 3d 231.

No. 09–7552. *MAJOR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 549.

No. 09–7555. *PONS-MARTINEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–7559. *SOUTHERN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 393.

No. 09–7562. *VALENZUELA-RUIZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 188.

No. 09–7572. *DOVE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 428.

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No. 09–7573. *DELGADO-HERNANDEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–7574. *EMMANUEL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 565 F. 3d 1324.

No. 09–7578. *PRITCHETT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–7580. *JAMES v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 567 F. 3d 846.

No. 09–7581. *LIVINGSTONE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 576 F. 3d 881.

No. 09–7584. *PROPHET, AKA FERRARI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 335 Fed. Appx. 250.

No. 09–7585. *SANTOS MURILLO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 550.

No. 09–7588. *YOUNGE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 316 Fed. Appx. 60.

No. 09–7589. *VAZQUEZ-PADILLA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 883.

No. 09–7590. *BARROS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 509.

No. 09–7595. *MARQUEZ-MENDOZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 308.

No. 09–7598. *RILEY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 336 Fed. Appx. 269.

No. 09–7602. *AMPONSAH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 09–7607. *PEREZ-OLIVEROS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–7608. *PEREZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 324 Fed. Appx. 262.

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No. 09–7614. *NOE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 342 Fed. Appx. 805.

No. 09–7615. *PHILLIPS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 583 F. 3d 1261.

No. 09–7618. *SIMS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 959.

No. 09–7620. *VALDEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 342 Fed. Appx. 382.

No. 09–7623. *BARRON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 327.

No. 09–253. *ADAMES ET AL. v. BERETTA U. S. A. CORP.* Sup. Ct. Ill. Motions of Children’s Defense Fund and Legal Community Against Violence et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 233 Ill. 2d 276, 909 N. E. 2d 742.

No. 09–432. *GLOBAL NETWORK COMMUNICATIONS, INC. v. CITY OF NEW YORK, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 562 F. 3d 145.

No. 09–442. *ONEIDA LTD. v. PENSION BENEFIT GUARANTY CORPORATION*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 562 F. 3d 154.

No. 09–5221. *MCCOURTY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 562 F. 3d 458.

No. 09–5243. *WARREN v. FISCHER, COMMISSIONER, NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES, ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–5490. *MIDDLETON v. SCHULT, WARDEN*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 299 Fed. Appx. 94.

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No. 09–7527. *WRIGHT v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 341 Fed. Appx. 709.

No. 09–7603. *BETTS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–7621. *HOFFENBERG v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 333 Fed. Appx. 625.

Rehearing Denied

No. 08–10439. *IJADIMINI v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, *ante*, p. 840;

No. 08–10552. *JONES v. GOOGLE INC. ET AL.*, *ante*, p. 843;

No. 08–10588. *KOR v. FELKER, WARDEN*, *ante*, p. 845;

No. 08–10629. *BROWN v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, *ante*, p. 846;

No. 08–10739. *BRADLEY v. MISSISSIPPI*, *ante*, p. 851;

No. 08–10752. *SALAZAR LOPEZ, AKA SALAZAR v. UNITED STATES*, *ante*, p. 852;

No. 08–10759. *IN RE MANSHIP*, *ante*, p. 813;

No. 08–10780. *DITTRICH v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.*, *ante*, p. 853;

No. 08–10839. *RANDLE v. WOODS*, *ante*, p. 857;

No. 08–10922. *LYNCH v. HERTZIG ET AL.*, *ante*, p. 861;

No. 08–11033. *JOHNSON v. FLORIDA*, *ante*, p. 867;

No. 08–11070. *IN RE AUGUSTIN*, *ante*, p. 814;

No. 08–11112. *MITCHELL v. KDJM–FM ET AL.*, *ante*, p. 871;

No. 08–11141. *THOMAS v. ST. LOUIS BOARD OF POLICE COMMISSIONERS ET AL.*, *ante*, p. 873;

No. 09–112. *RUIZ RIVERA ET AL. v. DEPARTMENT OF EDUCATION ET AL.*, *ante*, p. 878;

No. 09–121. *HOY v. MENTOR TOWNSHIP, MICHIGAN*, *ante*, p. 878;

No. 09–318. *MORRIS ET AL. v. LANPHER ET AL.*, *ante*, p. 970;

No. 09–5039. *DILLARD v. BAZZLE, WARDEN*, *ante*, p. 884;

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No. 09–5061. *HAKIM v. THOMAS*, SUPERINTENDENT, LUMBERTON CORRECTIONAL INSTITUTION, *ante*, p. 885;

No. 09–5064. *TORIOLA v. APPELLATE DIVISION, SUPREME COURT OF NEW YORK, SECOND JUDICIAL DEPARTMENT, ET AL.*, *ante*, p. 885;

No. 09–5180. *FLOYD v. UNITED STATES*, *ante*, p. 891;

No. 09–5229. *HAILEY v. THALER*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 893;

No. 09–5353. *DEL CASTELLO v. SUPERIOR COURT OF CALIFORNIA, ALAMEDA COUNTY*, *ante*, p. 899;

No. 09–5405. *VELAZQUEZ v. LAPE*, SUPERINTENDENT, COXSACKIE CORRECTIONAL FACILITY, ET AL., *ante*, p. 902;

No. 09–5443. *TUCKER v. CHIPLA COLLEGE*, *ante*, p. 904;

No. 09–5507. *MEIZLIK v. FLORIDA*, *ante*, p. 907;

No. 09–5520. *TROBEE v. UNITED STATES*, *ante*, p. 907;

No. 09–5549. *JOHNSON v. KELLY*, WARDEN, *ante*, p. 909;

No. 09–5620. *JONES v. FLORIDA*, *ante*, p. 913;

No. 09–5787. *FORD v. UNITED STATES*, *ante*, p. 918;

No. 09–5835. *DEAN v. BLAISDELL*, WARDEN, *ante*, p. 953;

No. 09–5907. *IN RE YORK*, *ante*, p. 813;

No. 09–5926. *REED v. CIRTIN*, *ante*, p. 971;

No. 09–6104. *ANDERSON v. UNITED STATES*, *ante*, p. 928;

No. 09–6129. *GREENWOOD, AKA GRIMES v. UNITED STATES*, *ante*, p. 929;

No. 09–6181. *BALKO v. MCNEIL*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL., *ante*, p. 974;

No. 09–6258. *GRAHAM v. MISSOURI*, *ante*, p. 998;

No. 09–6434. *IN RE TELFAIR*, *ante*, p. 988;

No. 09–6435. *IN RE TELFAIR*, *ante*, p. 989;

No. 09–6468. *TELFAR v. TANDY*, ADMINISTRATOR, DRUG ENFORCEMENT AGENCY, ET AL., *ante*, p. 1028;

No. 09–6524. *WHITE v. GATES*, SECRETARY OF DEFENSE, *ante*, p. 976;

No. 09–6529. *IN RE NDOROMO*, *ante*, p. 944; and

No. 09–6581. *CORRAL v. UNITED STATES*, *ante*, p. 1000. Petitions for rehearing denied.

No. 09–5183. *HOWARD v. UNITED STATES*, *ante*, p. 939;

No. 09–5322. *MASON v. GUZDEK ET AL.*, *ante*, p. 940; and

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No. 09–6077. SAQIB *v.* FEDERAL BUREAU OF INVESTIGATION ET AL., *ante*, p. 982. Petitions for rehearing denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of these petitions.

DECEMBER 23, 2009

Dismissal Under Rule 46

No. 09–94. ROBINSON *v.* NAPOLITANO, SECRETARY OF HOMELAND SECURITY, ET AL. C. A. 3d Cir. Certiorari dismissed under this Court’s Rule 46. Reported below: 554 F. 3d 358.

JANUARY 4, 2010

Dismissal Under Rule 46

No. 08–1065. POTTAWATTAMIE COUNTY, IOWA, ET AL. *v.* MCGHEE ET AL. C. A. 8th Cir. [Certiorari granted, 556 U.S. 1181.*] Writ of certiorari dismissed under this Court’s Rule 46.

*[REPORTER’S NOTE: Argued November 4, 2009. *Stephen S. Sanders* argued the cause *pro hac vice* for petitioners. With him on the briefs were *Jeffrey W. Sarles*, *Vincent J. Connelly*, *Stephen M. Shapiro*, *Sheldon H. Nahmod*, *Robert M. Livingston*, and *Kristopher K. Madsen*.

Deputy Solicitor General Katyal argued the cause for the United States as *amicus curiae* urging reversal. With him on the brief were *Solicitor General Kagan*, *Assistant Attorney General West*, *Benjamin J. Horwich*, and *Barbara L. Herwig*.

Paul D. Clement argued the cause for respondents. With him on the brief were *J. Douglas McCalla*, *Mel C. Orchard III*, *Larissa A. McCalla*, *Stephen D. Davis*, *William H. Jones*, and *Alan O. Olson*.

Briefs of *amici curiae* urging reversal were filed for the State of Colorado et al. by *John W. Suthers*, Attorney General of Colorado, *Daniel D. Domenico*, Solicitor General, *Kathleen M. Sullivan*, and *Daniel H. Bromberg*, by *Peter J. Nickles*, Attorney General of the District of Columbia, and by the Attorneys General for their respective States as follows: *Dustin McDaniel* of Arkansas, *Joseph R. Biden III* of Delaware, *Lawrence G. Wasden* of Idaho, *Gregory S. Zoeller* of Indiana, *Thomas J. Miller* of Iowa, *Jack Conway* of Kentucky, *James D. “Buddy” Caldwell* of Louisiana, *Janet T. Mills* of Maine, *Douglas F. Gansler* of Maryland, *Martha Coakley* of Massachusetts, *Michael A. Cox* of Michigan, *Jim Hood* of Mississippi, *Chris Koster* of Missouri, *Catherine Cortez Masto* of Nevada, *Gary K. King* of New Mexico, *Roy Cooper* of North Carolina, *Wayne Stenehjem* of North Dakota, *Richard Cordray* of Ohio, *W. A. Drew Edmondson*

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Certiorari Granted

No. 09–367. *DOLAN v. UNITED STATES*. C. A. 10th Cir. Certiorari granted. Reported below: 571 F. 3d 1022.

JANUARY 11, 2010

Reversed and Remanded After Certiorari Granted. (See No. 08–559, *ante*, p. 120.)

Certiorari Dismissed

No. 09–7023. *KINNELL v. MCKUNE, WARDEN, ET AL.* C. A. 10th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in non-criminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

No. 09–7035. *SANDERS v. MCMASTER 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: 328 Fed. Appx. 878.

of Oklahoma, *Thomas J. Corbett, Jr.*, of Pennsylvania, *Henry D. McMaster* of South Carolina, *Lawrence E. Long* of South Dakota, *Robert E. Cooper, Jr.*, of Tennessee, *Mark L. Shurtleff* of Utah, *William C. Mims* of Virginia, and *Robert M. McKenna* of Washington; for Cook County, Illinois, by *Anita Alvarez*, *Patrick T. Driscoll, Jr.*, *Alan J. Spellberg*, *Louis R. Hegeman*, and *Paul A. Castiglione*; for the National Association of Assistant United States Attorneys et al. by *Thomas C. Goldstein* and *Amy Howe*; and for the National Association of Counties et al. by *Richard Ruda* and *Lawrence Rosenthal*.

