

ORDERS FOR JUNE 13 THROUGH
JUNE 20, 2016

JUNE 13, 2016

Certiorari Dismissed

No. 15–8914. *MALLOY v. PETERS ET AL.* C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 617 Fed. Appx. 948.

No. 15–9008. *PRESLEY v. MISSISSIPPI.* Sup. Ct. Miss. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 15–9210. *ESCOBAR DE JESUS v. UNITED STATES.* C. A. 1st Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in non-criminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). JUSTICE KAGAN took no part in the consideration or decision of this motion and this petition.

Miscellaneous Orders

No. 15A1125. *WEATHERLY v. UNITED STATES.* Application for certificate of appealability, addressed to JUSTICE GINSBURG and referred to the Court, denied.

No. 15M126. *STONE v. REYES ET AL.* Motion for leave to proceed as a veteran denied.

No. 15M127. *BANKS v. ACS EDUCATION ET AL.*;

No. 15M128. *EDWARDS v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.*; and

June 13, 2016

579 U. S.

No. 15M129. *DICKERSON v. CARTLEDGE, WARDEN*. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 15M130. *H. M. v. PENNSYLVANIA DEPARTMENT OF HUMAN SERVICES, FKA PENNSYLVANIA DEPARTMENT OF PUBLIC WELFARE*. Motion for leave to file petition for writ of certiorari with supplemental appendix under seal granted.

No. 15–8161. *SNEED v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [578 U. S. 918] denied.

No. 15–8864. *CAMPBELL v. ANDERSON ET AL.* C. A. 4th Cir.;

No. 15–8950. *HOLMES v. EAST COOPER COMMUNITY HOSPITAL, INC., ET AL.* Sup. Ct. S. C.;

No. 15–9017. *SHAFFER v. CITY OF SOUTH CHARLESTON, WEST VIRGINIA, ET AL.* Sup. Ct. App. W. Va.; and

No. 15–9313. *CALKINS v. UNITED STATES*. C. A. 8th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until July 5, 2016, 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. 15–1407. *IN RE ANUFORO*; and

No. 15–9277. *IN RE MADISON*. Petitions for writs of habeas corpus denied.

No. 15–8897. *IN RE MORRIS*. Petition for writ of mandamus denied.

Certiorari Denied

No. 15–944. *DIMARE FRESH, INC., ET AL. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 808 F. 3d 1301.

No. 15–966. *SPERRAZZA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 804 F. 3d 1113.

No. 15–981. *TUAUA ET AL. v. UNITED STATES ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 788 F. 3d 300.

No. 15–982. *MCCAFFREE ET AL. v. BANCINSURE, INC., ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 796 F. 3d 1226.

579 U.S.

June 13, 2016

No. 15–1002. AIFANG YE *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 808 F. 3d 395.

No. 15–1064. SEMINOLE TRIBE OF FLORIDA *v.* BIEGALSKI, EXECUTIVE DIRECTOR, FLORIDA DEPARTMENT OF REVENUE. C. A. 11th Cir. Certiorari denied. Reported below: 799 F. 3d 1324.

No. 15–1133. MARK *v.* TENNESSEE. Ct. Crim. App. Tenn. Certiorari denied.

No. 15–1152. MICHIGAN ET AL. *v.* ENVIRONMENTAL PROTECTION AGENCY ET AL. C. A. D. C. Cir. Certiorari denied.

No. 15–1245. WHELEHAN *v.* BANK OF AMERICA PENSION PLAN FOR LEGACY COMPANIES—FLEET—TRADITIONAL BENEFIT ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 621 Fed. Appx. 70.

No. 15–1252. MILLER *v.* METROCARE SERVICES, FKA DALLAS MHMR, ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 809 F. 3d 827.

No. 15–1254. DUHAMEL *v.* OHIO. Ct. App. Ohio, 8th App. Dist., Cuyahoga County. Certiorari denied. Reported below: 2015-Ohio-3145.

No. 15–1258. BENT *v.* BENT. Ct. App. Wash. Certiorari denied. Reported below: 188 Wash. App. 1044.

No. 15–1264. KINNEY *v.* CALIFORNIA. Super. Ct. Cal., Contra Costa County. Certiorari denied.

No. 15–1265. MOLINA *v.* AURORA LOAN SERVICES, LLC, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 635 Fed. Appx. 618.

No. 15–1268. BLISS *v.* DEUTSCHE BANK NATIONAL TRUST Co., AS TRUSTEE, ET AL. App. Ct. Conn. Certiorari denied. Reported below: 159 Conn. App. 483, 124 A. 3d 890.

No. 15–1272. CALIFORNIA ARTICHOKE & VEGETABLE GROWERS CORP., DBA OCEAN MIST FARMS *v.* AGRICULTURAL LABOR RELATIONS BOARD. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

June 13, 2016

579 U. S.

No. 15–1275. *YOUNG v. TOWNSHIP OF IRVINGTON, NEW JERSEY, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 629 Fed. Appx. 352.

