

ORDERS FOR JUNE 9 THROUGH
OCTOBER 2, 2014

JUNE 9, 2014

Dismissal Under Rule 46

No. 13–448. PICARD *v.* JPMORGAN CHASE & CO. ET AL. C. A. 2d Cir. Certiorari dismissed as to respondent JPMorgan Chase & Co. under this Court’s Rule 46.1. Reported below: 721 F. 3d 54.

Certiorari Dismissed

No. 13–9573. HARPER *v.* TEXAS. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 13–9818. WARD *v.* MICHIGAN PAROLE BOARD. Sup. Ct. Mich. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

Miscellaneous Orders

No. 13A1177. BP EXPLORATION & PRODUCTION INC. ET AL. *v.* LAKE EUGENIE LAND & DEVELOPMENT, INC., ET AL. C. A. 5th Cir. Application to recall and stay the mandate, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

No. D–2775. IN RE DISCIPLINE OF RICE. Kenneth Bromley Rice, of Kennewick, Wash., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D–2776. IN RE DISCIPLINE OF BELK. William I. Belk, of Charlotte, N. C., 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.

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No. D-2777. *IN RE DISCIPLINE OF NOSAL*. Chester W. Nosal, of Palm Beach Gardens, Fla., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2778. *IN RE DISCIPLINE OF COOK*. Robert M. Cook, of Yuma, Ariz., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2779. *IN RE DISCIPLINE OF NUSBAUM*. Harvey Malcolm Nusbaum, of Baltimore, 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. D-2780. *IN RE DISCIPLINE OF KAHL*. Jeffrey David Kahl, of Nottingham, 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. D-2781. *IN RE DISCIPLINE OF BERRY*. Steven Gene Berry, of Bethesda, 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. 13M128. *ALI v. OBAMA, PRESIDENT OF THE UNITED STATES, ET AL.* Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner granted.

No. 13M129. *LAFontaine v. Iowa Falls Police Department*. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 126, Orig. *KANSAS v. NEBRASKA ET AL.* Exceptions to the Report of the Special Master are set for oral argument in due course. [For earlier order herein see, *e.g.*, 571 U. S. 1122.]

No. 13-8636. *JONES v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [572 U. S. 1057] denied.

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No. 13–8709. BEACH-MATHURA *v.* MIAMI-DADE COUNTY PUBLIC SCHOOLS ET AL. Sup. Ct. Fla. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [572 U.S. 1059] denied.

No. 13–8752. ELLIS *v.* BENEDETTI ET AL. C. A. 9th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [572 U.S. 1057] denied.

No. 13–8832. SULIEMAN *v.* FISHER. Ct. App. Mich. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [572 U.S. 1086] denied.

No. 13–9477. LOVE *v.* MIDFIRST BANK. Super. Ct. N. J., App. Div.;

No. 13–9487. SCOTT *v.* UPS SUPPLY CHAIN SOLUTIONS. C. A. 3d Cir.;

No. 13–9507. COLLIE *v.* SOUTH CAROLINA COMMISSION ON LAWYER CONDUCT. Sup. Ct. S. C.;

No. 13–9516. HERRIOTT *v.* HERRIOTT. Ct. App. Cal., 2d App. Dist.; and

No. 13–9708. SIMMONS *v.* AUSTIN. C. A. 6th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until June 30, 2014, 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. 13–10089. IN RE MILLER. Petition for writ of habeas corpus denied.

No. 13–1303. IN RE MAXWELL; and

No. 13–9592. IN RE BALELE. Petitions for writs of mandamus denied.

Certiorari Denied

No. 12–960. AKAMAI TECHNOLOGIES, INC., ET AL. *v.* LIME-LIGHT NETWORKS, INC. C. A. Fed. Cir. Certiorari denied. Reported below: 692 F. 3d 1301.

No. 13–637. DERR *v.* MARYLAND. Ct. App. Md. Certiorari denied. Reported below: 434 Md. 88, 73 A. 3d 254.

No. 13–644. COOPER *v.* MARYLAND. Ct. App. Md. Certiorari denied. Reported below: 434 Md. 209, 73 A. 3d 1108.

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No. 13–856. *SONIC-CALABASAS A, INC. v. MORENO*. Sup. Ct. Cal. Certiorari denied. Reported below: 57 Cal. 4th 1109, 311 P. 3d 184.

No. 13–906. *MAHONEY, ADMINISTRATIVE LAW JUDGE, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT v. DONOVAN, SECRETARY OF HOUSING AND URBAN DEVELOPMENT, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 721 F. 3d 633.

No. 13–1037. *WFC HOLDINGS CORP. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 728 F. 3d 736.

No. 13–1038. *CUNNINGHAM v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 622 Pa. 543, 81 A. 3d 1.

No. 13–1045. *PUBLISHERS BUSINESS SERVICES, INC., ET AL. v. FEDERAL TRADE COMMISSION*. C. A. 9th Cir. Certiorari denied. Reported below: 540 Fed. Appx. 555.

No. 13–1051. *ACCENTURE, L. L. P. v. WELLOGIX, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 716 F. 3d 867.

No. 13–1082. *JOHNSON v. CITY OF MURRAY, UTAH, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 544 Fed. Appx. 801.

No. 13–1147. *HUDACK ET AL. v. SIGGARD*; and

No. 13–1209. *HUDACK ET AL. v. SIGGARD ET AL.* Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 13–1180. *PHILIP MORRIS USA INC. v. BARBANELL, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF BARBANELL, DECEASED*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 100 So. 3d 152.

No. 13–1185. *LORILLARD TOBACCO Co. v. MROZEK, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF MILLER*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 106 So. 3d 479.

No. 13–1186. *R. J. REYNOLDS TOBACCO Co. v. MACK, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF MACK*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 134 So. 3d 956.

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No. 13–1188. *R. J. REYNOLDS TOBACCO CO. v. KIRKLAND*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 136 So. 3d 604.

No. 13–1189. *R. J. REYNOLDS TOBACCO CO. v. KOBALLA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 99 So. 3d 630.

No. 13–1190. *R. J. REYNOLDS TOBACCO CO. v. SMITH, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF SMITH*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 131 So. 3d 18.

No. 13–1191. *R. J. REYNOLDS TOBACCO CO. v. TOWNSEND, AS PERSONAL REPRESENTATIVE FOR THE ESTATE OF TOWNSEND*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 118 So. 3d 844.

No. 13–1192. *R. J. REYNOLDS TOBACCO CO. ET AL. v. SURY, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF SURY*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 118 So. 3d 849.

No. 13–1197. *GERMALIC v. YSURSA, IDAHO SECRETARY OF STATE*. C. A. 9th Cir. Certiorari denied.

No. 13–1200. *WATKINS ET AL. v. KAJIMA INTERNATIONAL, INC., ET AL.* C. A. 6th Cir. Certiorari denied.

No. 13–1203. *SINGH v. CARNIVAL CORP.* C. A. 11th Cir. Certiorari denied. Reported below: 550 Fed. Appx. 683.

No. 13–1205. *KORBER ET AL. v. FEDERAL REPUBLIC OF GERMANY ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 739 F. 3d 1009.

No. 13–1208. *PATEL ET AL. v. WELLS FARGO BANK ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 539 Fed. Appx. 777.

No. 13–1210. *DiFRANCESCO v. McSWAIN ET AL.* Super. Ct. Pa. Certiorari denied. Reported below: 69 A. 3d 1285.

No. 13–1217. *YANG KONG v. HOLDER, ATTORNEY GENERAL*. C. A. 2d Cir. Certiorari denied. Reported below: 543 Fed. Appx. 64.

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No. 13–1220. *BRANNAN v. HUMPHREY, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 541 Fed. Appx. 901.

No. 13–1223. *SOUTHERN REHABILITATION GROUP, PLLC, ET AL. v. SEBELIUS, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 732 F. 3d 670.

No. 13–1224. *NIGG ET AL. v. UNITED STATES POSTAL SERVICE*. C. A. 9th Cir. Certiorari denied. Reported below: 544 Fed. Appx. 766.

No. 13–1230. *SELIG v. FEDERAL AVIATION ADMINISTRATION*. C. A. 3d Cir. Certiorari denied.

No. 13–1233. *A. S. U. I. HEALTHCARE AND DEVELOPMENT CENTER ET AL. v. CHAPMAN ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 562 Fed. Appx. 182.

No. 13–1237. *WALCZAK v. CHICAGO BOARD OF EDUCATION*. C. A. 7th Cir. Certiorari denied. Reported below: 739 F. 3d 1013.

No. 13–1250. *BENDALL ET AL. v. SECURITIES AND EXCHANGE COMMISSION ET AL.* C. A. 11th Cir. Certiorari denied.

No. 13–1276. *ABU-SHAWISH v. UNITED STATES ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 546 Fed. Appx. 576.

No. 13–1310. *NATH v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 13–1312. *BACA v. RODRIGUEZ ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 554 Fed. Appx. 676.

No. 13–1321. *DOYLE v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 149 So. 3d 30.

No. 13–1322. *RUPERT v. BOND*; and

No. 13–1328. *RUPERT v. BOND ET AL.* Ct. App. Ore. Certiorari denied. Reported below: 258 Ore. App. 534, 311 P. 3d 527.

No. 13–1329. *HASKINS v. NICHOLSON, FORMER SECRETARY OF VETERANS AFFAIRS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 548 Fed. Appx. 960.

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No. 13–1340. *RE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 736 F. 3d 1121.

No. 13–1350. *GALDERMA LABORATORIES, L. P., ET AL. v. TOLMAR, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 737 F. 3d 731.

No. 13–1360. *FERGUSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 13–8045. *FREEMAN v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 60 A. 3d 434.

No. 13–8553. *ROCKWELL v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 13–8804. *ELLIS v. GIBSON, ACTING SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 528 Fed. Appx. 1001.

No. 13–8905. *BLAKELY v. WARDS ET AL.* C. A. 4th Cir. Certiorari denied.

No. 13–8980. *HOLMES v. TENDERLOIN HOUSING CLINIC, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 526 Fed. Appx. 749.

No. 13–9130. *PADILLA v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 622 Pa. 449, 80 A. 3d 1238.

No. 13–9478. *BRYANT v. GIPSON, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 13–9481. *BUTLER v. AMERICAN FOODS GROUP, LLC, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 538 Fed. Appx. 725.

No. 13–9496. *N. W. v. MONTANA DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES*. Sup. Ct. Mont. Certiorari denied. Reported below: 373 Mont. 421, 318 P. 3d 691.

No. 13–9500. *KURTZ v. JEANES, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 541 Fed. Appx. 927.

No. 13–9503. *COPES v. CLEM ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 539 Fed. Appx. 168.

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No. 13–9506. *SUAREZ v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 4. Certiorari denied.

No. 13–9508. *WILLIAMS v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 13–9509. *WEBSTER v. JONES, DIRECTOR, OKLAHOMA DEPARTMENT OF CORRECTIONS*. C. A. 10th Cir. Certiorari denied. Reported below: 532 Fed. Appx. 824.

No. 13–9512. *HENRY v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied. Reported below: 720 F. 3d 1073.

No. 13–9527. *TAYLOR v. VISINSKY ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 534 Fed. Appx. 110.

No. 13–9528. *WAUGH v. ANHEUSER-BUSCH INBEV ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 13–9532. *SMART v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 13–9536. *SHEPPARD v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 3. Certiorari denied.

No. 13–9537. *COLLIER v. NEW YORK*. Ct. App. N. Y. Certiorari denied. Reported below: 22 N. Y. 3d 429, 5 N. E. 3d 5.

No. 13–9539. *MBUGUA v. STEPHENS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 13–9546. *BROWN v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 24 So. 3d 671.

No. 13–9554. *DENHOF v. MICHIGAN*; and *DENHOF v. BULLER*. Ct. App. Mich. Certiorari denied.

No. 13–9555. *ECKARDT v. JONES, DIRECTOR, OKLAHOMA DEPARTMENT OF CORRECTIONS*. C. A. 10th Cir. Certiorari denied. Reported below: 550 Fed. Appx. 657.

No. 13–9556. *GRANT v. TRAMMELL, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 727 F. 3d 1006.

No. 13–9575. *MCELVAIN v. TEXAS*. Ct. App. Tex., 8th Dist. Certiorari denied.

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No. 13–9576. CHAO HO LIN ET AL. *v.* CHI CHU WU. C. A. 10th Cir. Certiorari denied.

No. 13–9591. BURTON *v.* STEPHENS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 543 Fed. Appx. 451.

No. 13–9644. BROWN *v.* KENTUCKY. Sup. Ct. Ky. Certiorari denied. Reported below: 416 S. W. 3d 302.

No. 13–9670. LINEHAN *v.* JESSON, COMMISSIONER, MINNESOTA DEPARTMENT OF HUMAN SERVICES. Ct. App. Minn. Certiorari denied.

No. 13–9671. LOTT *v.* KMART CORP. C. A. 6th Cir. Certiorari denied.

No. 13–9707. MASSEY, AKA BALL *v.* MISSISSIPPI. Ct. App. Miss. Certiorari denied. Reported below: 131 So. 3d 1213.

No. 13–9726. JACKSON *v.* TRACY, ACTING CHIEF ADMINISTRATOR, GILA RIVER INDIAN COMMUNITY DEPARTMENT OF REHABILITATION AND SUPERVISION, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 549 Fed. Appx. 643.

No. 13–9742. WADDLETON *v.* JACKSON ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 548 Fed. Appx. 255.

No. 13–9760. BELL *v.* TEXAS. Ct. Crim. App. Tex. Certiorari denied.

No. 13–9764. MORRIS *v.* LIVINGSTON, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE. C. A. 5th Cir. Certiorari denied. Reported below: 739 F. 3d 740.

No. 13–9814. SIMS *v.* MISSISSIPPI. Sup. Ct. Miss. Certiorari denied. Reported below: 134 So. 3d 300.

No. 13–9815. KLEIN *v.* OHIO. Ct. App. Ohio, 3d App. Dist., Union County. Certiorari denied. Reported below: 2013-Ohio-2387.

No. 13–9826. LYONS *v.* STODDARD, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 13–9855. BRASCOM *v.* ARIZONA. Ct. App. Ariz. Certiorari denied.

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No. 13–9875. *JONES v. OHIO*. Ct. App. Ohio, 12th App. Dist., Butler County. Certiorari denied. Reported below: 2013-Ohio-654.

No. 13–9898. *ALFRED v. CREWS, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 13–9902. *PARODY v. BROWN, WARDEN*. Sup. Ct. Ga. Certiorari denied. Reported below: 294 Ga. 240, 751 S. E. 2d 793.

No. 13–9906. *AYELE v. EDUCATIONAL CREDIT MANAGEMENT CORP.* C. A. 1st Cir. Certiorari denied.

No. 13–9917. *BATES v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied.

No. 13–9945. *JONES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 13–9948. *SHERIFI v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 742 F. 3d 104.

No. 13–9964. *BROWN v. LEE, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 563 Fed. Appx. 821.

No. 13–9974. *GIPSON v. DEPARTMENT OF THE TREASURY*. C. A. Fed. Cir. Certiorari denied. Reported below: 549 Fed. Appx. 979.

No. 13–10015. *JAMES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 536 Fed. Appx. 913.

No. 13–10017. *GLOVER v. FOX, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 550 Fed. Appx. 592.

No. 13–10022. *CRUZ-RODRIGUEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 13–10027. *ADAMS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 740 F. 3d 40.

No. 13–10033. *STALLWORTH v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 13–10052. *SERRATO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 742 F. 3d 461.

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No. 13–10053. *MUSGROVE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 545 Fed. Appx. 199.

No. 13–10054. *WHITE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 553 Fed. Appx. 521.

No. 13–10056. *ANCONA v. CONNECTICUT*. App. Ct. Conn. Certiorari denied. Reported below: 142 Conn. App. 907, 64 A. 3d 1290.

No. 13–10057. *BOZA-SEAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 553 Fed. Appx. 755.

No. 13–10058. *ASKEW v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 13–10062. *PETERS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 732 F. 3d 93.

No. 13–10063. *MONTALVO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 544 Fed. Appx. 761.

No. 13–10065. *MANASSE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 13–10071. *MOORE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 553 Fed. Appx. 345.

No. 13–10075. *TERRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 13–10077. *CAMPBELL v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 439 S. W. 3d 925.

No. 13–10087. *MUHAMMAD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 747 F. 3d 1234.

No. 13–10088. *NORRIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 13–10091. *POOLE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 13–10096. *ROYBAL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 737 F. 3d 621.

No. 13–10099. *JIMENEZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

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No. 13–10102. *PAXSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 554 Fed. Appx. 301.

No. 13–10106. *RIVAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 555 Fed. Appx. 895.

No. 13–10108. *LYONS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 740 F. 3d 702.

No. 13–10113. *VALDES-VEGA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 738 F. 3d 1074.

No. 13–10114. *CORREA-HUERTA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 555 Fed. Appx. 376.

No. 13–10119. *SPEIGHT v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 554 Fed. Appx. 119.

No. 13–10133. *WEIDENBURNER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 550 Fed. Appx. 298.

No. 13–10134. *BAKER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 13–10137. *CHAIRES-OLLARZABAL v. UNITED STATES* (Reported below: 556 Fed. Appx. 329); and *MEDRANO-SANCHEZ v. UNITED STATES* (556 Fed. Appx. 333). C. A. 5th Cir. Certiorari denied.

No. 13–10140. *WILKENS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 742 F. 3d 354.

No. 13–130. *THURBER v. AETNA LIFE INSURANCE CO. ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 712 F. 3d 654.

No. 13–1056. *BROWN, GOVERNOR OF CALIFORNIA, ET AL. v. ARMSTRONG ET AL.* C. A. 9th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition. Reported below: 732 F. 3d 955.

No. 13–1187. *R. J. REYNOLDS TOBACCO CO. v. BROWN, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF BROWN, DECEASED*. Dist. Ct. App. Fla., 4th Dist. Motion of Washington Legal Foun-

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dation for leave to file brief as *amicus curiae* granted. Certiorari denied. Reported below: 70 So. 3d 707.

No. 13–1193. R. J. REYNOLDS TOBACCO CO. *v.* WALKER, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF WALKER, ET AL. C. A. 11th Cir. Motion of Washington Legal Foundation for leave to file brief as *amicus curiae* granted. Certiorari denied. Reported below: 734 F. 3d 1278.

No. 13–6892. TAGOE, AKA ROBERTS *v.* DISTRICT OF COLUMBIA DEPARTMENT OF EMPLOYMENT SERVICES ET AL. Ct. App. D. C. Motion of petitioner to add additional question to petition for writ of certiorari denied. Certiorari denied. Reported below: 62 A. 3d 1283.

Rehearing Denied

No. 13–8052. JACKSON *v.* UNITED STATES, 571 U. S. 1219;
No. 13–8107. MCFADDEN *v.* SMITH ET AL., 572 U. S. 1004;
No. 13–8301. BLANK *v.* TABERA ET AL., 572 U. S. 1005;
No. 13–8487. STEPHENSON *v.* JOHN SMITH ENTERPRISES, DBA MCDONALD’S CORP., 572 U. S. 1023;
No. 13–8587. CABRERA *v.* DEPARTMENT OF JUSTICE ET AL., 572 U. S. 1038;
No. 13–8730. SIMPSON *v.* HAMILTON COUNTY BOARD OF COMMISSIONERS ET AL., 572 U. S. 1067;
No. 13–8806. DELARM *v.* CALIFORNIA, 572 U. S. 1050;
No. 13–8828. DAVIS *v.* CAVAZOS, WARDEN, ET AL., 572 U. S. 1068;
No. 13–8846. PRINCE *v.* CHOW, CHAPTER 7 TRUSTEE, 572 U. S. 1068;
No. 13–9031. DANIELS *v.* JARVIS, WARDEN, 572 U. S. 1052;
No. 13–9135. CALDWELL *v.* PHELPS, WARDEN, ET AL., 572 U. S. 1072; and
No. 13–9154. YANDAL *v.* UNITED STATES, 572 U. S. 1073. Petitions for rehearing denied.

