

ORDERS FOR MAY 17 THROUGH
JUNE 17, 2010

MAY 17, 2010

Certiorari Granted—Vacated and Remanded

No. 09–650. DA SILVA NEVES *v.* HOLDER, ATTORNEY GENERAL. C. A. 1st Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Kucana v. Holder*, 558 U. S. 233 (2010). Reported below: 568 F. 3d 41.

Certiorari Dismissed

No. 09–9637. WASHINGTON *v.* SCHWARZENEGGER 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. 09–9642. LASKEY *v.* PLATT ELECTRIC SUPPLY. 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.

No. 09–9773. BLOOM *v.* SELZER-LIPPERT ET AL. Ct. App. Kan. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 42 Kan. App. 2d xi, 214 P. 3d 1226.

No. 09–10037. SILER *v.* UNITED STATES. C. A. Fed. Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. 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: 363 Fed. Appx. 750.

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Miscellaneous Orders

No. D-2467. IN RE DISBARMENT OF SIBLEY. Disbarment entered. [For earlier order herein, see 559 U. S. 1002.]

No. 09M93. WILSON *v.* ILLINOIS;

No. 09M95. SMITH *v.* JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS; and

No. 09M96. BISHAY *v.* MECHANICS COOPERATIVE BANK. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 09M94. ENDICOTT *v.* ICICLE SEAFOODS, INC. Motion for leave to proceed as a seaman granted.

No. 09-945. LOUISIANA SAFETY ASSOCIATION OF TIMBERMEN-SELF INSURERS FUND *v.* CERTAIN UNDERWRITERS AT LLOYD'S, LONDON, ET AL. C. A. 5th Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 09-8429. MILLER *v.* GEORGIA. Ct. App. Ga. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [559 U. S. 999] denied.

No. 09-9064. JACKSON *v.* MINNESOTA. Ct. App. Minn. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [559 U. S. 1035] denied.

No. 09-9459. O'CONNOR *v.* UNITED STATES. C. A. Fed. Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [559 U. S. 1047] denied.

No. 09-9605. MEDLEY *v.* FIRST HORIZON HOME LOAN CORP. ET AL. C. A. 9th Cir.;

No. 09-10116. RUIZ *v.* SUN LIFE ASSURANCE COMPANY OF CANADA. C. A. 5th Cir.;

No. 09-10213. IN RE MINOR; and

No. 09-10216. JAHAGIRDAR *v.* UNITED STATES. C. A. 1st Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until June 7, 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. 09-10082. GRIER *v.* UNITED STATES. C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* de-

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nied. Petitioner is allowed until June 7, 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. 09–9665. IN RE CANNADY; and

No. 09–10298. IN RE MARQUARDT. Petitions for writs of habeas corpus denied.

No. 09–1101. IN RE MCGEE; and

No. 09–10209. IN RE SHAW. Petitions for writs of mandamus denied.

No. 09–9507. IN RE WARREN; and

No. 09–9541. IN RE WARREN. Motions of petitioner for leave to proceed *in forma pauperis* denied, and petitions for writs of mandamus dismissed. See this Court's Rule 39.8

Certiorari Granted

No. 09–868. WALL, DIRECTOR, RHODE ISLAND DEPARTMENT OF CORRECTIONS *v.* KHOLI. C. A. 1st Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 582 F. 3d 147.

Certiorari Denied

No. 09–594. DE LA ROSA *v.* HOLDER, ATTORNEY GENERAL. C. A. 11th Cir. Certiorari denied. Reported below: 579 F. 3d 1327.

No. 09–600. ABEBE *v.* HOLDER, ATTORNEY GENERAL. C. A. 9th Cir. Certiorari denied. Reported below: 554 F. 3d 1203.

No. 09–767. SKF USA, INC. *v.* CUSTOMS AND BORDER PROTECTION ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 556 F. 3d 1337.

No. 09–830. CONTRERAS-MARTINEZ *v.* HOLDER, ATTORNEY GENERAL. C. A. 4th Cir. Certiorari denied. Reported below: 346 Fed. Appx. 956.

No. 09–862. MAGYAR *v.* MISSISSIPPI. Sup. Ct. Miss. Certiorari denied. Reported below: 18 So. 3d 807.

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No. 09–877. *PUDELSKI v. WILSON, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 576 F. 3d 595.

No. 09–885. *STANDARD INSURANCE CO. v. LINDEEN, STATE AUDITOR, EX OFFICIO COMMISSIONER OF INSURANCE*. C. A. 9th Cir. Certiorari denied. Reported below: 584 F. 3d 837.

No. 09–982. *MOORE v. HOSEMANN, SECRETARY OF STATE OF MISSISSIPPI*. C. A. 5th Cir. Certiorari denied. Reported below: 591 F. 3d 741.

No. 09–1056. *CUTTS v. OHIO*. Ct. App. Ohio, Stark County. Certiorari denied.

No. 09–1057. *BILDMAN v. ASTRA USA, INC., ET AL.* Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 455 Mass. 116, 914 N. E. 2d 36.

No. 09–1062. *GREAVES v. MASSAD*. App. Ct. Conn. Certiorari denied. Reported below: 116 Conn. App. 672, 977 A. 2d 662.

No. 09–1064. *NWOKE v. VILLAGE OF BOLINGBROOK, ILLINOIS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 355 Fed. Appx. 59.

No. 09–1066. *T. Y. ET AL., ON BEHALF OF T. Y. v. NEW YORK CITY DEPARTMENT OF EDUCATION, REGION 4*. C. A. 2d Cir. Certiorari denied. Reported below: 584 F. 3d 412.

No. 09–1073. *SHAW v. LYNCHBURG DEPARTMENT OF SOCIAL SERVICES ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 883.

No. 09–1076. *MATEEN v. MARSHALL, TRUSTEE, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 341 Fed. Appx. 581.

No. 09–1081. *MURESAN ET UX. v. FISH ET AL.* Ct. App. Wash. Certiorari denied. Reported below: 151 Wash. App. 1007.

No. 09–1082. *NEELY v. CITY OF RIVERDALE, GEORGIA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–1085. *LOUISIANA v. GOZA ET UX*. Ct. App. La., 1st Cir. Certiorari denied. Reported below: 21 So. 3d 320.

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No. 09–1086. *MR CRESCENT CITY, LLC, ET AL. v. DRAPER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 588 F. 3d 822.

No. 09–1090. *RAWLINS v. MILLER, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 346 Fed. Appx. 360.

No. 09–1091. *OCEANIC EXPLORATION CO. ET AL. v. PHILLIPS PETROLEUM COMPANY ZOC ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 352 Fed. Appx. 945.

No. 09–1092. *WILLIAMS v. LOUISIANA.* Sup. Ct. La. Certiorari denied. Reported below: 22 So. 3d 867.

No. 09–1095. *DAILY ET UX. v. OKLAHOMA EX REL. OKLAHOMA DEPARTMENT OF HUMAN SERVICES ET AL.* Ct. Civ. App. Okla. Certiorari denied. Reported below: 228 P. 3d 1199.

No. 09–1103. *UTE DISTRIBUTION CORP. v. SALAZAR, SECRETARY OF THE INTERIOR, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 584 F. 3d 1275.

No. 09–1104. *WHITTIER, PERSONAL REPRESENTATIVE OF THE ESTATE OF DIOTAIUTO, ET AL. v. KOBAYASHI* (Reported below: 581 F. 3d 1304); *WHITTIER, PERSONAL REPRESENTATIVE OF THE ESTATE OF DIOTAIUTO, ET AL. v. GOLDSTEIN ET AL.* (343 Fed. Appx. 517); and *WHITTIER, PERSONAL REPRESENTATIVE OF THE ESTATE OF DIOTAIUTO, ET AL. v. BRUNA ET AL.* (343 Fed. Appx. 505). C. A. 11th Cir. Certiorari denied.

No. 09–1105. *AIG BAKER STERLING HEIGHTS, LLC, ET AL. v. AMERICAN MULTI-CINEMA, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 579 F. 3d 1268.

No. 09–1106. *DOLENZ v. VAIL, EXECUTRIX OF THE ESTATE OF VAIL, DECEASED.* Ct. App. Tex., 5th Dist. Certiorari denied. Reported below: 293 S. W. 3d 842.

No. 09–1109. *THOMAS v. WALT DISNEY CO. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 337 Fed. Appx. 694.

No. 09–1112. *MADRID ET AL. v. KAISER ET AL.* Ct. App. Ariz. Certiorari denied.

No. 09–1113. *BADER v. BLANKFEIN ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 356 Fed. Appx. 471.

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No. 09–1114. *ALBERTO-CULVER CO. v. SUNSTAR, INC., ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 586 F. 3d 487.

No. 09–1117. *HUGHES v. ARNOLD ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 347 Fed. Appx. 359.

No. 09–1118. *CURIOUS THEATRE CO. ET AL. v. COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT ET AL.* Sup. Ct. Colo. Certiorari denied. Reported below: 220 P. 3d 544.

No. 09–1122. *EVANS v. BURT, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 09–1170. *SEPULVEDA v. NEBRASKA.* Sup. Ct. Neb. Certiorari denied. Reported below: 278 Neb. 972, 775 N. W. 2d 40.

No. 09–1171. *SMITH v. PSYCHIATRIC SOLUTIONS, INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 358 Fed. Appx. 76.

No. 09–1173. *FLORANCE v. TEXAS.* Ct. App. Tex., 5th Dist. Certiorari denied.

No. 09–1174. *LAKE v. NEAL ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 585 F. 3d 1059.

No. 09–1182. *PATEL v. UNITED STATES*; and

No. 09–10049. *SKRIPKA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 354 Fed. Appx. 216.

No. 09–1190. *WALLACE, ADMINISTRATOR OF THE ESTATE OF WALLACE v. CASE WESTERN RESERVE UNIVERSITY.* Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 09–1193. *LEVY ET UX. v. ENGLUND.* Ct. App. Ariz. Certiorari denied.

No. 09–1197. *VANNATTA ET AL. v. OREGON GOVERNMENT ETHICS COMMISSION, FKA OREGON GOVERNMENT STANDARDS AND PRACTICES COMMISSION, ET AL.* Sup. Ct. Ore. Certiorari denied. Reported below: 347 Ore. 449, 222 P. 3d 1077.

No. 09–1200. *DYNO v. BINGHAMTON UNIVERSITY, STATE UNIVERSITY OF NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 09–1207. *CARSON v. MERIT SYSTEMS PROTECTION BOARD.* C. A. Fed. Cir. Certiorari denied. Reported below: 257 Fed. Appx. 268.

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No. 09–1224. *EKPERIGIN v. DEPARTMENT OF HEALTH AND HUMAN SERVICES*. C. A. Fed. Cir. Certiorari denied. Reported below: 351 Fed. Appx. 441.

No. 09–1230. *JEWELL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 586 F. 3d 1089.

No. 09–7472. *PROPE v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 573 F. 3d 225.

No. 09–7758. *ALEXANDER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 574 F. 3d 484.

No. 09–8515. *KILES v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 222 Ariz. 25, 213 P. 3d 174.

No. 09–8521. *AVALOS ALBA v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 346 Fed. Appx. 994.

No. 09–8700. *WHITE v. FAIRFAX COUNTY, VIRGINIA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 98.

No. 09–9079. *JONES v. MINNESOTA*. Sup. Ct. Minn. Certiorari denied. Reported below: 772 N. W. 2d 496.

No. 09–9405. *LIVINGSTON v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–9446. *HAILE v. ZULA, LLC*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 09–9458. *NORTON v. FANNIE MAE*. Ct. App. Ga. Certiorari denied.

No. 09–9466. *CUTAIA v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–9468. *FICKES v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

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No. 09–9469. *HENDERSON v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–9470. *HILLMAN v. SIMMS ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–9472. *HARDY v. WOOD*. C. A. 11th Cir. Certiorari denied. Reported below: 342 Fed. Appx. 441.

No. 09–9474. *GARRISON v. TROMBLEY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 09–9483. *BROWN v. INDUSTRIAL BANK ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 09–9485. *BROWN v. MILLER*. C. A. D. C. Cir. Certiorari denied. Reported below: 360 Fed. Appx. 164.

No. 09–9490. *MARTYNOWICZ v. KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES*. Ct. App. Kan. Certiorari denied. Reported below: 41 Kan. App. 2d xiv, 201 P. 3d 1.

No. 09–9491. *JAMERSON v. GREYHOUND*. C. A. 9th Cir. Certiorari denied.

No. 09–9493. *PAIGE v. CUOMO, ATTORNEY GENERAL OF NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 09–9498. *MURDENT v. MINNESOTA*. Ct. App. Minn. Certiorari denied.

No. 09–9499. *BERRIOS ET AL. v. NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied.

No. 09–9500. *BROWN v. GEORGIA*. Sup. Ct. Ga. Certiorari denied.

No. 09–9501. *BARROS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–9502. *PLEASANT-BEY v. TENNESSEE*. Sup. Ct. Tenn. Certiorari denied.

No. 09–9505. *VILLA v. TEXAS*. Ct. App. Tex., 7th Dist. Certiorari denied.

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No. 09–9506. *WALKER v. THALER*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 09–9508. *WILSON v. JOHNSON*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 903.

No. 09–9513. *RIVERA v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 603 Pa. 340, 983 A. 2d 1211.

No. 09–9514. *BROWN v. SUBURBAN PROPANE*, L. P. C. A. D. C. Cir. Certiorari denied. Reported below: 367 Fed. Appx. 165.

No. 09–9522. *WILSON v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 21 So. 3d 572.

No. 09–9524. *MUSSER v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 09–9528. *EVANS, AKA WILSON v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 09–9545. *JENKINS v. MURPHY*. C. A. 2d Cir. Certiorari denied. Reported below: 356 Fed. Appx. 500.

No. 09–9547. *CALLIGAN v. WILSON*, SUPERINTENDENT, INDIANA STATE PRISON. C. A. 7th Cir. Certiorari denied.

No. 09–9548. *CALLIGAN v. WILSON*, SUPERINTENDENT, INDIANA STATE PRISON. C. A. 7th Cir. Certiorari denied.

No. 09–9551. *CHARLEY v. RYAN*, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS. C. A. 9th Cir. Certiorari denied.

No. 09–9559. *ALLEN v. HEINZL ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 351 Fed. Appx. 145.

No. 09–9564. *SHARPE v. FELKER*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 09–9565. *RICHARDS v. ELI LILLY & Co.* C. A. 7th Cir. Certiorari denied. Reported below: 355 Fed. Appx. 74.

No. 09–9572. *COULOMBE v. SUPERIOR COURT OF CALIFORNIA, VENTURA COUNTY, ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

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No. 09–9573. *CHAMBERS v. TEXAS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 294.

No. 09–9574. *EDWARDS v. ASTORIA FEDERAL SAVINGS.* C. A. 4th Cir. Certiorari denied. Reported below: 353 Fed. Appx. 789.