No. 15–1280. *FALCO v. JUSTICES OF THE MATRIMONIAL PARTS OF THE SUPREME COURT OF SUFFOLK COUNTY.* C. A. 2d Cir. Certiorari denied. Reported below: 805 F. 3d 425.

No. 15–1297. *COSGROVE ET AL. v. CITY OF PLANO, TEXAS.* C. A. 5th Cir. Certiorari denied. Reported below: 623 Fed. Appx. 708.

No. 15–1310. *MITRANO v. JPMORGAN CHASE BANK, N. A., ET AL.* C. A. 1st Cir. Certiorari denied.

No. 15–1316. *TONEMAN ET UX. v. U. S. BANK N. A. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 628 Fed. Appx. 523.

No. 15–1322. *P & M VANDERPOEL DAIRY v. AGRICULTURAL LABOR RELATIONS BOARD.* Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 15–1327. *ABEL FAMILY L. P. ET AL. v. UNITED STATES ET AL.* Sup. Ct. Mont. Certiorari denied. Reported below: 382 Mont. 46, 364 P. 3d 584.

No. 15–1333. *AGOLA v. GRIEVANCE COMMITTEE FOR THE SEVENTH JUDICIAL DISTRICT.* App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 128 App. Div. 3d 78, 6 N. Y. S. 3d 890.

No. 15–1338. *JIANQING WU v. SPECIAL COUNSEL ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 15–1369. *NEWEGG INC. v. MACRO SOLVE, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 637 Fed. Appx. 591.

No. 15–7431. *LIEBESKIND v. RUTGERS UNIVERSITY ET AL.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 15–7796. *AMBROSE v. ROMANOWSKI, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 801 F. 3d 567.

No. 15–7896. *JAMES v. CALIFORNIA.* Ct. App. Cal., 1st App. Dist., Div. 4. Certiorari denied. Reported below: 238 Cal. App. 4th 794, 189 Cal. Rptr. 3d 635.

579 U.S.

June 13, 2016

No. 15–8026. *MUHAMMAD v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 15–8063. *WINKLES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 795 F. 3d 1134.

No. 15–8078. *VILLALTA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 615 Fed. Appx. 157.

No. 15–8285. *NORE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 631 Fed. Appx. 800.

No. 15–8524. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 15–8536. *MADISON v. DAVIS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 15–8851. *ANDREWS ET AL. v. FLAIZ ET AL.* C. A. 6th Cir. Certiorari denied.

No. 15–8859. *BURGESS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2015 IL App (1st) 130657, 40 N. E. 3d 284.

No. 15–8862. *MUHAMMAD v. GREEN ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 633 Fed. Appx. 122.

No. 15–8865. *CHRISTOPHER S. v. WINNEBAGO COUNTY, WISCONSIN*. Sup. Ct. Wis. Certiorari denied. Reported below: 2016 WI 1, 366 Wis. 2d 1, 878 N. W. 2d 109.

No. 15–8869. *ROHRS v. ALDRIDGE, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 15–8872. *WYATT v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 15–8883. *COLLINS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2015 IL App (1st) 131145, 42 N. E. 3d 1.

No. 15–8888. *KINGMA v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 188 Wash. App. 1030.

No. 15–8893. *NOLL v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 125 A. 3d 446.

June 13, 2016

579 U. S.

No. 15–8899. *WILBURN v. WINN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 15–8900. *WHITE v. LAWSON ET AL.* C. A. 6th Cir. Certiorari denied.

No. 15–8903. *NELSON v. SOUTH DAKOTA*. Sup. Ct. S. D. Certiorari denied. Reported below: 877 N. W. 2d 105.

No. 15–8904. *WAFER v. SHERMAN, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 627 Fed. Appx. 586.

No. 15–8905. *TAYLOR v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 15–8908. *BRISENO v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 15–8910. *BELL v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 473 Mass. 131, 39 N. E. 3d 1190.

No. 15–8913. *ANCALADE v. LOUISIANA*. Ct. App. La., 4th Cir. Certiorari denied. Reported below: 2014–0739 (La. App. 4 Cir. 1/14/15), 158 So. 3d 891.

No. 15–8920. *JONES v. MACLAREN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 15–8922. *POLLY v. STEPHENS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 15–8924. *WHITE v. RYAN ET AL.* C. A. 9th Cir. Certiorari denied.

No. 15–8934. *YOUNG v. TRITT, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT FRACKVILLE, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 15–8938. *LEOPOLD v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 333 Ga. App. 777, 777 S. E. 2d 254.

No. 15–8939. *EIZEMBER v. DUCKWORTH, ACTING WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 803 F. 3d 1129.

579 U.S.

June 13, 2016

No. 15–8958. *FRAZIER v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied. Reported below: 498 Mich. 867, 866 N. W. 2d 443.