No. 12–1255. DESPOSITO *v.* UNITED STATES, 569 U. S. 995. Motion for leave to file petition for rehearing denied.

No. 13–960. IN RE TAYLOR, 572 U. S. 1059. Petition for rehearing denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

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Dismissal Under Rule 46

No. 13–10171. *BUCKLEW v. LOMBARDI, DIRECTOR, MISSOURI DEPARTMENT OF CORRECTIONS*. C. A. 8th Cir. Certiorari dismissed under this Court’s Rule 46.

Certiorari Granted—Vacated and Remanded

No. 13–576. *NOMURA HOME EQUITY LOAN, INC., ET AL. v. NATIONAL CREDIT UNION ADMINISTRATION BOARD, AS LIQUIDATING AGENT OF U. S. CENTRAL FEDERAL CREDIT UNION ET AL.* C. A. 10th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *CTS Corp. v. Waldburger*, ante, p. 1. Reported below: 727 F. 3d 1246.

Certiorari Dismissed

No. 13–9604. *NIXON v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS*. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 13–9816. *JONES v. UNITED STATES POSTAL SERVICE*. 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 non-criminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). Reported below: 554 Fed. Appx. 333.

Miscellaneous Orders

No. D–2759. *IN RE DISBARMENT OF MALINSKI*. Disbarment entered. [For earlier order herein, see 571 U. S. 1192.]

No. D–2760. *IN RE DISBARMENT OF DALY*. Disbarment entered. [For earlier order herein, see 571 U. S. 1192.]

No. D–2761. *IN RE DISBARMENT OF CORMIER*. Disbarment entered. [For earlier order herein, see 571 U. S. 1192.]

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No. D-2763. IN RE DISBARMENT OF CRAFT. Disbarment entered. [For earlier order herein, see 571 U. S. 1192.]

No. D-2764. IN RE DISBARMENT OF AHAGHOTU. Disbarment entered. [For earlier order herein, see 571 U. S. 1192.]

No. D-2765. IN RE DISBARMENT OF EDELSON. Disbarment entered. [For earlier order herein, see 571 U. S. 1192.]

No. D-2766. IN RE DISBARMENT OF SMIEKEL. Disbarment entered. [For earlier order herein, see 571 U. S. 1192.]

No. D-2767. IN RE DISBARMENT OF WITTNER. Disbarment entered. [For earlier order herein, see 571 U. S. 1193.]

No. D-2769. IN RE DISBARMENT OF SIMON. Disbarment entered. [For earlier order herein, see 572 U. S. 1013.]

No. 13M130. RODRIGUEZ *v.* COLORADO. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 13-817. KELLOGG BROWN & ROOT SERVICES, INC. *v.* HARRIS, CO-ADMINISTRATRIX OF THE ESTATE OF MASETH, DECEASED, ET AL. C. A. 3d Cir.; and

No. 13-1241. KBR, INC., ET AL. *v.* METZGAR ET AL. C. A. 4th Cir. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 13-9254. RILEY *v.* DELAWARE. Sup. Ct. Del. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [572 U. S. 1085] denied.

No. 13-9969. WAGNER *v.* ILLINOIS LABOR RELATIONS BOARD ET AL. App. Ct. Ill., 4th Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until July 7, 2014, 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. 13-10236. IN RE PRATER; and

No. 13-10258. IN RE GREEN. Petitions for writs of habeas corpus denied.

No. 13-9621. IN RE FISH. Petition for writ of mandamus denied.

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No. 13–10124. *IN RE JONES*. Petition for writ of prohibition denied.

Certiorari Granted

No. 13–983. *ELONIS v. UNITED STATES*. C. A. 3d Cir. Certiorari granted. In addition to the question presented by the petition, the parties are directed to brief and argue the following question: “Whether, as a matter of statutory interpretation, conviction of threatening another person under 18 U.S.C. § 875(c) requires proof of the defendant’s subjective intent to threaten.” Reported below: 730 F. 3d 321.

No. 13–1041. *PEREZ, SECRETARY OF LABOR, ET AL. v. MORTGAGE BANKERS ASSN. ET AL.*; and

No. 13–1052. *NICKOLS ET AL. v. MORTGAGE BANKERS ASSN. C. A. D. C. Cir.* Certiorari granted, cases consolidated, and a total of one hour is allotted for oral argument. Reported below: 720 F. 3d 966.

Certiorari Denied

No. 13–897. *BROWN, SUPERINTENDENT, WABASH VALLEY CORRECTIONAL INSTITUTION v. SHAW*. C. A. 7th Cir. Certiorari denied. Reported below: 721 F. 3d 908.

No. 13–936. *SWIFT TRANSPORTATION CO., INC., ET AL. v. VAN DUSEN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 544 Fed. Appx. 724.

No. 13–947. *CARET ET AL. v. UNIVERSITY OF UTAH*. C. A. Fed. Cir. Certiorari denied. Reported below: 734 F. 3d 1315.

No. 13–950. *PERI & SONS FARMS, INC. v. RIVERA RIVERA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 735 F. 3d 892.

No. 13–1001. *RAJARATNAM v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 719 F. 3d 139.

No. 13–1091. *GARDA CL NORTHWEST, INC. v. HILL ET AL.* Sup. Ct. Wash. Certiorari denied. Reported below: 179 Wash. 2d 47, 308 P. 3d 635.

No. 13–1222. *BARAKAT v. BOARD ON PROFESSIONAL RESPONSIBILITY*. Sup. Ct. Del. Certiorari denied. Reported below: 99 A. 3d 639.

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No. 13–1225. *GRANDOIT v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS*. C. A. 1st Cir. Certiorari denied.

No. 13–1231. *AMERICAN COMMERCIAL LINES LLC v. LAURIN MARITIME AB ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 551 Fed. Appx. 228.

No. 13–1258. *TURNER, INDIVIDUALLY AND AS ADMINISTRATRIX OF THE ESTATE OF TURNER v. UNITED STATES ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 736 F. 3d 274.

No. 13–1289. *C. O. P. COAL DEVELOPMENT Co. v. JUBBER, TRUSTEE, ET AL.*; and

No. 13–1292. *ANR CO., INC., ET AL. v. JUBBER, TRUSTEE, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 740 F. 3d 548.

No. 13–1293. *SPRINKLE v. GIBSON, ACTING SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 733 F. 3d 1180.

No. 13–1295. *LAHAINA FASHIONS, INC. v. BANK OF HAWAII ET AL.* Sup. Ct. Haw. Certiorari denied. Reported below: 131 Haw. 437, 319 P. 3d 356.

No. 13–1325. *CHEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 564 Fed. Appx. 898.

No. 13–1326. *YEAGER v. AVIAT AIRCRAFT, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 553 Fed. Appx. 730.

No. 13–1331. *MICHELOTTI v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 557 Fed. Appx. 956.

No. 13–1336. *ARNAUTA v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 125 So. 3d 1028.

No. 13–1338. *AMERICAN PETROLEUM & TRANSPORT, INC. v. CITY OF NEW YORK, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 737 F. 3d 185.

No. 13–1347. *BEACH v. ILLINOIS*. App. Ct. Ill., 3d Dist. Certiorari denied. Reported below: 2013 IL App (3d) 120949–U.

No. 13–1355. *PIPPEN v. NBC UNIVERSAL MEDIA, LLC, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 734 F. 3d 610.

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No. 13–1357. *FERNANDEZ DE IGLESIAS v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 552 Fed. Appx. 973.

No. 13–1364. *SHENEMAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 538 Fed. Appx. 722.

No. 13–8226. *GREEN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 516 Fed. Appx. 113.

No. 13–8245. *QUICHOCHO v. CALIFORNIA*. App. Div., Super. Ct. Cal., County of San Francisco. Certiorari denied.

No. 13–8346. *WILLIAMSON v. SOUTH CAROLINA*. Ct. App. S. C. Certiorari denied.

No. 13–8801. *HUNG XUAN DONG v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 551 Fed. Appx. 323.

No. 13–8900. *COOK v. ILLINOIS DEPARTMENT OF CORRECTIONS*. C. A. 7th Cir. Certiorari denied. Reported below: 528 Fed. Appx. 633.

No. 13–8923. *JEFFERSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 730 F. 3d 537.

No. 13–9150. *PEREZ-MEJIA v. UNITED STATES* (Reported below: 549 Fed. Appx. 305); and *CRISPIN, AKA CRISPIN-MORONES v. UNITED STATES* (555 Fed. Appx. 468). C. A. 5th Cir. Certiorari denied.

No. 13–9151. *PREYOR v. STEPHENS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 537 Fed. Appx. 412.

No. 13–9281. *GEORGE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 13–9568. *GILBERT v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied.

No. 13–9583. *FOSTER v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 294 Ga. 400, 754 S. E. 2d 78.

No. 13–9584. *WRIGHT v. CREWS, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 133 So. 3d 529.

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No. 13–9586. *WASHINGTON v. DENNEY, WARDEN, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 13–9596. *JOHNSON v. CONNOLLY, SUPERINTENDENT, FISH-KILL CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 13–9598. *KALLUVILAYILL v. TEXAS BOARD MEMBERS OF PARDONS AND PAROLES ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 554 Fed. Appx. 282.

No. 13–9612. *RICHARDS v. MITCHEFF ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 549 Fed. Appx. 572.

No. 13–9613. *JOHNSON v. TRAMMELL, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 446 Fed. Appx. 92.

No. 13–9615. *MCCLUSKEY v. COMMISSIONER OF NASSAU COUNTY DEPARTMENT OF SOCIAL SERVICES ET AL.* C. A. 2d Cir. Certiorari denied.

No. 13–9617. *CASTERLINE v. STEPHENS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 13–9618. *RODRIGUEZ-RODRIGUEZ v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 741 F. 3d 179.

No. 13–9622. *PRIETO v. PEARSON, WARDEN.* Sup. Ct. Va. Certiorari denied. Reported below: 286 Va. 99, 748 S. E. 2d 94.

No. 13–9631. *GULBRANDSON v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS.* C. A. 9th Cir. Certiorari denied. Reported below: 738 F. 3d 976.

No. 13–9634. *MACK v. WASHINGTON.* Ct. App. Wash. Certiorari denied. Reported below: 175 Wash. App. 1060.

No. 13–9635. *GUZMAN v. LONG, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 560 Fed. Appx. 686.

No. 13–9642. *RICHARDSON v. SANTIAGO, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 13–9648. *SHAREEF v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

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No. 13–9654. *LABRANCHE v. BECNEL*, INDIVIDUALLY AND IN HER CAPACITY AS LOUISIANA 40TH JUDICIAL DISTRICT JUDGE OF ST. JOHN THE BAPTIST PARISH. C. A. 5th Cir. Certiorari denied. Reported below: 559 Fed. Appx. 290.

No. 13–9659. *ALEXANDER v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 2013 WI App 73, 348 Wis. 2d 263, 831 N. W. 2d 824.

No. 13–9667. *CORBIN v. LAMAS*. Sup. Ct. Pa. Certiorari denied.

No. 13–9677. *BURKS v. STEPHENS*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 13–9680. *EVANS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2013 IL App (1st) 111921–U.

No. 13–9809. *HOLMES v. ROBERTS ET AL.* C. A. 9th Cir. Certiorari denied.

No. 13–9813. *HAMILTON v. MISSOURI*. Ct. App. Mo., Western Dist. Certiorari denied. Reported below: 412 S. W. 3d 333.

No. 13–9830. *BROWN v. CLARKE*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Certiorari denied. Reported below: 541 Fed. Appx. 289.

No. 13–9831. *OROZCO v. McDONALD*, WARDEN, ET AL. C. A. 9th Cir. Certiorari denied.

No. 13–9868. *JIN ZHAO v. WARNOCK*. C. A. 2d Cir. Certiorari denied. Reported below: 551 Fed. Appx. 18.

No. 13–9907. *ADKINS v. DINGUS*, WARDEN. Sup. Ct. App. W. Va. Certiorari denied. Reported below: 232 W. Va. 677, 753 S. E. 2d 634.

No. 13–9943. *CROSBY v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 132 So. 3d 232.

No. 13–9960. *JORDAN v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 130 So. 3d 276.

No. 13–9970. *D. H. v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

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No. 13–10013. *JOHNSON v. WEST VIRGINIA*. Sup. Ct. App. W. Va. Certiorari denied.

No. 13–10021. *COLLINS v. CREWS, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 13–10040. *MANTZ v. U. S. BANK N. A.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

No. 13–10064. *PHILBERT v. MERIT SYSTEMS PROTECTION BOARD*. C. A. Fed. Cir. Certiorari denied. Reported below: 556 Fed. Appx. 952.

No. 13–10093. *CAMPBELL v. LIVINGSTON, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 567 Fed. Appx. 287.

No. 13–10117. *RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 562 Fed. Appx. 260.

No. 13–10118. *WEISCHEDEL v. TEWS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 13–10122. *ALEBORD v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 467 Mass. 106, 4 N. E. 3d 248.

No. 13–10126. *BLAKE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 723 F. 3d 870.

No. 13–10129. *ONTIVEROS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 550 Fed. Appx. 624.

No. 13–10132. *WARNER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 13–10136. *KING v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 553 Fed. Appx. 518.

No. 13–10141. *MANLEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 560 Fed. Appx. 434.

No. 13–10147. *PARKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 554 Fed. Appx. 197.

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No. 13–10153. *PHILLIPS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 569 Fed. Appx. 542.

No. 13–10154. *ALVAREZ-ALDANA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 554 Fed. Appx. 225.

No. 13–10155. *COPRICH ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 748 F. 3d 322.

No. 13–10157. *MARSHALL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 736 F. 3d 492.

No. 13–10166. *GUTIERREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 548 Fed. Appx. 181.

No. 13–10167. *GRIFFIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 12–755. *ELMBROOK SCHOOL DISTRICT v. DOE, A MINOR, BY DOE’S NEXT BEST FRIEND DOE, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 687 F. 3d 840.

JUSTICE SCALIA, with whom JUSTICE THOMAS joins, dissenting.

Some there are—many, perhaps—who are offended by public displays of religion. Religion, they believe, is a personal matter; if it must be given external manifestation, that should not occur in public places where others may be offended. I can understand that attitude: It parallels my own toward the playing in public of rock music or Stravinsky. And I too am especially annoyed when the intrusion upon my inner peace occurs while I am part of a captive audience, as on a municipal bus or in the waiting room of a public agency.

My own aversion cannot be imposed by law because of the First Amendment. See *Ward v. Rock Against Racism*, 491 U. S. 781, 790 (1989); *Erznoznik v. Jacksonville*, 422 U. S. 205, 210–211 (1975). Certain of this Court’s cases, however, have allowed the aversion to religious displays to be enforced directly *through* the First Amendment, at least in public facilities and with respect to public ceremonies—this despite the fact that the First Amendment explicitly favors religion and is, so to speak, agnostic about music.

In the decision below, the en banc Court of Appeals for the Seventh Circuit relied on those cases to condemn a suburban Milwaukee school district’s decision to hold high-school gradua-

tions in a church. We recently confronted and curtailed this errant line of precedent in *Town of Greece v. Galloway*, 572 U.S. 565 (2014), which upheld under the Establishment Clause the saying of prayers before monthly town-council meetings. Because that case made clear a number of points with which the Seventh Circuit's decision is fundamentally inconsistent, the Court ought, at a minimum, to grant certiorari, vacate the judgment, and remand for reconsideration (GVR).

Endorsement

First, *Town of Greece* abandoned the antiquated "endorsement test," which formed the basis for the decision below.

In this case, at the request of the student bodies of the two relevant schools, the Elmbrook School District decided to hold its high-school graduation ceremonies at Elmbrook Church, a non-denominational Christian house of worship. The students of the first school to move its ceremonies preferred that site to what had been the usual venue, the school's gymnasium, which was cramped, hot, and uncomfortable. The church offered more space, air conditioning, and cushioned seating. No one disputes that the church was chosen only because of these amenities.

Despite that, the Seventh Circuit held that the choice of venue violated the Establishment Clause, primarily because it failed the endorsement test. That infinitely malleable standard asks whether governmental action has the purpose or effect of "endorsing" religion. See *County of Allegheny v. American Civil Liberties Union, Greater Pittsburgh Chapter*, 492 U.S. 573, 592–594 (1989). The Seventh Circuit declared that the endorsement test remains part of "the prevailing analytical tool for the analysis of Establishment Clause claims." 687 F.3d 840, 849 (2012) (internal quotation marks omitted).^{*} And here, "the sheer religiosity of the space created a likelihood that high school students and their younger siblings would perceive a link between church and state." *Id.*, at 853.

^{*}More precisely, the court stated that "[t]he three-pronged test set forth by the Supreme Court in *Lemon v. Kurtzman*, 403 U.S. 602 (1971), remains the prevailing analytical tool for the analysis of Establishment Clause claims." 687 F.3d, at 849 (internal quotation marks and citations omitted). It then explained that the endorsement test has become "a legitimate part of *Lemon's* second prong." *Id.*, at 850.

In *Town of Greece*, the Second Circuit had also relied on the notion of endorsement. See 681 F. 3d 20, 30 (2012). We reversed the judgment without applying that test. What is more, we strongly suggested approval of a previous opinion “disput[ing] that endorsement could be the proper [Establishment Clause] test, as it likely would condemn a host of traditional practices that recognize the role religion plays in our society, among them legislative prayer and the ‘forthrightly religious’ Thanksgiving proclamations issued by nearly every President since Washington.” 572 U.S., at 579–580 (describing *County of Allegheny*, *supra*, at 670–671 (KENNEDY, J., concurring in judgment in part and dissenting in part)). After *Town of Greece*, the Seventh Circuit’s declaration—which controlled its subsequent analysis—that the endorsement test remains part of “the prevailing analytical tool” for assessing Establishment Clause challenges, 687 F. 3d, at 849 (internal quotation marks omitted), misstates the law.

Coercion

Second, *Town of Greece* made categorically clear that mere “[o]ffense . . . does not equate to coercion” in any manner relevant to the proper Establishment Clause analysis. 572 U.S., at 589 (opinion of KENNEDY, J.). “[A]n Establishment Clause violation is not made out any time a person experiences a sense of affront from the expression of contrary religious views.” *Ibid.* See also *id.*, at 610 (THOMAS, J., concurring in part and concurring in judgment) (same).

Here, the Seventh Circuit held that the school district’s “decision to use Elmbrook Church for graduations was religiously coercive” under *Lee v. Weisman*, 505 U.S. 577 (1992), and *Santa Fe Independent School Dist. v. Doe*, 530 U.S. 290 (2000). 687 F. 3d, at 854. *Lee* and *Santa Fe*, however, are inapposite because they concluded (however unrealistically) that students were coerced to engage in school-sponsored prayer. In this case, it is beyond dispute that no religious exercise whatever occurred. At most, respondents complain that they took offense at being in a religious place. See 687 F. 3d, at 848 (plaintiffs asserted that they “‘felt uncomfortable, upset, offended, unwelcome, and/or angry’ because of the religious setting” of the graduations). Were there any question before, *Town of Greece* made obvious that this is insufficient to state an Establishment Clause violation.