No. 09–9579. *SEALS v. RUSSELL ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 355 Fed. Appx. 102.

No. 09–9580. *RICHARDSON v. COUNTS.* C. A. 4th Cir. Certiorari denied. Reported below: 363 Fed. Appx. 219.

No. 09–9584. *MANIKOWSKI v. FLORIDA.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 23 So. 3d 113.

No. 09–9585. *KING v. MCDANIEL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 357 Fed. Appx. 856.

No. 09–9602. *WILLIAMS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–9603. *TRIGGS v. CHRONES, ACTING WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 346 Fed. Appx. 173.

No. 09–9606. *LAGUNAS v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 09–9607. *PHILLIPS v. LAFLEER, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 09–9614. *BECHLER v. SCRIBNER, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 09–9618. *BAKER v. YATES, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 339 Fed. Appx. 690.

No. 09–9619. *MCNEILL v. LANESBORO CORRECTIONAL ADMINISTRATION STAFF.* C. A. 4th Cir. Certiorari denied.

No. 09–9630. *LANCASTER v. TEXAS.* Ct. App. Tex., 3d Dist. Certiorari denied.

No. 09–9631. *MARVIN v. SUPERVISOR OF THE ORANGE COUNTY SUPPORT COLLECTION ET AL.* C. A. 2d Cir. Certiorari denied.

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No. 09–9640. *BANOS v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 178 Cal. App. 4th 483, 100 Cal. Rptr. 3d 476.

No. 09–9643. *JAMES v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–9649. *MCNEILL v. ASHLEY ET AL.* C. A. 4th Cir. Certiorari denied.

No. 09–9651. *TERRY v. WALKER ET AL.* C. A. 7th Cir. Certiorari denied.

No. 09–9652. *TOTTEN v. JOHNSON ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 214.

No. 09–9661. *MATTIS v. LEE, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 09–9667. *CRAWFORD v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 57 So. 3d 203.

No. 09–9668. *C. E. L. v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 24 So. 3d 1181.

No. 09–9676. *GRIFFEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 589 F. 3d 1363.

No. 09–9677. *HUGHEN v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 297 S. W. 3d 330.

No. 09–9680. *SEVERIN v. JEFFERSON PARISH, LOUISIANA, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 357 Fed. Appx. 601.

No. 09–9695. *SCOTT v. MILYARD, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 350 Fed. Appx. 213.

No. 09–9707. *THOMAS v. HOWZE ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 348 Fed. Appx. 474.

No. 09–9709. *WEEMS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 391 Ill. App. 3d 1123, 982 N. E. 2d 990.

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No. 09–9731. *SMITH v. ATLANTA POSTAL CREDIT UNION*. C. A. 11th Cir. Certiorari denied. Reported below: 350 Fed. Appx. 347.

No. 09–9735. *PAPENFUS v. HILL, SUPERINTENDENT, POWDER RIVER CORRECTIONAL FACILITY*. C. A. 9th Cir. Certiorari denied.

No. 09–9736. *PICKETT v. HALL, SUPERINTENDENT, TWO RIVERS CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied. Reported below: 357 Fed. Appx. 902.

No. 09–9752. *CHERNETSKY v. CORTEZ MASTO, ATTORNEY GENERAL OF NEVADA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–9761. *JACKSON v. MONTANA*. Sup. Ct. Mont. Certiorari denied. Reported below: 354 Mont. 63, 221 P. 3d 1213.

No. 09–9764. *CRUZ SARINANA v. FARWELL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–9768. *STANTON v. MCDANIEL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–9769. *STASZ v. EISENBERG, TRUSTEE AND EXECUTOR FOR THE TRUST AND ESTATE OF QUACKENBUSH, DECEASED*. C. A. 9th Cir. Certiorari denied. Reported below: 352 Fed. Appx. 154.

No. 09–9778. *LAWRENCE v. PIAZZA ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–9787. *MOHSEN v. WU, CHAPTER 7 TRUSTEE, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 358 Fed. Appx. 951.

No. 09–9797. *FIGUEROA v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 151 Wash. App. 1001.

No. 09–9800. *HUDSON v. VASBINDER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 09–9827. *JACKSON v. ADAMS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 360 Fed. Appx. 874.

No. 09–9829. *JOHNSON v. WERTANEN*. C. A. 6th Cir. Certiorari denied.

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No. 09–9832. *MILLER v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 393 Ill. App. 3d 629, 913 N. E. 2d 659.

No. 09–9835. *HAIRSTON v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 603 Pa. 660, 985 A. 2d 804.

No. 09–9841. *COOK v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied.

No. 09–9842. *SCHMIDT v. HUBERT, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 09–9846. *WILSON v. DIGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–9854. *LOGAN v. HICKS, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 09–9864. *TITUS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–9875. *GONZALES v. MCDANIEL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–9877. *ROSHANDELL v. SEARS, ROEBUCK & CO. ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 09–9900. *MCCLAIN v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 369 Fed. Appx. 849.

No. 09–9906. *LUDY v. TERRY, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 09–9907. *SCHUSTER v. BLADES, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 357 Fed. Appx. 21.

No. 09–9908. *REEVE v. CAMPBELL, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 357 Fed. Appx. 20.

No. 09–9918. *ALBERTS v. WHEELING JESUIT UNIVERSITY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 363 Fed. Appx. 276.

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No. 09–9966. *HANN v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied. Reported below: 484 Mich. 865, 769 N. W. 2d 667.

No. 09–9967. *LORD v. MCDANIEL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–9983. *CASON v. DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 09–10004. *RICHARDS v. MACDONALD, JUDGE, CIRCUIT COURT OF MICHIGAN, WAYNE COUNTY, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–10008. *CARVER v. BENNETT ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 353 Fed. Appx. 859.

No. 09–10013. *FORTENBERRY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 350 Fed. Appx. 906.

No. 09–10016. *COLEMAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 575 F. 3d 316.

No. 09–10020. *MILLS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 217.

No. 09–10027. *MADEIRA v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 982 A. 2d 81.

No. 09–10033. *SMITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 359 Fed. Appx. 491.

No. 09–10038. *ALEXANDER v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 09–10050. *STANDIFER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 359 Fed. Appx. 530.

No. 09–10054. *BERNARD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–10056. *BENITEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 359 Fed. Appx. 93.

No. 09–10057. *CARDINAS GARCIA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 596 F. 3d 788.

No. 09–10058. *HERRERA-GONZALEZ v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 359 Fed. Appx. 299.

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No. 09–10060. *HORTON v. DONLEY, SECRETARY OF THE AIR FORCE*. C. A. 4th Cir. Certiorari denied. Reported below: 367 Fed. Appx. 400.

No. 09–10062. *CHATMAN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 359 Fed. Appx. 62.

No. 09–10063. *DUQUE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 360 Fed. Appx. 33.

No. 09–10064. *MITCHELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 359 Fed. Appx. 396.

No. 09–10066. *MCCARTHY v. DREW, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 294 Fed. Appx. 758.

No. 09–10072. *CRUZ-ALONZO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 360 Fed. Appx. 554.

No. 09–10073. *COFFMAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 192.

No. 09–10074. *FRANCIS v. KENTUCKY RIVER COAL CORP.* Ct. App. Ky. Certiorari denied.

No. 09–10088. *KING v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 352 Fed. Appx. 450.

No. 09–10092. *HOWARD v. BALLARD, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 361 Fed. Appx. 460.

No. 09–10103. *REILLY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 359 Fed. Appx. 662.

No. 09–10106. *BURTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 359 Fed. Appx. 430.

No. 09–10108. *AKERS v. CROW, JUDGE, UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 319.

No. 09–10109. *CRAFT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–10110. *CANDELARIO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 359 Fed. Appx. 958.

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No. 09–10113. *ALDACO v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–10129. *FREES v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA*. C. A. 8th Cir. Certiorari denied.

No. 09–10130. *WEST v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 589 F. 3d 936.

No. 09–10137. *HOLLIE v. MINNESOTA*. Ct. App. Minn. Certiorari denied.

No. 09–10140. *GARROTT v. MILLER-STOUT, SUPERINTENDENT, AIRWAY HEIGHTS CORRECTIONAL CENTER*. C. A. 9th Cir. Certiorari denied. Reported below: 328 Fed. Appx. 506.

No. 09–10144. *ANAMANYA v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 988 A. 2d 509.

No. 09–10147. *SANTOS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 09–10148. *ROLDAN-VEGA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 584 F. 3d 351.

No. 09–10150. *WILKINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 354 Fed. Appx. 748.

No. 09–10158. *YEJE-CABRERA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–10159. *WAMPLER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 361 Fed. Appx. 490.

No. 09–10162. *HERNANDEZ v. VILLICANA*. C. A. 9th Cir. Certiorari denied. Reported below: 344 Fed. Appx. 380.

No. 09–10164. *WESLEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 356 Fed. Appx. 646.

No. 09–10166. *MCNEILL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 360 Fed. Appx. 363.

No. 09–10169. *NEGRON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 372 Fed. Appx. 788.

No. 09–10170. *LEMON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 590 F. 3d 612.

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No. 09–10179. *SAWYERS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 360 Fed. Appx. 621.

No. 09–10180. *SHADE v. GEORGE, CHIEF JUSTICE, SUPREME COURT OF CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–10186. *LONEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 937.

No. 09–10187. *WRIGHT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–10190. *DAVIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 361 Fed. Appx. 632.

No. 09–10191. *ADEYI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 09–10193. *BROWN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 835.

No. 09–10196. *KNIGHT v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 09–10199. *MYERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 589 F. 3d 117.

No. 09–10200. *LIGHTBOURN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 357 Fed. Appx. 259.

No. 09–10207. *SINGLETON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 360 Fed. Appx. 444.

No. 09–10211. *PURNELL, AKA SPENCER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 361 Fed. Appx. 384.

No. 09–10212. *DELEON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 356 Fed. Appx. 319.

No. 09–10218. *MEDINA-MONTES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 359 Fed. Appx. 943.

No. 09–10223. *LOPEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

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No. 09–10225. *TODD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–10226. *WILLIAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–10227. *HARRIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–10228. *HINOJOSA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 09–10229. *RAINES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 359 Fed. Appx. 966.

No. 09–10233. *EVANS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 361 Fed. Appx. 524.

No. 09–10235. *CARTER v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 591 F. 3d 656.

No. 09–10239. *FRAZIER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–10241. *HERNANDEZ-LUNA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 360 Fed. Appx. 530.

No. 09–10244. *GORE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 592 F. 3d 489.

No. 09–10248. *DAWSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 352 Fed. Appx. 823.

No. 09–820. *SHARP v. UNITED STATES ET AL.* C. A. 9th Cir. Motion of Bay Planning Coalition et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 583 F. 3d 1174.

No. 09–889. *ZACHEM v. ATHERTON*. C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 567 F. 3d 672.

No. 09–901. *CABLEVISION SYSTEMS CORP. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 570 F. 3d 83.

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No. 09–1059. *ELECTRONIC TRADING GROUP, LLC v. BANC OF AMERICA SECURITIES LLC ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 588 F. 3d 128.

No. 09–7909. *DE JOHNSON 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: 564 F. 3d 95.

No. 09–9943. *MYERS v. LEE, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 345 Fed. Appx. 686.

No. 09–10234. *EKEAGWU v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 369 Fed. Appx. 252.

Rehearing Denied

No. 09–823. *STINGLEY v. DEN-MAR INC. ET AL.*, 559 U.S. 1006;

No. 09–843. *THANH VONG HOAI ET AL. v. SUPERIOR COURT OF THE DISTRICT OF COLUMBIA ET AL.*, 559 U.S. 1007;

No. 09–848. *WILLIAMS v. THORSEN*, 559 U.S. 1007;

No. 09–7938. *MANNING v. PALMER, WARDEN*, 559 U.S. 946;

No. 09–8044. *SORROW v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, 559 U.S. 948;

No. 09–8122. *PARMELEE v. MCCOLLUM, ATTORNEY GENERAL OF FLORIDA, ET AL.*, 559 U.S. 950;

No. 09–8168. *HALE v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, 559 U.S. 976;

No. 09–8212. *REESE v. UNITED STATES*, 559 U.S. 951;

No. 09–8213. *THIBEAU v. MASSACHUSETTS*, 559 U.S. 978;

No. 09–8317. *TUCKER v. GEORGIA*, 559 U.S. 980;

No. 09–8329. *SHAPIRO v. AGNER*, 559 U.S. 993;

No. 09–8357. *LEATH v. UNITED STATES*, 559 U.S. 980;

No. 09–8377. *PATEL v. OWENS, COMMISSIONER, GEORGIA DEPARTMENT OF CORRECTIONS, ET AL.*, 559 U.S. 994;

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No. 09–8389. *SABEDRA v. THALER*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, 559 U. S. 994;

No. 09–8424. *MCCARTNEY ET AL. v. MCCORMICK ET AL.*, 559 U. S. 995;

No. 09–8427. *JUDD v. NEW MEXICO*, 559 U. S. 1010;

No. 09–8507. *FLOYD v. FLORIDA*, 559 U. S. 1011;

No. 09–8568. *COOLEY v. KELLY ET UX.*, 559 U. S. 1012;

No. 09–8665. *NGHIEM v. KERESTES*, DISTRICT ATTORNEY, COUNTY OF DELAWARE, PENNSYLVANIA, ET AL., 559 U. S. 1014;

No. 09–8797. *SORRELL v. UNITED STATES*, 559 U. S. 986;

No. 09–8817. *JAMES v. NORTH CAROLINA*, 559 U. S. 1016;

No. 09–8835. *ALEJO v. MALFI*, WARDEN, 559 U. S. 1016;

No. 09–8904. *MOORE v. THALER*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, 559 U. S. 1051; and

No. 09–9395. *GONZALEZ v. UNITED STATES*, 559 U. S. 1055. Petitions for rehearing denied.

No. 09–895. *DEANGELIS ET AL. v. COMMISSIONER OF INTERNAL REVENUE*, 559 U. S. 1007. Petition for rehearing denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

MAY 19, 2010

Miscellaneous Order

No. 09–10822 (09A1097). *IN RE REYES CANNADY*. 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.

MAY 20, 2010

Dismissal Under Rule 46

No. 09–1063. *CORBITT ET AL. v. HOME DEPOT USA, INC.* C. A. 11th Cir. Certiorari dismissed under this Court’s Rule 46. Reported below: 589 F. 3d 1136.

Certiorari Denied

No. 09–1345 (09A1061). *WALKER v. KELLY*, WARDEN. C. A. 4th Cir. Application for stay of execution of sentence of death,

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presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Motions of Arc of the United States and Constitution Project for leave to file briefs as *amici curiae* granted. Certiorari denied. JUSTICE STEVENS, JUSTICE GINSBURG, and JUSTICE SOTOMAYOR would grant the application for stay of execution. Reported below: 589 F. 3d 127.