No. 15–8965. *DANIEL v. OFFICE OF THE PRESIDENT OF THE UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 640 Fed. Appx. 185.

No. 15–8967. *ESTELA-GOMEZ v. LYNCH, ATTORNEY GENERAL*. C. A. 3d Cir. Certiorari denied. Reported below: 629 Fed. Appx. 432.

No. 15–8976. *COTTRELL v. BARKSDALE, WARDEN*. Sup. Ct. Va. Certiorari denied.

No. 15–9007. *KIRBY ET AL. v. KIRK, JUDGE, DISTRICT COURT OF OKLAHOMA, LINCOLN COUNTY, ET AL.* Ct. Crim. App. Okla. Certiorari denied.

No. 15–9012. *MOORE v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 132 A. 3d 1176.

No. 15–9015. *SKOLODA v. GARMAN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 15–9020. *LEVIER v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 15–9050. *RUSSELL v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 15–9054. *LAMB v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 15–9060. *LOCKHART v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 15–9089. *WILLIAMS v. OREGON*. Ct. App. Ore. Certiorari denied. Reported below: 272 Ore. App. 770, 358 P. 3d 299.

No. 15–9090. *THOMAS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 615 Fed. Appx. 825.

No. 15–9111. *FAIRCLOTH v. COLORADO*. Ct. App. Colo. Certiorari denied.

June 13, 2016

579 U. S.

No. 15–9119. *MAY v. GREENE COUNTY SHERIFF’S DEPARTMENT ET AL.* Ct. App. Ind. Certiorari denied.

No. 15–9150. *MOORE v. SOUTH CAROLINA.* Sup. Ct. S. C. Certiorari denied. Reported below: 415 S. C. 245, 781 S. E. 2d 897.

No. 15–9152. *ROBINSON v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* Sup. Ct. Fla. Certiorari denied.

No. 15–9182. *NIELSEN v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 640 Fed. Appx. 224.

No. 15–9209. *ESPINOZA, AKA MEDRANO ESPINOZA v. MISSISSIPPI.* Sup. Ct. Miss. Certiorari denied.

No. 15–9211. *REBER v. FLORIDA.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 181 So. 3d 501.

No. 15–9214. *HUGHES v. WALKER, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 15–9217. *A. D. H. v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied. Reported below: 131 A. 3d 100.

No. 15–9232. *CAILLIER, AKA CALLIER v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 15–9245. *MURILLO-ANGULO v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 15–9246. *MESCALL v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 624 Fed. Appx. 103.

No. 15–9247. *ELEBY v. UNITED STATES.* Ct. App. D. C. Certiorari denied. Reported below: 133 A. 3d 1005.

No. 15–9250. *WELCH v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 811 F. 3d 275.

No. 15–9252. *TERRELL v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 15–9253. *WILSON v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 15–9254. *WHITE v. TAYLOR, WARDEN.* C. A. 11th Cir. Certiorari denied. Reported below: 636 Fed. Appx. 521.

579 U.S.

June 13, 2016

No. 15–9258. *SANCHEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 633 Fed. Appx. 271.

No. 15–9261. *CURLEY v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 15–9265. *GRAHAM v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 630 Fed. Appx. 712.

No. 15–9268. *JUAREZ-GONZALEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 15–9271. *MORRIS v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 132 A. 3d 172.

No. 15–9280. *BORJAS-RAMOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 633 Fed. Appx. 250.

No. 15–9282. *BOWEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 818 F. 3d 179.

No. 15–9287. *JACKSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 637 Fed. Appx. 223.

No. 15–9303. *GLADNEY v. POLLARD, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 799 F. 3d 889.

No. 15–9320. *MANUEL CARREON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 632 Fed. Appx. 902.

No. 15–9321. *ROBERTS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 15–1347. *D’AGOSTINO ET AL. v. BAKER, GOVERNOR OF MASSACHUSETTS, ET AL.* C. A. 1st Cir. Motion of Cato Institute for leave to file brief as *amicus curiae* granted. Certiorari denied. Reported below: 812 F. 3d 240.

No. 15–1356. *KAPORDELIS v. BAIRD, WARDEN*. C. A. 7th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

No. 15–7539. *WALSH v. PNC BANK ET AL.* Ct. App. Cal., 3d App. Dist. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

June 13, 2016

579 U. S.

No. 15–9010. *MASARIK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition. Reported below: 630 Fed. Appx. 630.

No. 15–9262. *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: 632 Fed. Appx. 142.