It bears emphasis that the original understanding of the kind of coercion that the Establishment Clause condemns was far narrower than the sort of peer-pressure coercion that this Court has recently held unconstitutional in cases like *Lee* and *Santa Fe*. “The coercion that was a hallmark of historical establishments of religion was coercion of religious orthodoxy and of financial support *by force of law and threat of penalty*.” *Lee, supra*, at 640 (SCALIA, J., dissenting). See also *Town of Greece, supra*, at 608–610 (opinion of THOMAS, J.).

As the Supreme Court of Wisconsin explained in a 1916 case challenging the siting of public high-school graduations in local churches:

“A man may feel constrained to enter a house of worship belonging to a different sect from the one with which he affiliates, but if no sectarian services are carried on, he is not compelled to worship God contrary to the dictates of his conscience, and is not obliged to do so at all.” *State ex rel. Conway v. District Board of Joint School Dist. No. 6*, 162 Wis. 482, 490, 156 N. W. 477, 480.

History

Last but by no means least, *Town of Greece* left no doubt that “the Establishment Clause must be interpreted ‘by reference to historical practices and understandings.’” 572 U.S., at 576. Moreover, “if there is any inconsistency between [a ‘test’ set out in the opinions of this Court] and . . . historic practice . . . , the inconsistency calls into question the validity of the test, not the historic practice.” *Id.*, at 603 (ALITO, J., concurring).

In this case, however, the Seventh Circuit’s majority opinion said nothing about history at all. And there is good reason to believe that this omission was material. As demonstrated by *Conway*, the Wisconsin case mentioned above, public schools have long held graduations in churches. This should come as no surprise, given that “[e]arly public schools were often held in rented rooms, church halls and basements, or other buildings that resembled Protestant churches.” W. Reese, *America’s Public Schools* 39 (2005). An 1821 Illinois law, for example, provided that a meetinghouse erected by a Presbyterian congregation “may serve to have the gospel preached therein, and likewise may be used for a school-house for the township.” Ill. Laws p. 153.

We ought to remand this case to the Seventh Circuit to conduct the historical inquiry mandated by *Town of Greece*—or we ought to set the case for argument and conduct that inquiry ourselves.

* * *

It is perhaps the job of school officials to prevent hurt feelings at school events. But that is decidedly not the job of the Constitution. It may well be, as then-Chief Judge Easterbrook suggested, that the decision of the Elmbrook School District to hold graduations under a Latin cross in a Christian church was “unwise” and “offensive.” 687 F. 3d, at 869 (dissenting opinion). But *Town of Greece* makes manifest that an establishment of religion it was not.

In addition to being decided incorrectly, this case bears other indicia of what we have come to call “certworthiness.” The Seventh Circuit’s decision was en banc and prompted three powerful dissents (by then-Chief Judge Easterbrook and Judges Posner and Ripple). And it conflicts with decisions that have long allowed graduation ceremonies to take place in churches, see, e. g., *Miller v. Cooper*, 56 N. M. 355, 356–357, 244 P. 2d 520, 520–521 (1952); *Conway*, 162 Wis., at 489–493, 156 N. W., at 479–481, and with decisions upholding other public uses of religious spaces, see, e. g., *Bauchman v. West High School*, 132 F. 3d 542, 553–556 (CA10 1997) (sanctioning school-choir performances in venues “dominated by crosses and other religious images”); *Otero v. State Election Bd. of Okla.*, 975 F. 2d 738, 740–741 (CA10 1992) (upholding the use of a church as a polling station); *Berman v. Board of Elections*, 19 N. Y. 2d 744, 745, 226 N. E. 2d 177 (1967) (same).

According to the prevailing standard, a GVR order is potentially appropriate where “intervening developments . . . reveal a reasonable probability that the decision below rests upon a premise that the lower court would reject if given the opportunity for further consideration, and where it appears that such a redetermination may determine the ultimate outcome of the litigation.” *Lawrence v. Chater*, 516 U.S. 163, 167 (1996) (*per curiam*). The Court has found that standard satisfied on numerous occasions where judgments were far less obviously undermined by a subsequent decision of ours.

For these reasons, we should either grant the petition and set the case for argument or GVR in light of *Town of Greece*. I respectfully dissent from the denial of certiorari.

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No. 13–990. REPUBLIC OF ARGENTINA *v.* NML CAPITAL, LTD., ET AL.; and

No. 13–991. EXCHANGE BONDHOLDER GROUP *v.* NML CAPITAL, LTD., ET AL. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of these petitions. Reported below: 727 F. 3d 230.

Rehearing Denied

No. 12–794. WHITE, WARDEN *v.* WOODALL, 572 U. S. 415;

No. 13–926. LUTFI *v.* UNITED STATES, 572 U. S. 1035;

No. 13–985. THOMASON *v.* MADISON REAL PROPERTY, LLC, 572 U. S. 1087;

No. 13–987. THOMASON *v.* BAGLEY ET AL., 572 U. S. 1061;

No. 13–1130. HEADIFEN *v.* HARKER, 572 U. S. 1089;

No. 13–8033. MATTHEWS *v.* UNITED STATES, 571 U. S. 1219;

No. 13–8638. MANEY *v.* NEELY, SUPERINTENDENT, PIEDMONT CORRECTIONAL INSTITUTION, 572 U. S. 1065;

No. 13–8679. DRIESSEN *v.* HOME LOAN STATE BANK, 572 U. S. 1067;

No. 13–8713. ROSS *v.* SCHWARZENEGGER, FORMER GOVERNOR OF CALIFORNIA, ET AL., 572 U. S. 1067;

No. 13–8951. RILEY *v.* UNITED STATES, 572 U. S. 1041;

No. 13–9004. TOOLE *v.* OBAMA, PRESIDENT OF THE UNITED STATES, ET AL., 572 U. S. 1092;

No. 13–9018. CURTIS *v.* UNITED STATES, 572 U. S. 1051; and

No. 13–9039. KIDD *v.* UNITED STATES, 572 U. S. 1052. Petitions for rehearing denied.

JUNE 17, 2014

Miscellaneous Orders

No. 13A1231. WINFIELD *v.* LOMBARDI, DIRECTOR, MISSOURI DEPARTMENT OF CORRECTIONS, ET AL. C. A. 8th Cir. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. JUSTICE SOTOMAYOR would grant the application for stay of execution.

No. 13A1251. WELLONS *v.* OWENS, COMMISSIONER, GEORGIA DEPARTMENT OF CORRECTIONS, ET AL. Super. Ct. Fulton County, Ga. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied.

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Certiorari Denied

No. 13–10340 (13A1193). *WINFIELD v. MISSOURI*. Sup. Ct. Mo. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Certiorari denied.

No. 13–10341 (13A1194). *WINFIELD v. STEELE, WARDEN*. Sup. Ct. Mo. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Certiorari denied.

No. 13–10589 (13A1249). *WINFIELD v. STEELE, WARDEN, ET AL.* C. A. 8th Cir. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Certiorari denied. Reported below: 755 F. 3d 629.

No. 13–10590 (13A1250). *WELLONS v. OWENS, COMMISSIONER, GEORGIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied. Reported below: 754 F. 3d 1260.

No. 13–10591 (13A1252). *WELLONS v. OWENS, COMMISSIONER, GEORGIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied. Reported below: 754 F. 3d 1268.

JUNE 18, 2014

Certiorari Denied

No. 13–10608 (13A1255). *HENRY v. FLORIDA*. Sup. Ct. Fla. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied. Reported below: 141 So. 3d 557.

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Certiorari Granted—Vacated and Remanded

No. 13–1066. *COAST CANDIDATES PAC ET AL. v. OHIO ELECTIONS COMMISSION ET AL.* C. A. 6th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration

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in light of *Susan B. Anthony List v. Driehaus*, ante, p. 149. Reported below: 543 Fed. Appx. 490.

No. 13–9750. GONZALEZ v. UNITED STATES. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Paroline v. United States*, 572 U. S. 434 (2014). Reported below: 540 Fed. Appx. 465.

Certiorari Dismissed

No. 13–9695. POLLY 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. 13–9734. YOUNGBLOOD v. KIM. 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. 13–10194. ZUNIGA-HERNANDEZ v. CHILDRESS, 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. Reported below: 548 Fed. Appx. 147.

Miscellaneous Orders

No. D–2762. IN RE DISBARMENT OF YARBROUGH. Disbarment entered. [For earlier order herein, see 571 U. S. 1192.]

No. 13M131. OWENS v. McLAUGHLIN, WARDEN. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 13M132. ROSS, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF ROSS v. STOOKSBURY. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner denied.

No. 13–8590. NIXON v. ABBOTT, ATTORNEY GENERAL OF TEXAS, ET AL. Ct. App. Tex., 5th Dist. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [572 U. S. 1056] denied.

No. 13–8591. NIXON v. GOLDMAN SACHS MORTGAGE CORP. C. A. 5th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [572 U. S. 1057] denied.

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No. 13–10121. *DeNigris v. New York City Health & Hospitals Corp. et al.* C. A. 2d Cir.;

No. 13–10177. *Ferguson v. Gibson, Acting Secretary of Veterans Affairs.* C. A. 10th Cir.; and

No. 13–10188. *In re Hartman.* Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until July 14, 2014, 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. 13–10269. *In re Burks*; and

No. 13–10305. *In re Scott.* Petitions for writs of habeas corpus denied.

No. 13–9474. *In re Esparza*;

No. 13–9729. *In re Singh*; and

No. 13–10172. *In re Sherrill.* Petitions for writs of mandamus denied.

No. 13–10271. *In re Brown.* Petition for writ of mandamus denied. Justice Kagan took no part in the consideration or decision of this petition.

No. 13–9778. *In re Koch*;

No. 13–9862. *In re LaCroix*; and

No. 13–10216. *In re Mason.* Petitions for writs of mandamus and/or prohibition denied.

Certiorari Granted

No. 13–1080. *Department of Transportation et al. v. Association of American Railroads.* C. A. D. C. Cir. Certiorari granted. Reported below: 721 F. 3d 666.

No. 13–1211. *Hana Financial, Inc. v. Hana Bank et al.* C. A. 9th Cir. Certiorari granted. Reported below: 735 F. 3d 1158.

No. 13–9026. *Whitfield v. United States.* C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 548 Fed. Appx. 70.

Certiorari Denied

No. 12–1351. *Medtronic, Inc. v. Stengel et ux.* C. A. 9th Cir. Certiorari denied. Reported below: 704 F. 3d 1224.

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No. 13–838. *NATIVE WHOLESALE SUPPLY Co. v. IDAHO ET AL.* Sup. Ct. Idaho. Certiorari denied. Reported below: 155 Idaho 337, 312 P. 3d 1257.

No. 13–967. *CHRISTIE, GOVERNOR OF NEW JERSEY, ET AL. v. NATIONAL COLLEGIATE ATHLETIC ASSN.*;

No. 13–979. *NEW JERSEY THOROUGHbred HORSEMEN’S ASSN., INC. v. NATIONAL COLLEGIATE ATHLETIC ASSN.*; and

No. 13–980. *SWEENEY, PRESIDENT OF THE NEW JERSEY SENATE, ET AL. v. NATIONAL COLLEGIATE ATHLETIC ASSN. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 730 F. 3d 208.

No. 13–1012. *VANGELDER v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied. Reported below: 58 Cal. 4th 1, 312 P. 3d 1045.

No. 13–1053. *KAPLAN v. MARYLAND INSURANCE COMMISSIONER.* Ct. App. Md. Certiorari denied. Reported below: 434 Md. 280, 75 A. 3d 298.

No. 13–1083. *RAGOONATH v. HOLDER, ATTORNEY GENERAL.* C. A. 11th Cir. Certiorari denied. Reported below: 533 Fed. Appx. 954.

No. 13–1095. *GUPTA v. MCGAHEY ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 709 F. 3d 1062.

No. 13–1098. *CENCAST SERVICES, L. P., ET AL. v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 729 F. 3d 1352.

No. 13–1117. *NATIVE WHOLESALE SUPPLY Co. v. SUPERIOR COURT OF CALIFORNIA, SACRAMENTO COUNTY, ET AL.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 13–1126. *OWNER-OPERATOR INDEPENDENT DRIVERS ASSN., INC. v. DEPARTMENT OF TRANSPORTATION ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 724 F. 3d 230.

No. 13–1127. *VAN HOLLEN, ATTORNEY GENERAL OF WISCONSIN, ET AL. v. PLANNED PARENTHOOD OF WISCONSIN, INC., ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 738 F. 3d 786.

No. 13–1133. *PETTEWAY ET AL. v. HENRY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 738 F. 3d 132.

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No. 13–1143. *KOOPMAN v. MYERS*. C. A. 10th Cir. Certiorari denied. Reported below: 738 F. 3d 1190.

No. 13–1242. *LONG v. JOHNSON, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 736 F. 3d 891.

No. 13–1253. *CITY OF ALAMOSA, COLORADO v. CHURCHILL, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF BLECK, DECEASED*. C. A. 10th Cir. Certiorari denied. Reported below: 540 Fed. Appx. 866.

No. 13–1254. *ARABO v. GREEKTOWN CASINO, LLC, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 553 Fed. Appx. 492.

No. 13–1263. *SCHAFER ET AL. v. MULTIBAND CORP.* C. A. 6th Cir. Certiorari denied. Reported below: 551 Fed. Appx. 814.

No. 13–1264. *WITMAN v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 40 A. 3d 188.

No. 13–1283. *MORTIMER v. HOLDER, ATTORNEY GENERAL*. C. A. 11th Cir. Certiorari denied.

No. 13–1290. *ANTONIO CHELEY v. HOLDER, ATTORNEY GENERAL*. C. A. 3d Cir. Certiorari denied. Reported below: 542 Fed. Appx. 143.

No. 13–1302. *SNOW v. CHARTWAY FEDERAL CREDIT UNION ET AL.* Ct. App. Utah. Certiorari denied. Reported below: 2013 UT App 175, 306 P. 3d 868.

No. 13–1307. *WILSON v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 130 So. 3d 232.

No. 13–1330. *HUBBARD v. NORFOLK SOUTHERN RAILWAY CO.* Ct. App. Mich. Certiorari denied.

No. 13–1332. *PICARDI v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 739 F. 3d 1118.

No. 13–1344. *DOE v. REPLOGLE ET AL.* Ct. App. Mo., Southern Dist. Certiorari denied. Reported below: 445 S. W. 3d 573.

No. 13–1363. *SANBORN v. DEPARTMENT OF THE ARMY*. C. A. Fed. Cir. Certiorari denied. Reported below: 530 Fed. Appx. 943.

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No. 13–1369. *SAVIDGE v. DONAHOE*, POSTMASTER GENERAL, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 558 Fed. Appx. 222.

No. 13–1377. *SEARCY v. DEPARTMENT OF AGRICULTURE*. C. A. Fed. Cir. Certiorari denied. Reported below: 557 Fed. Appx. 975.

No. 13–1378. *UNITED STATES EX REL. BABALOLA ET AL. v. UNITED STATES ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 746 F. 3d 157.

No. 13–1381. *OYAKHIRE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 13–1407. *DUNKEL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 550 Fed. Appx. 511.

No. 13–8744. *VIDAL-MALDONADO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 736 F. 3d 573.

No. 13–9200. *HAMAD v. GATES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 732 F. 3d 990.

No. 13–9219. *SAMSON ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 540 Fed. Appx. 927.

No. 13–9231. *SHIPLEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 546 Fed. Appx. 450.

No. 13–9553. *VALADEZ v. CALIFORNIA*; and

No. 13–9690. *URIBE v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 8. Certiorari denied. Reported below: 220 Cal. App. 4th 16, 162 Cal. Rptr. 3d 722.

No. 13–9561. *LUI v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied. Reported below: 179 Wash. 2d 457, 315 P. 3d 493.

No. 13–9689. *LEWIS v. DUCART, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 552 Fed. Appx. 676.

No. 13–9692. *YOUNG v. SIMPSON ET AL.* C. A. 11th Cir. Certiorari denied.

No. 13–9694. *PARTHEMORE v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

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No. 13–9700. *ANDERSON v. CITY OF DANVILLE, VIRGINIA, ET AL.* Sup. Ct. Va. Certiorari denied.

No. 13–9702. *V. M. ET VIR v. NEW JERSEY DIVISION OF YOUTH AND FAMILY SERVICES.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 13–9710. *CHAPMAN v. BAYLOR UNIVERSITY MEDICAL CENTER ET AL.* C. A. 5th Cir. Certiorari denied.

No. 13–9713. *KNIGHT v. FLORIDA.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 128 So. 3d 801.

No. 13–9716. *HAMMOCK v. JENSON ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 549 Fed. Appx. 600.

No. 13–9718. *NAFI v. CREWS, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 13–9720. *MCCLAIN v. LOUISIANA.* Ct. App. La., 1st Cir. Certiorari denied. Reported below: 2012–1766 (La. App. 1 Cir. 6/7/13).

No. 13–9725. *SMITH v. MANASQUAN SAVINGS BANK ET AL.* C. A. 3d Cir. Certiorari denied.

No. 13–9730. *DAMOND v. LEBLANC, SECRETARY, LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 552 Fed. Appx. 353.

No. 13–9733. *DUNCAN v. SUPERIOR COURT OF CALIFORNIA, ALAMEDA COUNTY, ET AL.* Ct. App. Cal., 1st App. Dist., Div. 2. Certiorari denied.

No. 13–9735. *WILLIAMS v. FLORIDA.* Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 134 So. 3d 468.

No. 13–9739. *MENDOZA v. TEXAS.* Ct. App. Tex., 4th Dist. Certiorari denied.

No. 13–9741. *MIKLAS v. OHIO.* Ct. App. Ohio, 7th App. Dist., Belmont County. Certiorari denied. Reported below: 2013–Ohio–5169.

No. 13–9743. *WILLIAMS v. NEVADA.* Sup. Ct. Nev. Certiorari denied. Reported below: 130 Nev. 1262.

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No. 13–9744. *WILLIAMS v. INDIANA*. Ct. App. Ind. Certiorari denied. Reported below: 982 N. E. 2d 484.

No. 13–9745. *WILLIAMS v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 175 Wash. App. 1003.

No. 13–9748. *CARTWRIGHT v. BRINSON ET AL.* Super. Ct. Pa. Certiorari denied.

No. 13–9754. *WARE v. ALABAMA*. Sup. Ct. Ala. Certiorari denied. Reported below: 181 So. 3d 409.

No. 13–9762. *OAKES v. HOWELL, WARDEN, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 547 Fed. Appx. 808.

No. 13–9772. *JIRON v. COLORADO*. Sup. Ct. Colo. Certiorari denied.

No. 13–9775. *MCCOY v. STEPHENS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 13–9780. *CRAWFORD v. GROUNDS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 13–9782. *MUHAMMAD v. HSBC BANK USA, N. A., ET AL.* Ct. Civ. App. Ala. Certiorari denied. Reported below: 171 So. 3d 696.

No. 13–9786. *GALARZA v. CREWS, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 13–9794. *JACKSON v. LAVALLEY, SUPERINTENDENT, CLINTON CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 13–9799. *SHULER v. HARGRAVE ET AL.* C. A. 4th Cir. Certiorari denied.

No. 13–9800. *JONES v. JACQUEZ, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 541 Fed. Appx. 766.

No. 13–9823. *PARKER v. CREWS, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 555 Fed. Appx. 870.

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No. 13–9869. *DAVIS v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 146 So. 3d 51.

No. 13–9870. *SCARNATI v. BRENTWOOD BOROUGH POLICE DEPARTMENT ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 556 Fed. Appx. 74.

No. 13–9873. *CAPE v. BEARD, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied.

No. 13–9882. *HARRIS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 57 Cal. 4th 804, 306 P. 3d 1195.