Briefs of *amici curiae* urging affirmance were filed for Black Cops Against Police Brutality by *Mark Herrmann*; for the Center on the Administration of Criminal Law by *William A. Burck*, *Anthony S. Barkow*, and *David B. Edwards*; and for the National Association of Criminal Defense Lawyers et al. by *Joel B. Rudin*, *Joshua L. Dratel*, *Ilya Shapiro*, *Timothy Lynch*, and *Steven R. Shapiro*.]

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No. 09–7060. *ELINE v. LARA ET AL.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 09–7112. *JACKSON v. MINNESOTA.* Ct. App. Minn. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 09–7143. *SWEED v. LNU 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.

No. 09–7147. *MUNIZ v. MARSHALL, WARDEN.* Sup. Ct. N. M. 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. 09–7186. *HON CHUNG LAU v. SHUMSKY.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 09–7220. *PLUMMER v. SULLIVAN, WARDEN.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 324 Fed. Appx. 633.

No. 09–7266. *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. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from

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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: 17 So. 3d 376.

No. 09-7282. *KARNOFEL v. BECK ET AL.* Ct. App. Ohio, Trumbull County. 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. 09-7307. *ZANI v. SOCIAL SECURITY ADMINISTRATION.* 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: 323 Fed. Appx. 286.

No. 09-7384. *CLARK v. CALIFORNIA.* Sup. Ct. Cal. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

No. 09-7418. *HON LAU v. HERNANDEZ, WARDEN, ET AL.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 09-7419. *HON LAU v. EVANS, WARDEN.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 09-7423. *WHITE v. WORKMAN, WARDEN.* 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.

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No. 09–7436. *SMITH v. CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. Ct. App. Cal., 5th App. Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 09–7667. *MANTILLA v. UNITED STATES*. C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 09–7673. *MILLHOUSE v. GRONDOLSKY, WARDEN*. 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: 331 Fed. Appx. 108.

Miscellaneous Orders

No. 09A648. *HOLLINGSWORTH ET AL. v. PERRY ET AL.* Upon consideration of the application for stay, presented to JUSTICE KENNEDY, and by him referred to the Court, it is ordered that the order of the United States District Court for the Northern District of California, case No. 3:09–cv–02292, permitting real-time streaming is stayed except as it permits streaming to other rooms within the confines of the courthouse in which the trial is to be held. Any additional order permitting broadcast of the proceedings is also stayed pending further order of this Court. To permit further consideration in this Court, this order will remain in effect until Wednesday, January 13, 2010, at 4 p.m. eastern time.

JUSTICE BREYER, dissenting.

I agree with the Court that further consideration is warranted, and I am pleased that the stay is time limited. However, I would undertake that consideration without a temporary stay in place. This stay prohibits the transmission of proceedings to other federal courthouses. In my view, the Court’s standard for granting a stay is not met. See *Conkright v. Frommert*, 556 U. S. 1401, 1402–1403 (2009) (GINSBURG, J., in chambers). In particular, the papers filed, in my view, do not show a likelihood of “irreparable harm.”

With respect, I dissent.

No. D–2458. *IN RE DEMARCO*. Leo P. DeMarco, of Malden, Mass., having requested to resign as a member of the Bar of this

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Court, it is ordered that his name be stricken from the roll of attorneys admitted to the practice of law before this Court. The rule to show cause, issued on November 30, 2009 [*ante*, p. 1043], is discharged.

No. 09M59. CLARK *v.* BURTT, WARDEN;

No. 09M60. FILBRANDT *v.* MICHIGAN DEPARTMENT OF HUMAN SERVICES; and

No. 09M61. POLK *v.* DUNCKLE ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 09M62. P. S. ET AL. *v.* FRANKLIN COUNTY CHILDREN SERVICES. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner granted.

No. 08–1301. CARR *v.* UNITED STATES. C. A. 7th Cir. [Certiorari granted, 557 U.S. 965.] Motion of petitioner to dispense with printing the joint appendix granted.

No. 08–1457. NEW PROCESS STEEL, L. P. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 7th Cir. [Certiorari granted, *ante*, p. 989.] Motion of petitioner to dispense with printing the joint appendix granted.

No. 09–158. MAGWOOD *v.* PATTERSON, WARDEN, ET AL. C. A. 11th Cir. [Certiorari granted, *ante*, p. 1023.] Motions of petitioner to dispense with printing the joint appendix, for leave to proceed *in forma pauperis*, and for appointment of counsel granted. Jeffrey L. Fisher, Esq., of Stanford, Cal., is appointed to serve as counsel for petitioner in this case.

No. 09–233. TRIPLE-S MANAGEMENT CORP. ET AL. *v.* MUNICIPAL REVENUE COLLECTION CENTER. Sup. Ct. P. R.; and

No. 09–525. JANUS CAPITAL GROUP, INC., ET AL. *v.* FIRST DERIVATIVE TRADERS. C. A. 4th Cir. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 09–6233. IN RE CLUCK. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 813] denied.

No. 09–6234. CLUCK *v.* WASHINGTON. Sup. Ct. Wash. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 984] denied.

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No. 09-6389. *BERAS v. CARVLIN ET AL.* C. A. 2d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 1022] denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this motion.

No. 09-6412. *IN RE ALPINE.* Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 1023] denied.

No. 09-6610. *JOHNSON v. SHINSEKI, SECRETARY OF VETERANS AFFAIRS.* C. A. Fed. Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 1022] denied.

No. 09-6682. *HILL v. UNITED STATES.* C. A. 11th Cir.;

No. 09-7108. *MUINO v. FLORIDA POWER & LIGHT CO. ET AL.* C. A. 11th Cir.;

No. 09-7275. *JONES v. SHAW GROUP ET AL.* C. A. 11th Cir.;

No. 09-7294. *SOLOMON v. PIONEER ADULT REHABILITATION CENTER.* C. A. 10th Cir.; and

No. 09-7306. *ASBURY v. CITY OF ROANOKE, VIRGINIA.* C. A. 4th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until February 1, 2010, 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. 09-6692. *STRUCK v. COOK COUNTY PUBLIC GUARDIAN.* App. Ct. Ill., 1st Dist. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [ante, p. 1009] denied.

No. 09-644. *IN RE MOSES;*

No. 09-7836. *IN RE TOTARO;*

No. 09-7960. *IN RE WILLIAMS;* and

No. 09-8019. *IN RE SINGLETON.* Petitions for writs of habeas corpus denied.

No. 09-7659. *IN RE CHEKKOURI.* Motion of petitioner to unseal pleadings before this Court denied. Petition for writ of habeas corpus denied.

No. 09-7961. *IN RE WAGNER.* Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of

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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. 09-7561. IN RE TORRANCE; and

No. 09-7884. IN RE WASHINGTON. Petitions for writs of mandamus and/or prohibition denied.

Certiorari Denied

No. 08-1462. YORK ET AL. *v.* ROBINSON. C. A. 9th Cir. Certiorari denied. Reported below: 566 F. 3d 817.

No. 08-1571. COOLEY ET AL. *v.* ENG. C. A. 9th Cir. Certiorari denied. Reported below: 552 F. 3d 1062.

No. 08-10679. JOHNSON *v.* THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 09-142. FIEGER *v.* SUPREME COURT OF MICHIGAN ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 553 F. 3d 955.

No. 09-194. GOMIS *v.* HOLDER, ATTORNEY GENERAL. C. A. 4th Cir. Certiorari denied. Reported below: 571 F. 3d 353.

No. 09-229. KHAN ET AL. *v.* HOLDER, ATTORNEY GENERAL. C. A. 7th Cir. Certiorari denied. Reported below: 554 F. 3d 681.

No. 09-239. ALLEN *v.* MONTANA. Sup. Ct. Mont. Certiorari denied. Reported below: 350 Mont. 562, 213 P. 3d 789.

No. 09-252. QUINN *v.* ROACH ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 280.

No. 09-275. RODIS *v.* CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 558 F. 3d 964.

No. 09-277. CONNECTICUT DEPARTMENT OF PUBLIC UTILITY CONTROL ET AL. *v.* FEDERAL ENERGY REGULATORY COMMISSION.

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C. A. D. C. Cir. Certiorari denied. Reported below: 569 F. 3d 477.

No. 09-306. ALLEN *v.* VIRGINIA. Sup. Ct. Va. Certiorari denied.

No. 09-346. MARTINEZ-MADERA *v.* HOLDER, ATTORNEY GENERAL. C. A. 9th Cir. Certiorari denied. Reported below: 559 F. 3d 937.

No. 09-355. TREESH, COMMISSIONER, KENTUCKY DEPARTMENT OF REVENUE, ET AL. *v.* DIRECTV, INC., ET AL. Sup. Ct. Ky. Certiorari denied. Reported below: 290 S. W. 3d 638.

No. 09-356. PAULSEN ET AL. *v.* CNF, INC., ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 559 F. 3d 1061.

No. 09-358. MING WEI LIU *v.* BOARD OF TRUSTEES OF THE UNIVERSITY OF ALABAMA ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 775.

No. 09-364. EDWARDS *v.* BLUE CROSS BLUE SHIELD OF TEXAS, A DIVISION OF HEALTH CARE SERVICE CORP. Ct. App. Tex., 5th Dist. Certiorari denied. Reported below: 273 S. W. 3d 461.

No. 09-370. LOVELY *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 570 F. 3d 778.

No. 09-384. OFFICE OF ALASKA GOVERNOR *v.* EQUAL EMPLOYMENT OPPORTUNITY COMMISSION ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 564 F. 3d 1062.

No. 09-386. AMBRACO, INC., ET AL. *v.* M/V CLIPPER FAITH ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 570 F. 3d 233.

No. 09-388. S & D TRADING ACADEMY, LLC, ET AL. *v.* AAFIS, Inc. C. A. 5th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 443.

No. 09-409. PALMER, BY AND THROUGH HIS PARENTS AND LEGAL GUARDIANS, PALMER ET UX. *v.* WAXAHACHIE INDEPENDENT SCHOOL DISTRICT. C. A. 5th Cir. Certiorari denied. Reported below: 579 F. 3d 502.

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No. 09–417. *MANIGAULT ET AL. v. KING ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 339 Fed. Appx. 229.

No. 09–453. *CARTER v. BURNS, JUDGE, CRIMINAL COURT OF TENNESSEE, 13TH JUDICIAL DISTRICT, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–457. *O’BOYLE ET AL. v. BRAVERMAN ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 337 Fed. Appx. 162.

No. 09–459. *MELFI v. WMC MORTGAGE CORP. ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 568 F. 3d 309.

No. 09–460. *MILWAUKEE DEPUTY SHERIFF’S ASSN. ET AL. v. CLARKE ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 574 F. 3d 370.

No. 09–468. *BODENSTAB v. COOK COUNTY, ILLINOIS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 569 F. 3d 651.

No. 09–469. *COLONIAL LIFE & ACCIDENT INSURANCE CO. v. MEDLEY ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 572 F. 3d 22.

No. 09–470. *DANNER v. BOARD OF PROFESSIONAL RESPONSIBILITY OF THE SUPREME COURT OF TENNESSEE ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 577.

No. 09–472. *SPANN ET VIR v. COBB COUNTY SUPERIOR COURT JUDGES ET AL.* Ct. App. Ga. Certiorari denied.

No. 09–473. *DYER v. WAL-MART STORES, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 318 Fed. Appx. 843.