Rehearing Denied

No. 15–924. *WINWARD v. UTAH*, 577 U. S. 1235;

No. 15–1018. *YOUNGBLOOD v. FORT BEND INDEPENDENT SCHOOL DISTRICT*, 578 U. S. 922;

No. 15–1029. *MUA v. BOARD OF EDUCATION OF PRINCE GEORGE’S COUNTY*, 578 U. S. 923;

No. 15–1062. *HEMOPET v. HILL’S PET NUTRITION, INC.*, 578 U. S. 923;

No. 15–1071. *BIERI v. GREENE COUNTY PLANNING AND ZONING DEPARTMENT ET AL.*, 578 U. S. 923;

No. 15–7595. *NELSON ET AL. v. LOUISE, MAYOR OF CITY OF PORT ALLEN, LOUISIANA, ET AL.*, 577 U. S. 1196;

No. 15–7911. *RICKMYER v. JUNGERS ET AL.*, 578 U. S. 908;

No. 15–7950. *IN RE GRENADIER*, 578 U. S. 904;

No. 15–8023. *GUINN v. COLORADO ATTORNEY REGULATION COUNSEL*, 578 U. S. 927;

No. 15–8144. *SCHUM v. FEDERAL COMMUNICATIONS COMMISSION ET AL.*, 578 U. S. 930;

No. 15–8164. *KOSTICH v. MCCOLLUM, WARDEN*, 578 U. S. 931;

No. 15–8168. *DJENASEVIC, AKA GENASE, AKA KRAJA v. UNITED STATES*, 578 U. S. 911;

No. 15–8220. *KAMMERER v. STATE BAR OF CALIFORNIA*, 577 U. S. 1239;

No. 15–8308. *AMIR-SHARIF v. STEPHENS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, ET AL.*, 578 U. S. 948;

No. 15–8324. *MCCRAY v. GRAHAM, SUPERINTENDENT, AUBURN CORRECTIONAL FACILITY*, 578 U. S. 933;

No. 15–8397. *RANKIN v. BRIAN LAVAN & ASSOCIATES, P. C., ET AL.*, 578 U. S. 962;

No. 15–8422. *PENNINGTON-THURMAN v. BANK OF AMERICA ET AL.*, 578 U. S. 934;

No. 15–8425. *FLEMING v. UNITED STATES*, 578 U. S. 949;

579 U. S.

June 13, 16, 20, 2016

No. 15–8604. *PASTOREK v. UNITED STATES*, 578 U. S. 939;
No. 15–8657. *REDIFER v. UNITED STATES*, 578 U. S. 940; and
No. 15–8672. *IN RE VISINTINE*, 578 U. S. 920. Petitions for
rehearing denied.

JUNE 16, 2016

Miscellaneous Order

No. 15A1207. *J&K ADMINISTRATIVE MANAGEMENT SERVICES, INC., ET AL. v. ROBINSON ET AL.* Application to recall and stay the mandate of the United States Court of Appeals for the Fifth Circuit, presented to JUSTICE THOMAS, and by him referred to the Court, denied.

JUNE 20, 2016

Certiorari Granted—Vacated and Remanded

No. 14–9409. *WILLIAMS v. LOUISIANA*. Ct. App. La., 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Foster v. Chatman*, 578 U. S. 488 (2016). Reported below: 2013–0283 (La. App. 4 Cir. 4/23/14), 137 So. 3d 832.

JUSTICE GINSBURG, with whom JUSTICE BREYER, JUSTICE SOTOMAYOR, and JUSTICE KAGAN join, concurring.

“The Constitution forbids striking even a single prospective juror for a discriminatory purpose.” *Foster v. Chatman*, 578 U. S. 488, 499 (2016) (citing *Batson v. Kentucky*, 476 U. S. 79 (1986); internal quotation marks omitted). *Batson* “provides a three-step process for determining when a strike is discriminatory:

“First, a defendant must make a *prima facie* showing that a peremptory challenge has been exercised on the basis of race; second, if that showing has been made, *the prosecution* must offer a race-neutral basis for striking the juror in question; and third, in light of the parties’ submissions, the trial court must determine whether the defendant has shown purposeful discrimination.” *Foster*, 578 U. S., at 499 (internal quotation marks omitted; emphasis added).

This case concerns a Louisiana procedural rule that permits the trial court, rather than the prosecutor, to supply a race-neutral reason at *Batson*’s second step if “the court is satisfied that such

reason is apparent from the voir dire examination of the juror.” La. Code Crim. Proc. Ann., Art. 795(C) (West 2013). Louisiana’s rule, as the Louisiana Supreme Court has itself recognized, does not comply with this Court’s *Batson* jurisprudence. *State v. Elie*, 2005–1569 (La. 7/10/2006), 936 So. 2d 791, 797 (citing *Johnson v. California*, 545 U. S. 162, 172 (2005)). At *Batson*’s second step, “the trial court [must] demand an explanation from the prosecutor.” *Johnson*, 545 U. S., at 170; see *id.*, at 172 (“The *Batson* framework is designed to produce actual answers [from a prosecutor] to suspicions and inferences that discrimination may have infected the jury selection process. . . . It does not matter that the prosecutor might have had good reasons; what matters is the real reason [jurors] were stricken.” (internal quotation marks and alterations omitted)); *id.*, at 173 (improper to “rel[y] on judicial speculation to resolve plausible claims of discrimination”).