No. 13–9923. *WYLIE v. MONTANA*. C. A. 9th Cir. Certiorari denied.

No. 13–9927. *SPARKS v. KENTUCKY*. Ct. App. Ky. Certiorari denied.

No. 13–9947. *MARQUEZ v. NEW MEXICO BEHAVIORAL HEALTH INSTITUTE*. Ct. App. N. M. Certiorari denied.

No. 13–9949. *PAILES v. HSBC MORTGAGE SERVICES, INC., ET AL.* C. A. 1st Cir. Certiorari denied.

No. 13–9968. *CHACON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 13–9992. *OGEONE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 13–9996. *HEARY v. FOLINO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GREENE, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 13–10004. *WARD v. MINNESOTA*. C. A. 8th Cir. Certiorari denied.

No. 13–10038. *BONIECKI v. MCQUADE ET AL.* C. A. 6th Cir. Certiorari denied.

No. 13–10046. *O’RILEY v. WALMART, INC., ET AL.* C. A. 9th Cir. Certiorari denied.

No. 13–10047. *LEWIS v. JPMORGAN CHASE BANK, N. A.* C. A. 5th Cir. Certiorari denied. Reported below: 559 Fed. Appx. 404.

No. 13–10051. *STOUTAMIRE v. MORGAN, WARDEN*. C. A. 6th Cir. Certiorari denied.

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No. 13–10060. *PARRAMORE v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 13–10068. *WILLIAMS v. STARK COUNTY BAR ASSN.* Sup. Ct. Ohio. Certiorari denied. Reported below: 137 Ohio St. 3d 112, 2013-Ohio-4006, 998 N. E. 2d 427.

No. 13–10078. *TAYLOR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 13–10086. *JOHNSON v. LAMAS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 13–10095. *BURAS v. LOUISIANA DEPARTMENT OF HEALTH AND HOSPITALS*. C. A. 5th Cir. Certiorari denied.

No. 13–10105. *WILLIAMS v. HARRINGTON, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 13–10130. *ROGER P. v. WEST VIRGINIA*. Sup. Ct. App. W. Va. Certiorari denied.

No. 13–10131. *NEWBY v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 13–10142. *WOODS v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 466 Mass. 707, 1 N. E. 3d 762.

No. 13–10149. *AYERS v. FINK, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 13–10159. *CLAY v. OHIO DEPARTMENT OF JOB AND FAMILY SERVICES*. Ct. App. Ohio, 11th App. Dist. Certiorari denied. Reported below: 2013-Ohio-2817.

No. 13–10164. *COOK v. KEFFER, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 558 Fed. Appx. 314.

No. 13–10170. *GRAVES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 551 Fed. Appx. 680.

No. 13–10173. *GOODALE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 738 F. 3d 917.

No. 13–10174. *GONZALEZ-CAVAZOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 554 Fed. Appx. 310.

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No. 13–10175. *GUMULA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 554 Fed. Appx. 222.

No. 13–10176. *GLENEWINKEL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 13–10180. *GOLSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 743 F. 3d 44.

No. 13–10182. *GAMBILL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 554 Fed. Appx. 168.

No. 13–10184. *DIAZ-VEGA, AKA VEGA-DIAZ, AKA MENDEZ-VEGA, AKA SANCHEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 547 Fed. Appx. 245.

No. 13–10185. *CONTRERAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 739 F. 3d 592.

No. 13–10193. *USHER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 555 Fed. Appx. 227.

No. 13–10195. *TORRES-TORRES v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 13–10199. *PENA-DE JESUS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 13–10205. *WEST v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 550 Fed. Appx. 752.

No. 13–10207. *RAM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 548 Fed. Appx. 904.

No. 13–10213. *SANCHEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 13–10214. *MCDONALD v. UNITED STATES POSTAL SERVICE ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 547 Fed. Appx. 23.

No. 13–10215. *MITCHELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 419 Fed. Appx. 907.

No. 13–10218. *ARCHULETA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 737 F. 3d 1287.

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No. 13–10220. *COLES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 558 Fed. Appx. 173.

No. 13–10221. *WILSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 76 Fed. Appx. 552.

No. 13–10224. *RODRIGUEZ-GONZALEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 558 Fed. Appx. 769.

No. 13–10227. *SALDANA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 13–10229. *PALAFOX-CORTES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 558 Fed. Appx. 740.

No. 13–10237. *XAVIER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 13–10239. *RICHMOND v. CARAWAY, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 13–10240. *ALBARRAN-SANCHEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 558 Fed. Appx. 348.

No. 13–10243. *MERCADO-SALVADOR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 13–10247. *JONES v. CARAWAY, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 13–10249. *BAKER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 562 Fed. Appx. 447.

No. 13–10252. *LUIS GARZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 13–10253. *FOSTER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 547 Fed. Appx. 305.

No. 13–10263. *LOPEZ-PEREZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 555 Fed. Appx. 260.

No. 13–10264. *PHECH HOU ENG v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 556 Fed. Appx. 440.

No. 13–10265. *MALCOLM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 558 Fed. Appx. 304.

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No. 13–10266. *ASTORGA-GONZALEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 550 Fed. Appx. 507.

No. 13–10268. *ANDERSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 13–10278. *WILLIAMS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 13–10280. *SAENZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 13–10281. *SMOTHERMAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 564 Fed. Appx. 209.

No. 13–10283. *ADKINS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 743 F. 3d 176.

No. 13–10289. *ORTUNO-GARCIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 556 Fed. Appx. 636.

No. 13–10293. *RIVERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 557 Fed. Appx. 236.

No. 13–1057. *RYAN v. MURDAUGH*. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 724 F. 3d 1104.

No. 13–1240. *ROBERTS v. INTERNATIONAL BUSINESS MACHINES CORP.* C. A. 10th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 733 F. 3d 1306.

No. 13–9364. *BALLARD v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Marc Bookman, of Philadelphia, Pa., is hereby directed to file within 40 days a response to the June 2, 2014, letter filed by Michael Ballard in this matter. Reported below: 622 Pa. 177, 80 A. 3d 380.

No. 13–9787. *RILEY v. BRADT, SUPERINTENDENT, ATTICA CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 13–9962. *CRIM v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition. Reported below: 553 Fed. Appx. 170.

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No. 13–10248. *SAVOCA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 13–10279. *MONTALVO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

Rehearing Denied

No. 13–1011. *USPPS, LTD. v. AVERY DENNISON CORP. ET AL.*, 572 U. S. 1088;

No. 13–8124. *CARLSON v. MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT ET AL.*, 572 U. S. 1084;

No. 13–8631. *LUCAS v. YOUNG, WARDEN*, 572 U. S. 1049;

No. 13–8732. *GOFORTH ET AL. v. DEPARTMENT OF EDUCATION*, 572 U. S. 1067;

No. 13–8736. *AKBAR, AKA BROWN v. MCCALL, WARDEN*, 572 U. S. 1090;

No. 13–8775. *ECHOLS v. BICKELL, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.*, 572 U. S. 1091;

No. 13–8807. *WILSON v. CHANDLER, WARDEN*, 572 U. S. 1068;

No. 13–9055. *BRADLEY v. DELIETO ET AL.*, 572 U. S. 1093;

No. 13–9066. *DUNCAN v. BUCHANAN, WARDEN*, 572 U. S. 1093;

No. 13–9074. *GREEN v. ALABAMA ET AL.*, 572 U. S. 1093;

No. 13–9181. *ROBINSON v. UNITED STATES*, 572 U. S. 1074;

No. 13–9308. *MONBO v. MORGAN PROPERTIES TRUST ET AL.*, 572 U. S. 1123;

No. 13–9378. *JACOBS v. UNITED STATES*, 572 U. S. 1094; and

No. 13–9476. *JACQUES, AKA POLANCO v. UNITED STATES*, 572 U. S. 1095. Petitions for rehearing denied.

JUNE 25, 2014

Dismissals Under Rule 46

No. 13–877. *ACEBO-LEYVA v. HOLDER, ATTORNEY GENERAL*. C. A. 11th Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 537 Fed. Appx. 875.

No. 13–1204. *GOROMOU v. HOLDER, ATTORNEY GENERAL*. C. A. 8th Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 721 F. 3d 569.

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Miscellaneous Order

No. 13A1237. BROWN, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED *v.* LIVINGSTON, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE. Application to vacate the stay entered by the United States Court of Appeals for the Fifth Circuit on May 20, 2014, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

JUNE 26, 2014

Miscellaneous Order

No. 13A1260. HERTZ CORP. *v.* SOBEL ET AL., INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED. D. C. Nev. Application for stay, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. The order heretofore entered by JUSTICE KENNEDY is vacated.

JUNE 30, 2014

Dismissal Under Rule 46

No. 13–1471. BRESNAN COMMUNICATIONS, LLC *v.* MONTANA DEPARTMENT OF REVENUE. Sup. Ct. Mont. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 373 Mont. 29, 315 P. 3d 921.

Certiorari Granted—Vacated and Remanded

No. 13–255. WILD TANGENT, INC. *v.* ULTRAMERCIAL, LLC, ET AL. C. A. Fed. Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Alice Corp. v. CLS Bank Int’l*, ante, p. 208. Reported below: 722 F. 3d 1335.

No. 13–888. AMGEN INC. ET AL. *v.* HARRIS ET AL. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Fifth Third Bancorp v. Dudenhoeffer*, ante, p. 409. Reported below: 738 F. 3d 1026.

No. 13–1093. GIBSON *v.* KILPATRICK. C. A. 5th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Lane v. Franks*, ante, p. 228. Reported below: 734 F. 3d 395.

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Certiorari Dismissed

No. 13–9810. *FULLER v. HUSS ET AL.* C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 13–9865. *MOHSEN v. WU, CHAPTER 7 TRUSTEE.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 520 Fed. Appx. 557.

No. 13–9881. *NIXON v. GOLDMAN SACHS MORTGAGE CORP.* C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 13–10128. *BARBER v. CIRCUIT COURT OF MARYLAND, HOWARD COUNTY, 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. JUSTICE KAGAN took no part in the consideration or decision of this motion and this petition. Reported below: 569 Fed. Appx. 181.

Miscellaneous Orders

No. 13A1112. *HAWKINS v. UNITED STATES.* Application for bail, addressed to JUSTICE SOTOMAYOR and referred to the Court, denied.

No. 13A1284. *WHEATON COLLEGE v. BURWELL, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL.* Application for an injunction pending appellate review having been submitted to JUSTICE KAGAN, and by her referred to the Court, the Court orders: Respondents are temporarily enjoined from enforcing against applicants the contraceptive coverage requirements imposed by the Patient Protection and Affordable Care Act, 42 U. S. C. §300gg–13(a)(4), and related regulations, pending the receipt of a response and reply and further order of the Court. The response to the application is due Wednesday, July 2, 2014, by 10 a.m. The reply is due Wednesday, July 2, 2014, by 5 p.m. JUSTICE BREYER and JUSTICE SOTOMAYOR dissent.

No. 13M133. *ALI v. FLORIDA;*

No. 13M135. *PRIOR PEREIRA v. UNITED STATES;*

No. 13M137. *DENZER v. OUBRE, WARDEN;* and

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No. 13M138. *WOOD v. UNITED STATES*. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 13M134. *DEDMON v. UNITED STATES*. Motion for leave to file petition for writ of certiorari with supplemental appendix under seal granted.

No. 13M136. *HEIM v. HOLDER, ATTORNEY GENERAL, ET AL.* Motion to direct the Clerk to file petition for writ of certiorari out of time under this Court's Rule 14.5 denied.

No. 13–956. *TEVA PHARMACEUTICALS USA, INC., ET AL. v. SUPERIOR COURT OF CALIFORNIA, ORANGE COUNTY, ET AL.* Ct. App. Cal., 4th App. Dist., Div. 3. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 13–7120. *JOHNSON v. UNITED STATES*. C. A. 8th Cir. [Certiorari granted, 572 U. S. 1059.] Motion of petitioner to dispense with printing joint appendix granted.

No. 13–9880. *AMEZCUA v. EIGHTH JUDICIAL DISTRICT COURT OF NEVADA, CLARK COUNTY, ET AL.* Sup. Ct. Nev.; and

No. 13–9885. *MOBLEY v. FLORIDA ET AL.* Sup. Ct. Fla. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until July 21, 2014, 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. 13–10366. *IN RE FLYING HORSE*;

No. 13–10408. *IN RE COOK*;

No. 13–10418. *IN RE COPELAND*; and

No. 13–10463. *IN RE ARCHER*. Petitions for writs of habeas corpus denied.

Certiorari Granted

No. 13–1019. *MACH MINING, LLC v. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION*. C. A. 7th Cir. Certiorari granted. Reported below: 738 F. 3d 171.

No. 13–1034. *MELLOULI v. HOLDER, ATTORNEY GENERAL*. C. A. 8th Cir. Certiorari granted. Reported below: 719 F. 3d 995.

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No. 13–1074. UNITED STATES *v.* KWAI FUN WONG. C. A. 9th Cir. Certiorari granted. Reported below: 732 F. 3d 1030.

No. 13–1075. UNITED STATES *v.* JUNE, CONSERVATOR. C. A. 9th Cir. Certiorari granted. Reported below: 550 Fed. Appx. 505.

No. 13–1174. GELBOIM ET AL. *v.* BANK OF AMERICA CORP. ET AL. C. A. 2d Cir. Certiorari granted.

Certiorari Denied

No. 13–448. PICARD *v.* HSBC BANK PLC ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 721 F. 3d 54.

No. 13–498. BIANCHI ET AL. *v.* CHRZANOWSKI. C. A. 7th Cir. Certiorari denied. Reported below: 725 F. 3d 734.

No. 13–584. BANCORP SERVICES, LLC *v.* SUN LIFE ASSURANCE COMPANY OF CANADA (U.S.) ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 687 F. 3d 1266.

No. 13–662. BANK OF AMERICA, N. A. *v.* ROSE ET AL. Sup. Ct. Cal. Certiorari denied. Reported below: 57 Cal. 4th 390, 304 P. 3d 181.

No. 13–902. TEMBENIS ET AL. *v.* BURWELL, SECRETARY OF HEALTH AND HUMAN SERVICES. C. A. Fed. Cir. Certiorari denied. Reported below: 733 F. 3d 1190.

No. 13–913. JANVEY *v.* ALGUIRE ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 539 Fed. Appx. 478.

No. 13–918. ACCENTURE GLOBAL SERVICES, GMBH, ET AL. *v.* GUIDEWIRE SOFTWARE, INC. C. A. Fed. Cir. Certiorari denied. Reported below: 728 F. 3d 1336.

No. 13–949. PICKUP ET AL. *v.* BROWN, GOVERNOR OF CALIFORNIA, ET AL.; and

No. 13–1281. WELCH ET AL. *v.* BROWN, GOVERNOR OF CALIFORNIA, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 740 F. 3d 1208.

No. 13–994. LUNA *v.* TEXAS. Ct. App. Tex., 1st Dist. Certiorari denied.

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No. 13–999. *IBARRA v. TEXAS*. Ct. App. Tex., 1st Dist. Certiorari denied. Reported below: 445 S. W. 3d 285.

No. 13–1006. *EQUIFAX, INC., ET AL. v. MISSISSIPPI DEPARTMENT OF REVENUE, FKA MISSISSIPPI STATE TAX COMMISSION*. Sup. Ct. Miss. Certiorari denied. Reported below: 125 So. 3d 36.

No. 13–1015. *TEVA PHARMACEUTICALS USA, INC. v. ROMO ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 731 F. 3d 918.

No. 13–1016. *XANODYNE PHARMACEUTICALS, INC. v. CORBER ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 540 Fed. Appx. 650.

No. 13–1036. *GOMEZ v. TEXAS*. Ct. App. Tex., 1st Dist. Certiorari denied.

No. 13–1062. *RUDOLPH TECHNOLOGIES, INC., ET AL. v. INTEGRATED TECHNOLOGY CORP. ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 734 F. 3d 1352.

No. 13–1077. *KING ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 547 Fed. Appx. 349.

No. 13–1111. *GEORGIA v. ROESSER*. Sup. Ct. Ga. Certiorari denied. Reported below: 294 Ga. 295, 751 S. E. 2d 297.

No. 13–1124. *MINORITY TELEVISION PROJECT, INC. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 736 F. 3d 1192.

No. 13–1137. *JILL STUART (ASIA) LLC v. SANEI INTERNATIONAL Co., LTD., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 548 Fed. Appx. 20.

No. 13–1142. *PENTAGON CAPITAL MANAGEMENT PLC ET AL. v. SECURITIES AND EXCHANGE COMMISSION*. C. A. 2d Cir. Certiorari denied. Reported below: 725 F. 3d 279.

No. 13–1148. *ROCKY MOUNTAIN FARMERS UNION ET AL. v. COREY, EXECUTIVE OFFICER OF THE CALIFORNIA AIR RESOURCES BOARD, ET AL.*;

No. 13–1149. *AMERICAN FUEL & PETROCHEMICAL MANUFACTURERS ASSN. ET AL. v. COREY, EXECUTIVE OFFICER OF THE CALIFORNIA AIR RESOURCES BOARD, ET AL.*; and

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No. 13–1308. *COREY, EXECUTIVE OFFICER OF THE CALIFORNIA AIR RESOURCES BOARD, ET AL. v. ROCKY MOUNTAIN FARMERS UNION ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 730 F. 3d 1070.

No. 13–1152. *TUMA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 738 F. 3d 681.

No. 13–1166. *SALAZAR v. MISSOURI.* Ct. App. Mo., Southern Dist. Certiorari denied. Reported below: 414 S. W. 3d 606.

No. 13–1181. *GOOGLE INC. v. JOFFE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 746 F. 3d 920.

No. 13–1194. *OMETTO ET AL. v. ASA BIOENERGY HOLDING A. G. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 549 Fed. Appx. 41.

No. 13–1201. *KALITTA AIR, L. L. C. v. CENTRAL TEXAS AIRBORNE SYSTEMS, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 547 Fed. Appx. 832.

No. 13–1212. *LAFARGE NORTH AMERICA, INC., ET AL. v. ST. BERNARD PARISH, LOUISIANA.* C. A. 5th Cir. Certiorari denied. Reported below: 550 Fed. Appx. 184.

No. 13–1244. *DRAKES BAY OYSTER CO. ET AL. v. JEWELL, SECRETARY OF THE INTERIOR, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 747 F. 3d 1073.

No. 13–1279. *PINON ET AL. v. BANK OF AMERICA, N. A., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 741 F. 3d 1022.

No. 13–1288. *ERLICHMAN v. STATER BROS. MARKETS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 554 Fed. Appx. 552.

No. 13–1291. *BOOK v. MENDOZA ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 552 Fed. Appx. 375.

No. 13–1316. *STARR INTERNATIONAL CO., INC., ET AL. v. FEDERAL RESERVE BANK OF NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 742 F. 3d 37.

No. 13–1317. *KRISLOV ET AL. v. STEIN.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2013 IL App (1st) 113806, 999 N. E. 2d 345.

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No. 13–1351. *MCCOLLUM ET AL. v. ASPEN PROPERTY MANAGEMENT ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 551 Fed. Appx. 677.

No. 13–1354. *WALTHOUR ET AL. v. CHIPIO WINDSHIELD REPAIR, LLC, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 745 F. 3d 1326.

No. 13–1358. *FACEY v. NEW YORK CITY DEPARTMENT OF EDUCATION.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 105 App. Div. 3d 547, 963 N. Y. S. 2d 207.

No. 13–1382. *AGNEW ET UX. v. E*TRADE SECURITIES LLC.* Super. Ct. Pa. Certiorari denied. Reported below: 75 A. 3d 546.