No. 09–1346 (09A1062). WALKER *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. Motion of Arc of the United States for leave to file a brief as *amicus curiae* granted. Certiorari denied. JUSTICE STEVENS, JUSTICE GINSBURG, and JUSTICE SOTOMAYOR would grant the application for stay of execution. Reported below: 593 F. 3d 319.

No. 09–10888 (09A1115). HOLLAND *v.* MISSISSIPPI. Sup. Ct. Miss. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied.

MAY 24, 2010

Dismissal Under Rule 46

No. 09–9979. GOODSON *v.* UNITED STATES. C. A. 5th Cir. Certiorari dismissed under this Court’s Rule 46. Reported below: 358 Fed. Appx. 533.

Certiorari Granted—Vacated and Remanded. (See also No. 09–8852, *ante*, p. 284.)

No. 08–775. VILLEGAS DURAN *v.* ARRIBADA BEAUMONT. C. A. 2d Cir. Motion of National Center for Missing and Exploited Children for leave to file a brief as *amicus curiae* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Abbott v. Abbott*, *ante*, p. 1. JUSTICE SOTOMAYOR took no part in the consideration or decision of this motion and this petition. Reported below: 534 F. 3d 142.

Certiorari Dismissed

No. 09–9687. ROCHON *v.* CAIN, WARDEN, ET AL. Ct. App. La., 1st Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s

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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: 6 So. 3d 890.

No. 09–9830. *JOHNSON v. DEPARTMENT OF VETERANS AFFAIRS*. 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: 351 Fed. Appx. 288.

Miscellaneous Orders

No. 09A816 (09–10152). *QIAN ZHAO v. HOLDER, ATTORNEY GENERAL*. C. A. 5th Cir. Application for stay, addressed to JUSTICE SOTOMAYOR and referred to the Court, denied.

No. 09A885. *FLEMING v. UNITED STATES*. D. C. Neb. Application for certificate of appealability, addressed to JUSTICE KENNEDY and referred to the Court, denied.

No. D–2466. *IN RE DISBARMENT OF RODRIGUEZ*. Disbarment entered. [For earlier order herein, see 559 U.S. 1002.]

No. 09M97. *SEGOVIA v. BACH CONSTRUCTION, INC.* Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 09–559. *DOE ET AL. v. REED, SECRETARY OF STATE OF WASHINGTON, ET AL.* C. A. 9th Cir. [Certiorari granted, 558 U.S. 1142.] Motion of Center for Constitutional Jurisprudence for leave to file a brief as *amicus curiae* granted.

No. 09–846. *UNITED STATES v. TOHONO O'ODHAM NATION*. C. A. Fed. Cir. [Certiorari granted, 559 U.S. 1066.] Motion of the Solicitor General to dispense with printing the joint appendix granted.

No. 09–958. *MAXWELL-JOLLY, DIRECTOR, CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES v. INDEPENDENT LIVING CENTER OF SOUTHERN CALIFORNIA, INC., ET AL.* (two judgments). C. A. 9th Cir.;

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No. 09–993. *PLIVA, INC., ET AL. v. MENSING*. C. A. 8th Cir.; and

No. 09–1039. *ACTIVIS ELIZABETH, LLC v. MENSING*. C. A. 8th Cir. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 09–8342. *KELLY v. DAY ET AL.* C. A. 1st Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [559 U.S. 969] denied.

No. 09–9042. *LASKEY v. RCN CORP.* C. A. 9th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [559 U.S. 1064] denied.

No. 09–10157. *TRIMBLE v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until June 14, 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. 09–8355. *IN RE MIERZWA*. Petition for writ of mandamus denied.

No. 09–9758. *IN RE BAYS*. Petition for writ of mandamus and/or prohibition denied.

Certiorari Granted

No. 08–1314. *WILLIAMSON ET AL. v. MAZDA MOTOR OF AMERICA, INC., ET AL.* Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari granted limited to Question 1 presented by the petition. Reported below: 167 Cal. App. 4th 905, 84 Cal. Rptr. 3d 545.

No. 08–1438. *SOSSAMON v. TEXAS ET AL.* C. A. 5th Cir. Certiorari granted limited to the following question: “Whether an individual may sue a State or state official in his official capacity for damages for violations of the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc *et seq.* (2000 ed.).” Reported below: 560 F. 3d 316.

No. 09–893. *AT&T MOBILITY LLC v. CONCEPCION ET UX.* C. A. 9th Cir. Certiorari granted. Reported below: 584 F. 3d 849.

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No. 09–987. ARIZONA CHRISTIAN SCHOOL TUITION ORGANIZATION *v.* WINN ET AL.; and

No. 09–991. GARRIOTT, DIRECTOR, ARIZONA DEPARTMENT OF REVENUE *v.* WINN ET AL. C. A. 9th Cir. Certiorari granted, cases consolidated, and a total of one hour is allotted for oral argument. Reported below: 562 F. 3d 1002.

No. 09–9000. SKINNER *v.* SWITZER, DISTRICT ATTORNEY FOR THE 31ST JUDICIAL DISTRICT OF TEXAS. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 363 Fed. Appx. 302.

Certiorari Denied

No. 08–1131. PHON *v.* KENTUCKY. Ct. App. Ky. Certiorari denied.

No. 08–10940. DIAZ *v.* CALIFORNIA. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 09–697. ROBINSON ET AL. *v.* LEHMAN, ADMINISTRATOR OF THE ESTATE OF LEHMAN. C. A. 9th Cir. Certiorari denied. Reported below: 346 Fed. Appx. 188.

No. 09–745. ANDREWS ET AL. *v.* FAIRLEY ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 578 F. 3d 518.

No. 09–750. TEXTRON INC. ET AL. *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 577 F. 3d 21.

No. 09–774. KOSTIC *v.* HOLDER, ATTORNEY GENERAL. C. A. 6th Cir. Certiorari denied. Reported below: 340 Fed. Appx. 249.

No. 09–812. ILETO *v.* GLOCK, INC., ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 565 F. 3d 1126.

No. 09–871. CURR-SPEC PARTNERS, L. P. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 5th Cir. Certiorari denied. Reported below: 579 F. 3d 391.

No. 09–882. RUELAS *v.* WOLFENBARGER, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 580 F. 3d 403.

No. 09–908. COONEY *v.* ROSSITER ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 583 F. 3d 967.

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No. 09–953. REISCH ET AL. *v.* SISNEY ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 581 F. 3d 639.

No. 09–962. LASALLE GROUP, INC. *v.* TRUSTEES OF THE DETROIT CARPENTERS FRINGE BENEFIT FUNDS. C. A. 6th Cir. Certiorari denied. Reported below: 581 F. 3d 313.

No. 09–965. POLLARD *v.* ESTATE OF MERKEL, DECEASED, ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 354 Fed. Appx. 88.

No. 09–998. DRAKE *v.* LOUISIANA. Sup. Ct. La. Certiorari denied. Reported below: 25 So. 3d 782.

No. 09–1108. ZMYSLY *v.* UNITED STATES ET AL. C. A. 7th Cir. Certiorari denied.

No. 09–1119. SMITH *v.* NORTH CAROLINA. Ct. App. N. C. Certiorari denied. Reported below: 192 N. C. App. 690, 666 S. E. 2d 191.

No. 09–1125. ADAIR, DBA SUPER D 229, ET AL. *v.* LEASE PARTNERS, INC., ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 587 F. 3d 238.

No. 09–1128. SEGAL *v.* FIFTH THIRD BANK, N. A., ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 581 F. 3d 305.

No. 09–1130. SCHOLWIN *v.* DEPARTMENT OF CHILDREN AND FAMILIES. App. Ct. Mass. Certiorari denied. Reported below: 74 Mass. App. 1125, 909 N. E. 2d 1193.

No. 09–1134. DAVIS *v.* DAVIS ET AL. Sup. Ct. Va. Certiorari denied.

No. 09–1137. JEFFREDO ET AL. *v.* MACARRO ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 599 F. 3d 913.

No. 09–1144. DOLENZ *v.* WTG GAS PROCESSING, L. P., ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 359 Fed. Appx. 479.

No. 09–1145. MAX *v.* REPUBLICAN COMMITTEE OF LANCASTER COUNTY ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 587 F. 3d 198.

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No. 09–1147. *LOHMAN v. BOROUGH ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 574 F. 3d 163.

No. 09–1148. *DILLON v. INDIANA ET AL.* C. A. 7th Cir. Certiorari denied.

No. 09–1151. *BALDWIN v. BOARD OF SUPERVISORS FOR THE UNIVERSITY OF LOUISIANA SYSTEM ET AL.* Ct. App. La., 1st Cir. Certiorari denied. Reported below: 11 So. 3d 1247.

No. 09–1154. *FOX v. FLORIDA UNEMPLOYMENT APPEALS COMMISSION ET AL.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 26 So. 3d 595.

No. 09–1155. *SHUKERT v. MASSACHUSETTS.* App. Ct. Mass. Certiorari denied. Reported below: 73 Mass. App. 1117, 899 N. E. 2d 919.

No. 09–1157. *MONTANANS FOR MULTIPLE USE ET AL. v. BARBOULETOS ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 568 F. 3d 225.

No. 09–1165. *MARUMOTO v. APOLIONA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 121.

No. 09–1180. *DICKEY v. WARREN.* App. Ct. Mass. Certiorari denied. Reported below: 75 Mass. App. 585, 915 N. E. 2d 584.

No. 09–1181. *FLORANCE v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 09–1189. *WATI v. HOLDER, ATTORNEY GENERAL.* C. A. 9th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 332.

No. 09–1203. *FRANTZ v. GRESS ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 359 Fed. Appx. 301.

No. 09–1236. *SIEGEL v. SECURITIES AND EXCHANGE COMMISSION.* C. A. D. C. Cir. Certiorari denied. Reported below: 592 F. 3d 147.

No. 09–1239. *JUELS v. UNITED STATES POSTAL SERVICE.* C. A. Fed. Cir. Certiorari denied. Reported below: 347 Fed. Appx. 597.

No. 09–1241. *SOLOMON AND SOLOMON, P. C., ET AL. v. ELLIS.* C. A. 2d Cir. Certiorari denied. Reported below: 591 F. 3d 130.

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No. 09–1244. *GRAHAM v. METROPOLITAN LIFE INSURANCE CO.* C. A. 5th Cir. Certiorari denied. Reported below: 349 Fed. Appx. 957.

No. 09–1247. *CERTAIN REAL PROPERTY, LOCATED AT 317 NICK FITCHARD ROAD, N. W., HUNTSVILLE, ALABAMA, ET AL. v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 579 F. 3d 1315.

No. 09–1250. *FINE v. BACA, SHERIFF, LOS ANGELES COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 356 Fed. Appx. 998.

No. 09–1266. *DELALIO v. WYOMING.* C. A. 10th Cir. Certiorari denied. Reported below: 363 Fed. Appx. 626.

No. 09–1267. *DAVIS v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 360 Fed. Appx. 457.

No. 09–1294. *MCCLENDON v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 362 Fed. Appx. 475.

No. 09–1296. *HAMPTON v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 585 F. 3d 1033.

No. 09–5818. *TOM v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 565 F. 3d 497.

No. 09–8202. *McGILL v. FLORIDA.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 17 So. 3d 293.

No. 09–8320. *VINCENT v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 575 F. 3d 820.

No. 09–8388. *PARADA v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 577 F. 3d 1275.

No. 09–8445. *CULPS v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 134.

No. 09–8461. *DYLESKI v. CALIFORNIA.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 09–8603. *GUZMAN v. OREGON.* Ct. App. Ore. Certiorari denied. Reported below: 227 Ore. App. 361, 206 P. 3d 210.

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No. 09–8643. *MADRID v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 882.

No. 09–8674. *BENFORD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 574 F. 3d 1228.

No. 09–8861. *BOBB v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 577 F. 3d 1366.

No. 09–8949. *JOHNSON v. DELAWARE*. Sup. Ct. Del. Certiorari denied. Reported below: 983 A. 2d 904.

No. 09–9036. *TAYLOR v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 298 S. W. 3d 482.

No. 09–9054. *CHAMBERS v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 602 Pa. 224, 980 A. 2d 35.

No. 09–9673. *HARTLEY v. HALL, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 335 Fed. Appx. 686.

No. 09–9675. *HAMMON v. MILLER, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 350 Fed. Appx. 222.

No. 09–9678. *SPEAKS v. MISSOURI*. Ct. App. Mo., Eastern Dist. Certiorari denied. Reported below: 298 S. W. 3d 70.

No. 09–9683. *REAVES v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Va. Certiorari denied.

No. 09–9688. *BUTLER v. SCRIBNER, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–9690. *ALLAH v. HALL, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 09–9697. *ABRAHAM v. UNITED STATES ET AL.* C. A. 2d Cir. Certiorari denied.

No. 09–9699. *BARBEE v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 09–9703. *JONES v. DINWIDDIE, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 428.

No. 09–9704. *DANIELS v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

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No. 09–9708. *WOOLRIDGE v. YATES, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09–9720. *MILES v. UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT*. C. A. 9th Cir. Certiorari denied.

No. 09–9721. *BATES v. PRATT ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 357 Fed. Appx. 610.

No. 09–9724. *ESPINOZA v. MATTOON*. C. A. 9th Cir. Certiorari denied.

No. 09–9725. *SERRANO v. SMITH, SUPERINTENDENT, SHAW-ANGUNK CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 09–9730. *CHANG v. ROCKRIDGE MANOR CONDOMINIUM ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 344 Fed. Appx. 365.

No. 09–9740. *MARSH v. FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–9743. *RUVALCABA v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied.

No. 09–9744. *ROBERTS v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–9746. *BROWN v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA*. C. A. D. C. Cir. Certiorari denied.

No. 09–9747. *BURGOS v. SUPERIOR COURT OF PENNSYLVANIA*. C. A. 3d Cir. Certiorari denied. Reported below: 355 Fed. Appx. 585.

No. 09–9756. *ALLEN v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 386 S. C. 93, 687 S. E. 2d 21.

No. 09–9757. *BAYS v. HOLMES ET AL.* Sup. Ct. Wash. Certiorari denied.

No. 09–9762. *LACY v. PARKER, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 359 Fed. Appx. 25.

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No. 09–9767. *PICKETT v. TEXAS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 356 Fed. Appx. 756.

No. 09–9770. *SCHMIDT v. FROEDTERT MEMORIAL LUTHERAN ET AL.* Ct. App. Wis. Certiorari denied. Reported below: 316 Wis. 2d 773, 766 N. W. 2d 241.

No. 09–9772. *ARANGO v. WINSTEAD, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT CAMBRIDGE SPRINGS.* C. A. 3d Cir. Certiorari denied. Reported below: 352 Fed. Appx. 664.

No. 09–9774. *BENJAMIN v. WHITE.* C. A. 4th Cir. Certiorari denied. Reported below: 367 Fed. Appx. 385.

No. 09–9775. *AMIR-SHARIF v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 09–9776. *WILLIAMS v. CALIFORNIA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–9779. *NITZ v. HARVEY ET AL.* C. A. 7th Cir. Certiorari denied.