The rule allowing judge-supplied reasons, nonetheless, remains operative in Louisiana and was applied in petitioner’s 2012 trial. On remand, the appropriate state court should reconsider petitioner’s argument that the rule cannot be reconciled with *Batson*. A Louisiana court, “like any other state or federal court, is bound by this Court’s interpretation of federal law.” *James v. Boise*, 577 U. S. 306, 307 (2016) (*per curiam*). See also 2013–0283, pp. 8–9 (La. App. 4 Cir. 4/23/14), 137 So. 3d 832, 859 (Belsome, J., dissenting) (“[T]he United States Supreme Court has made clear . . . that the State is obligated to offer a race-neutral reason. The judge is an arbiter not a participant in the judicial process. Allowing the court to provide race-neutral reasons for the State violates [the Constitution].”).

JUSTICE ALITO, with whom JUSTICE THOMAS joins, dissenting.

For the reasons set out in my statement in *Flowers v. Mississippi*, immediately *infra*, I would deny the petition.

The concurring statement calls upon the appropriate state court on remand to consider petitioner’s argument that the trial judge did not comply with the second step of the procedure mandated by *Batson v. Kentucky*, 476 U. S. 79 (1986), because the judge, in accordance with a state procedural rule, rejected a defense challenge on the ground that a race-neutral reason for the strike was apparent from the *voir dire* of the juror in question. But whether petitioner is entitled to relief on this ground has nothing

579 U. S.

June 20, 2016

to do with *Foster*, which “address[ed] only *Batson*’s third step.” *Foster v. Chatman*, 578 U. S. 488, 499 (2016).

No. 14–10486. *FLOWERS v. MISSISSIPPI*. Sup. Ct. Miss. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Foster v. Chatman*, 578 U. S. 488 (2016). Reported below: 158 So. 3d 1009.

JUSTICE ALITO, with whom JUSTICE THOMAS joins, dissenting.

This Court often “GVRs” a case—that is, grants the petition for a writ of certiorari, vacates the decision below, and remands for reconsideration by the lower court—when we believe that the lower court should give further thought to its decision in light of an opinion of this Court that (1) came after the decision under review and (2) changed or clarified the governing legal principles in a way that could possibly alter the decision of the lower court. In this case and two others, *Williams v. Louisiana*, immediately *supra*, and *Floyd v. Alabama*, *infra*, p. 916, the Court misuses the GVR vehicle. The Court GVRs these petitions in light of our decision in *Foster v. Chatman*, 578 U. S. 488 (2016), which held, based on all the circumstances in that case, that a state prosecutor violated *Batson v. Kentucky*, 476 U. S. 79 (1986), by striking potential jurors based on race. Our decision in *Foster* postdated the decision of the Supreme Court of Mississippi in the present case, but *Foster* did not change or clarify the *Batson* rule in any way. Accordingly, there is no ground for a GVR in light of *Foster*.

The ultimate issue in *Batson* is a pure question of fact—whether a party exercising a peremptory challenge engaged in intentional discrimination on the basis of race. 476 U. S., at 93–94. If the party contesting a particular peremptory challenge makes out a *prima facie* case (that is, points out a pattern of strikes that calls for further inquiry), the party exercising the challenge must provide a legitimate race-neutral reason for the strike. *Id.*, at 97. If that is done, the trial judge must then make a finding as to whether the party exercising the peremptory challenge is telling the truth. *Id.*, at 98. There is no mechanical formula for the trial judge to use in making that decision, and in some cases the finding may be based on very intangible factors, such as the demeanor of the prospective juror in question and that of the attorney who exercised the strike. *Snyder v. Louisiana*, 552 U. S. 472, 477 (2008). For this reason and others, the

finding of the trial judge is entitled to a very healthy measure of deference. *Id.*, at 479.

Foster did not change the *Batson* analysis one iota. In *Foster*, the Court's determination that the prosecution struck jurors based on race—a determination with which I fully agreed, 578 U. S., at 515 (ALITO, J., concurring in judgment)—was based on numerous *case-specific factors*, including evidence that racial considerations permeated the jury selection process from start to finish and the prosecution's shifting and unreliable explanations for its strikes of black potential jurors in light of that evidence.