No. 13–1386. *SONERA HOLDING B. V. v. CUKUROVA HOLDING A. S.* C. A. 2d Cir. Certiorari denied. Reported below: 750 F. 3d 221.

No. 13–1388. *SHEPPARD v. VIRGINIA.* Sup. Ct. Va. Certiorari denied.

No. 13–1391. *TORIBIO v. SPECE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 558 Fed. Appx. 227.

No. 13–1392. *WOZNY v. WISCONSIN.* Ct. App. Wis. Certiorari denied.

No. 13–1394. *EDWARDS v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 747 F. 3d 186.

No. 13–1397. *HOTI ENTERPRISES, L. P., ET AL. v. GECCMC 2007 C–1 BURNETT STREET, LLC.* C. A. 2d Cir. Certiorari denied. Reported below: 549 Fed. Appx. 43.

No. 13–1400. *KENDALL v. DONAHOE, POSTMASTER GENERAL.* C. A. 3d Cir. Certiorari denied. Reported below: 543 Fed. Appx. 141.

No. 13–1404. *WALL v. ALCON LABORATORIES, INC., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 551 Fed. Appx. 794.

No. 13–1415. *COHEN v. COMMISSIONER OF INTERNAL REVENUE.* C. A. D. C. Cir. Certiorari denied. Reported below: 550 Fed. Appx. 10.

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No. 13–1423. *EXTENDICARE HOMES, INC. v. PISANO, INDIVIDUALLY AND AS ADMINISTRATOR OF THE ESTATE OF PISANO, DECEASED*. Super. Ct. Pa. Certiorari denied. Reported below: 77 A. 3d 651.

No. 13–1439. *MONTES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 553 Fed. Appx. 449.

No. 13–8405. *ANDERSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 542 Fed. Appx. 893.

No. 13–8809. *ST. PREUX v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 539 Fed. Appx. 946.

No. 13–9205. *PRUITT v. TENNESSEE*. Sup. Ct. Tenn. Certiorari denied. Reported below: 415 S. W. 3d 180.

No. 13–9333. *ABAN TERCERO v. STEPHENS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 738 F. 3d 141.

No. 13–9338. *GIBBS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 547 Fed. Appx. 174.

No. 13–9365. *MUNOZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 549 Fed. Appx. 552.

No. 13–9380. *GARZA v. STEPHENS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 738 F. 3d 669.

No. 13–9382. *FORDE v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 233 Ariz. 543, 315 P. 3d 1200.

No. 13–9385. *IBARRA CARRANZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 13–9788. *COLEMAN v. ROCK HILL MUNICIPAL COURT, SOUTH CAROLINA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 550 Fed. Appx. 166.

No. 13–9790. *GILMORE v. GONZALEZ, WARDEN*. C. A. 9th Cir. Certiorari denied.

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No. 13–9791. *HENDERSON v. PERRY, SECRETARY, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY*. Sup. Ct. N. C. Certiorari denied. Reported below: 367 N. C. 286, 753 S. E. 2d 657.

No. 13–9795. *FREEMAN ET AL. v. SULLIVAN ET AL.* C. A. 6th Cir. Certiorari denied.

No. 13–9796. *GRADY v. VICKORY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 544 Fed. Appx. 191.

No. 13–9802. *HOLTZ v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 13–9805. *M. N. v. FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES ET AL.* Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 133 So. 3d 939.

No. 13–9808. *FRATER v. CREWS, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 13–9811. *HILL v. MANIS, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 546 Fed. Appx. 327.

No. 13–9812. *HOLMES v. WILLIAMS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 13–9822. *PRE v. GONZALEZ, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 544 Fed. Appx. 768.

No. 13–9825. *KEETON v. STEPHENS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 13–9828. *BURNEY, AKA AUSTIN v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 87 A. 3d 374.

No. 13–9829. *ARNETT v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 13–9833. *ALLEN v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 69 A. 3d 1291.

No. 13–9834. *SIKES v. TEXAS*. Ct. App. Tex., 2d Dist. Certiorari denied.

No. 13–9843. *WILLIAMS v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 2. Certiorari denied.

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No. 13–9844. *RODRIGUEZ v. HOBBS*, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION. C. A. 8th Cir. Certiorari denied.

No. 13–9845. *WRIGHT v. STEPHENS*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 13–9849. *STEWART v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 8. Certiorari denied.

No. 13–9851. *VEGA v. DAVEY*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 13–9856. *BARTON v. DISTRICT COURT OF TEXAS, HARRIS COUNTY*. Ct. Crim. App. Tex. Certiorari denied.

No. 13–9857. *MACKEY v. BITER*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 13–9863. *LUIS MURILLO v. HARRINGTON*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 544 Fed. Appx. 759.

No. 13–9867. *WASHINGTON v. SYKES ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 550 Fed. Appx. 174.

No. 13–9874. *BLEDSON v. TERRELL*, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 13–9876. *JACKSON v. CAIN*, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 13–9887. *GREISER v. WHITTIER TOWERS APARTMENTS ASSN. INC. ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 551 Fed. Appx. 506.

No. 13–9890. *FONTAINE v. SPORT CITY TOYOTA*. C. A. 5th Cir. Certiorari denied. Reported below: 544 Fed. Appx. 529.

No. 13–9891. *FRANKLIN v. ARBOR STATION, LLC, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 549 Fed. Appx. 831.

No. 13–9893. *MORETTO v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 127 So. 3d 513.

No. 13–9895. *ZAVALA v. PEREZ*, ACTING WARDEN. C. A. 9th Cir. Certiorari denied.

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No. 13–9901. *OBADO v. MANCHANDA LAW FIRM PLLC ET AL.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 39 Misc. 3d 129, 971 N. Y. S. 2d 73.

No. 13–9980. *BAKER v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied.

No. 13–9988. *SALDANA IRACHETA v. HOLDER, ATTORNEY GENERAL.* C. A. 5th Cir. Certiorari denied.

No. 13–9990. *PHILLIPS v. FEDERAL BUREAU OF INVESTIGATION.* C. A. 5th Cir. Certiorari denied. Reported below: 548 Fed. Appx. 259.

No. 13–9997. *HERNANDEZ v. GIBSON, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 13–10048. *LAKE v. WASHINGTON.* Ct. App. Wash. Certiorari denied. Reported below: 176 Wash. App. 1037.

No. 13–10049. *DAVIS v. NORMAN, WARDEN.* C. A. 8th Cir. Certiorari denied.

No. 13–10050. *COBAS v. HAAS, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 13–10067. *VANG v. RICHARDSON, WARDEN.* Sup. Ct. Wis. Certiorari denied.

No. 13–10084. *JOHNSON v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist., Div. 5. Certiorari denied. Reported below: 221 Cal. App. 4th 943, 164 Cal. Rptr. 3d 864.

No. 13–10151. *NELSON v. ARIZONA.* Ct. App. Ariz. Certiorari denied.

No. 13–10158. *MCNEAL v. CREWS, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 13–10162. *RATLIFF v. CITY OF WEST WENDOVER, NEVADA.* Dist. Ct. Nev., Elko County. Certiorari denied.

No. 13–10163. *ROBINSON v. SOUTH CAROLINA.* Sup. Ct. S. C. Certiorari denied. Reported below: 407 S. C. 169, 754 S. E. 2d 862.

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No. 13–10168. *GILES v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 407 S. C. 14, 754 S. E. 2d 261.

No. 13–10169. *HARRIS v. KANSAS*. Ct. App. Kan. Certiorari denied. Reported below: 49 Kan. App. 2d xiv, 314 P. 3d 900.

No. 13–10233. *BERAS v. COAKLEY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 13–10238. *WESTON v. HARRINGTON, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 13–10287. *HOLLEMAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 743 F. 3d 1152.

No. 13–10297. *LOPEZ-ROSAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 555 Fed. Appx. 709.

No. 13–10299. *KEENAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 540 Fed. Appx. 216.

No. 13–10306. *CORTES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 13–10309. *RIVERA-GOMEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 13–10310. *JEANTY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 13–10314. *CUEVAS-VILLALOBOS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 556 Fed. Appx. 628.

No. 13–10318. *DEMMONS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 557 Fed. Appx. 672.

No. 13–10323. *WRIGHT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 13–10326. *THOMAS v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 13–10328. *ORTIZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 13–10329. *BAPTISTE v. FOULK, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied.

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No. 13–10336. *ACEVEDO-BECERRA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 556 Fed. Appx. 661.

No. 13–10338. *SANCHEZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 533 Fed. Appx. 663.

No. 13–10348. *HERNANDEZ SANDOVAL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 747 F. 3d 464.

No. 13–10359. *MAUSALI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 12–1485. *ARAB BANK, PLC v. LINDE ET AL.* C. A. 2d Cir. Motions of Hashemite Kingdom of Jordan and Union of Arab Banks for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 706 F. 3d 92.

No. 13–318. *O’NEILL ET AL. v. AL RAJHI BANK ET AL.* (Reported below: 714 F. 3d 118); and *O’NEILL ET AL. v. ASAT TRUST REG. ET AL.* (714 F. 3d 659). C. A. 2d Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

No. 13–787. *MISSOURI EX REL. KCP&L GREATER MISSOURI OPERATIONS Co. v. MISSOURI PUBLIC SERVICE COMMISSION ET AL.* Ct. App. Mo., Western Dist. Motion of Edison Electric Institute for leave to file brief as *amicus curiae* granted. Certiorari denied. Reported below: 408 S. W. 3d 153.

No. 13–899. *FAMILY DOLLAR STORES, INC. v. SCOTT ET AL.* C. A. 4th Cir. Motion of Retail Litigation Center, Inc., for leave to file brief as *amicus curiae* granted. Certiorari denied. Reported below: 733 F. 3d 105.

No. 13–1061. *MT. SOLEDAD MEMORIAL ASSN. v. TRUNK ET AL.* C. A. 9th Cir. Certiorari before judgment denied.

Statement of JUSTICE ALITO respecting the denial of the petition for a writ of certiorari before judgment.

This case came before us two years ago, see 567 U. S. 944 (2012), and at that time I issued a statement respecting the denial of certiorari. I noted that although the “Court’s Establishment Clause jurisprudence is undoubtedly in need of clarity,” certiorari was not yet warranted in this case “[b]ecause no final judgment

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has been rendered and it remains unclear precisely what action the Federal Government will be required to take.” *Id.*, at 945.

Since that time, the District Court has issued an order requiring the memorial to be removed, but it has stayed that order pending appeal. The Court of Appeals has not yet reviewed that order on appeal. Seeking to bypass that step, petitioner seeks certiorari before judgment. In my view, it has not met the very demanding standard we require in order to grant certiorari at that stage. In light of the stay, any review by this Court can await the decision of the Court of Appeals. I therefore agree with the Court’s decision to deny the petition.

No. 13–1146. KINGDOM OF SAUDI ARABIA ET AL. *v.* FEDERAL INSURANCE CO. ET AL. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR and JUSTICE KAGAN took no part in the consideration or decision of this petition. Reported below: 741 F. 3d 353.

No. 13–1270. E. M. B. R. *v.* S. M. ET UX. Ct. App. Mo., Southern Dist. Motion of Young Center for Immigrant Children’s Rights et al. for leave to file brief as *amici curiae* granted. Certiorari denied. Reported below: 414 S. W. 3d 622.

No. 13–1280. DAVIS ET AL. *v.* PENSION BENEFIT GUARANTY CORPORATION. C. A. D. C. Cir. Motions of Delta Pilots’ Pension Preservation Organization (DPS3, Inc.) and Coalition of Airline Pilots Associations et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 734 F. 3d 1161.

No. 13–10304. SMITH *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition. Reported below: 556 Fed. Appx. 178.

No. 13–10325. TAYLOR *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition. Reported below: 570 Fed. Appx. 293.

Rehearing Denied

No. 13–8221. NHUONG VAN NGUYEN *v.* SUPERIOR COURT OF CALIFORNIA, RIVERSIDE COUNTY, 572 U. S. 1102;

No. 13–8520. SMITH *v.* DIAZ, WARDEN, 572 U. S. 1049;

No. 13–8710. ENRIQUEZ *v.* TEXAS, 572 U. S. 1090;

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No. 13–8780. *CAMPBELL v. NEVADA*, 572 U. S. 1091;
No. 13–8819. *MCKEITHER v. FOLINO ET AL.*, 572 U. S. 1068;
No. 13–8872. *BARASHKOFF v. CITY OF SEATTLE, WASHINGTON, ET AL.*, 572 U. S. 1103;
No. 13–8873. *BOOSE v. ILLINOIS*, 572 U. S. 1068;
No. 13–8924. *SMITH ET UX. v. COUNTRYWIDE HOME LOANS, INC., ET AL.*, 572 U. S. 1104;
No. 13–9128. *CARMONA v. MACLAREN, WARDEN*, 572 U. S. 1122; and
No. 13–9129. *DE MEDEIROS v. CALIFORNIA*, 572 U. S. 1093.
Petitions for rehearing denied.

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Certiorari Granted—Vacated and Remanded. (See also No. 13–9085, *ante*, p. 773.)

No. 13–240. *SCHLAUD ET AL. v. SNYDER, GOVERNOR OF MICHIGAN, ET AL.* C. A. 6th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Harris v. Quinn*, *ante*, p. 616. Reported below: 717 F. 3d 451.

No. 13–482. *AUTOCAM CORP. ET AL. v. BURWELL, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL.* C. A. 6th Cir. Reported below: 730 F. 3d 618;

No. 13–567. *GILARDI ET AL. v. DEPARTMENT OF HEALTH AND HUMAN SERVICES ET AL.* C. A. D. C. Cir. Reported below: 733 F. 3d 1208; and

No. 13–591. *EDEN FOODS, INC., ET AL. v. BURWELL, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL.* C. A. 6th Cir. Reported below: 733 F. 3d 626. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *Burwell v. Hobby Lobby Stores, Inc.*, *ante*, p. 682.

No. 13–578. *KOPP v. KLEIN ET AL.* C. A. 5th Cir. Reported below: 722 F. 3d 327; and

No. 13–830. *RINEHART ET AL. v. AKERS ET AL.* C. A. 2d Cir. Reported below: 722 F. 3d 137. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *Fifth Third Bancorp v. Dudenhoeffer*, *ante*, p. 409.

No. 13–972. *AMBASSADOR SERVICES, INC. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 11th Cir. Reported below: 544 Fed. Appx. 846; and

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No. 13–1103. NATIONAL LABOR RELATIONS BOARD *v.* GESTAMP SOUTH CAROLINA LLC. C. A. 4th Cir. Reported below: 547 Fed. Appx. 164. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *NLRB v. Noel Canning*, *ante*, p. 513.

Certiorari Granted

No. 12–1226. YOUNG *v.* UNITED PARCEL SERVICE, INC. C. A. 4th Cir. Certiorari granted. Reported below: 707 F. 3d 437.

No. 13–271. ONEOK, INC., ET AL. *v.* LEARJET, INC., ET AL. C. A. 9th Cir. Certiorari granted. Reported below: 715 F. 3d 716.

No. 13–352. B&B HARDWARE, INC. *v.* HARGIS INDUSTRIES, INC., DBA SEALTITE BUILDING FASTENERS ET AL., ET AL. C. A. 8th Cir. Certiorari granted. Reported below: 716 F. 3d 1020.

No. 13–1032. DIRECT MARKETING ASSN. *v.* BROHL, EXECUTIVE DIRECTOR, COLORADO DEPARTMENT OF REVENUE. C. A. 10th Cir. Certiorari granted. Reported below: 735 F. 3d 904.

No. 12–1497. KELLOGG BROWN & ROOT SERVICES, INC., ET AL. *v.* UNITED STATES EX REL. CARTER. C. A. 4th Cir. Motions of Chamber of Commerce of the United States of America et al. and National Defense Industrial Association for leave to file briefs as *amici curiae* granted. Certiorari granted. Reported below: 710 F. 3d 171.

No. 13–502. REED ET AL. *v.* TOWN OF GILBERT, ARIZONA, ET AL. C. A. 9th Cir. Motion of Professor Ashutosh Bhagwat et al. for leave to file brief as *amici curiae* granted. Certiorari granted. Reported below: 707 F. 3d 1057.

No. 13–553. ALABAMA DEPARTMENT OF REVENUE ET AL. *v.* CSX TRANSPORTATION, INC. C. A. 11th Cir. Certiorari granted. In addition to the question presented by the petition, the parties are directed to brief and argue the following question: “Whether, in resolving a claim of unlawful tax discrimination under 49 U. S. C. § 11501(b)(4), a court should consider other aspects of the State’s tax scheme rather than focusing solely on the challenged tax provision.” Reported below: 720 F. 3d 863.

No. 13–935. WELLNESS INTERNATIONAL NETWORK, LTD., ET AL. *v.* SHARIF. C. A. 7th Cir. Certiorari granted limited to

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Questions 1 and 3 presented by the petition. Reported below: 727 F. 3d 751.

Certiorari Denied

No. 12–1178. ROCHESTER GAS & ELECTRIC CORP. *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 706 F. 3d 73.

No. 12–1313. ESTATE OF SALM *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 2d Cir. Certiorari denied.

No. 12–1445. DAYCON PRODUCTS Co., INC. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. D. C. Cir. Certiorari denied. Reported below: 494 Fed. Appx. 97.

No. 13–671. NATIONAL LABOR RELATIONS BOARD *v.* ENTERPRISE LEASING COMPANY-SOUTHEAST, LLC, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 722 F. 3d 609.

No. 13–915. DEPARTMENT OF HEALTH AND HUMAN SERVICES ET AL. *v.* GILARDI ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 733 F. 3d 1208.

No. 13–919. BURWELL, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL. *v.* NEWLAND ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 542 Fed. Appx. 706.

No. 13–937. BURWELL, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL. *v.* KORTE ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 735 F. 3d 654.

No. 13–8363. JOHNSON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 545 Fed. Appx. 230.

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Miscellaneous Order

No. 13A1284. WHEATON COLLEGE *v.* BURWELL, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL. Application for an injunction having been submitted to JUSTICE KAGAN, and by her referred to the Court, the Court orders: If applicant informs the Secretary of Health and Human Services in writing that it is a nonprofit organization that holds itself out as religious and has religious objections to providing coverage for contraceptive serv-

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ices, respondents are enjoined from enforcing against applicant the challenged provisions of the Patient Protection and Affordable Care Act and related regulations pending final disposition of appellate review. To meet the condition for injunction pending appeal, applicant need not use the form prescribed by the Government, Employee Benefits Security Administration (EBSA) Form 700, and need not send copies to health insurance issuers or third-party administrators.

The Courts of Appeals have divided on whether to enjoin the requirement that religious nonprofit organizations use EBSA Form 700. Such division is a traditional ground for certiorari. See this Court's Rule 10(a).

Nothing in this interim order affects the ability of applicant's employees and students to obtain, without cost, the full range of Food and Drug Administration approved contraceptives. The Government contends that applicant's health insurance issuer and third-party administrator are required by federal law to provide full contraceptive coverage regardless of whether applicant completes EBSA Form 700. Applicant contends, by contrast, that the obligations of its health insurance issuer and third-party administrator are dependent on their receipt of notice that applicant objects to the contraceptive coverage requirement. But applicant has already notified the Government—without using EBSA Form 700—that it meets the requirements for exemption from the contraceptive coverage requirement on religious grounds. Nothing in this order precludes the Government from relying on this notice, to the extent it considers it necessary, to facilitate the provision of full contraceptive coverage under the Act.

In light of the foregoing, this order should not be construed as an expression of the Court's views on the merits.