No. 09–474. *DOROSHOW v. HARTFORD LIFE & ACCIDENT INSURANCE Co.* C. A. 3d Cir. Certiorari denied. Reported below: 574 F. 3d 230.

No. 09–477. *MARR ET AL. v. HUGHES ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 91.

No. 09–482. *HOLLADY v. MICHIGAN ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–483. *KONINKLIJKE BOSKALIS WESTMINSTER NV ET AL. v. COMPANIA NAVIERA JOANNA SA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 569 F. 3d 189.

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No. 09–485. *GRISHAM v. BROOKS, SUPERINTENDENT, ALBION STATE CORRECTIONAL INSTITUTION, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–487. *ARKANSAS DAIRY COOPERATIVE ASSN. ET AL. v. DEPARTMENT OF AGRICULTURE ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 573 F. 3d 815.

No. 09–501. *DANNER v. COMMISSION ON CONTINUING LEGAL EDUCATION AND SPECIALIZATION OF THE TENNESSEE SUPREME COURT ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 228.

No. 09–502. *GIAMPA v. GIAMPA.* Sup. Ct. Nev. Certiorari denied.

No. 09–503. *HENSE v. HENSE.* Ct. App. N. Y. Certiorari denied. Reported below: 12 N. Y. 3d 897, 912 N. E. 2d 1058.

No. 09–505. *480.00 ACRES OF LAND ET AL. v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 557 F. 3d 1297.

No. 09–506. *CHILDREN’S FUND ET AL. v. SPRINGFIELD HOLDING Co. LTD. LLC ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 699.

No. 09–507. *HARGIS INDUSTRIES, INC., DBA SEALTITE BUILDING FASTENERS ET AL. v. B&B HARDWARE, INC.* C. A. 8th Cir. Certiorari denied. Reported below: 569 F. 3d 383.

No. 09–509. *JONES v. BURDETTE.* C. A. 9th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 599.

No. 09–511. *SHEPHERD v. SHEPHERD.* Ct. App. Ore. Certiorari denied.

No. 09–515. *WEISS v. SPEER ET AL.* Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 09–516. *NORTHWEST LOUISIANA FISH & GAME PRESERVE COMMISSION v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 574 F. 3d 1386.

No. 09–522. *NOVAK ET UX. v. JABLONSKI, INDIVIDUALLY AND AS ADMINISTRATRIX OF THE ESTATE OF JABLONSKI, DECEASED.*

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Super. Ct. Pa. Certiorari denied. Reported below: 959 A. 2d 980.

No. 09–524. NITRO DISTRIBUTING, INC., ET AL. *v.* ALTICOR, INC., ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 565 F. 3d 417.

No. 09–528. BRIDGEPORT PORT AUTHORITY *v.* BRIDGEPORT & PORT JEFFERSON STEAMBOAT CO. ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 567 F. 3d 79.

No. 09–535. PAPIERZ *v.* JACKSON ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 587.

No. 09–537. SMITH *v.* KENTUCKY. Ct. App. Ky. Certiorari denied.

No. 09–540. EL-HEWIE *v.* BERGEN COUNTY, NEW JERSEY, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 348 Fed. Appx. 790.

No. 09–541. JAFARI ET AL. *v.* WYNN LAS VEGAS, LLC, ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 569 F. 3d 644.

No. 09–544. LOCK *v.* GENERAL SERVICES ADMINISTRATION. C. A. Fed. Cir. Certiorari denied. Reported below: 328 Fed. Appx. 662.

No. 09–545. KEENAN ET UX. *v.* PYLE ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 809.

No. 09–546. JAMES ET AL. *v.* HARRIS COUNTY, TEXAS. C. A. 5th Cir. Certiorari denied. Reported below: 577 F. 3d 612.

No. 09–551. FRIEDLAND *v.* TIC-THE INDUSTRIAL CO. ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 566 F. 3d 1203.

No. 09–554. ADAIR *v.* MCGUIREWoods LLP ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 294.

No. 09–562. SMITH *v.* UNITED STATES ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 789.

No. 09–566. BROWN *v.* KONTEH, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 567 F. 3d 191.

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No. 09–572. *DEOCAMPO v. SUPERIOR COURT OF CALIFORNIA, ALAMEDA COUNTY, ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 09–573. *CUTTER v. NORTHWEST ADMINISTRATORS, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 577.

No. 09–576. *CARTLEDGE v. OFFICE OF PERSONNEL MANAGEMENT.* C. A. Fed. Cir. Certiorari denied.

No. 09–578. *STARK v. MAINE.* Sup. Jud. Ct. Me. Certiorari denied.

No. 09–591. *PIZZONIA v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 577 F. 3d 455.

No. 09–593. *NORDBERG v. OCEAN MEADOWS CONDOMINIUM ASSN.* Sup. Jud. Ct. Me. Certiorari denied.

No. 09–596. *CARDIAC PACEMAKERS, INC., ET AL. v. ST. JUDE MEDICAL, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 576 F. 3d 1348.

No. 09–599. *ALLEN v. TENNESSEE.* Ct. Crim. App. Tenn. Certiorari denied.

No. 09–605. *JOINT ADMINISTRATIVE COMMITTEE OF THE PLUMBING AND PIPEFITTING INDUSTRY IN THE DETROIT AREA ET AL. v. WASHINGTON GROUP INTERNATIONAL, INC.* C. A. 6th Cir. Certiorari denied. Reported below: 568 F. 3d 626.

No. 09–614. *BABCOCK ET AL. v. ARTHUR J. GALLAGHER & CO.* C. A. 5th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 384.

No. 09–616. *RITCHIE v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 238.

No. 09–622. *WILLAMAN v. UNITED STATES.* C. A. 3d Cir. Certiorari denied.

No. 09–624. *O'DEA v. BNSF RAILWAY Co.* C. A. 9th Cir. Certiorari denied. Reported below: 572 F. 3d 785.

No. 09–634. *SCHNEIDER v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 4th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 143.

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No. 09–645. *ELLIS ET AL. v. MISSISSIPPI DEPARTMENT OF HEALTH ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 344 Fed. Appx. 43.

No. 09–648. *MINCOFF v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 574 F. 3d 1186.

No. 09–5024. *STEWART v. NEW YORK.* App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 57 App. Div. 3d 1312, 870 N. Y. S. 2d 157.

No. 09–5123. *LATCHIN v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 554 F. 3d 709.

No. 09–5195. *JACQUEMAIN v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 560 F. 3d 566.

No. 09–5371. *MCCARTHY v. VILSACK, SECRETARY OF AGRICULTURE, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 456.

No. 09–5426. *SNELLENBERGER, AKA CUTTER, AKA DAVIDSON, AKA FREHLY v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 548 F. 3d 699.

No. 09–5556. *WION v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 567 F. 3d 146.

No. 09–5659. *MILLS v. CONNORS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 747.

No. 09–5994. *LYONS v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 415.

No. 09–6043. *SMITH v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 876.

No. 09–6083. *PRYOR v. WOLFE ET AL.* C. A. 5th Cir. Certiorari denied.

No. 09–6085. *THOMPSON v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 431.

No. 09–6213. *KIRKLAND v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 567 F. 3d 316.

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No. 09–6239. *PATTERSON v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 285 Ga. 597, 679 S. E. 2d 716.

No. 09–6241. *VADDE v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 296 Ga. App. 405, 674 S. E. 2d 323.

No. 09–6394. *HALE v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 09–6465. *BLALOCK v. WILSON, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 396.

No. 09–6491. *WILSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 565 F. 3d 1059.

No. 09–6521. *WHORLEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 550 F. 3d 326.

No. 09–6549. *THOMAS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–6659. *SANCHEZ v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 562 F. 3d 75.

No. 09–6673. *BOWLING v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied.

No. 09–6755. *SKRZYPEK ET UX. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 117.

No. 09–6834. *THOMAS v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 386.

No. 09–6925. *POPE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 598.

No. 09–7013. *HUNT v. HOUSTON, DIRECTOR, NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES*. C. A. 8th Cir. Certiorari denied. Reported below: 563 F. 3d 695.

No. 09–7031. *LEMONS v. ATLANTIC CITY POLICE DEPARTMENT ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 347 Fed. Appx. 722.

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No. 09–7033. *SMITH v. THALER*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 09–7047. *STRONG v. DRAGOVICH*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT CHESTER, ET AL. C. A. 3d Cir. Certiorari denied.

No. 09–7048. *RUSH v. THALER*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 09–7051. *GIBERSON v. RYAN*, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 315 Fed. Appx. 634.

No. 09–7054. *HOWARD v. UPTON*, WARDEN. Sup. Ct. Ga. Certiorari denied.

No. 09–7056. *GOOD v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 10 So. 3d 1130.

No. 09–7057. *TAYLOR v. MCNEIL*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied.

No. 09–7058. *TULEY v. THALER*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 09–7063. *TAYLOR v. SAMPSON ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–7082. *WARE v. HARRY*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 09–7086. *CALDERON-LOPEZ v. PUERTO RICO COURT OF FIRST INSTANCE, SAN JUAN PART, ET AL.* C. A. 1st Cir. Certiorari denied.

No. 09–7087. *BUNDRANT v. THALER*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 09–7088. *SALERNO v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

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No. 09–7092. *PINKSTON v. INDIANA*. Ct. App. Ind. Certiorari denied. Reported below: 906 N. E. 2d 284.

No. 09–7096. *LEMONS v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 494.

No. 09–7097. *WILLIAMS v. JABE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 317.

No. 09–7098. *THOMAS v. KNOWLES, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09–7102. *DRAKE v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 09–7114. *BOTTOMLEY v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied.

No. 09–7116. *BYRD v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–7119. *BUSSEY v. MARSHALL, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 320 Fed. Appx. 54.

No. 09–7121. *ORSELLO v. GAFFNEY ET AL.* Ct. App. Minn. Certiorari denied.

No. 09–7125. *JACKSON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 09–7130. *COBBLE v. OWENS, COMMISSIONER, GEORGIA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 09–7134. *MILLER v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–7136. *DANIEL v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–7140. *ROBENSON v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 18 So. 3d 529.

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No. 09–7141. *REDD v. LEBLANC*, SECRETARY, LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS, ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 348 Fed. Appx. 10.

No. 09–7142. *ROBINSON v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 11 So. 3d 962.

No. 09–7144. *SHARRIEFF v. RICCI*, ASSOCIATE ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 574 F. 3d 225.

No. 09–7161. *JONES v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 387 Ill. App. 3d 1179, 981 N. E. 2d 537.

No. 09–7165. *ROJEM v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 207 P. 3d 385.

No. 09–7167. *WALLS v. CANNON*, JUDGE, CIRCUIT COURT OF ILLINOIS, COOK COUNTY. C. A. 7th Cir. Certiorari denied.

No. 09–7173. *MONACELLI v. TARGET STORES ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–7174. *MONACELLI v. ENTERPRISE LEASING CO. ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–7175. *MONACELLI v. EDISON STATE COLLEGE ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–7191. *HIGGINS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 385 Ill. App. 3d 1129, 970 N. E. 2d 128.

No. 09–7197. *MULVEY v. NAITO*. Int. Ct. App. Haw. Certiorari denied. Reported below: 120 Haw. 383, 205 P. 3d 648.

No. 09–7199. *BEAL v. LEVINE ET AL.* App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied.