In particular, evidence of racial bias in *Foster* included the following facts revealed to be a part of the prosecution's jury selection file, which the Court held undermined the prosecution's defense of its strikes: copies of a jury venire list highlighting the names of black jurors; a draft affidavit from a prosecution investigator ranking black potential jurors; notes identifying black prospective jurors as "B#1," "B#2," and "B#3"; notes suggesting that the prosecution marked "N" (for "no") next to the names of all black prospective jurors; a "definite NO's" list that included the names of all black prospective jurors; a document relating to one juror with notes about the Church of Christ that stated "NO. No Black Church"; the questionnaires filled out by jurors, in which the race of black prospective jurors was circled. *Id.*, at 493–495 (majority opinion) (internal quotation marks omitted). But this overwhelming evidence of race consciousness was not the end of the Court's analysis in *Foster*. The Court also discussed evidence that the prosecution's stated reasons for striking black jurors were inconsistent and malleable. The prosecution's various rationales for its strikes "ha[d] no grounding in fact," were "contradicted by the record," and simply "cannot be credited," according to the Court. *Id.*, at 502, 505–507. Some of the purported reasons for striking black prospective jurors "shifted over time" and could not withstand close scrutiny. *Id.*, at 508. And other reasons, "while not explicitly contradicted by the record, [we]re difficult to credit" in light of the way in which the State treated similarly situated white jurors. *Id.*, at 505–507. In sum, the Court's decision in *Foster* relied on substantial, case-specific evidence in reaching its conclusion that the prosecution's proffered explanations for striking black prospective jurors could not be credited.

579 U. S.

June 20, 2016

In the three cases in which the Court now GVRs in light of *Foster*, what the Court is saying, in effect, is something like this. If we granted review in these cases, we would delve into the facts and carefully review the trial judge's findings on the question of the prosecution's intent. That is what we did in *Foster*. But we do not often engage in review of such case-specific factual questions, and we do not want to do that here. Therefore, we will grant, vacate, and remand so that the lower court can do—or, redo—that hard work.

This is not a responsible use of the GVR power. In this case, the Supreme Court of Mississippi decided the *Batson* issue. It found insufficient grounds to overturn the trial judge's finding that the contested strikes were not based on race. If the majority wishes to review that decision, it should grant the petition for a writ of certiorari, issue a briefing schedule, and hear argument. If the majority is not willing to spend the time that full review would require, it should deny the petition.

The Court's decision today is not really a GVR in light of our factbound decision in *Foster*. It is, rather, a GVR in light of our 1986 decision in *Batson*. But saying that would be ridiculous, because the lower courts fully considered the *Batson* issue this petition raises. By granting, vacating, and remanding, the Court treats the State Supreme Court like an imperious senior partner in a law firm might treat an associate. Without pointing out any errors in the State Supreme Court's analysis, the majority simply orders the State Supreme Court to redo its work. We do not have that authority.

I would deny the petition. I respectfully dissent.

No. 15–635. INNOVENTION TOYS, LLC *v.* MGA ENTERTAINMENT, INC., ET AL. C. A. Fed. Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Halo Electronics, Inc. v. Pulse Electronics, Inc.*, *ante*, p. 93. Reported below: 611 Fed. Appx. 693.

No. 15–1085. WESTERNGECO LLC *v.* ION GEOPHYSICAL CORP. C. A. Fed. Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Halo Electronics, Inc. v. Pulse Electronics, Inc.*, *ante*, p. 93. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 791 F. 3d 1340.

June 20, 2016

579 U. S.

No. 15–7553. *FLOYD v. ALABAMA*. Sup. Ct. Ala. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Foster v. Chatman*, 578 U. S. 488 (2016). Reported below: 191 So. 3d 147.

JUSTICE ALITO, with whom JUSTICE THOMAS joins, dissenting.

I would deny the petition for the reasons set out in my statement in *Flowers v. Mississippi*, *supra*, p. 913 (opinion dissenting from decision to grant, vacate, and remand).

Certiorari Dismissed

No. 15–9200. *LOI NGOC NGHIEM v. KERESTES, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MAHANOEY, ET AL.* C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

Miscellaneous Orders

No. 15M131. *WELCOME v. MABUS, SECRETARY OF THE NAVY*. Motion for leave to proceed as a veteran denied.

No. 15M132. *JACKSON v. COLVIN, ACTING COMMISSIONER OF SOCIAL SECURITY*; and

No. 15M133. *L’GGRKE v. ASSET PLUS CORP. ET AL.* Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 15–1039. *SANDOZ INC. v. AMGEN INC. ET AL.*; and

No. 15–1195. *AMGEN INC. ET AL. v. SANDOZ INC.* C. A. Fed. Cir. The Solicitor General is invited to file a brief in these cases expressing the views of the United States.

No. 15–1189. *IMPRESSION PRODUCTS, INC. v. LEXMARK INTERNATIONAL, INC.* C. A. Fed. Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 15–9476. *IN RE BODNAR*. Petition for writ of habeas corpus denied.

No. 15–9166. *IN RE MASON*; and

579 U.S.

June 20, 2016

No. 15–9330. IN RE HOOK. Petitions for writs of mandamus denied.

Certiorari Granted

No. 15–1204. JENNINGS ET AL. *v.* RODRIGUEZ ET AL., INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED. C. A. 9th Cir. Certiorari granted. Reported below: 804 F. 3d 1060.

No. 15–1251. NATIONAL LABOR RELATIONS BOARD *v.* SW GENERAL, INC., DBA SOUTHWEST AMBULANCE. C. A. D. C. Cir. Certiorari granted. Reported below: 796 F. 3d 67.