JUSTICE SCALIA concurs in the result.

JUSTICE SOTOMAYOR, with whom JUSTICE GINSBURG and JUSTICE KAGAN join, dissenting.

The Patient Protection and Affordable Care Act, 124 Stat. 119, through its implementing regulations, requires employer group health insurance plans to cover contraceptive services without cost sharing. Recognizing that people of religious faith may sincerely oppose the provision of contraceptives, the Government has created certain exceptions to this requirement. Churches are categorically exempt. Any religious nonprofit is also exempt, as

long as it signs a form certifying that it is a religious nonprofit that objects to the provision of contraceptive services and provides a copy of that form to its insurance issuer or third-party administrator. The form is simple. The front asks the applicant to attest to the foregoing representations; the back notifies third-party administrators of their regulatory obligations.

The matter before us is an application for an emergency injunction filed by Wheaton College, a nonprofit liberal arts college in Illinois. There is no dispute that Wheaton is entitled to the religious-nonprofit exemption from the contraceptive coverage requirement. Wheaton nonetheless asserts that the exemption itself impermissibly burdens Wheaton's free exercise of its religion in violation of the Religious Freedom Restoration Act of 1993 (RFRA), 107 Stat. 1488, 42 U. S. C. § 2000bb *et seq.*, on the theory that its filing of a self-certification form will make it complicit in the provision of contraceptives by triggering the obligation for someone else to provide the services to which it objects. Wheaton has not stated a viable claim under RFRA. Its claim ignores that the provision of contraceptive coverage is triggered not by its completion of the self-certification form, but by federal law.

Even assuming that the accommodation somehow burdens Wheaton's religious exercise, the accommodation is permissible under RFRA because it is the least restrictive means of furthering the Government's compelling interests in public health and women's well-being. Indeed, just earlier this week in *Burwell v. Hobby Lobby Stores, Inc.*, *ante*, p. 682, the Court described the accommodation as "a system that seeks to respect the religious liberty of religious nonprofit corporations while ensuring that the employees of these entities have precisely the same access to all [Food and Drug Administration (FDA)]-approved contraceptives as employees of companies whose owners have no religious objections to providing such coverage." And the Court concluded that the accommodation "constitutes an alternative that achieves all of the Government's aims while providing greater respect for religious liberty." *Ibid.* Those who are bound by our decisions usually believe they can take us at our word. Not so today. After expressly relying on the availability of the religious-nonprofit accommodation to hold that the contraceptive coverage requirement violates RFRA as applied to closely held for-profit corporations, the Court now, as the dissent in *Hobby Lobby* feared it might,

see *ante*, at 739–740 (opinion of GINSBURG, J.), retreats from that position. That action evinces disregard for even the newest of this Court’s precedents and undermines confidence in this institution.

Even if one accepts Wheaton’s view that the self-certification procedure violates RFRA, that would not justify the Court’s action today. The Court grants Wheaton a form of relief as rare as it is extreme: an interlocutory injunction under the All Writs Act, 28 U. S. C. §1651, blocking the operation of a duly enacted law and regulations, in a case in which the courts below have not yet adjudicated the merits of the applicant’s claims and in which those courts have declined requests for similar injunctive relief. Injunctions of this nature are proper only where “the legal rights at issue are indisputably clear.” *Turner Broadcasting System, Inc. v. FCC*, 507 U. S. 1301, 1303 (1993) (Rehnquist, C. J., in chambers) (internal quotation marks omitted). Yet the Court today orders this extraordinary relief even though no one could credibly claim Wheaton’s right to relief is indisputably clear.

The sincerity of Wheaton’s deeply held religious beliefs is beyond refute. But as a legal matter, Wheaton’s application comes nowhere near the high bar necessary to warrant an emergency injunction from this Court. For that reason, I respectfully dissent.

I

A

The Affordable Care Act requires certain employer group health insurance plans to cover a number of preventative-health services without cost sharing. These services include “all Food and Drug Administration approved contraceptive methods, sterilization procedures, and patient education and counseling for all women with reproductive capacity, as prescribed by a provider.” 77 Fed. Reg. 8725 (2012) (brackets and internal quotation marks omitted). As a practical matter, the provision ensures that women have access to contraception at no cost beyond their insurance premiums. Employers that do not comply with the mandate are subject to civil penalties.

Recognizing that some religions disapprove of contraceptives, the Government has sought to implement the mandate in a manner consistent with the freedom of conscience. It has categorically exempted any group health plan of a “religious employer,”

as defined by reference to the Tax Code provision governing churches. See 45 CFR § 147.131(a) (2013). And it has extended a further accommodation to religious nonprofits that do not satisfy the categorical exemption. All agree that Wheaton qualifies as a religious nonprofit.

To invoke the accommodation and avoid civil penalties, a religious nonprofit need only file a self-certification form stating (1) that it “opposes providing coverage for some or all of any contraceptive services required to be covered under [the regulation] on account of religious objections,” (2) that it “is organized and operates as a nonprofit entity,” and (3) that it “holds itself out as a religious organization.” § 147.131(b). The form is reprinted in an appendix to this opinion. Any organization that completes the form and provides a copy to its insurance issuer or third-party administrator¹ need not “contract, arrange, pay, or refer for contraceptive coverage” to which it objects. 78 Fed. Reg. 39874 (2013); see 29 CFR §§ 2590.715–2713A(b)(1) and (c)(1) (2013). Instead, the insurance issuer or third-party administrator must provide contraceptive coverage for the organization’s employees and may not charge the organization any premium or other fee related to those services. The back of the self-certification form reminds third-party administrators that receipt of the form constitutes notice that they must comply with their regulatory obligations. See Appendix, *infra*.

B

Rather than availing itself of this simple accommodation, Wheaton filed suit, asserting that completing the form and submitting it to its third-party administrator would make it complicit in the provision of contraceptive coverage, in violation of its religious beliefs. On that basis, it sought a preliminary injunction, claiming that the law and regulations at issue violate RFRA, which provides that the Government may not “substantially burden a person’s exercise of religion” unless the application of that

¹ Typically, an employer contracts to pay a health insurer to provide coverage; the insurer both covers the cost of medical claims and manages the process for administering those claims. Employers who maintain self-insured plans cover the cost of claims for medical treatment directly. Such employers often contract with third-party administrators to administer the claims process.

burden “is the least restrictive means of furthering [a] compelling governmental interest.” 42 U.S.C. §§2000bb–1(a) and (b).²

The District Court denied a preliminary injunction on the ground that the regulations exempting Wheaton from the contraceptive coverage requirement do not substantially burden its exercise of religion. App. to Emergency Application for Injunction Pending Appellate Review 1–20. Under Circuit precedent, the court reasoned, Wheaton’s act of “filling out the form and sending it to the [third-party administrator]” in no way “triggers” coverage of contraception costs. *Id.*, at 9 (internal quotation marks omitted). The Seventh Circuit in turn denied Wheaton’s motion for an injunction pending appeal. See Order in No. 14–2396 (June 30, 2014). In doing so, it relied on this Court’s pronouncement in *Hobby Lobby* “that the accommodation provision (applicable in this case) ‘constitutes an alternative that achieves all of the Government’s aims while providing greater respect for religious liberty.’” Order in No. 14–2396.

Wheaton applied to JUSTICE KAGAN, in her capacity as Circuit Justice for the Seventh Circuit, for an emergency injunction against enforcement of the law and regulations pending resolution of its legal challenge. She referred the matter to the Conference, which entered a temporary injunction and called for a response from the Government. See *ante*, p. 943. After receipt of the Government’s response, the Court today enters an order granting injunctive relief.

II

A

I disagree strongly with what the Court has done. Wheaton asks us to enjoin the enforcement of a duly enacted law and duly promulgated regulations before the courts below have passed on the merits of its legal challenge. Relief of this nature is extraordinary and reserved for the rarest of cases. With good reason. The only source of authority for this Court to issue an injunction pending review in the lower courts is the All Writs Act, which provides that this Court “may issue all writs necessary or appropriate in aid of [its] . . . jurisdiction and agreeable to the usages and principles of law.” 28 U.S.C. §1651(a). This grant of equi-

² Wheaton also raised claims under the First Amendment and the Administrative Procedure Act. Because it does not press those claims in this Court as a basis for injunctive relief, I do not discuss them.

table power is a fail-safe, “to be used ‘sparingly and only in the most critical and exigent circumstances.’” *Ohio Citizens for Responsible Energy, Inc. v. NRC*, 479 U.S. 1312, 1313 (1986) (SCALIA, J., in chambers) (some internal quotation marks omitted).

Under our precedents, “[a]n injunction is appropriate only if (1) it is necessary or appropriate in aid of our jurisdiction, and (2) the legal rights at issue are indisputably clear.” *Turner Broadcasting System*, 507 U.S., at 1303 (brackets, internal quotation marks, and citation omitted).³ To understand how high a bar that second prong is, consider that this Court has previously pointed to differences of opinion among lower courts as proof positive that the standard has not been met. See *Lux v. Rodrigues*, 561 U.S. 1306, 1308 (2010) (ROBERTS, C. J., in chambers) (observing that “the courts of appeals appear to be reaching divergent results” respecting the applicant’s claim, and that, “[a]ccordingly, . . . it cannot be said that his right to relief is ‘indisputably clear’”). Neutral application of this principle would compel the denial of Wheaton’s application without any need to examine the merits, for two Courts of Appeals that have addressed similar claims have rejected them. See *University of Notre Dame v. Sebelius*, 743 F. 3d 547 (CA7 2014); *Michigan Catholic Conference v. Burwell*, 755 F. 3d 372 (CA6 2014).⁴ Remarkably, the Court

³ Indeed, some of my colleagues who act to grant relief in this case have themselves emphasized the exceedingly high burden that an applicant must surmount to obtain an interlocutory injunction under the All Writs Act. See *Lux v. Rodrigues*, 561 U.S. 1306, 1307 (2010) (ROBERTS, C. J., in chambers) (an applicant must demonstrate that “the legal rights at issue are indisputably clear” in order to obtain such injunctive relief (internal quotation marks omitted)); *Respect Maine PAC v. McKee*, 562 U.S. 996 (2010) (unlike a stay of a lower court’s order, a request for an injunction against the enforcement of a law “‘does not simply suspend judicial alteration of the status quo but grants judicial intervention that has been withheld by lower courts’” (quoting *Ohio Citizens for Responsible Energy, Inc. v. NRC*, 479 U.S. 1312, 1313 (1986) (SCALIA, J., in chambers)))).

⁴ To be sure, two other Courts of Appeals have recently granted temporary injunctions similar to the one Wheaton seeks here. See Order in *Eternal Word Television Network, Inc. v. Secretary of Health and Human Services*, No. 14–12696–CC (CA11, June 30, 2014) (granting injunction pending appeal); Order in *Diocese of Cheyenne v. Burwell*, No. 14–8040 (CA10, June 30, 2014) (same). Although denying the injunction in this case would produce a different outcome, the Government could of course move to vacate those injunctions were we to deny this one. Moreover, while uniformity certainly is important, uniform error is not.

uses division among the Circuits as a justification for the issuance of its order, noting that “division is a traditional ground for certiorari.” *Ante*, at 959. But a petition for writ of certiorari is not before us. Rather, given the posture of this application—for an emergency injunction under the All Writs Act—division of authority is reason *not* to grant relief.

B

Wheaton’s RFRA claim plainly does not satisfy our demanding standard for the extraordinary relief it seeks.

For one thing, the merits of this case are not before this Court for full review; adjudication of the merits is still pending in the District Court. So nothing necessitates intervention in order to “aid . . . our jurisdiction,” *Turner Broadcasting System*, 507 U.S., at 1303 (alterations omitted), over any eventual certiorari petition from a decision rendered below. If the Government is allowed to enforce the law, either Wheaton will file the self-certification form or it will not. Either way, there will remain a live controversy that this Court could adjudicate after the case is decided on the merits below. And either way, if Wheaton is correct in its challenge to the law, its rights will be vindicated and it will obtain the relief it seeks.

As to the merits, Wheaton’s claim is likely to fail under any standard, let alone the standard that its entitlement to relief be “indisputably clear,” *ibid.* Wheaton asserts that filing the self-certification form might ultimately result in the provision of contraceptive services to its employees, thereby burdening its religious exercise. And it points out that if it does not file the form, it will face civil penalties. But it is difficult to understand how these arguments make out a viable RFRA claim.

RFRA requires Wheaton to show that the accommodation process “substantially burden[s] [its] exercise of religion.” §2000bb–1(a). “Congress no doubt meant the modifier ‘substantially’ to carry weight.” *Hobby Lobby, ante*, at 758 (GINSBURG, J., dissenting). Wheaton, for religious reasons, categorically opposes the provision of contraceptive services. The Government has given it a simple means to opt out of the contraceptive coverage mandate—and thus avoid any civil penalties for failing to provide contraceptive services—and a simple means to tell its third-party administrator of its claimed exemption.

Yet Wheaton maintains that taking these steps to avail itself of the accommodation would substantially burden its religious exercise. Wheaton is “religiously opposed to emergency contraceptives because they may act by killing a human embryo.” Emergency Application for Injunction Pending Appellate Review 11. And it “believes that authorizing its [third-party administrator] to provide these drugs in [its] place makes it complicit in grave moral evil.” *Ibid.* Wheaton is mistaken—not as a matter of religious faith, in which it is undoubtedly sincere, but as a matter of law: Not every sincerely felt “burden” is a “substantial” one, and it is for courts, not litigants, to identify which are. See *Hobby Lobby, ante*, at 758–759 (GINSBURG, J., dissenting). Any provision of contraceptive coverage by Wheaton’s third-party administrator would not result from any action by Wheaton; rather, in every meaningful sense, it would result from the relevant law and regulations. The law and regulations require, in essence, that *some* entity provide contraceptive coverage. A religious nonprofit’s choice not to be that entity may leave someone else obligated to provide coverage instead—but the obligation is created by the contraceptive coverage mandate imposed by law, not by the religious nonprofit’s choice to opt out of it.⁵

Let me be absolutely clear: I do not doubt that Wheaton genuinely believes that signing the self-certification form is contrary to its religious beliefs. But *thinking* one’s religious beliefs are substantially burdened—no matter how sincere or genuine that belief may be—does not make it so.

An analogy used by the Seventh Circuit may help to explain why Wheaton’s complicity theory cannot be legally sound:

“Suppose it is wartime, there is a draft, and a Quaker is called up. Many Quakers are pacifists, and their pacifism is a tenet of their religion. Suppose the Quaker who’s been called up tells the selective service system that he’s a conscientious objector. The selective service officer to whom he makes this pitch accepts the sincerity of his refusal to bear arms and excuses him. But as the Quaker leaves the selec-

⁵ Wheaton notes that the back of the self-certification form provides third-party administrators with notice of their regulatory obligations. See Emergency Application for Injunction Pending Appellate Review 8; see also Appendix, *infra*. That notice is merely an instruction to third-party administrators; it is not a part of any of the representations required on the front of the form. No statement to which Wheaton must assent in any way reflects agreement with, or endorsement of, the notice.

tive service office, he's told: 'you know this means we'll have to draft someone in place of you'—and the Quaker replies indignantly that if the government does that, it will be violating his religious beliefs. Because his religion teaches that *no one* should bear arms, drafting another person in his place would make him responsible for the military activities of his replacement, and by doing so would substantially burden his own sincere religious beliefs. Would this mean that by exempting him the government had forced him to 'trigger' the drafting of a replacement who was not a conscientious objector, and that the Religious Freedom Restoration Act would require a draft exemption for both the Quaker and his non-Quaker replacement?" *Notre Dame*, 743 F. 3d, at 556.

Here, similarly, the filing of the self-certification form merely indicates to the third-party administrator that a religious nonprofit has chosen to invoke the religious accommodation. If a religious nonprofit chooses not to pay for contraceptive services, it is true that someone else may have a legal obligation to pay for them, just as someone may have to go to war in place of the conscientious objector. But the obligation to provide contraceptive services, like the obligation to serve in the Armed Forces, arises not from the filing of the form but from the underlying law and regulations.

It may be that what troubles Wheaton is that it must participate in *any* process the end result of which might be the provision of contraceptives to its employees. But that is far from a substantial burden on its free exercise of religion.

Even if one were to conclude that Wheaton meets the substantial burden requirement, the Government has shown that application of the burden is "the least restrictive means" to further a "compelling governmental interest," §2000bb-1(b)(2). The contraceptive coverage requirement plainly furthers compelling interests in public health and women's well-being. See *Hobby Lobby*, ante, at 737 (KENNEDY, J., concurring). And it is the "least restrictive means" of furthering those interests. Indeed, as justification for its decision in *Hobby Lobby*—issued just this week—the very Members of the Court that now vote to grant injunctive relief concluded that the accommodation "constitutes an alternative that achieves all of the Government's aims while providing greater respect for religious liberty." *Ante*, at 692 (majority opinion); see also *ante*, at 693 ("The effect of the [Department of Health and

Human Services (HHS)]-created accommodation on the women employed by Hobby Lobby and the other companies involved in these cases would be precisely zero. Under that accommodation, these women would still be entitled to all FDA-approved contraceptives without cost sharing"); *ante*, at 731 ("At a minimum . . . [the accommodation] does not impinge on the plaintiffs' religious belief that providing insurance coverage for the contraceptives at issue here violates their religion, and it serves HHS's stated interests equally well"); see also *ante*, at 739 (KENNEDY, J., concurring) ("[I]t is the Court's understanding that an accommodation may be made to the employers without imposition of a whole new program or burden on the Government. As the Court makes clear, this is not a case where it can be established that it is difficult to accommodate the government's interest, and in fact the mechanism for doing so is already in place"). Today's grant of injunctive relief simply does not square with the Court's reasoning in *Hobby Lobby*.

It should by now be clear just how far the Court has strayed in granting Wheaton an interlocutory injunction against the enforcement of the law and regulations before the courts below have adjudicated Wheaton's RFRA claim. To warrant an injunction under the All Writs Act, the Court must have more than a bare desire to suspend the existing state of affairs; Wheaton's entitlement to relief must be indisputably clear. While Wheaton's religious conviction is undoubtedly entitled to respect, it does not come close to affording a basis for relief under the law.

C

The Court's approach imposes an unwarranted and unprecedented burden on the Government's ability to administer an important regulatory scheme. The Executive is tasked with enforcing Congress' mandate that preventative care be available to citizens at no cost beyond that of insurance. In providing the accommodation for which Wheaton is eligible, the Government has done a salutary thing: exempt religious organizations from a requirement that might otherwise burden them. Wheaton objects, however, to the minimally burdensome paperwork necessary for the Government to administer this accommodation. If the Government cannot require organizations to attest to their views by way of a simple self-certification form and notify their third-party administrators of their claimed exemption, how can it

ever identify the organizations eligible for the accommodation and perform the administrative tasks necessary to make the accommodation work? The self-certification form is the *least* intrusive way for the Government to administer the accommodation. All that a religious organization must do is attest to the views that it holds and notify its third-party administrator that it is exempt. The Government rightly accepts that attestation at face value; it does not question whether an organization's views are sincere. It is not at all clear to me how the Government could administer the religious-nonprofit accommodation if Wheaton were to prevail.