No. 09–9790. *RIVERA v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 09–9793. *DAVIS v. FLORIDA.* Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 22 So. 3d 89.

No. 09–9794. *DIXON v. KILGORE ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 530.

No. 09–9795. *EDWARDS v. BOEING CO. ET AL.* C. A. 10th Cir. Certiorari denied.

No. 09–9885. *SERRANO v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 09–9945. *CARMEN P. v. SAN DIEGO COUNTY HEALTH & HUMAN SERVICES AGENCY.* Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 09–10048. *JOHNSON-EL v. COOPER, ATTORNEY GENERAL OF NORTH CAROLINA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 764.

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No. 09–10093. *GLOVER v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 09–10099. *PARDO v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 587 F. 3d 1093.

No. 09–10104. *BONILLA v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 09–10111. *COLOSI v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 351 Fed. Appx. 803.

No. 09–10122. *HARRISON v. HARTLEY, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 345 Fed. Appx. 361.

No. 09–10135. *GRAY v. KERESTES, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MAHANOEY*. C. A. 3d Cir. Certiorari denied.

No. 09–10139. *GAUSE v. DIGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–10145. *LEISER v. PUGH, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 09–10160. *GARCIA-LOPEZ v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 125 Nev. 1038, 281 P. 3d 1174.

No. 09–10197. *PETERSON v. MISSISSIPPI*. Ct. App. Miss. Certiorari denied. Reported below: 28 So. 3d 667.

No. 09–10206. *QUEZADA-MEZA v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 09–10215. *LONG v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–10249. *DAVILA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 09–10252. *PATTERSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 361 Fed. Appx. 620.

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No. 09–10258. *LEONARD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 357 Fed. Appx. 191.

No. 09–10259. *PEAK v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 361 Fed. Appx. 619.

No. 09–10262. *BLAND v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 361 Fed. Appx. 386.

No. 09–10263. *BARBER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 361 Fed. Appx. 671.

No. 09–10264. *AAMES v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 09–10265. *SALAZAR-GALLARDO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 361 Fed. Appx. 888.

No. 09–10266. *VEASEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–10268. *WILLIAMS v. UNITED STATES*;

No. 09–10375. *DORSEY v. UNITED STATES*; and

No. 09–10428. *ORTIZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 359 Fed. Appx. 984.

No. 09–10269. *SLAYDON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 360 Fed. Appx. 538.

No. 09–10270. *CORBETT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 374 Fed. Appx. 372.

No. 09–10272. *DELGADO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 354 Fed. Appx. 955.

No. 09–10274. *LEWIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 362 Fed. Appx. 402.

No. 09–10275. *KOSACK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 366 Fed. Appx. 642.

No. 09–10277. *SOTO-LOPEZ, AKA SOTO, AKA URIAS-CASTRO, AKA MENDOZA-CAMACHO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 361 Fed. Appx. 808.

No. 09–10278. *TAYLOR v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 592 F. 3d 1104.

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No. 09–10289. *STEELE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 353 Fed. Appx. 908.

No. 09–10296. *KENDLE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–10297. *MAYS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 593 F. 3d 603.

No. 09–10301. *LIGHTNER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 359 Fed. Appx. 398.

No. 09–10303. *PARKER v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 985 A. 2d 464.

No. 09–10307. *TORRES v. MCCANN, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 09–10308. *SANTIAGO VERA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 362 Fed. Appx. 199.

No. 09–10309. *THIGPEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 363 Fed. Appx. 489.

No. 09–10310. *WILSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 344 Fed. Appx. 559.

No. 09–10317. *ARIAS-GONZALES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 356 Fed. Appx. 895.

No. 09–10325. *EVANS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–10326. *ESTEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 595 F. 3d 836.

No. 09–10330. *MANNING v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 09–10331. *SOLANO-MORETA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–10333. *RAMOS-MORALES v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 09–10339. *ROLLINS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

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No. 09–10341. *VASSAR v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 346 Fed. Appx. 17.

No. 09–10349. *CANNON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 340 Fed. Appx. 826.

No. 09–10354. *THORNTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 609 F. 3d 373.

No. 09–10356. *AVINA-BILLA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 360 Fed. Appx. 937.

No. 09–10357. *ALBA-FLORES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 577 F. 3d 1104.

No. 09–10358. *BALL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–10359. *JONES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 362 Fed. Appx. 416.

No. 09–10360. *MAYFIELD v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 361 Fed. Appx. 425.

No. 09–10361. *SUESUE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 362 Fed. Appx. 877.

No. 09–10364. *CARTWRIGHT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–10374. *CAVE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 361 Fed. Appx. 534.

No. 09–10379. *KHAMI v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 362 Fed. Appx. 501.

No. 09–10384. *WILLIAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 363 Fed. Appx. 682.

No. 09–10385. *MILLS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 946.

No. 09–10386. *MOORE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 357 Fed. Appx. 14.

No. 09–10389. *DADE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

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No. 09–10391. *WILLIAMS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 357 Fed. Appx. 726.

No. 09–10392. *ESPINAL v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 09–10399. *BENSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 363 Fed. Appx. 483.

No. 09–10401. *JOHNSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 592 F. 3d 442.

No. 09–10404. *LARIOS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 593 F. 3d 82.

No. 09–10408. *PALMERA PINEDA v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 348 Fed. Appx. 591.

No. 09–10409. *MORRISON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 594 F. 3d 626.

No. 09–10410. *GLASS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 357 Fed. Appx. 58.

No. 09–10412. *ORREGO-MARTINEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 575 F. 3d 1.

No. 09–10420. *MCCANEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 09–981. *JOHNSON CONTROLS, INC., ET AL. v. MILLER, SECRETARY, KENTUCKY FINANCE AND ADMINISTRATION CABINET, ET AL.* Sup. Ct. Ky. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 296 S. W. 3d 392.

No. 09–1006. *MICROSOFT CORP. v. LUCENT TECHNOLOGIES, INC.* C. A. Fed. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 580 F. 3d 1301.

No. 09–10219. *PHIPPS v. UNITED STATES*. C. A. 5th Cir. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied. Reported below: 595 F. 3d 243.

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No. 09–10283. ROJAS, AKA JOHN *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 361 Fed. Appx. 233.

No. 09–10323. CALVERT *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 351 Fed. Appx. 475.

Rehearing Denied

No. 08–304. GRAHAM COUNTY SOIL AND WATER CONSERVATION DISTRICT ET AL. *v.* UNITED STATES EX REL. WILSON, 559 U. S. 280;

No. 09–880. BIRKS *v.* PARK ET AL., 559 U. S. 1037;

No. 09–8280. BROWN *v.* PHELPS, WARDEN, ET AL., 559 U. S. 952;

No. 09–8660. WHEELER *v.* LAPPIN, DIRECTOR, FEDERAL BUREAU OF PRISONS, ET AL., 559 U. S. 983;

No. 09–8712. CROCKETT *v.* WUGHTER, SUPERINTENDENT, MOHAWK CORRECTIONAL FACILITY, 559 U. S. 1015;

No. 09–9140. CRAIN *v.* CLARK COUNTY PUBLIC DEFENDER ET AL., 559 U. S. 1076;

No. 09–9210. WRIGHT *v.* POTTER, POSTMASTER GENERAL, 559 U. S. 1042;

No. 09–9231. GRANDOIT *v.* COOPERATIVE FOR HUMAN SERVICES, INC., 559 U. S. 1077; and

No. 09–9433. BROWN *v.* UNITED STATES, 559 U. S. 1056. Petitions for rehearing denied.

MAY 25, 2010

Dismissal Under Rule 46

No. 09–9464. MUSALL *v.* OWENS ET AL. Sup. Ct. Nev. Certiorari dismissed under this Court's Rule 46.1. Reported below: 125 Nev. 1064, 281 P. 3d 1204.

Certiorari Denied

No. 09–11000 (09A1128). AVALOS ALBA *v.* TEXAS. Ct. Crim. App. Tex. Application for stay of execution of sentence of death,

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presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied.

JUNE 1, 2010

Certiorari Dismissed

No. 09–9828. *LASKEY v. PROCTER & GAMBLE CO.* 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. 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. 09–9869. *BROWN v. PRINCE GEORGE’S COUNTY POLICE DEPARTMENT 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: 368 Fed. Appx. 147.

No. 09–9870. *BROWN v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA.* C. A. D. C. Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 09–9888. *DOUGLAS v. HAYNES 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: 354 Fed. Appx. 163.

No. 09–10028. *BISHOP v. DEPARTMENTAL DISCIPLINARY COMMITTEE FOR THE FIRST JUDICIAL DEPARTMENT.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 54 App. Div. 3d 1, 863 N. Y. S. 2d 1.

Miscellaneous Orders

No. 09A981. *CHAWLA v. UNITED STATES.* Application for bail, addressed to JUSTICE SCALIA and referred to the Court, denied.

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No. 09A1133. *McCOMISH ET AL. v. BENNETT, SECRETARY OF STATE OF ARIZONA, ET AL.* C. A. 9th Cir. Application to vacate stay, presented to JUSTICE KENNEDY, and by him referred to the Court, denied without prejudice to a renewed application if the parties represent that they intend to file a timely petition for writ of certiorari before this Court. Motion of Buzz Mills for Governor Campaign for leave to file a brief as *amicus curiae* granted.

No. 09M98. *D. S. v. LOS ANGELES COUNTY DEPARTMENT OF CHILDREN AND FAMILY SERVICES.* Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 09-9871. *JONES v. SHAW GROUP ET AL.* C. A. 11th Cir.;

No. 09-9986. *JAIYEOLA v. CARRIER CORP.* C. A. 2d Cir.;

No. 09-10192. *BELL v. UNITED PARCEL SERVICE, INC.* C. A. 6th Cir.; and

No. 09-10453. *GRAVENHORST v. UNITED STATES.* C. A. 1st Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until June 22, 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. 09-10613. *IN RE DAVIS.* Petition for writ of habeas corpus denied.

No. 09-10500. *IN RE AKPAN.* Petition for writ of mandamus denied.

Certiorari Granted

No. 09-837. *MAYO FOUNDATION FOR MEDICAL EDUCATION AND RESEARCH ET AL. v. UNITED STATES.* C. A. 8th Cir. Certiorari granted. Reported below: 568 F. 3d 675.

Certiorari Denied

No. 09-597. *UNITED STATES v. O'BRIEN.* C. A. 1st Cir. Certiorari denied.

No. 09-617. *BASHAM v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 561 F. 3d 302.

No. 09-911. *R. J. REYNOLDS TOBACCO CO. ET AL. v. MONTANA EX REL. BULLOCK.* Sup. Ct. Mont. Certiorari denied. Reported below: 352 Mont. 30, 217 P. 3d 475.

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No. 09–1011. *TRULL v. FEINBERG ET AL.* Sup. Ct. Ill. Certiorari denied. Reported below: 235 Ill. 2d 256, 919 N. E. 2d 888.

No. 09–1021. *JOHN v. DOUGLAS COUNTY SCHOOL DISTRICT ET AL.* Sup. Ct. Nev. Certiorari denied. Reported below: 125 Nev. 746, 219 P. 3d 1276.

No. 09–1028. *CLIFFORD v. MISSNER.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 393 Ill. App. 3d 751, 914 N. E. 2d 540.

No. 09–1052. *KEITH v. OHIO.* Ct. App. Ohio, Crawford County. Certiorari denied.

No. 09–1111. *CITY OF LOS ANGELES, CALIFORNIA, ET AL. v. KERN COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 581 F. 3d 841.

No. 09–1162. *CAROLYN v. ORANGE PARK COMMUNITY ASSN.* Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied. Reported below: 177 Cal. App. 4th 1090, 99 Cal. Rptr. 3d 699.

No. 09–1166. *AHMADI v. STATIC CONTROL COMPONENTS, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 358 Fed. Appx. 416.

No. 09–1167. *CLARK v. EPPS, COMMISSIONER, MISSISSIPPI DEPARTMENT OF CORRECTIONS.* C. A. 5th Cir. Certiorari denied. Reported below: 349 Fed. Appx. 481.

No. 09–1168. *CHAGBY v. TARGET CORP. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 358 Fed. Appx. 805.

No. 09–1169. *GRAHAM v. HARTFORD LIFE & ACCIDENT INSURANCE CO.* C. A. 10th Cir. Certiorari denied. Reported below: 589 F. 3d 1345.

No. 09–1179. *BOLTE v. SUPREME COURT OF WISCONSIN ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–1185. *SAFFO ET UX. v. FOXWORTHY, INC., ET AL.* Sup. Ct. Ga. Certiorari denied. Reported below: 286 Ga. 284, 687 S. E. 2d 463.

No. 09–1194. *BIGGS ET VIR v. EAGLEWOOD MORTGAGE, LLC, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 353 Fed. Appx. 864.

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No. 09–1201. *JORDAN v. DEPARTMENT OF LABOR*. C. A. 9th Cir. Certiorari denied. Reported below: 352 Fed. Appx. 187.

No. 09–1216. *JONES v. SUPERIOR PROTECTION SERVICES, INC., AKA SUPERIOR SECURITY SERVICES*. C. A. 5th Cir. Certiorari denied.

No. 09–1220. *ALLIED ELECTRICAL CONTRACTORS, INC. v. LINE CONSTRUCTION BENEFIT FUND*. C. A. 7th Cir. Certiorari denied. Reported below: 591 F. 3d 576.

No. 09–1252. *LUBIT v. LUBIT*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 65 App. Div. 3d 957, 885 N. Y. S. 2d 492.

No. 09–1263. *MADYUN v. LINJER*. C. A. 7th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 132.

No. 09–1304. *RAO v. CITY OF EVANSTON, ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 391 Ill. App. 3d 1109, 982 N. E. 2d 984.

No. 09–1306. *MONTALVO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 581 F. 3d 1147.

No. 09–1311. *THOMPSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 582 F. 3d 787.

No. 09–1323. *GOTTI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 09–8318. *TELLEZ v. FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 09–8569. *CLAY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 579 F. 3d 919.

No. 09–8758. *HAFED v. DEPARTMENT OF STATE ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 331 Fed. Appx. 757.

No. 09–8791. *WILLIAMS v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 602 Pa. 360, 980 A. 2d 510.

No. 09–8894. *DAVIS v. FEDERAL BUREAU OF PRISONS ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 334 Fed. Appx. 332.

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No. 09–8901. *KAMBULE v. MISSISSIPPI*. Ct. App. Miss. Certiorari denied. Reported below: 19 So. 3d 120.

No. 09–9143. *BEANE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 584 F. 3d 767.

No. 09–9186. *BONNELL v. BOBBY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 09–9302. *EGGERS v. HETZEL, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–9798. *HUYNH v. BOARD OF EDUCATION OF THE CITY OF CHICAGO ET AL.* C. A. 7th Cir. Certiorari denied.