No. 09–7203. *MILLER v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 09–7206. *VIZCARRA v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

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No. 09–7218. *AUSTIN v. MCCANN, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 09–7219. *MILLER v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 965 A. 2d 276.

No. 09–7225. *CRUTCHFIELD v. FLORIDA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–7228. *WOODS v. MISSOURI*. Ct. App. Mo., Western Dist. Certiorari denied. Reported below: 284 S. W. 3d 630.

No. 09–7232. *TIFFER v. WORKER’S COMPENSATION ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 108.

No. 09–7233. *PAYNE v. TINSLEY ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–7239. *JEFFERS v. MIZE, SUPERINTENDENT, PENDLETON CORRECTIONAL FACILITY*. C. A. 7th Cir. Certiorari denied.

No. 09–7244. *WATKINS v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 285 Ga. 107, 674 S. E. 2d 275.

No. 09–7245. *YENGLEE v. DIGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–7247. *WILLIAMS v. HOREL, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 333.

No. 09–7259. *REDMAN v. POTOMAC PLACE ASSOCIATES, LLC*. Ct. App. D. C. Certiorari denied. Reported below: 972 A. 2d 316.

No. 09–7262. *ROBERTS v. JENKINS, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 670.

No. 09–7263. *SANDERS v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 17 So. 3d 1242.

No. 09–7264. *STEPHENS v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 09–7265. *SUTTON v. TEXAS*. Ct. App. Tex., 4th Dist. Certiorari denied.

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No. 09–7267. *TEAGLE v. DIGUGLIELMO*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 336 Fed. Appx. 209.

No. 09–7268. *PARKER v. ALLEN*, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied. Reported below: 565 F. 3d 1258.

No. 09–7270. *RUST v. SANDOR*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 346 Fed. Appx. 163.

No. 09–7272. *STEPHENS v. BRANKER*, WARDEN. C. A. 4th Cir. Certiorari denied. Reported below: 570 F. 3d 198.

No. 09–7277. *EPPS v. WAGNER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 133.

No. 09–7278. *CAMILLO v. SHINSEKI*, SECRETARY OF VETERANS AFFAIRS. C. A. Fed. Cir. Certiorari denied. Reported below: 345 Fed. Appx. 576.

No. 09–7279. *CHRISTENSEN v. NEVADA*. Sup. Ct. Nev. Certiorari denied.

No. 09–7280. *FARNSWORTH v. MCNEIL ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–7283. *MARTIN v. LUOMA*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 09–7284. *ST. AMANT v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 17 So. 3d 376.

No. 09–7286. *ROSSER v. SCRIBNER*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 09–7287. *STEWART v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 09–7291. *WILLIAMS v. VIRGINIA ET AL.* Sup. Ct. Va. Certiorari denied.

No. 09–7292. *VALENZUELA v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

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No. 09–7293. *CREWS v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 11 So. 3d 401.

No. 09–7297. *PRECIADO v. RUNNELS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 234.

No. 09–7302. *BRZOWSKI v. TRISTANO ET AL.* C. A. 7th Cir. Certiorari denied.

No. 09–7305. *JOHNS v. MICHIGAN DEPARTMENT OF CORRECTIONS ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–7308. *BING YU v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 145 Wash. App. 1035.

No. 09–7309. *WRIGHT v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 285 Ga. 428, 677 S. E. 2d 82.

No. 09–7311. *DEL CASTELLO v. ALAMEDA COUNTY TRANSIT PARKING ENFORCEMENT CENTER*. C. A. 9th Cir. Certiorari denied.

No. 09–7313. *GRONTKOWSKI v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 09–7320. *HAYGOOD ET UX. v. TILLEY*. Ct. App. Ga. Certiorari denied. Reported below: 295 Ga. App. 90, 670 S. E. 2d 800.

No. 09–7325. *GADDY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 333.

No. 09–7330. *WELLS v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 09–7333. *JOHNSON v. SISTO, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 19.

No. 09–7338. *WILLIAMS v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 287.

No. 09–7347. *ABBOTT v. DEKALB ET AL.* Sup. Ct. Ore. Certiorari denied. Reported below: 346 Ore. 306, 211 P. 3d 246.

No. 09–7350. *ENNIS v. MCDANIEL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 09–7352. *DAVIS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 46 Cal. 4th 539, 208 P. 3d 78.

No. 09–7353. *POWELL v. CITY OF CHICAGO HUMAN RIGHTS COMMISSION ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 389 Ill. App. 3d 45, 906 N. E. 2d 24.

No. 09–7354. *ALEXANDER v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied.

No. 09–7357. *SCHRADER v. TURNER ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 338 Fed. Appx. 761.

No. 09–7360. *BUNCHE v. NORTH CAROLINA*. Gen. Ct. Justice, Super. Ct. Div., Wake County, N. C. Certiorari denied.

No. 09–7363. *STEPPE v. CALIFORNIA INSURANCE COMMISSIONER*. C. A. 9th Cir. Certiorari denied.

No. 09–7365. *SMITH v. BRIDGESTONE FIRESTONE TIRE CO. ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 874.

No. 09–7366. *SMITH v. STRENGTH, SHERIFF, RICHMOND COUNTY, GEORGIA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–7367. *RICHARDSON v. MICHIGAN STATE TREASURER*. C. A. 6th Cir. Certiorari denied.

No. 09–7377. *CRISOSTOMOS v. LAWLER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–7381. *MILLER v. ROCK HILL CITY POLICE DEPARTMENT*. C. A. 4th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 703.

No. 09–7383. *CHATMAN v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 387 Ill. App. 3d 1177, 981 N. E. 2d 536.

No. 09–7388. *GAW v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 285 S. W. 3d 318.

No. 09–7390. *HOUSTON v. TEXAS*. Ct. App. Tex., 9th Dist. Certiorari denied. Reported below: 286 S. W. 3d 604.

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No. 09–7391. *GUTZMORE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 985.

No. 09–7392. *HAMILTON v. FLORIDA ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–7394. *DIGGS v. STEVENSON, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 282.

No. 09–7399. *SUGGS v. LINDAMOOD, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 09–7400. *MOORE v. DOE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 393.

No. 09–7402. *KAZOUN v. KAZOUN*. Ct. App. Ohio, Summit County. Certiorari denied.

No. 09–7410. *HYNES v. NEW HAMPSHIRE*. Sup. Ct. N. H. Certiorari denied. Reported below: 159 N. H. 187, 978 A. 2d 264.

No. 09–7412. *MCGRATH v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–7413. *LEWIS v. BURGER KING*. C. A. 10th Cir. Certiorari denied. Reported below: 344 Fed. Appx. 470.

No. 09–7415. *STRONG v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 961 A. 2d 1284.

No. 09–7426. *DAVIS v. CALIFORNIA WESTERN SCHOOL OF LAW ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 349 Fed. Appx. 218.

No. 09–7448. *PENA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 09–7456. *HAMMOND v. KELLER, SECRETARY, NORTH CAROLINA DEPARTMENT OF CORRECTION, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 306 Fed. Appx. 830.

No. 09–7458. *GARNTO v. MEKUSKER ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–7468. *DENOMA v. OHIO*. Ct. App. Ohio, Hamilton County. Certiorari denied.

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No. 09–7469. *COOK v. BEARD*, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 3d Cir. Certiorari denied.

No. 09–7483. *NOWLIN v. HAMRICK*, WARDEN. C. A. 11th Cir. Certiorari denied.

No. 09–7484. *VASQUEZ v. KIRKLAND*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 572 F. 3d 1029.

No. 09–7487. *MENDOZA v. STEELE*, WARDEN. C. A. 8th Cir. Certiorari denied.

No. 09–7488. *AVILA v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 46 Cal. 4th 680, 208 P. 3d 634.

No. 09–7490. *WARFIELD v. GRAMS*, WARDEN. C. A. 7th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 227.

No. 09–7504. *H. R. v. ALAMEDA COUNTY SOCIAL SERVICES AGENCY*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 09–7507. *ALLISON v. RYAN*, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 9th Cir. Certiorari denied.

No. 09–7508. *BACKUS v. HARTLEY*, WARDEN, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 346 Fed. Appx. 336.

No. 09–7513. *BROWN v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied.

No. 09–7520. *BARBER v. WALKER*, WARDEN. C. A. 11th Cir. Certiorari denied.

No. 09–7523. *WATSON v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied.

No. 09–7539. *BOCTOR v. DEPARTMENT OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 342 Fed. Appx. 625.

No. 09–7548. *EMBRY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 187.

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No. 09-7556. *MYRIECKES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 09-7563. *DYKES v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 46 Cal. 4th 731, 209 P. 3d 1.

No. 09-7582. *KARR v. ARIZONA*. Ct. App. Ariz. Certiorari denied. Reported below: 221 Ariz. 319, 212 P. 3d 11.

No. 09-7583. *LINDSEY v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 285 Ga. 718, 681 S. E. 2d 141.

No. 09-7586. *WATSON v. MILYARD, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 741.

No. 09-7601. *SAYBOLT v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 577 F. 3d 195.

No. 09-7605. *ROBBINS v. SMITH, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 09-7613. *QUENGA v. LANIER, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09-7622. *SPEARS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 19 So. 3d 992.

No. 09-7626. *SMITH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 381.

No. 09-7627. *ROSS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09-7630. *CEDENO-PEREZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 579 F. 3d 54.

No. 09-7632. *CLINTON v. DIGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD*. C. A. 3d Cir. Certiorari denied.

No. 09-7635. *PENA-HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 342 Fed. Appx. 52.

No. 09-7641. *VILLAFRANCA-MENDEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 09–7642. *WITHERSPOON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 09–7645. *LOPEZ-FRAUSTO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–7648. *SOSA-GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 987.

No. 09–7650. *JOHNSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 318.

No. 09–7652. *SMITH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 569 F. 3d 1209.

No. 09–7656. *CARMICHAEL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 560 F. 3d 1270.

No. 09–7662. *WORKS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 338 Fed. Appx. 295.

No. 09–7663. *TRENKLER v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–7664. *TILLERY v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–7668. *CHAPPELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 728.

No. 09–7669. *OSLEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 349 Fed. Appx. 418.

No. 09–7671. *PONCE-ALDONA, AKA PONCE-ALDANA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 579 F. 3d 1218.

No. 09–7675. *SMALLS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 342 Fed. Appx. 505.

No. 09–7676. *STERNBERG v. MICHIGAN STATE UNIVERSITY ET AL.* Ct. App. Mich. Certiorari denied.

No. 09–7679. *ARMBRISTER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 213.

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No. 09–7680. *BROWN v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA*. C. A. 11th Cir. Certiorari denied.

No. 09–7681. *BRIDGES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 241.

No. 09–7682. *ALDRIDGE ET UX. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 561 F. 3d 759.

No. 09–7684. *DAVIS v. UNITED STATES ET AL.*; and *DAVIS v. KANSAS STATE BOARD OF INDIGENT DEFENSE SERVICES ET AL.* C. A. 10th Cir. Certiorari denied.

No. 09–7687. *WILK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 572 F. 3d 1229.

No. 09–7689. *NELSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 342 Fed. Appx. 215.

No. 09–7691. *LEASURE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 370.

No. 09–7695. *BANDA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 311.

No. 09–7700. *GOMEZ-GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 349 Fed. Appx. 2.

No. 09–7703. *GATLING v. UNITED STATES* (two judgments). Ct. App. D. C. Certiorari denied.