Certiorari Denied

No. 15–942. BLACK & DECKER (U.S.) INC. ET AL. *v.* SD3, LLC, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 801 F. 3d 412.

No. 15–947. PRICE ET AL., INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED *v.* PHILIP MORRIS, INC. Sup. Ct. Ill. Certiorari denied. Reported below: 2015 IL 117687, 43 N. E. 3d 53.

No. 15–1028. FAZIO *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 795 F. 3d 421.

No. 15–1030. SHEW ET AL. *v.* MALLOY, GOVERNOR OF CONNECTICUT, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 804 F. 3d 242.

No. 15–1033. DEJORIA *v.* MAGHREB PETROLEUM EXPLORATION, S. A., ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 804 F. 3d 373.

No. 15–1117. TURTURRO, ADMINISTRATOR OF THE ESTATE OF BRADDOCK, DECEASED, ET AL. *v.* FEDERAL AVIATION ADMINISTRATION ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 629 Fed. Appx. 313.

No. 15–1138. BERNARDO, ON BEHALF OF M&K ENGINEERING, INC. *v.* JOHNSON, SECRETARY OF HOMELAND SECURITY, ET AL. C. A. 1st Cir. Certiorari denied. Reported below: 814 F. 3d 481.

No. 15–1140. BINDAY *v.* UNITED STATES;

June 20, 2016

579 U. S.

No. 15–1177. *KERGIL v. UNITED STATES*; and
No. 15–8582. *RESNICK v. UNITED STATES*. C. A. 2d Cir.
Certiorari denied. Reported below: 804 F. 3d 558.

No. 15–1150. *HUNTER v. COLVIN, ACTING COMMISSIONER OF
SOCIAL SECURITY*. C. A. 11th Cir. Certiorari denied. Reported
below: 808 F. 3d 818.

No. 15–1157. *DISTRIBUTED SOLUTIONS, INC. v. JAMES, SECRE-
TARY OF THE AIR FORCE*. C. A. Fed. Cir. Certiorari denied.
Reported below: 617 Fed. Appx. 996.

No. 15–1203. *GLOBUS MEDICAL, INC. v. BIANCO*. C. A. Fed.
Cir. Certiorari denied. Reported below: 618 Fed. Appx. 1032.

No. 15–1270. *M. C. v. T. W. ET AL.* Sup. Ct. Colo. Certiorari
denied. Reported below: 363 P. 3d 193.

No. 15–1278. *GAGE COUNTY, NEBRASKA, ET AL. v. DEAN
ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 807
F. 3d 931.

No. 15–1279. *FERNANDEZ v. LASALLE BANK N. A. ET AL.*
Sup. Ct. Fla. Certiorari denied.

No. 15–1284. *HUTCHINSON v. WHALEY ET AL.* Ct. App. Ga.
Certiorari denied. Reported below: 333 Ga. App. 773, 777 S. E.
2d 251.

No. 15–1288. *LANO ET AL. v. CARNIVAL CORP. ET AL.* C. A.
9th Cir. Certiorari denied. Reported below: 621 Fed. Appx. 373.

No. 15–1296. *CHERRYHOLMES v. OHIO*. Ct. App. Ohio, 5th
App. Dist., Fairfield County. Certiorari denied. Reported
below: 2015-Ohio-3063.

No. 15–1298. *HOLANEK v. NORTH CAROLINA*. Ct. App. N. C.
Certiorari denied. Reported below: 242 N. C. App. 633, 776 S. E.
2d 225.

No. 15–1300. *INTERTRANSFERS, INC. v. LUXOR AGENTES AU-
TONOMOS DE INVERSTIMIENTOS, LTDA.* C. A. 11th Cir. Certiorari
denied. Reported below: 638 Fed. Appx. 925.

No. 15–1302. *AARON v. CBS OUTDOORS, INC.* Ct. App. Mich.
Certiorari denied.

579 U.S.

June 20, 2016

No. 15–1307. *LORA v. SHANAHAN ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 804 F. 3d 601.

No. 15–1354. *WEBB v. TEXAS.* Ct. App. Tex., 1st Dist. Certiorari denied.

No. 15–1382. *KANOFSKY v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 4th Cir. Certiorari denied. Reported below: 622 Fed. Appx. 301.

No. 15–1390. *CURRY v. UNITED STATES.* C. A. 3d Cir. Certiorari denied.

No. 15–1396. *RIVAS v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 637 Fed. Appx. 338.

No. 15–1403. *KIM v. YEONG KUK AHN.* Ct. App. Cal., 2d App. Dist., Div. 1. Certiorari denied.

No. 15–7005. *AZIZ v. NEW JERSEY.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 15–7384. *CAZARES ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 788 F. 3d 956.

No. 15–7475. *GIBSON v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 615 Fed. Appx. 619.

No. 15–7834. *LYLE v. AIKEN ET AL.* C. A. 6th Cir. Certiorari denied.