No. 09–9808. *GUMAN v. BISSONNETTE, JUDGE, CIRCUIT COURT OF WISCONSIN, DODGE COUNTY*. Ct. App. Wis. Certiorari denied.

No. 09–9813. *CRAWLEY v. DINWIDDIE, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 584 F. 3d 916.

No. 09–9819. *GOLTSMAN v. ALMQUIST & GILBERT, P. C., ET AL.* Ct. App. Ariz. Certiorari denied.

No. 09–9820. *OSBORNE v. AMERICAN MULTI-CINEMA, INC., DBA AMC THEATERS PARKWAY POINT 15, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 348 Fed. Appx. 535.

No. 09–9821. *PHAM v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–9831. *GOLDEN v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 299 Ga. App. 407, 683 S. E. 2d 618.

No. 09–9837. *CRAWFORD v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–9845. *TOTTEN v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 09–9849. *PADIN v. LAMARQUE, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 358 Fed. Appx. 968.

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No. 09–9852. *KELLY v. SHEARIN, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 369 Fed. Appx. 447.

No. 09–9853. *JAMERSON v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 09–9855. *KING v. PACARO.* C. A. 11th Cir. Certiorari denied.

No. 09–9859. *BURKS v. ARKANSAS.* Sup. Ct. Ark. Certiorari denied. Reported below: 2009 Ark. 598, 359 S. W. 3d 402.

No. 09–9860. *ALEX v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 09–9865. *TOWNSEND v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 09–9874. *RHODES v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 09–9876. *BENJAMIN v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 09–9887. *SALINAS v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 09–9889. *DORSEY v. MARYLAND.* Ct. Sp. App. Md. Certiorari denied. Reported below: 187 Md. App. 721.

No. 09–9890. *DUCRE v. LOUISIANA.* Ct. App. La., 1st Cir. Certiorari denied.

No. 09–9891. *ENGLE v. AHMED ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 355 Fed. Appx. 871.

No. 09–9896. *STALLINGS v. RITTER, GOVERNOR OF COLORADO, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 345 Fed. Appx. 366.

No. 09–9897. *WILLIS v. TATUM, WARDEN.* C. A. 11th Cir. Certiorari denied.

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No. 09–9898. *TEMPLE v. RILEY, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 349 Fed. Appx. 866.

No. 09–9910. *PINSON ET UX. v. EQUIFAX CREDIT INFORMATION SERVICES, INC., ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 316 Fed. Appx. 744.

No. 09–9911. *GOFORTH v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied.

No. 09–9913. *LYE HUAT ONG v. SOWERS, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 348 Fed. Appx. 875.

No. 09–9917. *LEE v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 09–9920. *BRINK v. KELLY, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY*. C. A. 5th Cir. Certiorari denied. Reported below: 359 Fed. Appx. 455.

No. 09–9921. *BANKS v. CITY OF CHICAGO, ILLINOIS, ET AL.* C. A. 7th Cir. Certiorari denied.

No. 09–9923. *BURNS v. SCRIBNER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09–9925. *THAMES v. MILLER*. C. A. 9th Cir. Certiorari denied. Reported below: 334 Fed. Appx. 136.

No. 09–9930. *COOK v. DWYER ET AL.* C. A. 8th Cir. Certiorari denied.

No. 09–9931. *DURDEN v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 09–9939. *LITAKER v. ILLINOIS*. App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 387 Ill. App. 3d 1201, 981 N. E. 2d 546.

No. 09–9941. *LARSON v. RUNNELS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09–9942. *JONES v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

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No. 09–9947. *RICHARDSON v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied. Reported below: 485 Mich. 1044, 776 N. W. 2d 907.

No. 09–9950. *BREWSTER v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 587 F. 3d 764.

No. 09–9952. *BURNETT v. BORRIS, JUDGE, SUPERIOR COURT OF CALIFORNIA, ORANGE COUNTY, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–9953. *BROWN v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 09–9958. *THOMAS v. NICHOLS*. C. A. 11th Cir. Certiorari denied.

No. 09–9993. *YOON KYUNG KIM v. NORTHWEST AIRLINES, INC.* C. A. 2d Cir. Certiorari denied. Reported below: 350 Fed. Appx. 524.

No. 09–10034. *ODUCHE-NWAKAIHE v. HOLDER, ATTORNEY GENERAL*. C. A. 3d Cir. Certiorari denied. Reported below: 363 Fed. Appx. 898.

No. 09–10055. *WILLIAMS v. NORTH CAROLINA*. Gen. Ct. Justice, Super. Ct. Div., Onslow County, N. C. Certiorari denied.

No. 09–10078. *GOLDEN v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 26 So. 3d 581.

No. 09–10089. *HARD v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 321 Wis. 2d 476, 774 N. W. 2d 475.

No. 09–10094. *HOLLY v. HOBBS, INTERIM DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied.

No. 09–10115. *PALMER v. SHINSEKI, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 360 Fed. Appx. 141.

No. 09–10126. *HENDRICKS v. BRADT, SUPERINTENDENT, ELMIRA CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

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No. 09–10127. *GATES, AKA BURKE v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 09–10131. *THOMAS v. WHITE, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 362 Fed. Appx. 452.

No. 09–10161. *HERING v. IOWA STATE PATROL ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 331 Fed. Appx. 427.

No. 09–10177. *WHITE v. WATTS*. C. A. 3d Cir. Certiorari denied.

No. 09–10181. *SCOTT v. SHINSEKI, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 355 Fed. Appx. 426.

No. 09–10188. *VELA v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied. Reported below: 279 Neb. 94, 777 N. W. 2d 266.

No. 09–10204. *NIEVES v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 09–10221. *MITCHELL v. MURPHY, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 359 Fed. Appx. 22.

No. 09–10257. *LYLE v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied.

No. 09–10279. *ARMSTRONG v. KEMNA, SUPERINTENDENT, CROSSROADS CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 590 F. 3d 592.

No. 09–10291. *SMITH v. UNITED STATES ET AL.* C. A. 10th Cir. Certiorari denied.

No. 09–10302. *NIEVES v. WORLD SAVINGS BANK, FSB, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 357 Fed. Appx. 843.

No. 09–10306. *WHITE v. HOWES, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 586 F. 3d 1025.

No. 09–10315. *BRYANT v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 393 Ill. App. 3d 1100, 985 N. E. 2d 723.

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No. 09–10350. *CHAPMAN v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied. Reported below: 75 Mass. App. 1113, 916 N. E. 2d 774.

No. 09–10407. *NANCE v. MEE, ADMINISTRATOR, EAST JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–10419. *WOLFE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–10423. *DAVILA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 488.

No. 09–10424. *CLEMENTS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 363 Fed. Appx. 505.

No. 09–10425. *DEBERRY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 404.

No. 09–10430. *MARTINEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 305.

No. 09–10431. *JONES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 367 Fed. Appx. 482.

No. 09–10433. *FERGUSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 360 Fed. Appx. 969.

No. 09–10435. *GOWDY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 61.

No. 09–10436. *FRAZIER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 360 Fed. Appx. 690.

No. 09–10440. *HOLDEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 363 Fed. Appx. 476.

No. 09–10442. *PODLOG v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 09–10443. *MOLINA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 373 Fed. Appx. 211.

No. 09–10446. *PHILLIPS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 352 Fed. Appx. 822.

No. 09–10448. *PHILLIPS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 370 Fed. Appx. 610.

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No. 09–10449. *MITCHELL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–10455. *HICKS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 836.

No. 09–10457. *MARQUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 594 F.3d 855.

No. 09–10459. *MOONEY v. UNITED STATES ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 409 Fed. Appx. 620.

No. 09–10461. *WILLIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 356 Fed. Appx. 858.

No. 09–10462. *SMITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 595 F.3d 1322.

No. 09–10463. *WILHELM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 358 Fed. Appx. 452.

No. 09–10464. *ANDINO-VALENZULEA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 314 Fed. Appx. 700.

No. 09–10472. *KELLY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 592 F.3d 586.

No. 09–10473. *COOK v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 594 F.3d 883.

No. 09–10474. *PENA-SANDOVAL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 362 Fed. Appx. 421.

No. 09–10476. *LEWIS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 593 F.3d 765.

No. 09–10478. *BLAGROVE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 363 Fed. Appx. 235.

No. 09–10479. *TRIPODIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 362 Fed. Appx. 967.

No. 09–10482. *ROBINSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 352 Fed. Appx. 27.

No. 09–10483. *RAY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 363 Fed. Appx. 311.

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No. 09–10486. *GUTIERREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 363 Fed. Appx. 500.

No. 09–10487. *HARRIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 357 Fed. Appx. 893.

No. 09–10489. *NOWELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–10490. *YOUSEF v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 357 Fed. Appx. 147.

No. 09–10493. *JONES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 370 Fed. Appx. 577.

No. 09–10498. *MEDINA-VILLEGAS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 585 F. 3d 453.

No. 09–10499. *AVELAR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 363 Fed. Appx. 501.

No. 09–10501. *AGUILAR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 363 Fed. Appx. 496.

No. 09–10502. *MINER v. HOLLINGSWORTH, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 09–10507. *MANSUR v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 375 Fed. Appx. 458.

No. 09–10508. *MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 365 Fed. Appx. 550.

No. 09–10510. *SOLIZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 363 Fed. Appx. 536.

No. 09–10512. *WOMACK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 560.

No. 09–10513. *TURNER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–10515. *DEAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 363 Fed. Appx. 179.

No. 09–10518. *BARNES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 358 Fed. Appx. 412.

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No. 09–10521. *CAWTHON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 356 Fed. Appx. 345.

No. 09–10523. *CROCKETT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 09–1186. *FERGUSON ET AL. v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 580 F. 3d 1183.

No. 09–1196. *CAPOGROSSO v. NEW YORK STATE COMMISSION ON JUDICIAL CONDUCT ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 352 Fed. Appx. 456.

No. 09–9940. *JONES v. ARMSTRONG*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 367 Fed. Appx. 256.

No. 09–10434. *GARDNER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 602 F. 3d 97.

Rehearing Denied

No. 09–975. *PETERSON v. PDQ FOOD STORES INC. ET AL.*, 559 U.S. 1069;

No. 09–8136. *HENDERSON v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, 559 U.S. 975;

No. 09–8192. *HINTON v. MCQUILLAN ET AL.*, 559 U.S. 977;

No. 09–8314. *RUFFIN v. DiGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.*, 559 U.S. 953;

No. 09–8349. *KELLEY v. TEXAS WORKFORCE COMMISSION ET AL.*, 559 U.S. 993;

No. 09–8533. *LaFAVORS v. FLORIDA DEPARTMENT OF CORRECTIONS*, 559 U.S. 1011;

No. 09–8868. *MANNIX v. PRATHER ET AL.*, 559 U.S. 1050;

No. 09–9089. *ADAMS v. MICHIGAN*, 559 U.S. 1053;

No. 09–9286. *RICHARD v. PENNSYLVANIA*, 559 U.S. 1077;

No. 09–9354. *BANEY v. DEPARTMENT OF JUSTICE*, 559 U.S. 1054;

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No. 09–9372. *LINDSEY v. DAIMLERCHRYSLER CORP.*, 559 U.S. 1054; and

No. 09–9454. *GONZALES v. UNITED STATES*, 559 U.S. 1056. Petitions for rehearing denied.

No. 08–10586. *THORNE v. LARKINS, WARDEN*, 558 U.S. 844; and

No. 09–8283. *BAUM v. RUSHTON, WARDEN*, 559 U.S. 979. Motions for leave to file petitions for rehearing denied.

JUNE 7, 2010

Appeal Dismissed

No. 09–797. *RODEARMEL v. CLINTON, SECRETARY OF STATE, ET AL.* Appeal from D. C. D. C. The District Court dismissed for lack of standing, 666 F. Supp. 2d 123, 127–131, and n. 10 (DC 2009), so it did not enter “any interlocutory or final judgment, decree, or order upon the validity of the appointment and continuance in office of the Secretary of State under article I, section 6, clause 2, of the Constitution.” Joint Resolution on Compensation and Other Emoluments Attached to the Office of Secretary of State, § 1(b)(3)(A), Pub. L. 110–455, 122 Stat. 5036, note following 5 U.S.C. § 5312. Appeal dismissed for want of jurisdiction. Reported below: 666 F. Supp. 2d 123.

Certiorari Granted—Vacated and Remanded

No. 08–10318. *AKERS v. UNITED STATES*. C. A. 7th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Carr v. United States*, ante, p. 438.

Certiorari Dismissed

No. 09–9991. *MCCRAY v. BOOKER*. Ct. App. Tex., 9th Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 09–10040. *BARBOUR v. WALLENS RIDGE STATE PRISON*. 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: 371 Fed. Appx. 396.

No. 09–10619. *ROGERS v. SCHAPIRO, CHAIRMAN, SECURITIES AND EXCHANGE COMMISSION, ET AL.* C. A. D. C. Cir. Motion

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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.

*Question Certified.** (See No. 09–940, *ante*, p. 558.)

Miscellaneous Orders

No. 09A1080. BENTON *v.* CORY. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. 09M99. ROBERTSON *v.* FRANCHOT ET AL.; and

No. 09M100. GRAF *v.* MEE, ADMINISTRATOR, EAST JERSEY STATE PRISON, ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 09M101. HERNANDEZ *v.* ASTRUE, COMMISSIONER OF SOCIAL SECURITY. Motion to direct the Clerk to file petition for writ of certiorari out of time under this Court's Rule 14.5 denied.

No. 09–9994. GERMAINE *v.* ST. GERMAINE. Dist. Ct. App. Fla., 4th Dist.;

No. 09–9995. GOSS *v.* FLORIDA UNEMPLOYMENT APPEALS COMMISSION ET AL. Sup. Ct. Fla.; and

No. 09–10032. SHAHIN *v.* DARLING ET AL. C. A. 3d Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until June 28, 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. 09–10677. IN RE WILLIAMS; and

No. 09–10745. IN RE MARCUM. Petitions for writs of habeas corpus denied.

No. 09–10026. IN RE JONES; and

*[REPORTER'S NOTE: This is a new category for summary dispositions. Cf. Reporter's Note, 398 U.S. 901.]

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No. 09–10363. *IN RE MAYWEATHER*. Petitions for writs of mandamus denied.

No. 09–10041. *IN RE BERTHEY*. Petition for writ of mandamus and/or prohibition denied.

Certiorari Denied

No. 09–636. *SHABAZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 579 F. 3d 815.

No. 09–803. *DENSON ET AL. v. UNITED STATES ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 574 F. 3d 1318.

No. 09–852. *SCHOOL DISTRICT OF THE CITY OF PONTIAC ET AL. v. DUNCAN, SECRETARY OF EDUCATION*. C. A. 6th Cir. Certiorari denied. Reported below: 584 F. 3d 253.