No. 09–7704. *FLORES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 386.

No. 09–7705. *HEALD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–7708. *JIMENEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 344 Fed. Appx. 361.

No. 09–7709. *MATHEWS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–7710. *KEITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 975.

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No. 09–7712. *MARTIN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 353 Fed. Appx. 140.

No. 09–7713. *MAXWELL v. INTERNAL REVENUE SERVICE ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–7715. *PLATTE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 577 F. 3d 387.

No. 09–7716. *PERKINS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 342 Fed. Appx. 403.

No. 09–7717. *PURSLEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 577 F. 3d 1204.

No. 09–7718. *PAIGE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 340 Fed. Appx. 804.

No. 09–7719. *BAKER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 194.

No. 09–7720. *BREAULT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 344 Fed. Appx. 358.

No. 09–7721. *BOWIE v. THURMER, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 342 Fed. Appx. 200.

No. 09–7723. *PURYEAR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 291.

No. 09–7726. *TRUETTE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–7727. *TRULY v. ROBERT, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 347 Fed. Appx. 231.

No. 09–7738. *MUHAMMAD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 349.

No. 09–7739. *SMITH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 566 F. 3d 410.

No. 09–7743. *HARRELL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 965.

No. 09–7744. *MONDRAGON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

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No. 09–7745. FLORES-SOTELO *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 404.

No. 09–7746. GARCIA-AGUILAR *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 736.

No. 09–7747. GARIBAY *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 91.

No. 09–7748. HILL *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 09–7750. MURPHY *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 09–7751. PADILLA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 321 Fed. Appx. 382.

No. 09–7752. LUGO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied.

No. 09–7755. SMITH *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 501.

No. 09–7756. MENDOZA ALCALA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 985.

No. 09–7762. MARTINEZ-TORRES *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied.

No. 09–7765. JAMES *v.* UNITED STATES. Ct. App. D. C. Certiorari denied. Reported below: 968 A. 2d 523.

No. 09–7766. LAUDERDALE *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 571 F. 3d 657.

No. 09–7771. UPSHAW *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 898.

No. 09–7772. WARMAN *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 578 F. 3d 320.

No. 09–7775. CHATMAN *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 351 Fed. Appx. 658.

No. 09–7776. CIRILO-MUNOZ *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 582 F. 3d 54.

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No. 09–7779. *LOPEZ-LOPEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 417.

No. 09–7781. *LOPEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 314.

No. 09–7782. *WILKINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 499.

No. 09–7783. *RANDLE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–7787. *BURLEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 325 Fed. Appx. 854.

No. 09–7788. *BLAKE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 571 F. 3d 331.

No. 09–7792. *RIVERA TORRES v. UNITED STATES*; and
No. 09–7834. *RIVERA CALDERON v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 578 F. 3d 78.

No. 09–7799. *SWAIN v. BARTLESON*. Sup. Ct. Ohio. Certiorari denied. Reported below: 123 Ohio St. 3d 125, 914 N. E. 2d 403.

No. 09–7803. *FRANK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 581.

No. 09–7805. *PAKALA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 568 F. 3d 47.

No. 09–7806. *MILES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 346 Fed. Appx. 993.

No. 09–7807. *ORR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 709.

No. 09–7810. *WILSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 344 Fed. Appx. 134.

No. 09–7812. *PLUMMER ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 581 F. 3d 484.

No. 09–7814. *MCCLELLON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 578 F. 3d 846.

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No. 09–7827. *BROWN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 579 F. 3d 672.

No. 09–7828. *BRANTLEY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 342 Fed. Appx. 762.

No. 09–7831. *CARON v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–7832. *EVANS v. MITCHELL, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 344 Fed. Appx. 234.

No. 09–7841. *WELCH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 577 F. 3d 195.

No. 09–7847. *SALDANA, AKA RIVERA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 486.

No. 09–7848. *RODRIGUEZ-LAGUNA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 344 Fed. Appx. 381.

No. 09–7849. *SANDOVAL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 572 F. 3d 1254.

No. 09–7850. *SANCHEZ SALCIDO, AKA SALCIDO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 342 Fed. Appx. 976.

No. 09–7851. *SMITH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 438.

No. 09–7852. *RENE E., A JUVENILE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 583 F. 3d 8.

No. 09–7854. *THIELEMANN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 575 F. 3d 265.

No. 09–7857. *PLIEGO v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 578 F. 3d 938.

No. 09–7859. *CULLISON v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 969 A. 2d 895.

No. 09–7861. *ROBINSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 340.

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No. 09–7864. *PIRTLE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 236.

No. 09–7869. *FOUNTAIN, AKA MATTHEWS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 09–7871. *GARCIA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 577 F. 3d 1271.

No. 09–7872. *HUTTINGER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 350 Fed. Appx. 147.

No. 09–7875. *FLUCKER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 474.

No. 09–7876. *HOLMAN v. SHINSEKI, SECRETARY OF VETERANS AFFAIRS*. C. A. 7th Cir. Certiorari denied.

No. 09–7881. *MCRAE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 301.

No. 09–7886. *WILSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 747.

No. 09–7888. *LE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 344 Fed. Appx. 821.

No. 09–7889. *JUVENILE FEMALE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 566 F. 3d 943.

No. 09–7898. *STEVENS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 580 F. 3d 718.

No. 09–7899. *QUINTANILLA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–7901. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–7904. *DAVIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–7906. *OJEDA-ESTRADA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 577 F. 3d 871.

No. 09–7907. *ESTES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 97.

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No. 09–7911. *CHRISTENSEN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 582 F. 3d 860.

No. 09–7913. *WATFORD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–7919. *BACA-QUIROZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 344 Fed. Appx. 362.

No. 09–7926. *ISOM v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 580 F. 3d 43.

No. 09–7930. *OLANDER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 572 F. 3d 764.

No. 09–7936. *LEA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 350 Fed. Appx. 754.

No. 09–7942. *BOYCE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 564 F. 3d 911.

No. 09–7943. *BERRO v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 348 Fed. Appx. 98.

No. 09–7944. *AUGUSTINE-NERI v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 920.

No. 09–7954. *MEZA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 351 Fed. Appx. 396.

No. 09–7957. *MATTHEWS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 305 Fed. Appx. 106.

No. 09–7958. *GONZALEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 701.

No. 09–7962. *WHEELER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 632.

No. 09–7965. *JOHNSON v. UNITED STATES ET AL.* (Reported below: 580 F. 3d 666); and *WARD ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–7971. *SHAW v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 936.

No. 09–7972. *STONE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 575 F. 3d 83.

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No. 09–7973. *BELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–7974. *ALLEN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 344 Fed. Appx. 844.

No. 09–7975. *ROSENBAUM v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 585 F. 3d 259.

No. 09–7980. *TAYLOR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 582 F. 3d 558.

No. 09–7983. *TROGDON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 575 F. 3d 762.

No. 09–264. *CENTAURI SHIPPING LTD. v. WESTERN BULK CARRIERS KS ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 323 Fed. Appx. 36.

No. 09–272. *ATHENS DISPOSAL CO., INC., DBA ATHENS SERVICES v. FRANCO*. Ct. App. Cal., 2d App. Dist. Motion of Pacific Legal Foundation et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 171 Cal. App. 4th 1277, 90 Cal. Rptr. 3d 539.

No. 09–288. *PUGET SOUND ENERGY, INC., ET AL. v. CALIFORNIA ET AL.* C. A. 9th Cir. Motion of Law Professors for leave to file a brief as *amici curiae* granted. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this motion and this petition. Reported below: 499 F. 3d 1016.

No. 09–335. *ASTELLAS PHARMA, INC. v. LUPIN LTD. ET AL.* C. A. Fed. Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 566 F. 3d 1282.

No. 09–458. *WEINSTOCK v. WALKER*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 331 Fed. Appx. 101.

No. 09–471. *FALCHENBERG v. NEW YORK STATE DEPARTMENT OF EDUCATION ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 338 Fed. Appx. 11.

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No. 09–481. SHEEHAN *v.* JACKSON ET AL. C. A. 4th Cir. Motion of Roger Schlossberg et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 574 F. 3d 248.

No. 09–494. CRAWFORD ET AL. *v.* TRW AUTOMOTIVE U. S. LLC. C. A. 6th Cir. Motion of Maurice & Jane Sugar Law Center for Economic & Social Justice et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 560 F. 3d 607.

No. 09–500. DE GEORGE *v.* AMERICAN AIRLINES, INC., ET AL. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 338 Fed. Appx. 15.

No. 09–519. ALAMEIDA, WARDEN *v.* PHELPS. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 569 F. 3d 1120.

No. 09–560. CARLSON, WARDEN *v.* BOBADILLA. C. A. 8th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 575 F. 3d 785.

No. 09–589. NGHIEM *v.* DEPARTMENT OF VETERANS AFFAIRS ET AL. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 323 Fed. Appx. 16.

No. 09–609. PITCHER *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 559 F. 3d 120.

No. 09–5852. NICHOLAS *v.* MARSHALL, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 329 Fed. Appx. 313.

No. 09–6231. EL-HAGE, AKA SABBUR *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 552 F. 3d 93, 157, and 177.

No. 09–7043. ALMEYDA *v.* TRAVIS. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 326 Fed. Appx. 585.

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No. 09–7089. *MABRY v. SCRIBNER, WARDEN, ET AL.* C. A. 9th Cir. Certiorari before judgment denied.

No. 09–7153. *SMITH v. TAYLOR ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 328 Fed. Appx. 739.

No. 09–7188. *AGRON v. COLUMBIA UNIVERSITY.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–7535. *SILVA v. HOLDER, ATTORNEY GENERAL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 303 Fed. Appx. 22.

No. 09–7591. *BLAKE v. POTTER, POSTMASTER GENERAL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 330 Fed. Appx. 232.

No. 09–7702. *GIORDANO v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 340 Fed. Appx. 751.

No. 09–7732. *OKUPE v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 09–7804. *MEJIA-ZAPATA, AKA ZAPATA, AKA MEGIA, AKA MEJIA v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 327 Fed. Appx. 292.

No. 09–7816. *MAIN v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 579 F. 3d 200.