The Court has different ideas, however. Stepping into the shoes of HHS, the Court sets out to craft a new administrative regime. Its order grants injunctive relief so long as Wheaton “informs the Secretary of Health and Human Services in writing that it is a nonprofit organization that holds itself out as religious and has religious objections to providing coverage for contraceptive services.” *Ante*, at 958–959. And it goes further—“[t]o meet the condition for injunction pending appeal,” the Court continues, Wheaton “need not use the [self-certification] form prescribed by the Government . . . and need not send copies to health insurance issuers or third-party administrators.” *Ibid.* This Court has no business rewriting administrative regulations. Yet, without pause, the Court essentially does just that.⁶

⁶ This case is crucially unlike *Little Sisters of the Poor v. Sebelius*, 571 U.S. 1171, 1172 (2014). There, the Court issued a comparable order “based on all the circumstances of the case”—in particular, the fact that the applicants’ third-party administrator was a “church plan” that had no legal obligation or intention to provide contraceptive coverage. See *Little Sisters of the Poor v. Sebelius*, 6 F. Supp. 3d 1225, 1239–1241, 1243–1244 (Colo. 2013). As a consequence, whatever the merits of that unusual order, it did not affect any individual’s access to contraceptive coverage. Not so here. Wheaton’s third-party administrator bears the legal obligation to provide contraceptive coverage only upon receipt of a valid self-certification. See 26 CFR § 54.9815–2713A(b)(2) (2013); 29 CFR § 2510.3–16(b) (2013). Today’s injunction thus risks depriving hundreds of Wheaton’s employees and students of their legal entitlement to contraceptive coverage. In addition, because Wheaton is materially indistinguishable from other nonprofits that object to the Government’s accommodation, the issuance of an injunction in this case will presumably entitle hundreds or thousands of other objectors to the same remedy. The Court has no reason to think that the administrative scheme it foists on the Government today is workable or effective on a national scale.

It is unclear why the Court goes to the lengths it does to rewrite HHS' regulations. Presumably the Court intends to leave to the agency the task of forwarding whatever notification it receives to the respective insurer or third-party administrator. But the Court does not even require the religious nonprofit to identify its third-party administrator, and it neglects to explain how HHS is to identify that entity. Of course, HHS is aware of Wheaton's third-party administrator in this case. But what about other cases? Does the Court intend for HHS to rely on the filing of lawsuits by every entity claiming an exemption, such that the identity of the third-party administrator will emerge in the pleadings or in discovery? Is HHS to undertake the daunting—if not impossible—task of creating a database that tracks every employer's insurer or third-party administrator nationwide? And, putting that aside, why would not Wheaton's claim be exactly the same under the Court's newly fashioned system? Either way, the end result will be that a third-party administrator will provide contraceptive coverage. Surely the Court and Wheaton are not just objecting to the use of one stamp instead of two in order to avail itself of the accommodation.

The Court's actions in this case create unnecessary costs and layers of bureaucracy, and they ignore a simple truth: The Government must be allowed to handle the basic tasks of public administration in a manner that comports with common sense. It is not the business of this Court to ensnare itself in the Government's ministerial handling of its affairs in the manner it does here.

* * *

I have deep respect for religious faith, for the important and selfless work performed by religious organizations, and for the values of pluralism protected by RFRA and the Free Exercise Clause. But the Court's grant of an injunction in this case allows Wheaton's beliefs about the effects of its actions to trump the democratic interest in allowing the Government to enforce the law. In granting an injunction concerning this religious-nonprofit accommodation, the availability of which served as the premise for the Court's decision in *Hobby Lobby*, the Court cannot possibly be applying our longstanding requirement that a party's entitlement to relief be indisputably clear.

Our jurisprudence has over the years drawn a careful boundary between majoritarian democracy and the right of every American

to practice his or her religion freely. We should not use the extraordinary vehicle of an injunction under the All Writs Act to work so fundamental a shift in that boundary. Because Wheaton cannot justify the relief it seeks, I would deny its application for an injunction, and I respectfully dissent from the Court's refusal to do so.

[Appendix to opinion of SOTOMAYOR, J., begins on p. 972.]

APPENDIX*

EBSA FORM 700-- CERTIFICATION
(To be used for plan years beginning on or after January 1, 2014)

<p>This form is to be used to certify that the health coverage established or maintained or arranged by the organization listed below qualifies for an accommodation with respect to the federal requirement to cover certain contraceptive services without cost sharing, pursuant to 26 CFR 54.9815-2713A, 29 CFR 2590.715-2713A, and 45 CFR 147.131.</p> <p>Please fill out this form completely. This form must be completed by each eligible organization by the first day of the first plan year beginning on or after January 1, 2014, with respect to which the accommodation is to apply, and be made available for examination upon request. This form must be maintained on file for at least 6 years following the end of the last applicable plan year.</p>	
Name of the objecting organization	
Name and title of the individual who is authorized to make, and makes, this certification on behalf of the organization	
Mailing and email addresses and phone number for the individual listed above	
<p>I certify that, on account of religious objections, the organization opposes providing coverage for some or all of any contraceptive services that would otherwise be required to be covered; the organization is organized and operates as a nonprofit entity; and the organization holds itself out as a religious organization.</p> <p>Note: An organization that offers coverage through the same group health plan as a religious employer (as defined in 45 CFR 147.131(a)) and/or an eligible organization (as defined in 26 CFR 54.9815-2713A(a); 29 CFR 2590.715-2713A(a); 45 CFR 147.131(b)), and that is part of the same controlled group of corporations as, or under common control with, such employer and/or organization (within the meaning of section 52(a) or (b) of the Internal Revenue Code), may certify that it holds itself out as a religious organization.</p> <p><i>I declare that I have made this certification, and that, to the best of my knowledge and belief, it is true and correct. I also declare that this certification is complete.</i></p> <p>_____ Signature of the individual listed above</p> <p>_____ Date</p>	

*Source: United States Dept. of Labor, online at <http://www.dol.gov/ebsa/pdf/preventiveserviceseligibleorganizationcertificationform.pdf> (as visited July 2, 2014, and available in Clerk of Court's case file).

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The organization or its plan must provide a copy of this certification to the plan's health insurance issuer (for insured health plans) or a third party administrator (for self-insured health plans) in order for the plan to be accommodated with respect to the contraceptive coverage requirement.

Notice to Third Party Administrators of Self-Insured Health Plans

In the case of a group health plan that provides benefits on a self-insured basis, the provision of this certification to a third party administrator for the plan that will process claims for contraceptive coverage required under 26 CFR 54.9815-2713(a)(1)(iv) or 29 CFR 2590.715-2713(a)(1)(iv) constitutes notice to the third party administrator that the eligible organization:

- (1) Will not act as the plan administrator or claims administrator with respect to claims for contraceptive services, or contribute to the funding of contraceptive services; and
- (2) The obligations of the third party administrator are set forth in 26 CFR 54.9815-2713A, 29 CFR 2510.3-16, and 29 CFR 2590.715-2713A.

This certification is an instrument under which the plan is operated.

PRA Disclosure Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 1210-0150. Each organizations that seeks to be recognized as an eligible organization that qualifies for an accommodation with respect to the federal requirement to cover certain contraceptive services without cost sharing is required to complete this self-certification from pursuant to 26 CFR 54.9815-2713A(a)(4) in order to obtain or retain the benefit of the exemption from covering certain contraceptive services. The self-certification must be maintained in a manner consistent with the record retention requirements under section 107 of the Employee Retirement Income Security Act of 1974, which generally requires records to be retained for six years. The time required to complete this information collection is estimated to average 50 minutes per response, including the time to review instructions, gather the necessary data, and complete and review the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Labor, Employee Benefits Security Administration, Office of Policy and Research, 200 Constitution Avenue, N.W., Room N-5718, Washington, DC 20210 or email ebssa.opr@dol.gov and reference the OMB Control Number 1210-0150.

JULY 10, 2014

Certiorari Denied

No. 14–5080 (14A22). *DAVIS v. FLORIDA*. Sup. Ct. Fla. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied. Reported below: 142 So. 3d 867.

No. 14–5121 (14A31). *DAVIS v. SCOTT, GOVERNOR OF FLORIDA, ET AL.* Sup. Ct. Fla. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied. Reported below: 147 So. 3d 521.

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JULY 15, 2014

Miscellaneous Order

No. 14–5225 (14A48). *IN RE MIDDLETON*. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Petition for writ of habeas corpus denied. JUSTICE SCALIA took no part in the consideration or decision of this application and this petition.

Certiorari Denied

No. 14–5238 (14A52). *MIDDLETON v. MISSOURI*. Sup. Ct. Mo. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Certiorari denied. JUSTICE SCALIA took no part in the consideration or decision of this application and this petition.

JULY 16, 2014

Miscellaneous Orders

No. 14A64. *MIDDLETON v. RUSSELL, WARDEN*. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied.

No. 14–5247 (14A55). *IN RE MIDDLETON*. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

Certiorari Denied

No. 14–5248 (14A56). *MIDDLETON v. ROPER, WARDEN*. C. A. 8th Cir. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Certiorari denied. Reported below: 759 F. 3d 833.

No. 14–5271 (14A63). *MIDDLETON v. ROPER, WARDEN*. C. A. 8th Cir. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Certiorari denied. Reported below: 759 F. 3d 867.

JULY 18, 2014

Miscellaneous Order

No. 14A65. *HERBERT, GOVERNOR OF UTAH, ET AL. v. EVANS ET AL.* Application for stay, presented to JUSTICE SOTOMAYOR,

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and by her referred to the Court, granted. Preliminary injunction issued by the United States District Court for the District of Utah, case No. 2:14-cv-00055-DAK, on May 19, 2014, is stayed pending final disposition of the appeal by the United States Court of Appeals for the Tenth Circuit.

JULY 21, 2014

Miscellaneous Orders

No. 13-1041. PEREZ, SECRETARY OF LABOR, ET AL. *v.* MORTGAGE BANKERS ASSN. ET AL.; and

No. 13-1052. NICKOLS ET AL. *v.* MORTGAGE BANKERS ASSN. C. A. D. C. Cir. [Certiorari granted, *ante*, p. 916.] Motions of petitioners to dispense with printing joint appendix granted.

No. 13-5967. MARTINEZ *v.* ILLINOIS, 572 U. S. 833. Petitioner is requested to file a response to the petition for rehearing within 30 days.

Rehearing Denied

No. 13-957. PARRIS *v.* CUMMINS POWER SOUTH, LLC, 572 U. S. 1061;

No. 13-1079. ACHEAMPONG *v.* BANK OF NEW YORK MELLON ET AL., 572 U. S. 1129;

No. 13-1087. PULVER *v.* BATTELLE MEMORIAL INSTITUTE, 572 U. S. 1116;

No. 13-1199. YOUNGJOHN *v.* WASHINGTON STATE BAR ASSN., 572 U. S. 1150;

No. 13-1215. WHITE *v.* KUBOTEK CORP. ET AL., 572 U. S. 1117;

No. 13-7951. KECKEISSEN *v.* PENNSYLVANIA, 571 U. S. 1216;

No. 13-8541. PAYNE *v.* SHELDON, WARDEN, 572 U. S. 1049;

No. 13-8634. MORIN *v.* UNIVERSITY OF MASSACHUSETTS ET AL., 572 U. S. 1090;

No. 13-8754. SCRIBNER *v.* VIRGINIA, 572 U. S. 1091;

No. 13-8918. RUFFIN *v.* HOUSTON INDEPENDENT SCHOOL DISTRICT ET AL., 572 U. S. 1104;

No. 13-9007. MILLER *v.* WALT DISNEY COMPANY CHANNEL 7 KABC ET AL., 572 U. S. 1119;

No. 13-9090. BERK ET AL. *v.* MOHR ET AL., 572 U. S. 1093;

No. 13-9121. BENDER *v.* WALSH, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL., 572 U. S. 1122;

No. 13-9142. BOLDRINI *v.* WILSON ET AL., 572 U. S. 1122;

No. 13-9186. CRAIG *v.* VALENZUELA, WARDEN, 572 U. S. 1123;

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- No. 13–9194. *MICHAEL v. UNITED STATES*, 572 U. S. 1123;
No. 13–9251. *ROSS v. ILLINOIS*, 572 U. S. 1105;
No. 13–9282. *HOLLOWAY v. BAUMAN, WARDEN*, 572 U. S. 1139;
No. 13–9289. *FAGNES v. KELLER, WARDEN, ET AL.*, 572 U. S. 1139;
No. 13–9291. *HERSHFIELD v. KING GEORGE COUNTY, VIRGINIA*, 572 U. S. 1093;
No. 13–9301. *RUBIO v. VAUGHN ET AL.*, 572 U. S. 1105;
No. 13–9310. *FLORES VERA v. STEPHENS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, 572 U. S. 1139;
No. 13–9358. *JACOBS v. ESTEFAN ET AL.*, 572 U. S. 1105;
No. 13–9402. *SIMS v. VIACOM, INC.*, 572 U. S. 1124;
No. 13–9453. *KING v. STEVENSON, WARDEN*, 572 U. S. 1124;
No. 13–9464. *JOHNSON v. SUNSHINE HOUSE, INC.*, 572 U. S. 1154;
No. 13–9495. *STRATTON v. COLEMAN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT FAYETTE, ET AL.*, 572 U. S. 1106;
No. 13–9513. *GETZ v. DELAWARE*, 572 U. S. 1095;
No. 13–9520. *IGLESIAS v. WAL-MART STORES EAST L. P.*, 572 U. S. 1107;
No. 13–9579. *HERRON v. ALABAMA*, 572 U. S. 1141; and
No. 13–9587. *LEE, AKA THOMPSON v. BIGELOW, WARDEN*, 572 U. S. 1125. Petitions for rehearing denied.
No. 13–9302. *HSIAO-PENG CHENG v. SCHLUMBERGER*, 572 U. S. 1146. Petition for rehearing denied. JUSTICE ALITO took no part in the consideration or decision of this petition.
No. 13–9491. *SPOTTS v. UNITED STATES*, 572 U. S. 1096. Petition for rehearing denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

JULY 22, 2014

Miscellaneous Order

No. 14A82. *RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL. v. WOOD*. Application to vacate the judgment of the United States Court of Appeals for the Ninth Circuit granting a conditional preliminary injunction, presented to JUSTICE KENNEDY, and by him referred to the Court, granted. The Dis-

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trict Judge did not abuse his discretion in denying Wood's motion for a preliminary injunction. The judgment of the Court of Appeals reversing the District Court and granting a conditional preliminary injunction is vacated.

Certiorari Denied

No. 14–5323 (14A83). *WOOD v. ARIZONA*. Sup. Ct. Ariz. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied.

JULY 23, 2014

Certiorari Denied

No. 14–5333 (14A93). *WOOD v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied. Reported below: 759 F. 3d 1117.

AUGUST 1, 2014

Dismissal Under Rule 46

No. 13–10758. *IN RE COLLINS*. Petition for writ of mandamus dismissed under this Court's Rule 46.

AUGUST 5, 2014

Miscellaneous Order

No. 14A141. *WORTHINGTON v. LOMBARDI, DIRECTOR, MISSOURI DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 8th Cir. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. JUSTICE GINSBURG, JUSTICE BREYER, JUSTICE SOTOMAYOR, and JUSTICE KAGAN would grant the application for stay of execution.

Certiorari Denied

No. 14–5544 (14A135). *WORTHINGTON v. STEELE, WARDEN*. Sup. Ct. Mo. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Certiorari denied.

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Dismissal Under Rule 46

No. 13–1529. MASTO, ATTORNEY GENERAL OF NEVADA, ET AL. *v.* KIEREN. C. A. 9th Cir. Certiorari dismissed under this Court's Rule 46.

AUGUST 11, 2014

Miscellaneous Orders

No. D–2782. IN RE DISCIPLINE OF BICKERSTAFF. Roderick Kevin Bickerstaff, Sr., of Los Angeles, Cal., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D–2783. IN RE DISCIPLINE OF ROMINGER. Karl E. Rominger, of Carlisle, Pa., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D–2784. IN RE DISCIPLINE OF WACHHOLZ. Douglas Paul Wachholz, of Reno, Nev., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D–2785. IN RE DISCIPLINE OF FROST. James Albert Frost, of Washington, D. C., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D–2786. IN RE DISCIPLINE OF BRADLEY. Stephanie Yvonne Bradley, of Washington, D. C., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring her to show cause why she should not be disbarred from the practice of law in this Court.

No. D–2787. IN RE DISCIPLINE OF HOROWITZ. Lawrence Ivan Horowitz, of Katonah, N. Y., 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.

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No. D-2788. IN RE DISCIPLINE OF RICHBOURG. Robert B. Richbourg, of Tifton, Ga., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2789. IN RE DISCIPLINE OF GREENLEAF. Robert J. Greenleaf, of Henderson, 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. D-2790. IN RE DISCIPLINE OF AMU. Lanre O. Amu, of Chicago, Ill., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2791. IN RE DISCIPLINE OF COOK. Rufus Cook, of Chicago, Ill., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2792. IN RE DISCIPLINE OF LIVINGSTON. Richard Bruce Livingston, of Springfield, N. J., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2793. IN RE DISCIPLINE OF LODES. Carl F. Lodes, of White Plains, N. Y., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2794. IN RE DISCIPLINE OF EDELSTEIN. Eric S. Edelstein, of Syosset, N. Y., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2795. IN RE DISCIPLINE OF DUFFY. James P. Duffy III, of Manhasset, N. Y., is suspended from the practice of law in

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this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2796. *IN RE DISCIPLINE OF HUDSON*. Daryl J. Hudson III, of Glenville, W. Va., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2797. *IN RE DISCIPLINE OF PLOTNER*. Jerome Plotner, of Jamaica, N. Y., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2798. *IN RE DISCIPLINE OF BACHMAN*. Rik Andrew Bachman, of Fairfield, Conn., 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. 13-9364. *BALLARD v. PENNSYLVANIA*. Sup. Ct. Pa. Letters of June 2, July 8, July 14, and July 16, 2014, received in this case, are referred to the Disciplinary Board of the Supreme Court of Pennsylvania for any investigation or action it finds appropriate.