No. 09–948. *JONES, DIRECTOR, OKLAHOMA DEPARTMENT OF CORRECTIONS v. WILLIAMS*. C. A. 10th Cir. Certiorari denied. Reported below: 571 F. 3d 1086.

No. 09–963. *LUGOVYJ v. HOLDER, ATTORNEY GENERAL*. C. A. 6th Cir. Certiorari denied. Reported below: 353 Fed. Appx. 8.

No. 09–1077. *SEACOR MARINE LLC v. GRAND ISLE SHIPYARD, INC., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 589 F. 3d 778.

No. 09–1198. *WILLIAMS v. UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA ET AL.; and WILLIAMS v. CLARK COUNTY PUBLIC ADMINISTRATOR ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–1199. *BAPTE ET AL. v. WEST CARIBBEAN AIRWAYS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 584 F. 3d 1052.

No. 09–1202. *KIM v. CITY OF FEDERAL WAY, WASHINGTON*. C. A. 9th Cir. Certiorari denied. Reported below: 357 Fed. Appx. 871.

No. 09–1206. *CAMPOS v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

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No. 09–1217. *BILISKI v. RED CLAY CONSOLIDATED SCHOOL DISTRICT BOARD OF EDUCATION ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 574 F. 3d 214.

No. 09–1221. *SHUGART ET AL. v. CHAPMAN, SECRETARY OF STATE OF ALABAMA.* C. A. 11th Cir. Certiorari denied. Reported below: 366 Fed. Appx. 4.

No. 09–1223. *LIBERTARIAN PARTY ET AL. v. DARDENNE, SECRETARY OF STATE OF LOUISIANA.* C. A. 5th Cir. Certiorari denied. Reported below: 595 F. 3d 215.

No. 09–1237. *HART v. HODGES ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 587 F. 3d 1288.

No. 09–1243. *UNITED STATES EX REL. BROWN v. WALT DISNEY WORLD CO. ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 361 Fed. Appx. 66.

No. 09–1265. *ARNESEN v. SHINSEKI, SECRETARY OF VETERANS AFFAIRS.* C. A. Fed. Cir. Certiorari denied.

No. 09–1269. *HOLE ET AL. v. TEXAS A&M UNIVERSITY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 360 Fed. Appx. 571.

No. 09–1275. *JUSTICE v. MCCONNELL ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–1281. *BAUDER v. KENTUCKY.* Sup. Ct. Ky. Certiorari denied. Reported below: 299 S. W. 3d 588.

No. 09–1282. *US TECHNOLOGY CORP. v. JOHNSON ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 361 Fed. Appx. 629.

No. 09–1289. *McGEE v. BARTOW, DIRECTOR, WISCONSIN RESOURCE CENTER.* C. A. 7th Cir. Certiorari denied. Reported below: 593 F. 3d 556.

No. 09–1290. *TAYLOR v. JUDICIAL INQUIRY AND REVIEW COMMISSION OF VIRGINIA.* Sup. Ct. Va. Certiorari denied. Reported below: 278 Va. 699, 685 S. E. 2d 51.

No. 09–1300. *TURNER v. TENNESSEE.* Sup. Ct. Tenn. Certiorari denied. Reported below: 305 S. W. 3d 508.

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No. 09–1301. *CECENA ET UX. v. ALLSTATE INSURANCE CO. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 358 Fed. Appx. 798.

No. 09–1317. *DEHLINGER v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 368 Fed. Appx. 439.

No. 09–1337. *MCNEAL v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 214.

No. 09–1349. *MORENO v. UNITED STATES.* C. A. Armed Forces. Certiorari denied. Reported below: 69 M. J. 36.

No. 09–1352. *PLASKETT v. UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 355 Fed. Appx. 639.

No. 09–1355. *LEE v. POTTER, POSTMASTER GENERAL.* C. A. 9th Cir. Certiorari denied. Reported below: 358 Fed. Appx. 966.

No. 09–7895. *ZUNIGA v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 579 F. 3d 845.

No. 09–8506. *JOHNSON v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 348 Fed. Appx. 468.

No. 09–8579. *JAUREGUI v. KUTINA.* Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 09–8988. *VAUGHN v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 585 F. 3d 1024.

No. 09–9181. *SHOEMAKE v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 09–9396. *MOORE v. CONNECTICUT.* Sup. Ct. Conn. Certiorari denied. Reported below: 293 Conn. 781, 981 A. 2d 1030.

No. 09–9629. *KELLY v. MOSER, PATTERSON AND SHERIDAN, LLP, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 348 Fed. Appx. 746.

No. 09–9881. *SEMLER v. KLANG ET AL.* C. A. 8th Cir. Certiorari denied.

No. 09–9884. *SMITH v. OREGON.* Ct. App. Ore. Certiorari denied. Reported below: 227 Ore. App. 289, 205 P. 3d 890.

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No. 09–9959. *PETIT-HOMME v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–9965. *HAMMERLORD v. CITY OF SAN DIEGO, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–9969. *KAUFMAN v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 09–9970. *SWAMYNATHAN v. ILLINOIS.* Sup. Ct. Ill. Certiorari denied. Reported below: 236 Ill. 2d 103, 923 N. E. 2d 276.

No. 09–9973. *AMAR v. HILLCREST JEWISH CENTER.* C. A. 2d Cir. Certiorari denied.

No. 09–9974. *ARTIS v. CAIN, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 09–9980. *DIXON v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 819.

No. 09–9982. *CROSS v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 356 Fed. Appx. 724.

No. 09–9996. *PETZOLD v. JONES, DIRECTOR, OKLAHOMA DEPARTMENT OF CORRECTIONS.* C. A. 10th Cir. Certiorari denied. Reported below: 349 Fed. Appx. 295.

No. 09–9999. *JOHNSON v. TEXAS BOARD OF PARDONS AND PAROLES.* C. A. 5th Cir. Certiorari denied. Reported below: 362 Fed. Appx. 416.

No. 09–10000. *LARSON v. McDONALD, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–10003. *WACKERLY v. WORKMAN, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 580 F. 3d 1171.

No. 09–10009. *GIOVANAZZI, CO-TRUSTEE OF THE AIDA MADELINE LEBBOS TRUST II v. SCHUETTE ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 09–10010. *INGLE v. DEUTSCHE BANK NATIONAL TRUST Co.* Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 09–10017. *ESPINOZA v. KERNAN, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 362 Fed. Appx. 704.

No. 09–10018. *MITCHELL v. AKAL SECURITY INC. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 358 Fed. Appx. 932.

No. 09–10021. *PIGG v. BASINGER.* C. A. 7th Cir. Certiorari denied.

No. 09–10023. *MOON v. MCINTYRE ET AL.* C. A. 6th Cir. Certiorari denied.

No. 09–10024. *MORREO v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 09–10025. *YSAIS v. NEW MEXICO CHILDREN, YOUTH AND FAMILIES DEPARTMENT ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 353 Fed. Appx. 159.

No. 09–10035. *PEARSON v. VILLAGE OF GREENUP, ILLINOIS, ET AL.* C. A. 7th Cir. Certiorari denied.

No. 09–10036. *ZAKRZEWSKI v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 573 F. 3d 1210.

No. 09–10042. *ORME v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 25 So. 3d 536.

No. 09–10044. *SERRANO v. FLORIDA.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 15 So. 3d 629.

No. 09–10045. *SHAW v. UNIVERSITY OF TEXAS MEDICAL BRANCH ET AL.* C. A. 5th Cir. Certiorari denied.

No. 09–10046. *SALAHUDDIN, AKA SALADIN v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 09–10047. *STANKO v. PATTON ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 357 Fed. Appx. 738.

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No. 09–10051. *MULLALY v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 29 So. 3d 295.

No. 09–10052. *POLLY v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 09–10065. *NELSON v. TEXAS*. Ct. App. Tex., 7th Dist. Certiorari denied. Reported below: 297 S.W. 3d 424.

No. 09–10069. *TOWNSEND v. BANG ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 356 Fed. Appx. 908.

No. 09–10091. *HAWTHONE v. ARKANSAS ET AL.* C. A. 8th Cir. Certiorari denied.

No. 09–10101. *MASON v. INVISON, LLC, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 347 Fed. Appx. 257.

No. 09–10133. *TORRES v. BENEDETTI, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–10172. *JAMES v. CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 360 Fed. Appx. 939.

No. 09–10321. *MORROW v. HOREL, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 09–10344. *DARBY v. SOUTH CAROLINA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 355 Fed. Appx. 751.

No. 09–10345. *CASCIO v. LAWLER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–10377. *DOSTER v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 303 S.W. 3d 720.

No. 09–10383. *BARRAZA v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 125 Nev. 1018, 281 P. 3d 1153.

No. 09–10388. *MURRELL v. SHINSEKI, SECRETARY OF VETERANS AFFAIRS.* C. A. Fed. Cir. Certiorari denied. Reported below: 334 Fed. Appx. 324.

No. 09–10390. *VERBAL v. ANDERSON, ADMINISTRATOR, PASQUOTANK CORRECTIONAL INSTITUTION.* C. A. 4th Cir. Certiorari denied. Reported below: 361 Fed. Appx. 487.

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No. 09–10397. *ALEXANDER v. COLORADO*. Ct. App. Colo. Certiorari denied.

No. 09–10569. *HENRY v. MENDOZA-POWERS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 367 Fed. Appx. 741.

No. 09–10589. *CROTTE SAINZ v. VENABLES*. C. A. 9th Cir. Certiorari denied. Reported below: 588 F. 3d 713.

No. 09–10590. *ROZIER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 598 F. 3d 768.

No. 09–10597. *RHODE v. HALL, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 582 F. 3d 1273.

No. 09–10600. *ANDERSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 365 Fed. Appx. 17.

No. 09–10608. *MAGANA-COLIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 359 Fed. Appx. 837.

No. 09–10618. *RICHARDSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 352 Fed. Appx. 47.

No. 09–10620. *REEDER ET VIR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–10624. *SIGUENZA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 361 Fed. Appx. 483.

No. 09–10627. *SOTO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 374 Fed. Appx. 785.

No. 09–10629. *HODGE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 594 F. 3d 614.

No. 09–10630. *GOODWIN v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 594 F. 3d 1.

No. 09–10631. *GOENAGA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 363 Fed. Appx. 885.

No. 09–10632. *HEADMAN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 594 F. 3d 1179.

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No. 09–10633. *POUNDS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 362.

No. 09–10634. *PETERS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 897.

No. 09–10638. *WILLIAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 363 Fed. Appx. 707.

No. 09–10639. *BARBOZA DELGADO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 361 Fed. Appx. 562.

No. 09–10644. *ROUNDTREE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–10645. *WILLIAMS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 363 Fed. Appx. 504.

No. 09–10647. *RATLIFF v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 376 Fed. Appx. 830.

No. 09–10651. *BURNAM v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 363 Fed. Appx. 970.

No. 09–10652. *BROOKS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 594 F. 3d 488.

No. 09–1097. *PECK, A MINOR, BY AND THROUGH HIS PARENTS AND NEXT FRIENDS, PECK ET AL. v. BALDWINVILLE CENTRAL SCHOOL DISTRICT ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 351 Fed. Appx. 477.

No. 09–1231. *ZHANG 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: 358 Fed. Appx. 216.

No. 09–1356. *DHAFIR v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 577 F. 3d 411 and 342 Fed. Appx. 702.

No. 09–9634. *WROTTEN v. NEW YORK*. Ct. App. N. Y. Certiorari denied. Reported below: 14 N. Y. 3d 33, 923 N. E. 2d 1099.

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

This case presents the question whether petitioner's rights under the Confrontation Clause of the Sixth Amendment, as applied to the States through the Fourteenth Amendment, were violated when the State introduced testimony at his trial via a two-way video that enabled the testifying witness to see and respond to those in the courtroom, and vice versa. The question is an important one, and it is not obviously answered by *Maryland v. Craig*, 497 U. S. 836 (1990). We recognized in that case that "a defendant's right to confront accusatory witnesses may be satisfied absent a physical, face-to-face confrontation at trial," but "only where denial of such confrontation is necessary to further an important public policy." *Id.*, at 850. In so holding, we emphasized that "[t]he requisite finding of necessity must of course be a case-specific one." *Id.*, at 855. Because the use of video testimony in this case arose in a strikingly different context than in *Craig*, it is not clear that the latter is controlling.

The instant petition, however, reaches us in an interlocutory posture. The New York Court of Appeals remanded to the Appellate Division for further review, including of factual questions relevant to the issue of necessity. 14 N. Y. 3d 33, 40, 923 N. E. 2d 1099, 1103 (2009). Granting the petition for certiorari at this time would require us to resolve the threshold question whether the Court of Appeals' decision constitutes a "[f]inal judgment" under 28 U. S. C. § 1257(a). Moreover, even if we found the judgment final, in reviewing the case at this stage we would not have the benefit of the state courts' full consideration.

In light of the procedural difficulties that arise from the interlocutory posture, I agree with the Court's decision to deny the petition for certiorari. But following the example of some of my colleagues, "I think it appropriate to emphasize that the Court's action does not constitute a ruling on the merits and certainly does not represent an expression of any opinion concerning" the importance of the question presented. *Moreland v. Federal Bureau of Prisons*, 547 U. S. 1106, 1107 (2006) (STEVENS, J., statement respecting denial of certiorari).

No. 09–10614. *BRENS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 376 Fed. Appx. 38.

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No. 09–10646. *STONE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 354 Fed. Appx. 547.

Rehearing Denied

No. 08–8379. *COOKSEY v. McELROY ET AL.*, 556 U.S. 1156;
No. 09–985. *IN RE PATTERSON*, 559 U.S. 1066;
No. 09–8206. *MERCER v. VIRGINIA*, 559 U.S. 1072;
No. 09–8272. *RIVERA v. UNITED STATES*, 559 U.S. 952;
No. 09–8582. *TEAGUE v. NORTH CAROLINA DEPARTMENT OF TRANSPORTATION*, 559 U.S. 1012;
No. 09–8717. *SHERIFF v. ACCELERATED RECEIVABLES SOLUTIONS ET AL.*, 559 U.S. 1038;
No. 09–8739. *ATHERTON v. DISTRICT OF COLUMBIA OFFICE OF THE MAYOR ET AL.*, 559 U.S. 1039;
No. 09–8771. *COLLAZO v. TEXAS*, 559 U.S. 1039;
No. 09–8773. *OWENS v. JONES, SUPERINTENDENT, HYDE CORRECTIONAL INSTITUTION*, 559 U.S. 1039;
No. 09–8918. *BENJAMIN v. WALLACE ET AL.*, 559 U.S. 1051;
No. 09–8947. *RICHARDS-JOHNSON v. AMERICAN EXPRESS Co.*, 559 U.S. 1051;
No. 09–9075. *BALL v. BALL ET AL.*; and *BALL v. BLUNT ET AL.*, 559 U.S. 1074;
No. 09–9109. *HODGE v. PARKER, WARDEN*, 559 U.S. 1075;
No. 09–9145. *SHOVE v. WONG, WARDEN*, 559 U.S. 1094;
No. 09–9155. *SEMLER v. LUDEMAN ET AL.*, 559 U.S. 1053;
No. 09–9230. *GRANDOIT v. LIBERTY MUTUAL INSURANCE Co.*, 559 U.S. 1096;
No. 09–9277. *IN RE SANDERS*, 559 U.S. 1091;
No. 09–9279. *RAY v. MISSOURI*, 559 U.S. 1077;
No. 09–9391. *HALL v. VIRGINIA*, 559 U.S. 1078;
No. 09–9460. *IN RE YORK*, 559 U.S. 1036;
No. 09–9639. *YOUNG v. RHODE ISLAND ET AL.*, 559 U.S. 1099; and
No. 09–9726. *SMALL v. BODISON, WARDEN*, 559 U.S. 1099. Petitions for rehearing denied.