Rehearing Denied

No. 08–1263. *WONG, WARDEN v. BELMONTES*, *ante*, p. 15;

No. 08–10337. *BISBY v. CRITES, ASSISTANT WARDEN, ET AL.*, *ante*, p. 990;

No. 08–10438. *GONZALEZ v. SMITH ET AL.*, *ante*, p. 840;

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- No. 08–10487. WIDNER *v.* MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, *ante*, p. 841;
- No. 08–10510. HARPER *v.* SOUTHERN STAR CONCRETE, *ante*, p. 842;
- No. 08–10625. GWANJUN KIM *v.* DEPARTMENT OF LABOR ET AL., *ante*, p. 1023;
- No. 08–10693. CANDIA *v.* UNITED STATES, *ante*, p. 848;
- No. 08–10833. BENHAM *v.* UNITED STATES, *ante*, p. 856;
- No. 08–11142. BURKE *v.* UNITED STATES, *ante*, p. 873;
- No. 09–120. T. G. *v.* KENTUCKY CABINET FOR HEALTH AND FAMILY SERVICES, *ante*, p. 878;
- No. 09–202. WARD *v.* TRANS UNION, LLC, *ante*, p. 990;
- No. 09–283. REEVES *v.* DSI SECURITY SERVICES ET AL., *ante*, p. 992;
- No. 09–334. HEIMERMAN *v.* MCCAUGHTRY ET AL., *ante*, p. 992;
- No. 09–407. ABREU-VELEZ *v.* BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA ET AL., *ante*, p. 1025;
- No. 09–413. HUSBAND *v.* UNITED STATES, *ante*, p. 1012;
- No. 09–433. WILLS *v.* POTTER, POSTMASTER GENERAL, *ante*, p. 1025;
- No. 09–5023. MAXWELL *v.* ARKANSAS, *ante*, p. 883;
- No. 09–5043. HOVIND *v.* UNITED STATES, *ante*, p. 992;
- No. 09–5053. GRUFF *v.* WILSON, WARDEN, ET AL., *ante*, p. 884;
- No. 09–5068. HALLFORD *v.* CALIFORNIA, *ante*, p. 885;
- No. 09–5089. GATEWOOD *v.* OUTLAW, WARDEN, *ante*, p. 993;
- No. 09–5187. HOFFMAN *v.* LINCOLN GENERAL INSURANCE ET AL., *ante*, p. 891;
- No. 09–5293. LETIZIA *v.* NEW YORK, *ante*, p. 896;
- No. 09–5306. LACHIRA *v.* SUTTON, *ante*, p. 897;
- No. 09–5308. IN RE JOHNSON, *ante*, p. 812;
- No. 09–5346. POTTER *v.* SOUTH COAST PLUMBING SYSTEMS, INC., ET AL., *ante*, p. 1026;
- No. 09–5368. SCOTT *v.* HICKMAN, WARDEN, *ante*, p. 900;
- No. 09–5475. CORDELL *v.* SABOL, WARDEN, ET AL., *ante*, p. 905;
- No. 09–5493. ROGERS *v.* THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 906;
- No. 09–5545. GHARB *v.* UNITRONICS (1989) (R”G) LTD. ET AL., *ante*, p. 909;

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No. 09-5594. *VAN MYERS v. ENNIS INDEPENDENT SCHOOL DISTRICT*, *ante*, p. 912;

No. 09-5647. *HUGHES v. UNITED STATES*, *ante*, p. 914;

No. 09-5693. *MOORE v. MCNEIL*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL., *ante*, p. 950;

No. 09-5701. *McFARLAND v. THALER*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 950;

No. 09-5719. *IN RE BOJONQUEZ*, *ante*, p. 812;

No. 09-5746. *BARBOUR v. UNITED STATES*, *ante*, p. 917;

No. 09-5756. *PHILLIPS v. DISTRICT OF COLUMBIA ET AL.*, *ante*, p. 952;

No. 09-5825. *TORRENCE v. OZMINT*, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, *ante*, p. 953;

No. 09-5831. *JORDAN v. UNITED STATES*, *ante*, p. 920;

No. 09-5843. *LYLES v. LEMMON ET AL.*, *ante*, p. 953;

No. 09-5872. *PEOPLES v. WILLIAMS ET AL.*, *ante*, p. 954;

No. 09-5880. *IN RE COPPAGE*, *ante*, p. 813;

No. 09-5925. *LINTON v. HOLDER*, ATTORNEY GENERAL, *ante*, p. 955;

No. 09-5960. *LONG ET UX. v. WOOD MIZER PRODUCTS INC.*, *ante*, p. 971;

No. 09-5988. *WARMAN v. MARBERRY*, WARDEN, ET AL., *ante*, p. 955;

No. 09-6010. *GURNSEY v. CALIFORNIA ET AL.*, *ante*, p. 955;

No. 09-6064. *FAN v. ROE*, *ante*, p. 973;

No. 09-6068. *CUTAIA v. FLORIDA*, *ante*, p. 994;

No. 09-6124. *HOFFMAN v. UNITED STATES*, *ante*, p. 929;

No. 09-6135. *CAIN v. JOHNSON*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, *ante*, p. 995;

No. 09-6166. *JUDD v. NEW MEXICO*, *ante*, p. 996;

No. 09-6270. *DAVIS v. KNOWLES ET AL.*, *ante*, p. 998;

No. 09-6282. *DERRICKSON v. DISTRICT ATTORNEY OF DELAWARE COUNTY ET AL.*, *ante*, p. 998;

No. 09-6328. *YEAGER v. CITY OF SAN DIEGO*, CALIFORNIA, ET AL., *ante*, p. 1013;

No. 09-6414. *IN RE RAMIREZ*, *ante*, p. 944;

No. 09-6437. *YODER v. BREWER*, GOVERNOR OF ARIZONA, ET AL., *ante*, p. 1000;

No. 09-6469. *DANIEL v. SCOTT ET AL.*, *ante*, p. 1028;

No. 09-6487. *JONES v. UNITED STATES*, *ante*, p. 963;

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- No. 09–6512. SMITH *v.* WEBER, WARDEN, *ante*, p. 1000;
No. 09–6542. MONACELLI *v.* LEE COUNTY EDUCATION ASSN. ET AL., *ante*, p. 1030;
No. 09–6543. MONACELLI *v.* HEARTLAND EDUCATIONAL CONSORTIUM ET AL., *ante*, p. 1030;
No. 09–6562. ELIZARES *v.* THOMAS, WARDEN, ET AL., *ante*, p. 1000;
No. 09–6563. MONACELLI *v.* HEARTLAND EDUCATIONAL CONSORTIUM ET AL., *ante*, p. 1030;
No. 09–6572. WHEELER *v.* MILLER, *ante*, p. 1000;
No. 09–6584. BOWMAN *v.* COLORADO, *ante*, p. 1001;
No. 09–6601. TROTTER *v.* GATES, SECRETARY OF DEFENSE, *ante*, p. 1001.
No. 09–6677. IN RE WARREN, *ante*, p. 968;
No. 09–6804. HAMANI *v.* UNITED STATES, *ante*, p. 1005;
No. 09–7005. WISE *v.* FLOYD, JUDGE, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA, ET AL., *ante*, p. 1033;
No. 09–7036. KARIM-PANAHI *v.* UNITED STATES, *ante*, p. 1034; and
No. 09–7137. NELSON *v.* UNITED STATES, *ante*, p. 1037. Petitions for rehearing denied.
No. 08–11058. SAMAS *v.* UNITED STATES, *ante*, p. 937;
No. 09–312. GREENE *v.* HANOVER DIRECT, INC., ET AL., *ante*, p. 1019;
No. 09–424. PANNELL *v.* UNITED STATES, *ante*, p. 1019; and
No. 09–5726. PEACE *v.* ASTRUE, COMMISSIONER OF SOCIAL SECURITY, *ante*, p. 941. Petitions for rehearing denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of these petitions.
No. 08–10112. CURTIS *v.* OREGON, *ante*, p. 832; and
No. 09–5922. CURTIS *v.* UNITED STATES, *ante*, p. 922. Motions for leave to file petitions for rehearing denied.

JANUARY 12, 2010

Miscellaneous Order. (For the Court’s order approving revisions to the Rules of this Court, see *post*, p. 1162.)

Certiorari Denied

No. 09–8394 (09A628). JOHNSON *v.* TEXAS. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, pre-

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sent to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied.

JANUARY 13, 2010

Dismissal Under Rule 46

No. 09–6679. HARTMAN *v.* STRICKLAND, GOVERNOR OF OHIO, ET AL. C. A. 6th Cir. Certiorari dismissed under this Court’s Rule 46. Reported below: 336 Fed. Appx. 497.

JANUARY 15, 2010

Certiorari Granted

No. 09–337. KRUPSKI *v.* COSTA CROCIERE S. P. A. C. A. 11th Cir. Certiorari granted. Petitioner’s brief is to be filed on or before Thursday, February 25, 2010. Respondent’s brief is to be filed on or before Thursday, March 25, 2010. Reply briefs, if any, are to be filed in accordance with this Court’s Rule 25.3. Reported below: 330 Fed. Appx. 892.

No. 09–448. HARDT *v.* RELIANCE STANDARD LIFE INSURANCE CO. C. A. 4th Cir. Certiorari granted. Petitioner’s brief is to be filed on or before Thursday, February 25, 2010. Respondent’s brief is to be filed on or before Thursday, March 25, 2010. Reply briefs, if any, are to be filed in accordance with this Court’s Rule 25.3. Reported below: 336 Fed. Appx. 332.

No. 09–475. MONSANTO CO. ET AL. *v.* GEERTSON SEED FARMS ET AL. C. A. 9th Cir. Certiorari granted. Petitioners’ brief is to be filed on or before Thursday, February 25, 2010. Respondents’ brief is to be filed on or before Thursday, March 25, 2010. Reply briefs, if any, are to be filed in accordance with this Court’s Rule 25.3. JUSTICE Breyer took no part in the consideration or decision of this petition. Reported below: 570 F. 3d 1130.

No. 09–497. RENT-A-CENTER, WEST, INC. *v.* JACKSON. C. A. 9th Cir. Certiorari granted. Petitioner’s brief is to be filed on or before Thursday, February 25, 2010. Respondent’s brief is to be filed on or before Thursday, March 25, 2010. Reply briefs, if any, are to be filed in accordance with this Court’s Rule 25.3. Reported below: 581 F. 3d 912.

No. 09–559. DOE ET AL. *v.* REED, SECRETARY OF STATE OF WASHINGTON, ET AL. C. A. 9th Cir. Certiorari granted. Peti-

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tioners' brief is to be filed on or before Thursday, February 25, 2010. Respondents' brief is to be filed on or before Thursday, March 25, 2010. Reply briefs, if any, are to be filed in accordance with this Court's Rule 25.3. Reported below: 586 F. 3d 671.

JANUARY 19, 2010

Appeals Dismissed

No. 09–416. SCHWARZENEGGER, GOVERNOR OF CALIFORNIA, ET AL. *v.* PLATA ET AL.; and

No. 09–553. CALIFORNIA STATE REPUBLICAN LEGISLATOR INTERVENORS ET AL. *v.* PLATA ET AL. Appeals from D. C. E. D. & D. C. N. D. Cal. dismissed for want of jurisdiction. The Court takes note that a further order has been entered in these cases, but that order is not the subject of these appeals. It is also noted that the District Court has stayed its further order pending review by this Court.

Certiorari Granted—Reversed and Remanded. (See No. 09–5270, *ante*, p. 209.)

Certiorari Granted—Vacated and Remanded. (See also No. 09–5731, *ante*, p. 220.)

No. 07–1483. PATRICK, WARDEN *v.* SMITH. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *McDaniel v. Brown*, *ante*, p. 120 (*per curiam*). Reported below: 508 F. 3d 1256.

No. 08–652. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL. *v.* ABU-JAMAL. C. A. 3d Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Smith v. Spisak*, *ante*, p. 139. Reported below: 520 F. 3d 272.

No. 08–7757. WATTS *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 the position asserted by the Solicitor General in her brief for the United States filed on May 8, 2009.

No. 09–122. HUNTER *v.* UNITED STATES. C. A. 11th Cir. Certiorari granted, judgment vacated, and case remanded for fur-

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ther consideration in light of the position asserted by the Solicitor General in her brief for the United States filed on November 25, 2009. Reported below: 559 F. 3d 1188.

No. 09–5370. VAZQUEZ *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 the position asserted by the Solicitor General in her brief for the United States filed on November 16, 2009. Reported below: 558 F. 3d 1224.