Rehearing Denied

No. 12-930. *SCIALABBA, ACTING DIRECTOR, UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, ET AL. v. CUELLAR DE OSORIO ET AL.*, *ante*, p. 41;

No. 13-127. *TURNER v. UNITED STATES*, 572 U. S. 1134;

No. 13-339. *CTS CORP. v. WALDBURGER ET AL.*, *ante*, p. 1;

No. 13-1076. *PAIGE v. VERMONT ET AL.*, 572 U. S. 1115;

No. 13-1093. *GIBSON v. KILPATRICK*, *ante*, p. 942;

No. 13-1120. *IBIDA v. HAGEL, SECRETARY OF DEFENSE, ET AL.*, 572 U. S. 1089;

No. 13-1163. *YADAV ET AL. v. TOWNSHIP OF WEST WINDSOR, NEW JERSEY*, 572 U. S. 1150;

No. 13-1210. *DiFRANCESCO v. McSWAIN ET AL.*, *ante*, p. 905;

No. 13-1360. *FERGUSON v. UNITED STATES*, *ante*, p. 907;

No. 13-1364. *SHENEMAN v. UNITED STATES*, *ante*, p. 918;

No. 13-5186. *IN RE RADCLIFF*, 571 U. S. 813;

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No. 13-6870. *LAWS v. STEPHENS*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, 572 U. S. 1102;

No. 13-6892. *TAGOE, AKA ROBERTS v. DISTRICT OF COLUMBIA DEPARTMENT OF EMPLOYMENT SERVICES ET AL.*, *ante*, p. 913;

No. 13-7529. *HAFEZ v. FRAZIER*, WARDEN, 571 U. S. 1179;

No. 13-8415. *BELL v. BONDI*, ATTORNEY GENERAL OF FLORIDA, ET AL., 572 U. S. 1118;

No. 13-8660. *WILLIAMS v. RUSSELL*, WARDEN, ET AL., 572 U. S. 1066;

No. 13-8738. *BOULDIN v. VIRGINIA*, 572 U. S. 1091;

No. 13-9002. *GRAY v. COMMISSIONER OF INTERNAL REVENUE*, 572 U. S. 1137;

No. 13-9003. *GRAY v. UNITED STATES*, 572 U. S. 1137;

No. 13-9058. *WILLIAMS v. SWARTHOUT*, WARDEN, 572 U. S. 1120;

No. 13-9068. *HINTON v. CLARKE*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, 572 U. S. 1093;

No. 13-9082. *HUNEYCUTT v. NEELY*, SUPERINTENDENT, PIEDMONT CORRECTIONAL INSTITUTION, 572 U. S. 1071;

No. 13-9131. *NUNES v. UNITED STATES*, 572 U. S. 1072;

No. 13-9169. *FLORES-LOPEZ v. UNITED STATES*, 572 U. S. 1073;

No. 13-9249. *HAENDEL v. PONT ET AL.*, 572 U. S. 1138;

No. 13-9250. *SKLAR v. TOSHIBA AMERICA INFORMATION SYSTEMS, INC.*, 572 U. S. 1138;

No. 13-9341. *ANDREWS v. ROZUM*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SOMERSET, ET AL., 572 U. S. 1140;

No. 13-9359. *IN RE JONES*, 572 U. S. 1148;

No. 13-9377. *LEE v. CAIN*, WARDEN, 572 U. S. 1152;

No. 13-9426. *RUFFIN v. HOUSTON INDEPENDENT SCHOOL DISTRICT ET AL.*, 572 U. S. 1153;

No. 13-9443. *HAMILTON v. LOUISIANA*, 572 U. S. 1124;

No. 13-9451. *YAN YAN v. PENN STATE UNIVERSITY ET AL.*, 572 U. S. 1124;

No. 13-9458. *BELL v. CHILDREN'S PROTECTIVE SERVICES ET AL.*, 572 U. S. 1154;

No. 13-9528. *WAUGH v. ANHEUSER-BUSCH INBEV ET AL.*, *ante*, p. 908;

No. 13-9576. *CHAO HO LIN ET AL. v. CHI CHU WU*, *ante*, p. 909;

No. 13-9631. *GULBRANDSON v. RYAN*, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, *ante*, p. 919;

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- No. 13–9641. *MOORE v. UNITED STATES*, 572 U. S. 1155;
No. 13–9672. *PULLEY v. UNITEDHEALTH GROUP INC.*, 572 U. S. 1155;
No. 13–9676. *ADAMS v. UNIVERSITY OF TENNESSEE HEALTH SCIENCE CENTER AT MEMPHIS ET AL.*, 572 U. S. 1155;
No. 13–9711. *REDMAN v. NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES ET AL.*, 572 U. S. 1142;
No. 13–9717. *PENN v. ARKANSAS*, 572 U. S. 1127;
No. 13–9764. *MORRIS v. LIVINGSTON, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE*, *ante*, p. 909;
No. 13–9778. *IN RE KOCH*, *ante*, p. 930;
No. 13–9813. *HAMILTON v. MISSOURI*, *ante*, p. 920;
No. 13–9824. *MILLIS v. CROSS, WARDEN*, 572 U. S. 1146;
No. 13–9862. *IN RE LACROIX*, *ante*, p. 930;
No. 13–9875. *JONES v. OHIO*, *ante*, p. 910;
No. 13–9897. *LOCKETT v. CITY OF CHICAGO, ILLINOIS*, 572 U. S. 1156; and
No. 13–9963. *BAQUEDANO v. UNITED STATES*, 572 U. S. 1157. Petitions for rehearing denied.
- No. 13–9864. *ROLLNESS v. UNITED STATES*, 572 U. S. 1146. Petition for rehearing denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

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Miscellaneous Order

No. 14A196. *MCQUIGG v. BOSTIC ET AL.* Application for stay, presented to THE CHIEF JUSTICE, and by him referred to the Court, granted, and the issuance of the mandate of the United States Court of Appeals for the Fourth Circuit in case No. 14–1167 is stayed pending the timely filing and disposition of a petition for writ of certiorari. Should the petition for writ of certiorari be denied, this stay shall terminate automatically. In the event the petition for writ of certiorari is granted, the stay shall terminate upon the sending down of the judgment of this Court.

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Miscellaneous Orders

No. 13A1163. *WHITWORTH v. UNITED STATES*. C. A. 11th Cir. Application for certificate of appealability, addressed to JUSTICE GINSBURG and referred to the Court, denied.

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No. 13A1180. *STOUTAMIRE v. MORGAN, WARDEN*. C. A. 6th Cir. Application for certificate of appealability, addressed to JUSTICE SOTOMAYOR and referred to the Court, denied.

No. 13A1216 (13–1548). *J. L. B. v. S. J. B.* Dist. Ct. App. Fla., 5th Dist. Application for stay, addressed to JUSTICE KENNEDY and referred to the Court, denied.

No. 13A1264. *SCHNEIDER v. SUTTER AMADOR HOSPITAL ET AL.* Application for stay, addressed to JUSTICE GINSBURG and referred to the Court, denied.

No. 13A1286. *BALL ET AL. v. LEBLANC, SECRETARY, LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS, ET AL.* C. A. 5th Cir. Application to vacate stay, addressed to JUSTICE SOTOMAYOR and referred to the Court, denied.

No. D–2772. *IN RE DISBARMENT OF CEGELSKI*. Disbarment entered. [For earlier order herein, see 572 U. S. 1147.]

No. D–2773. *IN RE DISBARMENT OF HARRINGTON*. Disbarment entered. [For earlier order herein, see 572 U. S. 1148.]

No. D–2774. *IN RE DISBARMENT OF SLOANE*. Disbarment entered. [For earlier order herein, see 572 U. S. 1148.]

No. D–2775. *IN RE DISBARMENT OF RICE*. Disbarment entered. [For earlier order herein, see *ante*, p. 901.]

No. D–2778. *IN RE DISBARMENT OF COOK*. Disbarment entered. [For earlier order herein, see *ante*, p. 902.]

No. D–2779. *IN RE DISBARMENT OF NUSBAUM*. Disbarment entered. [For earlier order herein, see *ante*, p. 902.]

No. D–2780. *IN RE DISBARMENT OF KAHL*. Disbarment entered. [For earlier order herein, see *ante*, p. 902.]

No. D–2781. *IN RE DISBARMENT OF BERRY*. Disbarment entered. [For earlier order herein, see *ante*, p. 902.]

No. D–2799. *IN RE DISCIPLINE OF LINK*. Robert E. Link III, of East Norwich, N. Y., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D–2800. *IN RE DISCIPLINE OF BIGLER*. John Martin Bigler, of Wantagh, N. Y., is suspended from the practice of law

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in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2801. *IN RE DISCIPLINE OF RICKLES*. Wendy Jane Rickles, of Worcester, Mass., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring her to show cause why she should not be disbarred from the practice of law in this Court.

No. D-2802. *IN RE DISCIPLINE OF BRUFISKY*. Allen David Brufsky, of Naples, Fla., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2803. *IN RE DISCIPLINE OF NANSEN*. Peter Dirk Nansen, of Bellingham, Wash., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2804. *IN RE DISCIPLINE OF AGUILEZ*. Herocio M. Aguiluez, of Los Angeles, Cal., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2805. *IN RE DISCIPLINE OF ZUCKER*. Isaac Mannes Zucker, of Garden City, N. Y., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2806. *IN RE DISCIPLINE OF WEINSTEIN*. Brett B. Weinstein, of King of Prussia, Pa., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2807. *IN RE DISCIPLINE OF QUICHOCHO*. Ramon King Quichocho, Jr., of Saipan, N. Mar. I., 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.

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No. D-2808. IN RE DISCIPLINE OF FELIX. John A. Felix, of Williamsport, Pa., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2809. IN RE DISCIPLINE OF JONES. Mikel D. Jones, of Boynton Beach, Fla., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2810. IN RE DISCIPLINE OF SELTZER. James Jay Seltzer, of Muntinlupa City, Luzon, Philippines, is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2811. IN RE DISCIPLINE OF MANNEAR. William Stephen Mannear, of Baton Rouge, La., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-2812. IN RE DISCIPLINE OF NALLS. Clarence T. Nalls, of Baton Rouge, La., 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. 13-604. HEIEN *v.* NORTH CAROLINA. Sup. Ct. N. C. [Certiorari granted, 572 U. S. 1059.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 13-6827. HOLT, AKA MUHAMMAD *v.* HOBBS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION, ET AL. C. A. 8th Cir. [Certiorari granted, 571 U. S. 1236.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

Rehearing Denied

No. 13-1358. FACEY *v.* NEW YORK CITY DEPARTMENT OF EDUCATION, *ante*, p. 948;

No. 13-1381. OYAKHIRE *v.* UNITED STATES, *ante*, p. 933;

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- No. 13–7750. PRASAD *v.* HILL, WARDEN, 571 U. S. 1210;
No. 13–8905. BLAKELY *v.* WARDS ET AL., *ante*, p. 907;
No. 13–9069. MOUTON *v.* SMITH, WARDEN, 572 U. S. 1121;
No. 13–9151. PREYOR *v.* STEPHENS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 918;
No. 13–9252. SEIBERT *v.* TATUM, WARDEN, 572 U. S. 1138;
No. 13–9261. GREENE *v.* RENICO, WARDEN, 572 U. S. 1138;
No. 13–9430. POUNCY *v.* SOLOTAROFF ET AL., 572 U. S. 1153;
No. 13–9471. BERRYHILL *v.* ILLINOIS STATE TOLL HIGHWAY AUTHORITY, 572 U. S. 1154;
No. 13–9492. BIDWAI *v.* PEREZ, SECRETARY OF LABOR, ET AL., 572 U. S. 1141;
No. 13–9499. IN RE AKERS, 572 U. S. 1149;
No. 13–9586. WASHINGTON *v.* DENNEY, WARDEN, ET AL., *ante*, p. 919;
No. 13–9612. RICHARDS *v.* MITCHEFF ET AL., *ante*, p. 919;
No. 13–9647. CHANCE *v.* TORRINGTON SAVINGS BANK MORTGAGE SERVICING Co., 572 U. S. 1155;
No. 13–9700. ANDERSON *v.* CITY OF DANVILLE, VIRGINIA, ET AL., *ante*, p. 934;
No. 13–9716. HAMMOCK *v.* JENSON ET AL., *ante*, p. 934;
No. 13–9742. WADDLETON *v.* JACKSON ET AL., *ante*, p. 909;
No. 13–9826. LYONS *v.* STODDARD, WARDEN, *ante*, p. 909;
No. 13–9834. SIKES *v.* TEXAS, *ante*, p. 950;
No. 13–9947. MARQUEZ *v.* NEW MEXICO BEHAVIORAL HEALTH INSTITUTE, *ante*, p. 936;
No. 13–9974. GIPSON *v.* DEPARTMENT OF THE TREASURY, *ante*, p. 910;
No. 13–10046. O’RILEY *v.* WALMART, INC., ET AL., *ante*, p. 936;
No. 13–10132. WARNER *v.* UNITED STATES, *ante*, p. 921; and
No. 13–10159. CLAY *v.* OHIO DEPARTMENT OF JOB AND FAMILY SERVICES, *ante*, p. 937. Petitions for rehearing denied.

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Miscellaneous Orders

No. 14A266. RINGO *v.* LOMBARDI, DIRECTOR, MISSOURI DEPARTMENT OF CORRECTIONS, ET AL. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. JUSTICE GINSBURG, JUSTICE

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BREYER, JUSTICE SOTOMAYOR, and JUSTICE KAGAN would grant the application for stay of execution.

No. 14A269. RINGO *v.* ROPER, WARDEN. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied.

Certiorari Denied

No. 14–6168 (14A265). RINGO *v.* ROPER, WARDEN. C. A. 8th Cir. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Certiorari denied.

No. 14–6169 (14A267). RINGO *v.* ROPER, WARDEN. C. A. 8th Cir. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Certiorari denied. JUSTICE SOTOMAYOR would grant the application for stay of execution. Reported below: 766 F. 3d 880.

SEPTEMBER 10, 2014

Certiorari Denied

No. 14–6170 (14A268). TROTTIE *v.* STEPHENS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. Reported below: 581 Fed. Appx. 436.

No. 14–6200 (14A275). TROTTIE *v.* LIVINGSTON, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. Reported below: 766 F. 3d 450.

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Certiorari Denied

No. 14–6306 (14A296). COLEMAN *v.* STEPHENS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by

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him referred to the Court, denied. Certiorari denied. Reported below: 768 F. 3d 367.

SEPTEMBER 23, 2014

Miscellaneous Order

No. 13–640. PUBLIC EMPLOYEES’ RETIREMENT SYSTEM OF MISSISSIPPI *v.* INDYMAC MBS, INC., ET AL. C. A. 2d Cir. [Certiorari granted, 572 U.S. 1002.] The parties are directed to file letter briefs addressing the following question: “What should be the effect, if any, of the proposed settlement agreement now pending before the District Court on the matter pending before this Court?” Briefs, limited to 10 pages, are to be filed simultaneously with the Clerk and served upon opposing counsel on or before noon, Thursday, September 25, 2014.

SEPTEMBER 24, 2014

Dismissal Under Rule 46

No. 14–27. CITY OF LOS ANGELES, CALIFORNIA, ET AL. *v.* JONES ET AL. C. A. 9th Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 555 Fed. Appx. 659.

SEPTEMBER 26, 2014

Dismissal Under Rule 46

No. 13–1178. KIRBY ET AL. *v.* MARVEL CHARACTERS, INC., ET AL. C. A. 2d Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 726 F. 3d 119.

SEPTEMBER 29, 2014

Certiorari Dismissed

No. 13–640. PUBLIC EMPLOYEES’ RETIREMENT SYSTEM OF MISSISSIPPI *v.* INDYMAC MBS, INC., ET AL. C. A. 2d Cir. [Certiorari granted, 572 U.S. 1002.] Writ of certiorari dismissed as improvidently granted.

Miscellaneous Order

No. 14A336. HUSTED, OHIO SECRETARY OF STATE, ET AL. *v.* OHIO STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE ET AL. D. C. S. D. Ohio. Application for stay, presented to JUSTICE KAGAN, and

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by her referred to the Court, granted, and the District Court's September 4, 2014, order granting preliminary injunction is stayed pending the timely filing and disposition of a petition for writ of certiorari. Should the petition for writ of certiorari be denied, this stay shall terminate automatically. In the event the petition for writ of certiorari is granted, the stay shall terminate upon the sending down of the judgment of this Court. JUSTICE GINSBURG, JUSTICE BREYER, JUSTICE SOTOMAYOR, and JUSTICE KAGAN would deny the application for stay.

SEPTEMBER 30, 2014

Dismissals Under Rule 46

No. 13–376. ELECTRONIC ARTS INC. *v.* HART. C. A. 3d Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 717 F. 3d 141.

No. 13–377. ELECTRONIC ARTS INC. *v.* KELLER ET AL. C. A. 9th Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 724 F. 3d 1268.

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Miscellaneous Orders

No. 126, Orig. KANSAS *v.* NEBRASKA ET AL. Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. [For earlier order herein, see, *e. g.*, *ante*, p. 902.]

No. 13–433. INTEGRITY STAFFING SOLUTIONS, INC. *v.* BUSK ET AL. C. A. 9th Cir. [Certiorari granted, 571 U. S. 1236.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 13–435. OMNICARE, INC., ET AL. *v.* LABORERS DISTRICT COUNCIL CONSTRUCTION INDUSTRY PENSION FUND ET AL. C. A. 6th Cir. [Certiorari granted, 571 U. S. 1236.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. The time is to be divided as follows: 30 minutes for petitioners, 20 minutes for respondents, and 10 minutes for the Solicitor General.

No. 13–517. WARGER *v.* SHAUERS. C. A. 8th Cir. [Certiorari granted, 571 U. S. 1236.] Motion of the Solicitor General for leave

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to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 13–534. NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS *v.* FEDERAL TRADE COMMISSION. C. A. 4th Cir. [Certiorari granted, 571 U. S. 1236.] Motion of American Optometric Association et al. for leave to file brief as *amici curiae* out of time denied.

No. 13–854. TEVA PHARMACEUTICALS USA, INC., ET AL. *v.* SANDOZ, INC., ET AL. C. A. Fed. Cir. [Certiorari granted, 572 U. S. 1033.] Motion of petitioners for leave to file volume 4 of the joint appendix under seal granted. Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 13–975. T-MOBILE SOUTH, LLC *v.* CITY OF ROSWELL, GEORGIA. C. A. 11th Cir. [Certiorari granted, 572 U. S. 1099.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

Probable Jurisdiction Postponed

No. 13–1314. ARIZONA STATE LEGISLATURE *v.* ARIZONA INDEPENDENT REDISTRICTING COMMISSION ET AL. Appeal from D. C. Ariz. Further consideration of question of jurisdiction postponed to hearing of case on the merits limited to the following questions: “(1) Do the Elections Clause of the United States Constitution and 2 U. S. C. §2a(c) permit Arizona’s use of a commission to adopt congressional districts? (2) Does the Arizona Legislature have standing to bring this suit?” Reported below: 997 F. Supp. 2d 1047.

Certiorari Granted

No. 13–1333. COLEMAN, AKA COLEMAN-BEY *v.* TOLLEFSON ET AL. (Reported below: 733 F. 3d 175); COLEMAN, AKA COLEMAN-BEY *v.* BOWERMAN ET AL.; COLEMAN, AKA COLEMAN-BEY *v.* DYKEHOUSE ET AL.; and COLEMAN, AKA COLEMAN-BEY *v.* VROMAN ET AL. C. A. 6th Cir. Certiorari granted.

No. 13–1402. KERRY, SECRETARY OF STATE, ET AL. *v.* DIN. C. A. 9th Cir. Certiorari granted. Reported below: 718 F. 3d 856.

No. 13–1499. WILLIAMS-YULEE *v.* FLORIDA BAR. Sup. Ct. Fla. Certiorari granted. Reported below: 138 So. 3d 379.

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No. 14–86. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION *v.* ABERCROMBIE & FITCH STORES, INC. C. A. 10th Cir. Certiorari granted. Reported below: 731 F. 3d 1106.

No. 14–103. BAKER BOTTS L. L. P. *ET AL.* *v.* ASARCO LLC. C. A. 5th Cir. Certiorari granted. Reported below: 751 F. 3d 291.

No. 13–550. TIBBLE *ET AL.* *v.* EDISON INTERNATIONAL *ET AL.* C. A. 9th Cir. Certiorari granted limited to the following question: “Whether a claim that ERISA plan fiduciaries breached their duty of prudence by offering higher-cost retail-class mutual funds to plan participants, even though identical lower-cost institution-class mutual funds were available, is barred by 29 U.S.C. § 1113(1) when fiduciaries initially chose the higher-cost mutual funds as plan investments more than six years before the claim was filed.” Reported below: 729 F. 3d 1110.

No. 13–1352. OHIO *v.* CLARK. Sup. Ct. Ohio. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 137 Ohio St. 3d 346, 2013-Ohio-4731, 999 N. E. 2d 592.

No. 13–1371. TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS *ET AL.* *v.* INCLUSIVE COMMUNITIES PROJECT, INC., *ET AL.* C. A. 5th Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 747 F. 3d 275.

No. 13–9972. RODRIGUEZ *v.* UNITED STATES. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 741 F. 3d 905.

No. 14–15. ARMSTRONG *ET AL.* *v.* EXCEPTIONAL CHILD CENTER, INC., *ET AL.* C. A. 9th Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 567 Fed. Appx. 496.