JUNE 8, 2010

Miscellaneous Order

No. 09A1163. *MCCOMISH ET AL. v. BENNETT, SECRETARY OF STATE OF ARIZONA, ET AL.* Application to vacate the stay of the

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District Court's injunction and to stay the mandate of the United States Court of Appeals for the Ninth Circuit in case No. 10–15165, presented to JUSTICE KENNEDY, and by him referred to the Court, granted pending the timely filing and disposition of a petition for writ of certiorari. Should the petition for writ of certiorari be denied, this order shall terminate automatically. In the event the petition for writ of certiorari is granted, the order shall terminate upon the sending down of the judgment of this Court.

JUNE 9, 2010

Certiorari Denied

No. 09–11271 (09A1198). *FORD 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.

JUNE 10, 2010

Certiorari Denied

No. 09–11253 (09A1199). *PARKER v. ALABAMA*. Sup. Ct. Ala. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied. Reported below: 610 So. 2d 1181.

JUNE 14, 2010

Certiorari Dismissed

No. 09–10070. *MATTHEWS v. UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT*. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 09–10141. *FENLON 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. Reported below: 350 Fed. Appx. 931.

No. 09–10184. *THOMAS 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.

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No. 09–10217. JOHNSON *v.* TEXAS. Ct. Crim. App. Tex. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 09–10220. BARBOUR *v.* VIRGINIA DEPARTMENT OF CORRECTIONS; BARBOUR *v.* VIRGINIA DEPARTMENT OF CORRECTIONS AT WALLENS RIDGE STATE PRISON; BARBOUR *v.* VIRGINIA DEPARTMENT OF CORRECTIONS EDUCATION; BARBOUR *v.* VIRGINIA DEPARTMENT OF CORRECTIONS AT WALLENS RIDGE STATE PRISON; and BARBOUR *v.* VIRGINIA DEPARTMENT OF CORRECTIONS 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. 09–10284. BARBOUR *v.* DURHAM 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. 09–10659. DRABOVSKIY *v.* YOUNG, WARDEN. 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.

Miscellaneous Orders

No. D–2469. IN RE DISCIPLINE OF BYRD. Ralph T. Byrd, of Laytonsville, Md., 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. 09M102. NOBLE *v.* UNITED STATES. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner denied.

No. 09–9281. SHAHIN *v.* DELAWARE ET AL. C. A. 3d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [559 U.S. 1091] denied.

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No. 09–10203. *MITRANO v. DISTRICT OF COLUMBIA BAR. C. A. D. C. Cir.* Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until July 6, 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. 09–10841. *IN RE WOLTZ*; and

No. 09–10960. *IN RE CASILLAS*. Petitions for writs of habeas corpus denied.

No. 09–10854. *IN RE VAN BUREN*. Petition for writ of mandamus denied.

Probable Jurisdiction Postponed

No. 09–1233. *SCHWARZENEGGER, GOVERNOR OF CALIFORNIA v. PLATA ET AL.* Appeal from D. C. E. D. & D. C. N. D. Cal. Further consideration of question of jurisdiction postponed to hearing of case on the merits.

Certiorari Granted

No. 09–520. *CSX TRANSPORTATION, INC. v. ALABAMA DEPARTMENT OF REVENUE ET AL.* C. A. 11th Cir. Certiorari granted limited to the following question: “Whether a State’s exemptions of rail carrier competitors, but not rail carriers, from generally applicable sales and use taxes on fuel subject the taxes to challenge under 49 U.S.C. §11501(b)(4) as ‘another tax that discriminates against a rail carrier.’” Reported below: 350 Fed. Appx. 318.

No. 09–1088. *CULLEN, ACTING WARDEN v. PINHOLSTER*. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 590 F. 3d 651.

No. 09–1156. *MATRIX INITIATIVES, INC., ET AL. v. SIRACUSANO ET AL.* C. A. 9th Cir. Certiorari granted. Reported below: 585 F. 3d 1167.

Certiorari Denied

No. 08–11034. *TABLADA v. THOMAS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 533 F. 3d 800.

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No. 09–866. *PENDERGRASS v. INDIANA*. Sup. Ct. Ind. Certiorari denied. Reported below: 913 N. E. 2d 703.

No. 09–992. *PARLAK v. HOLDER, ATTORNEY GENERAL*. C. A. 6th Cir. Certiorari denied. Reported below: 578 F. 3d 457.

No. 09–1074. *JUSTICE ET AL. v. TOWN OF CICERO, ILLINOIS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 577 F. 3d 768.

No. 09–1079. *RIVAS-RODRIGUEZ v. HOLDER, ATTORNEY GENERAL*. C. A. 4th Cir. Certiorari denied. Reported below: 355 Fed. Appx. 740.

No. 09–1098. *LEVINE v. GREECE CENTRAL SCHOOL DISTRICT ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 353 Fed. Appx. 461.

No. 09–1213. *LAMB v. NORTH DAKOTA STATE BOARD OF LAW EXAMINERS*. Sup. Ct. N. D. Certiorari denied. Reported below: 777 N. W. 2d 343.

No. 09–1219. *BAILEY v. CALDWELL, PERSONAL REPRESENTATIVE OF THE ESTATE OF BAILEY*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 27 So. 3d 31.

No. 09–1222. *SINGH v. REED ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 344 Fed. Appx. 314.

No. 09–1225. *WILLIAMS v. GOVERNMENT OF VIRGIN ISLANDS BOARD OF MEDICAL EXAMINERS ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 360 Fed. Appx. 297.

No. 09–1226. *SOWERS v. POWHATAN COUNTY, VIRGINIA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 347 Fed. Appx. 898.

No. 09–1228. *KIRKLAND v. GUARDIAN LIFE INSURANCE COMPANY OF AMERICA*. C. A. 11th Cir. Certiorari denied. Reported below: 352 Fed. Appx. 293.

No. 09–1234. *CHONTOS v. BERGHUIS, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 585 F. 3d 1000.

No. 09–1240. *DOUGLAS ASPHALT CO. ET AL. v. ARCH INSURANCE CO.* C. A. 11th Cir. Certiorari denied. Reported below: 361 Fed. Appx. 103.

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No. 09–1249. *HARRIS v. WITTMAN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 590 F. 3d 730.

No. 09–1251. *PRADHAN v. HOLDER, ATTORNEY GENERAL.* C. A. 9th Cir. Certiorari denied. Reported below: 352 Fed. Appx. 205.

No. 09–1264. *MCNEIL v. HOLDER, ATTORNEY GENERAL.* C. A. 3d Cir. Certiorari denied. Reported below: 344 Fed. Appx. 814.

No. 09–1340. *RICHMAN, SPECIAL ADMINISTRATOR OF THE ESTATE OF RICHMAN, DECEASED v. BURGESSON ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 358 Fed. Appx. 682.

No. 09–1369. *CANO v. GEITHNER, SECRETARY OF THE TREASURY.* C. A. 8th Cir. Certiorari denied. Reported below: 354 Fed. Appx. 283.

No. 09–1382. *HAHN v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 09–1385. *ROSSI v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 592 F. 3d 372.

No. 09–8722. *SANTORO v. WELLS, WARDEN.* C. A. 11th Cir. Certiorari denied.

No. 09–8948. *JOHNSON v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 581 F. 3d 320.

No. 09–9032. *DOTSON v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 351 Fed. Appx. 931.

No. 09–9480. *ELLMAKER v. KANSAS.* Sup. Ct. Kan. Certiorari denied. Reported below: 289 Kan. 1132, 221 P. 3d 1105.

No. 09–9635. *WILLIAMS v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied. Reported below: 301 S. W. 3d 675.

No. 09–10067. *MILLS v. BELLNIER, SUPERINTENDENT, UPSTATE CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 09–10068. *MOORE v. CALIFORNIA FRANCHISE TAX BOARD.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

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No. 09–10071. *OCHOA CANALES v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–10075. *FLAHERTY v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 09–10076. *WILLIAMS v. HARRISON, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 368 Fed. Appx. 764.

No. 09–10080. *TORRES v. UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–10081. *GEORGE v. SMITH, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 586 F. 3d 479.

No. 09–10083. *GOVAN v. SINGLETON ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 347 Fed. Appx. 970.

No. 09–10084. *HINDAOUI v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–10085. *HEARNS v. WOLFENBARGER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 09–10086. *FISHER v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 09–10087. *GRIMES v. McNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 23 So. 3d 1184.

No. 09–10095. *HALL v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 09–10096. *HURT-WHITMIRE v. GEORGIA ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 336 Fed. Appx. 882.

No. 09–10102. *JONES v. DiGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 09–10107. *ALLEN v. STEWART TITLE GUARANTY CO.* C. A. 5th Cir. Certiorari denied.

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No. 09–10112. *HILL v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 09–10114. *BROWN v. UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT*. C. A. 9th Cir. Certiorari denied.

No. 09–10117. *NYAMBAL v. MILLER ET AL.* Sup. Ct. Va. Certiorari denied.

No. 09–10118. *BEIGHTLER v. SUNTRUST BANKS, INC.* C. A. 6th Cir. Certiorari denied.

No. 09–10119. *BEIGHTLER v. OFFICE OF THE ESSEX COUNTY PROSECUTOR ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 342 Fed. Appx. 829.

No. 09–10121. *HURNS v. ANDERSON, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY*. C. A. 5th Cir. Certiorari denied.

No. 09–10123. *FUSELIER v. MANCUSO ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 354 Fed. Appx. 49.

No. 09–10124. *HENDERSON v. ALEXANDER & BALDWIN, INC., DBA HAWAIIAN COMMERCIAL & SUGAR CO., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 362 Fed. Appx. 594.

No. 09–10125. *FOSTER v. MERAZ ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 332 Fed. Appx. 433.

No. 09–10128. *HOUSTON v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 09–10132. *TOLIVER v. TEXAS*. Ct. App. Tex., 6th Dist. Certiorari denied. Reported below: 279 S. W. 3d 391.

No. 09–10134. *HARRIS v. GUTIERREZ ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 343 Fed. Appx. 374.

No. 09–10136. *HERNANDEZ v. HARTLEY, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 09–10138. *HERNANDEZ v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 22 So. 3d 67.

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No. 09–10142. *HEDGESPETH v. HENDRICKS ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 340 Fed. Appx. 767.

No. 09–10143. *HUGHES v. POTTER, POSTMASTER GENERAL, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 09–10149. *WILLIS v. GRAHAM, SUPERINTENDENT, AUBURN CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 09–10151. *WINSTON v. GRICE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 353 Fed. Appx. 815.

No. 09–10152. *QIAN ZHAO v. HOLDER, ATTORNEY GENERAL.* C. A. 5th Cir. Certiorari denied. Reported below: 356 Fed. Appx. 749.

No. 09–10154. *TOLBERT v. STANG ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–10155. *WOODRUFF v. ILLINOIS DEPARTMENT OF CORRECTIONS ET AL.* C. A. 7th Cir. Certiorari denied.

No. 09–10156. *WILLIAMS v. AYERS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 09–10163. *GRAY v. KERNAN, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 09–10167. *PRIETO v. VIRGINIA.* Sup. Ct. Va. Certiorari denied. Reported below: 278 Va. 366, 682 S. E. 2d 910.

No. 09–10171. *JACKSON v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 25 So. 3d 518.

No. 09–10173. *KELLER v. FLORIDA.* C. A. 11th Cir. Certiorari denied.

No. 09–10174. *KRIST v. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES.* Ct. App. Tex., 4th Dist. Certiorari denied.

No. 09–10175. *MUNIZ v. KASPAR ET AL.* C. A. 10th Cir. Certiorari denied.

No. 09–10176. *DELGADO PEREZ v. THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

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No. 09–10183. *WISE v. SOUTH CAROLINA DEPARTMENT OF CORRECTIONS*. Sup. Ct. S. C. Certiorari denied.

No. 09–10185. *TAYLOR v. WILLIAMS, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 363 Fed. Appx. 546.

No. 09–10194. *BARNES v. ROPER, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 09–10195. *PERRY v. MCNEIL, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 09–10201. *LEVI v. ANHEUSER-BUSCH COS., INC., ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 360 Fed. Appx. 708.

No. 09–10202. *PROCTOR v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 125 Nev. 1070, 281 P. 3d 1210.

No. 09–10208. *REDMAN v. GRAHAM ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 09–10210. *ELLIS v. MARIETTA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 751.

No. 09–10222. *MUNIZ v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO*. C. A. 10th Cir. Certiorari denied.

No. 09–10230. *PARKER v. ERCOLE, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 09–10232. *MCDANIEL v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 393 Ill. App. 3d 1103, 985 N. E. 2d 724.

No. 09–10240. *HAKIMI v. HOLDER, ATTORNEY GENERAL*. C. A. 4th Cir. Certiorari denied. Reported below: 360 Fed. Appx. 497.

No. 09–10247. *CARTER v. ANDERSON, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 585 F. 3d 1007.

No. 09–10256. *KNOWLES v. MONTANA ET AL.* Sup. Ct. Mont. Certiorari denied. Reported below: 353 Mont. 507, 222 P. 3d 595.

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No. 09–10286. *DWYER v. CITY OF ST. JOSEPH, MISSOURI, ET AL.* Sup. Ct. Mo. Certiorari denied.

No. 09–10293. *KALU v. HOLDER, ATTORNEY GENERAL.* C. A. 4th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 462.

No. 09–10314. *NELLUMS v. NEVEN, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 09–10319. *MOSLEY v. SCRIBNER, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 09–10334. *ROTEN v. FLORIDA.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 56 So. 3d 8.

No. 09–10353. *CONTANT v. HOLDER, ATTORNEY GENERAL, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 352 Fed. Appx. 692.

No. 09–10366. *COBURN v. LAFLER, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 09–10370. *CALHOUN v. KING COUNTY PROSECUTING ATTORNEY’S OFFICE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 348 Fed. Appx. 299.

No. 09–10380. *REBERGER v. NEVADA.* C. A. 9th Cir. Certiorari denied.

No. 09–10400. *ANDERSON v. MISSISSIPPI.* Sup. Ct. Miss. Certiorari denied.