No. 09–5995. JOHNSON *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 *Abuelhawa v. United States*, 556 U. S. 816 (2009). Reported below: 561 F. 3d 864.

No. 09–7408. LINTON *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).

Certiorari Dismissed

No. 09–7452. SLEZAK *v.* GLOVER 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: 326 Fed. Appx. 236.

No. 09–7461. GHEE *v.* TARGET NATIONAL BANK. Ct. App. Ga. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 09–7498. HON LAU *v.* BROWN, ATTORNEY GENERAL OF CALIFORNIA. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 09–7499. HON LAU *v.* ADAMS, WARDEN. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 09–7537. ADAMSON *v.* MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. Dist. Ct. App. Fla., 1st Dist. Mo-

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tion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 15 So. 3d 582.

No. 09-7599. 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. 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. 09A541. NORTON *v.* FANNIE MAE. Ct. App. Ga. Application for stay, addressed to JUSTICE SOTOMAYOR and referred to the Court, denied.

No. 09M63. KASTNER *v.* MARTIN & DROUGHT, INC., FKA MARTIN, DROUGHT & TORRES, INC., ET AL.; and

No. 09M64. COOLEY *v.* ST. BERNARD PARISH BUREAU OF PRISONS ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 1, Orig. WISCONSIN ET AL. *v.* ILLINOIS ET AL.;

No. 2, Orig. MICHIGAN *v.* ILLINOIS ET AL.; and

No. 3, Orig. NEW YORK *v.* ILLINOIS ET AL. Motion of Michigan for preliminary injunction denied. [For earlier order herein, see, *e. g.*, 449 U.S. 48.]

No. 08-1234. KIYEMBA ET AL. *v.* OBAMA, PRESIDENT OF THE UNITED STATES, ET AL. C. A. D. C. Cir. [Certiorari granted, *ante*, p. 969.] Motion of petitioners for leave to proceed *in forma pauperis* granted.

No. 09-338. RENICO, WARDEN *v.* LETT. C. A. 6th Cir. [Certiorari granted, *ante*, p. 1047.] Motion of respondent for appointment of counsel granted. Marla R. McCowan, of Detroit, Mich., is appointed to serve as counsel for respondent in this case.

No. 09-529. VIRGINIA OFFICE OF PROTECTION AND ADVOCACY *v.* REINHARD, COMMISSIONER, VIRGINIA DEPARTMENT OF BEHAV-

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IORAL HEALTH AND DEVELOPMENTAL SERVICES, ET AL. C. A. 4th Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 09–6554. PLUMMER *v.* CALIFORNIA. Sup. Ct. Cal. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1021] denied.

No. 09–6764. ROYSE *v.* CORNING GLASS WORKS, INC. C. A. 6th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1046] denied.

No. 09–6888. BEAVER *v.* MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. Sup. Ct. Fla. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1074] denied.

No. 09–6916. HOWARD *v.* SUPREME COURT OF OHIO ET AL. C. A. 6th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1087] denied.

No. 09–7550. JONES *v.* LIBERTY BANK & TRUST CO. ET AL. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until February 9, 2010, 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. 09–7565. CORINES *v.* KILLIAN, WARDEN. C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until February 9, 2010, 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. JUSTICE SOTOMAYOR took no part in the consideration or decision of this motion.

No. 09–8096. IN RE WALLS;

No. 09–8190. IN RE GUTIERREZ;

No. 09–8237. IN RE MILLER; and

No. 09–8285. IN RE BARTOLI. Petitions for writs of habeas corpus denied.

No. 09–7455. IN RE WILBER. Petition for writ of mandamus denied.

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No. 09–7492. *IN RE THOMAS*. Petition for writ of mandamus and/or prohibition denied.

Certiorari Denied

No. 08–11060. *FERGUSON v. WEST VIRGINIA*. Cir. Ct. Kanawha County, W. Va. Certiorari denied.

No. 09–197. *KIMCO OF EVANSVILLE, INC., NKA KCH ACQUISITION, INC., ET AL. v. INDIANA*. Sup. Ct. Ind. Certiorari denied. Reported below: 902 N. E. 2d 206.

No. 09–224. *NICKELS v. GRAND TRUNK WESTERN RAILROAD, INC.* C. A. 6th Cir. Certiorari denied. Reported below: 560 F. 3d 426.

No. 09–294. *UNUS ET AL. v. KANE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 565 F. 3d 103.

No. 09–302. *MASARIK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 567 F. 3d 901.

No. 09–310. *WILLIAMS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 559 F. 3d 607.

No. 09–314. *CITY OF VIRGINIA BEACH, VIRGINIA v. TANNER ET AL.* Sup. Ct. Va. Certiorari denied. Reported below: 277 Va. 432, 674 S. E. 2d 848.

No. 09–325. *ARONOV v. NAPOLITANO, SECRETARY OF HOMELAND SECURITY, ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 562 F. 3d 84.

No. 09–343. *EDISON ELECTRIC INSTITUTE ET AL. v. PIEDMONT ENVIRONMENTAL COUNCIL ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 558 F. 3d 304.

No. 09–379. *ALLMOND v. AKAL SECURITY, INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 558 F. 3d 1312.

No. 09–385. *BAKERY MACHINERY & FABRICATIONS, INC. v. TRADITIONAL BAKING, INC.* C. A. 7th Cir. Certiorari denied. Reported below: 570 F. 3d 845.

No. 09–395. *RICCI, ASSOCIATE ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL. v. KAMIENSKI*. C. A. 3d Cir. Certiorari denied. Reported below: 332 Fed. Appx. 740.

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No. 09–412. *SMC CORP. ET AL. v. NORGREN, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 336 Fed. Appx. 991.

No. 09–439. *QSI HOLDINGS, INC., ET AL. v. ALFORD ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 571 F. 3d 545.

No. 09–447. *HECKER ET AL. v. DEERE & Co.* C. A. 7th Cir. Certiorari denied. Reported below: 556 F. 3d 575.

No. 09–518. *BULLOCK v. KLEIN ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 341 Fed. Appx. 812.

No. 09–549. *UNITED STATES ET AL. v. SMITH.* C. A. 10th Cir. Certiorari denied. Reported below: 561 F. 3d 1090.

No. 09–550. *FESSLER ET UX. v. KIRK SAUER COMMUNITY DEVELOPMENT OF WILKES-BARRE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 316 Fed. Appx. 174.

No. 09–555. *ASHABRANNER v. GOODMAN, INDIVIDUALLY AND AS ADMINISTRATRIX OF THE ESTATE OF GOODMAN, DECEASED; and*

No. 09–574. *GOODMAN, INDIVIDUALLY AND AS ADMINISTRATRIX OF THE ESTATE OF GOODMAN, DECEASED v. HARRIS COUNTY, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 571 F. 3d 388.

No. 09–556. *SCHREINER v. EWING ET AL.* Ct. App. Wash. Certiorari denied. Reported below: 147 Wash. App. 1026.

No. 09–558. *RATCLIFF v. TEXAS.* Ct. App. Tex., 9th Dist. Certiorari denied.

No. 09–561. *PARKHURST ET UX., INDIVIDUALLY AND AS GUARDIANS AND NEXT FRIENDS OF H. P. v. TABOR ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 569 F. 3d 861.

No. 09–565. *BASON v. YUKINS, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 323.

No. 09–568. *MAREMONT CORP. v. ST. JOHN, INDIVIDUALLY AND AS ADMINISTRATRIX AD PROSEQUENDUM OF THE ESTATE OF ST. JOHN.* C. A. 3d Cir. Certiorari denied.

No. 09–575. *ENGLISH-SPEAKING UNION v. JOHNSON ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 321 Fed. Appx. 4.

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No. 09–577. *HALE ET AL. v. BEXAR COUNTY, TEXAS*. C. A. 5th Cir. Certiorari denied. Reported below: 342 Fed. Appx. 921.

No. 09–585. *HARVEST INSTITUTE FREEDMAN FEDERATION ET AL. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 324 Fed. Appx. 923.

No. 09–586. *O’CALLAGHAN ET AL. v. TEMPORARY GUARDIANSHIP OF MOULTON*. Ct. App. Ind. Certiorari denied. Reported below: 903 N. E. 2d 1070.

No. 09–588. *GOLDEN v. HOUSMAN, TRUSTEE, ET AL.* Sup. Jud. Ct. Me. Certiorari denied.

No. 09–595. *CIPTANAGARA v. HOLDER, ATTORNEY GENERAL*. C. A. 11th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 840.

No. 09–598. *MACDERMID, INDIVIDUALLY AND AS ADMINISTRATOR OF THE ESTATE OF MACDERMID v. DISCOVER FINANCIAL SERVICES, DBA DISCOVER CHARGE CARD*. C. A. 6th Cir. Certiorari denied. Reported below: 342 Fed. Appx. 138.

No. 09–603. *COUNTY OF DELAWARE, PENNSYLVANIA, ET AL. v. FEDERAL AVIATION ADMINISTRATION ET AL.*; and

No. 09–607. *COUNTY OF ROCKLAND, NEW YORK, ET AL. v. FEDERAL AVIATION ADMINISTRATION ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 335 Fed. Appx. 52.

No. 09–618. *JIMINEZ v. VAUGHAN, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 890.

No. 09–633. *CIMINI v. SMITH ET AL.* App. Ct. Mass. Certiorari denied. Reported below: 74 Mass. App. 1122, 909 N. E. 2d 60.

No. 09–635. *SHINNECOCK SMOKE SHOP v. KAPPOS, DIRECTOR, PATENT AND TRADEMARK OFFICE*. C. A. Fed. Cir. Certiorari denied. Reported below: 571 F. 3d 1171.

No. 09–646. *CARNIVAL CORP., DBA CARNIVAL CRUISE LINES, INC. v. THOMAS*. C. A. 11th Cir. Certiorari denied. Reported below: 573 F. 3d 1113.

No. 09–649. *KONOP v. HAWAIIAN AIRLINES, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 705.

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No. 09–651. *HIRMER ET VIR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–653. *GEARING v. CALIFORNIA*. App. Div., Super. Ct. Cal., County of Los Angeles. Certiorari denied.

No. 09–655. *WADE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 342 Fed. Appx. 375.

No. 09–691. *EPIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 409.

No. 09–692. *OLIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–5202. *BOOKER v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 5 So. 3d 356.

No. 09–5455. *GILES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 560 F. 3d 754.

No. 09–6167. *PATTERSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 561 F. 3d 1170.

No. 09–6179. *AGUILERA-MEZA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 825.

No. 09–6245. *HARGROVE v. WALKER, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 708.

No. 09–6441. *GLOVER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 35.

No. 09–6457. *MOLINA-GAZCA, AKA MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 571 F. 3d 470.

No. 09–6504. *THOMPSON v. WILLIAMS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 320 Fed. Appx. 678.

No. 09–6577. *MITCHELL v. O'BRIEN*. Sup. Ct. Va. Certiorari denied.

No. 09–6605. *BERRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 707.

No. 09–6650. *PENDLETON v. BALLARD, WARDEN*. Cir. Ct. Berkeley County, W. Va. Certiorari denied.

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No. 09-6792. *KERN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 296.

No. 09-6835. *VAN HOOSSEN v. KRAMER, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 319 Fed. Appx. 590.

No. 09-6846. *WHITE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 571 F. 3d 365.

No. 09-6983. *OWEN v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 568 F. 3d 894.

No. 09-6985. *RUCKER v. ILLINOIS DEPARTMENT OF CHILDREN AND FAMILY SERVICES*. C. A. 7th Cir. Certiorari denied. Reported below: 326 Fed. Appx. 397.

No. 09-7156. *CORNWELL v. BOBBY, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 559 F. 3d 398.

No. 09-7168. *WADFORD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 198.

No. 09-7326. *ISA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09-7424. *RAY v. FEDERAL INSURANCE CO. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 340 Fed. Appx. 105.

No. 09-7435. *HAYWOOD v. BEDATSKY ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 621.

No. 09-7442. *JACKSON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 18 So. 3d 1016.

No. 09-7443. *HALE v. TENNIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09-7444. *THOMAS v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 09-7453. *SAIRRAS v. SCHLEFFER ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 698.

No. 09-7457. *FULLER v. BERGH, WARDEN*. C. A. 6th Cir. Certiorari denied.

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No. 09–7460. *HOOKS v. BRUTON ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 241.

No. 09–7466. *CORDOVA ET AL. v. ARAGON ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 569 F. 3d 1183.

No. 09–7471. *CHAVEZ v. SWARTHOUT, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 341.

No. 09–7476. *MURRAY v. MILWAUKEE COUNTY, WISCONSIN, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 213.

No. 09–7478. *JOHNSON v. KELLY, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY.* C. A. 5th Cir. Certiorari denied.

No. 09–7479. *KETCHUM v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 09–7481. *WILSON v. HAWS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 09–7496. *LOGGINS v. CLINE, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 317 Fed. Appx. 832.

No. 09–7497. *KARES v. ENIEX ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–7501. *RUTLEDGE v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 344 Fed. Appx. 924.

No. 09–7503. *STRAW v. KLOPOTOSKI, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–7506. *BROWN v. KELLEY ET AL.* Sup. Ct. Nev. Certiorari denied.

No. 09–7510. *JENNER ET AL. v. ZAVARES, EXECUTIVE DIRECTOR, COLORADO DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 879.

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No. 09–7512. *BEDFORD v. WEBB, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 09–7517. *PEREZ v. TEXAS*. Ct. App. Tex., 13th Dist. Certiorari denied.

No. 09–7524. *REESE v. TEXAS*. Ct. App. Tex., 10th Dist. Certiorari denied.

No. 09–7525. *WALDIE v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied. Reported below: 173 Cal. App. 4th 358, 92 Cal. Rptr. 3d 688.

No. 09–7526. *TRUMP v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–7528. *VILLARREAL v. SMITH, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 09–7534. *VICTORIA v. CONWAY, SUPERINTENDENT, ATTICA CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 09–7538. *BRONSON v. KELCHNER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT CAMP HILL, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–7540. *IVANOVA, AKA IVANOVA-WARNER v. MICHIGAN*. Cir. Ct. Kent County, Mich. Certiorari denied.

No. 09–7542. *GRUBER v. BUESCHER, SECRETARY OF STATE OF COLORADO, ET AL.* Sup. Ct. Colo. Certiorari denied.

No. 09–7557. *PERRY v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 09–7566. *ERICKSON v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied. Reported below: 74 Mass. App. 172, 905 N. E. 2d 127.

No. 09–7569. *FELIX v. HOLDER, ATTORNEY GENERAL*. C. A. 4th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 440.

No. 09–7570. *MAJOR-DAVIS v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 342 Fed. Appx. 952.

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No. 09–7571. *CLEVELAND v. ABERNATHY, MAYOR, CLEMSON, SOUTH CAROLINA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 330 Fed. Appx. 39.

No. 09–7575. *DAVIS v. EITEL ET AL.* Sup. Ct. Nev. Certiorari denied.

No. 09–7587. *VINNIE v. MASSACHUSETTS.* Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 454 Mass. 1016, 910 N. E. 2d 364.

No. 09–7593. *ANTHONY v. THIRD CIRCUIT COURT OF MICHIGAN ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–7597. *MASON v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 388 Ill. App. 3d 1138, 982 N. E. 2d 287.

No. 09–7600. *BARNES v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 09–7606. *TRAVALINE v. TRAVALINE.* Super. Ct. Pa. Certiorari denied.

No. 09–7609. *MOORE v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 09–7610. *DILLEHAY v. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 53.

No. 09–7611. *DIAZ v. TEXAS.* Ct. App. Tex., 7th Dist. Certiorari denied.

No. 09–7612. *DUPONT v. GERRY, WARDEN.* C. A. 1st Cir. Certiorari denied.

No. 09–7616. *JOHNSON v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–7617. *MATYLINSKY v. BUDGE, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 577 F. 3d 1083 and 344 Fed. Appx. 311.

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No. 09–7619. *VAN SWAIT v. EVANS, WARDEN* (four judgments). C. A. 9th Cir. Certiorari denied.

No. 09–7625. *SINGLETON v. JOHNSON ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 323 Fed. Appx. 783.

No. 09–7651. *NALL v. MCCALL, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 101.

No. 09–7655. *EVANS v. MERCY MEDICAL CENTER.* Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 09–7694. *CHARLES v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 09–7696. *SAQUIC-SACCHE v. HOLDER, ATTORNEY GENERAL.* C. A. 9th Cir. Certiorari denied.

No. 09–7701. *GOLDEN v. HUBBELL INC. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 226.

No. 09–7761. *LASKEY v. VISION INFOSOFT.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 09–7790. *WHITE v. FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES.* C. A. 11th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 532.

No. 09–7830. *WATTS v. WILSON ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–7866. *RESTITUTO EMBUSCADO v. DC COMICS ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 347 Fed. Appx. 700.

No. 09–7873. *FOSTER v. ALABAMA.* Ct. Crim. App. Ala. Certiorari denied. Reported below: 57 So. 3d 207.

No. 09–7893. *JOHNSON v. COOK INC.* C. A. 7th Cir. Certiorari denied. Reported below: 327 Fed. Appx. 661.

No. 09–7921. *BLOUNT v. HARDY, CORRECTIONAL ADMINISTRATOR, NASH CORRECTIONAL INSTITUTION.* C. A. 4th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 271.

No. 09–7985. *CRESSWELL v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

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No. 09–7987. *FISCHER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 521.

No. 09–7988. *GOODMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 342 Fed. Appx. 993.

No. 09–7989. *GARBA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 307 Fed. Appx. 698.

No. 09–7994. *JACKSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 472.

No. 09–7996. *McMILLAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 346 Fed. Appx. 945.

No. 09–7997. *HAMDY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 325 Fed. Appx. 28.

No. 09–7999. *VINSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 882.

No. 09–8004. *REED v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 338 Fed. Appx. 851.

No. 09–8008. *WINGO v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 132.

No. 09–8009. *SINGLETERY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 345 Fed. Appx. 466.

No. 09–8010. *ROACH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 582 F. 3d 1192.

No. 09–8013. *BRIDE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 581 F. 3d 888.

No. 09–8016. *SUMMAGE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 575 F. 3d 864.

No. 09–8017. *ROBERSON v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 961 A. 2d 1092.

No. 09–8025. *CARDONA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 09–8027. *BREWER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 344 Fed. Appx. 947.

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No. 09–8028. *ADAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 336.

No. 09–8030. *AKEL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 843.

No. 09–8032. *EBERHARDT v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–8033. *FOWLER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 561.

No. 09–8035. *FALLS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–8036. *GLAWSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 322 Fed. Appx. 957.

No. 09–8038. *HUMPHREY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–8040. *HAYES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 680.

No. 09–8045. *GRAVELY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 340 Fed. Appx. 67.

No. 09–8047. *HOBERECK v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 347 Fed. Appx. 887.

No. 09–8051. *COLIN-LUJAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 348 Fed. Appx. 913.

No. 09–8054. *MEJIA-RIOS, AKA MEJIO-RIOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 972.

No. 09–8056. *ORTEGA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 344 Fed. Appx. 539.

No. 09–8058. *REGISTER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–8060. *WALTERS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 969.

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No. 09–8062. CRUZ, AKA GALINDO-CRUZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 971.

No. 09–8063. CARDOZA-PUENTE *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 344 Fed. Appx. 95.

No. 09–8064. GARCIA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 344 Fed. Appx. 441.

No. 09–8071. HERROD *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 342 Fed. Appx. 180.

No. 09–8073. SIMPKINS *v.* UNITED STATES. Ct. App. D. C. Certiorari denied. Reported below: 966 A. 2d 398.

No. 09–8075. HECKE *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 676.

No. 08–1401. METRISH, WARDEN *v.* NEWMAN. C. A. 6th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 543 F. 3d 793.

No. 09–315. BUSCH *v.* MARPLE NEWTON SCHOOL DISTRICT ET AL. C. A. 3d Cir. Motion of Indian River School District for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 567 F. 3d 89.

No. 09–333. GARCIA ET AL. *v.* VILSACK, SECRETARY OF AGRICULTURE. C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 563 F. 3d 519.

No. 09–359. MALDONADO *v.* IWASAKI, DIRECTOR, CALIFORNIA DEPARTMENT OF TRANSPORTATION. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 556 F. 3d 1037.

No. 09–430. WAHI *v.* CHARLESTON AREA MEDICAL CENTER ET AL. C. A. 4th Cir. Motion of Association of American Physicians and Surgeons, Inc., for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 562 F. 3d 599.

No. 09–484. O'BRIEN, SUPERINTENDENT, OLD COLONY CORRECTIONAL CENTER *v.* O'LAUGHLIN. C. A. 1st Cir. Motion of

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respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 568 F. 3d 287.

No. 09–567. VAN DE BERG *v.* SOCIAL SECURITY ADMINISTRATION ET AL. C. A. D. C. Cir. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied.

No. 09–7516. LEIGHT *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 569 F. 3d 47 and 331 Fed. Appx. 850.

Rehearing Denied

No. 08–10000. HUFF *v.* KENTUCKY RETIREMENT SYSTEMS, *ante*, p. 831;

No. 08–10781. ANDRADE CALLES *v.* URIBE, WARDEN, *ante*, p. 853;

No. 09–5031. LANGON *v.* FLORIDA, *ante*, p. 883;

No. 09–5176. GORDON *v.* SUPREME COURT OF TEXAS ET AL., *ante*, p. 890;

No. 09–6411. WHIRTY *v.* THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 1027;

No. 09–6413. ROTH *v.* PENNSYLVANIA, *ante*, p. 1027;

No. 09–6546. MILLER *v.* FRIEL, WARDEN, *ante*, p. 1030;

No. 09–6569. BURROUGHS, BY AND THROUGH HER NEXT FRIEND BURROUGHS *v.* BROADSPIRE, FKA KEMPER INSURANCE CO., *ante*, p. 1031;

No. 09–6637. CUMMINGS *v.* MOORE ET AL., *ante*, p. 1015;

No. 09–6777. HERBERT *v.* UNITED STATES ET AL., *ante*, p. 1015;

No. 09–6980. IN RE LESTER, *ante*, p. 988;

No. 09–6999. JONES *v.* PLATTEVIEW APARTMENTS ET AL., *ante*, p. 1033;

No. 09–7006. IN RE MINNEMAN, *ante*, p. 1023;

No. 09–7015. SANCHES MONTES *v.* UNITED STATES, *ante*, p. 1033; and

No. 09–7348. BEVERLY *v.* UNITED STATES, *ante*, p. 1063. Petitions for rehearing denied.