No. 09–10418. *TAYLOR v. UNITED STATES.* C. A. Armed Forces. Certiorari denied. Reported below: 68 M. J. 236.

No. 09–10447. *PECK v. NEVEN, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–10516. *RONWIN v. AMEREN, MISSOURI CORP., ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 289.

No. 09–10525. *GARCIA v. SCRIBNER, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 09–10526. *GASTON v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

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No. 09–10532. *CARRILLO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 369 Fed. Appx. 852.

No. 09–10536. *MCCANN v. TROMBLEY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 09–10539. *JACKSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 363 Fed. Appx. 208.

No. 09–10540. *JOHNSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 357 Fed. Appx. 29.

No. 09–10542. *LAWSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 368 Fed. Appx. 1.

No. 09–10543. *NELSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 363 Fed. Appx. 697.

No. 09–10545. *ZIMMERMAN v. CASON, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 354 Fed. Appx. 228.

No. 09–10546. *WILSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 312.

No. 09–10547. *TENUTO v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 593 F. 3d 695.

No. 09–10548. *WHITAKER v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 201 N. C. App. 190, 689 S. E. 2d 395.

No. 09–10554. *MERCER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 362 Fed. Appx. 929.

No. 09–10557. *BETANCORT-SALAZAR v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 363 Fed. Appx. 412.

No. 09–10561. *KINZER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 365 Fed. Appx. 646.

No. 09–10563. *COX v. SCHWARTZ, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 09–10564. *CONTRERAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 367 Fed. Appx. 504.

No. 09–10566. *MITCHELL v. VASBINDER, WARDEN*. C. A. 6th Cir. Certiorari denied.

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No. 09–10571. *PRINCE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 593 F. 3d 1178.

No. 09–10575. *VALENZUELA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–10577. *BOOTH v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 321 Wis. 2d 475, 774 N. W. 2d 475.

No. 09–10578. *ARIEGWE v. FERRITER, DIRECTOR, MONTANA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 09–10579. *GIANNONE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 360 Fed. Appx. 473.

No. 09–10581. *GILLARD v. NORTHWESTERN UNIVERSITY*. C. A. 7th Cir. Certiorari denied. Reported below: 366 Fed. Appx. 686.

No. 09–10585. *ELLIOTT v. DEPARTMENT OF AGRICULTURE*. C. A. D. C. Cir. Certiorari denied. Reported below: 596 F. 3d 842.

No. 09–10587. *SARTORI v. NORTH CAROLINA*. Gen. Ct. Justice, Super. Ct. Div., Buncombe County, N. C. Certiorari denied.

No. 09–10591. *WILLIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 362 Fed. Appx. 531.

No. 09–10593. *KINARD v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied.

No. 09–10595. *PEREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 355 Fed. Appx. 286.

No. 09–10602. *DOYLE v. ARCHULETA ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 370 Fed. Appx. 934.

No. 09–10622. *SUAREZ, AKA SOLIS, AKA BARZAGA, AKA VALLADARES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 602.

No. 09–10636. *TANCHAK ET UX. v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 351 Fed. Appx. 729.

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No. 09–10642. *PITCHFORD v. TURBITT*, ADMINISTRATIVE JUDGE, MERIT SYSTEMS PROTECTION BOARD. C. A. 8th Cir. Certiorari denied.

No. 09–10661. *DE LA CRUZ-DIAZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 109.

No. 09–10662. *CARDONA-RAMIREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 358 Fed. Appx. 562.

No. 09–10666. *QUINONES v. OUTLAW, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 366 Fed. Appx. 708.

No. 09–10671. *LOPEZ-JACOBO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 357 Fed. Appx. 12.

No. 09–10673. *KHAMMANIVONG v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 357 Fed. Appx. 316.

No. 09–10679. *TUCKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 333 Fed. Appx. 747.

No. 09–10680. *SANCHEZ-LEYVA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 09–10681. *SHENANDOAH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 595 F. 3d 151.

No. 09–10682. *OSAHON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 09–10687. *ARROYO-CARBAJAL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 363 Fed. Appx. 308.

No. 09–10688. *BARRAZA-MONTES DE OCA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 86.

No. 09–10689. *VEGA ANGIANO v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 602 F. 3d 828.

No. 09–10692. *RICE v. POTTER*, POSTMASTER GENERAL. C. A. 9th Cir. Certiorari denied. Reported below: 347 Fed. Appx. 320.

No. 09–10695. *THOMPSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 359 Fed. Appx. 900.

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No. 09–10699. *NICHOLSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 365 Fed. Appx. 465.

No. 09–10703. *SMITH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 09–10707. *MAYES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 136.

No. 09–10708. *JONES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 09–10714. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 41.

No. 09–10716. *TOMPKINS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 365 Fed. Appx. 67.

No. 09–10720. *ANCHRUM v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 590 F. 3d 795.

No. 09–10721. *ANTONUCCI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 09–10722. *AS-SADIQ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 352 Fed. Appx. 796.

No. 09–10725. *IRISH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 363 Fed. Appx. 543.

No. 09–10726. *HARDISON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 374 Fed. Appx. 427.

No. 09–10728. *HAIRSTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 11.

No. 09–10729. *GERALD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 365 Fed. Appx. 188.

No. 09–10730. *FIGIELLA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 598 F. 3d 444.

No. 09–10731. *FAJARDO-FAJARDO v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 594 F. 3d 1005.

No. 09–10733. *NARCE v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 973 A. 2d 733.

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No. 09–10735. *DELGADO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 353 Fed. Appx. 324.

No. 09–10736. *CRUZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 595 F. 3d 744.

No. 09–10743. *KINSEY v. DEPARTMENT OF JUSTICE ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 09–10746. *VEAL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 348 Fed. Appx. 903.

No. 09–10747. *TURNER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 365 Fed. Appx. 918.

No. 09–10748. *BURROWES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–10749. *BARON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 09–10750. *SMITH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 358 Fed. Appx. 634.

No. 09–10752. *RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 365 Fed. Appx. 558.

No. 09–10754. *MILLER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 358 Fed. Appx. 750.

No. 09–10756. *GONZALEZ-GARZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 365 Fed. Appx. 588.

No. 09–10757. *FLOWERS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 359 Fed. Appx. 742.

No. 09–10759. *HARRISON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 350 Fed. Appx. 962.

No. 09–10766. *GENTILE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–10767. *WILLIAMS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 367 Fed. Appx. 578.

No. 09–10768. *GARCIA-GRACIAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 329 Fed. Appx. 145.

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No. 09–10770. *NENNINGER v. UNITED STATES FOREST SERVICE ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 353 Fed. Appx. 80.

No. 09–10772. *HERDER v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 594 F. 3d 352.

No. 09–10773. *ROBINSON v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 357 Fed. Appx. 677.

No. 09–10775. *HENOUD v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 363 Fed. Appx. 263.

No. 09–10779. *SIMMONS v. UNITED STATES.* C. A. 7th Cir. Certiorari denied.

No. 09–10789. *ELLIS v. UNITED STATES* (Reported below: 365 Fed. Appx. 572); *LANDRY v. UNITED STATES* (366 Fed. Appx. 501); *HAYWOOD v. UNITED STATES* (365 Fed. Appx. 561); *POWELL v. UNITED STATES* (365 Fed. Appx. 597); *ROBICHAUX v. UNITED STATES* (374 Fed. Appx. 478); *JONES v. UNITED STATES* (370 Fed. Appx. 489); *RUSSELL v. UNITED STATES* (369 Fed. Appx. 609); *CAO v. UNITED STATES* (371 Fed. Appx. 477); *HILLS v. UNITED STATES* (371 Fed. Appx. 543); *DAVIS v. UNITED STATES* (371 Fed. Appx. 555); *STEVENSON v. UNITED STATES* (373 Fed. Appx. 524); *TAPP v. UNITED STATES* (375 Fed. Appx. 389); *WASHINGTON v. UNITED STATES* (375 Fed. Appx. 390); *HANDY v. UNITED STATES* (375 Fed. Appx. 398); *ALLEN v. UNITED STATES* (373 Fed. Appx. 523); *HUTCHINSON v. UNITED STATES* (373 Fed. Appx. 536); and *DOUGLAS v. UNITED STATES* (375 Fed. Appx. 387). C. A. 5th Cir. Certiorari denied.

No. 09–10796. *LEWIS v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 594 F. 3d 1270.

No. 09–10800. *GREEN v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 172.

No. 09–10802. *SANCHEZ v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 393.

No. 09–10803. *BYNUM v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 604 F. 3d 161.

No. 09–10804. *HERNANDEZ-NAVARRO v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 364 Fed. Appx. 173.

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No. 09–10815. *HYACINTH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 366 Fed. Appx. 132.

No. 09–10816. *HICKS v. FEDERAL BUREAU OF PRISONS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 358 Fed. Appx. 393.

No. 09–10820. *GULLEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 09–10821. *HAMILTON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 587 F. 3d 1199.

No. 09–10825. *ADLEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 374 Fed. Appx. 891.

No. 09–10842. *ROMAN-CARDENAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 366 Fed. Appx. 506.

No. 09–10852. *BELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 367 Fed. Appx. 390.

No. 09–10857. *DE DIOS MIRANDA MEDRANO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 09–10863. *ROMERO-CHAVARRIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 365 Fed. Appx. 587.

No. 09–10864. *DARTON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 595 F. 3d 1191.

No. 09–10865. *CANO v. MIDDLEBROOKS, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 358 Fed. Appx. 107.

No. 09–10875. *AGUIRRE-GANCEDA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 592 F. 3d 1043.

No. 09–923. *ARAR v. ASHCROFT ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 585 F. 3d 559.

No. 09–1027. *CITY OF NEW ALBANY, INDIANA v. NEW ALBANY DVD, LLC*. C. A. 7th Cir. Motions of Indiana Family Institute et al. and International Municipal Lawyers Association for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 581 F. 3d 556.

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No. 09–1187. *MCBREARTY ET AL. v. VANGUARD GROUP, INC., ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 353 Fed. Appx. 640.

No. 09–1208. *RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS v. LIBBERTON.* C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 583 F. 3d 1147.

No. 09–9669. *GAINES v. NEW YORK CITY TRANSIT AUTHORITY ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 353 Fed. Appx. 509.

No. 09–10528. *GJIDIJA v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 369 Fed. Appx. 282.

No. 09–10693. *WORJLOH 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 104.

No. 09–10799. *JOHNSON v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 365 Fed. Appx. 242.

No. 09–10831. *LLUBERES v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 372 Fed. Appx. 151.

Rehearing Denied

No. 09–7923. *SCHWARTZ v. UNITED STATES*, 559 U.S. 1094;

No. 09–9068. *ZABRISKIE v. ORLANDO POLICE ET AL.*, 559 U.S. 1074;

No. 09–9073. *MOHAMMED v. WISCONSIN INSURANCE SECURITY FUND ET AL.*, 559 U.S. 1074;

No. 09–9080. *JUDD v. NEW MEXICO*, 559 U.S. 1075;

No. 09–9167. *SEMLER v. FINCH*, 559 U.S. 1076;

No. 09–9220. *BARBOUR v. SCHLOBOHM ET AL.*, 559 U.S. 1095;

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No. 09–9221. *BARBOUR v. VIRGINIA DEPARTMENT OF CORRECTIONS ET AL.*; *BARBOUR v. LEGISLATION UPON VIRGINIA DEPARTMENT OF CORRECTIONS*; *BARBOUR v. KEEFFEE COMMISSARIES AT VIRGINIA DEPARTMENT OF CORRECTIONS*; *BARBOUR v. VIRGINIA DEPARTMENT OF CORRECTIONS*; *BARBOUR v. VIRGINIA DEPARTMENT OF CORRECTIONS*; *BARBOUR v. VIRGINIA DEPARTMENT OF CORRECTIONS*; *BARBOUR v. VIRGINIA DEPARTMENT OF CORRECTIONS ET AL.*; *BARBOUR v. VIRGINIA DEPARTMENT OF CORRECTIONS ET AL.*; *BARBOUR v. VIRGINIA DEPARTMENT OF CORRECTIONS*; and *BARBOUR v. REPRESENTATIVE OF THE PERSONS ASSISTANT WARDEN HARVEY*, 559 U. S. 1076;

No. 09–9233. *GONZALEZ ET UX. v. RIDDLE ET AL.*, 559 U. S. 1096;

No. 09–9255. *IN RE HENDERSON*, 559 U. S. 1091;

No. 09–9381. *BARBOUR v. STANFORD ET AL.*, 559 U. S. 1109;

No. 09–9424. *DULAURENCE v. LIBERTY MUTUAL INSURANCE CO. ET AL.*, 559 U. S. 1078;

No. 09–9439. *CALLENDER v. ROSS STORES, INC.*, 559 U. S. 1111;

No. 09–9616. *AGUILAR v. SELMAN BREITZMAN, LLP, ET AL.*, 559 U. S. 1098;

No. 09–9620. *AMR v. VIRGINIA STATE UNIVERSITY ET AL.*, 559 U. S. 1098;

No. 09–9622. *MILLER v. ANHEUSER BUSCH, INC.*, 559 U. S. 1099;

No. 09–9717. *LAHERA v. WALT DISNEY CO. ET AL.*, 559 U. S. 1084; and

No. 09–9750. *IN RE MCCLAIN*, 559 U. S. 1066. Petitions for rehearing denied.

JUNE 15, 2010

Certiorari Denied

No. 09–11333 (09A1211). *POWELL 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. 09–1009. *MARTINEZ SILVA ET UX. v. HOLDER, ATTORNEY GENERAL*. C. A. 9th Cir. *Certiorari dismissed under this Court's Rule 46.* Reported below: 329 Fed. Appx. 142.

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No. 09–1126. *DEFREE v. SAUNDERS ET AL.* C. A. 5th Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 588 F. 3d 282.

JUNE 17, 2010

Certiorari Denied

No. 09–11378 (09A1222). *GARDNER v. UTAH.* Sup. Ct. Utah. Application for stay of execution of sentence of death, presented to JUSTICE SOTOMAYOR, and by her referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE BREYER would grant the application for stay of execution. See *Johnson v. Bredesen*, 558 U.S. 1067, 1067–1068 (2009) (STEVENS, J., joined by BREYER, J., respecting denial of certiorari). Reported below: 2010 UT 44, 234 P. 3d 1104, and 2010 UT 46, 234 P. 3d 1115.

No. 09–11439 (09A1229). *GARDNER v. GARNER, CHAIRMAN, UTAH BOARD OF PARDONS AND PAROLE, ET AL.* C. A. 10th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SOTOMAYOR, and by her referred to the Court, denied. Certiorari denied.

Rehearing Denied

No. 09–7870 (09A1218). *GARDNER v. GALETKA, WARDEN*, 559 U.S. 993. Application for stay of execution of sentence of death, presented to JUSTICE SOTOMAYOR, and by her referred to the Court, denied. Motion for leave to file petition for rehearing denied.