No. 15–7850. *CHAVARRIA DELGADO v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 620 Fed. Appx. 329.

No. 15–7855. *FISK v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 619 Fed. Appx. 417.

No. 15–8050. *BELL v. ARKANSAS.* Sup. Ct. Ark. Certiorari denied. Reported below: 2015 Ark. 370.

No. 15–8307. *MORGAN v. UNITED STATES.* Ct. App. D. C. Certiorari denied. Reported below: 121 A. 3d 1235.

No. 15–8563. *HERNANDEZ v. FLORIDA ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 180 So. 3d 978.

No. 15–8601. *MOORE v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 624 Fed. Appx. 244.

June 20, 2016

579 U. S.

No. 15–8603. *VILLEGAS-RODRIGUEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 617 Fed. Appx. 597.

No. 15–8635. *YEOMANS v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied.

No. 15–8704. *KAMPFER v. CUOMO, GOVERNOR OF NEW YORK*. C. A. 2d Cir. Certiorari denied. Reported below: 643 Fed. Appx. 43.

No. 15–8779. *BROWN v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 2015–2001 (La. 2/19/16), 184 So. 3d 1265.

No. 15–8929. *BELL v. U. S. BANK N. A. ET AL.* Sup. Ct. Fla. Certiorari denied.

No. 15–8930. *AMBROSE v. TRIERWEILER, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 621 Fed. Appx. 808.

No. 15–8931. *MORROW v. PASH, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 15–8932. *LAMPKIN v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 15–8936. *TETREAU v. CAMPBELL, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 15–8940. *KARNAZES v. UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 15–8944. *MCCAIN v. ILLINOIS*. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 2015 IL App (2d) 140280–U.

No. 15–8945. *PROCTOR v. BURKE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 630 Fed. Appx. 127.

No. 15–8954. *BUYCKS v. LBS FINANCIAL CREDIT UNION ET AL.* Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 15–8956. *SABBY v. HAMMER, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 15–8957. *HUPP v. PETERSEN ET AL.* C. A. 9th Cir. Certiorari denied.

579 U.S.

June 20, 2016

No. 15–8959. *GABB v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2014 IL App (1st) 120908–U.

No. 15–8964. *TURNER v. WRIGHT ET AL.* Sup. Ct. Miss. Certiorari denied.

No. 15–8966. *CARTER v. ACHOLONU ET AL.* C. A. 11th Cir. Certiorari denied.

No. 15–8971. *JOHNSON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 62 Cal. 4th 600, 364 P. 3d 359.

No. 15–8972. *MORGAN v. HATTON, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 15–8992. *KLEIN v. PRINGLE, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 15–8993. *LEBOON v. ALAN MCILVAIN CO.* C. A. 3d Cir. Certiorari denied. Reported below: 628 Fed. Appx. 98.

No. 15–8994. *WHIPPLE v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 15–9062. *MAYS v. WHITENER, SUPERINTENDENT, MARION CORRECTIONAL INSTITUTION, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 633 Fed. Appx. 161.

No. 15–9125. *ZARAZU v. SPEARMAN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 15–9167. *SURATOS v. FOSTER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 15–9201. *GUNDERSON v. KIRKEGARD, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 15–9219. *MANNING v. ROCK, SUPERINTENDENT, UPSTATE CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 633 Fed. Appx. 26.

No. 15–9237. *LUSTER v. LAXALT, ATTORNEY GENERAL OF NEVADA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 15–9240. *TANGUAY v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 809 F. 3d 677.

June 20, 2016

579 U. S.

No. 15–9281. *BOWMAN v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 184 So. 3d 535.

No. 15–9290. *MCCARY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 614 Fed. Appx. 383.

No. 15–9294. *BADINI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 15–9296. *COLTON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 15–9302. *FAULDS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 617 Fed. Appx. 581.

No. 15–9305. *MANGO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 633 Fed. Appx. 257.

No. 15–9308. *CARMONA-RAMOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 638 Fed. Appx. 351.

No. 15–9331. *DUPREE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 620 Fed. Appx. 49.

No. 15–9333. *RICHMOND v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 641 Fed. Appx. 295.

No. 15–9338. *LOWE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 643 Fed. Appx. 834.

No. 15–9341. *MARTINEZ MEZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 642 Fed. Appx. 332.

No. 15–9347. *BUCHANAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 637 Fed. Appx. 327.

No. 15–9357. *FLORES-RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 634 Fed. Appx. 471.

No. 15–9358. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 637 Fed. Appx. 572.

No. 15–9360. *FULLMAN v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 122 A. 3d 455.

No. 15–9380. *MAUNTECA-LOPEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

579 U.S.

June 20, 2016

No. 15–9384. THOMPSON *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied.

No. 15–9387. VASILOFF *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 622 Fed. Appx. 881.

No. 15–9391. ANTONIO CARMONA *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied.

No. 15–9403. SUAREZ-GUZMAN *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 15–9406. HIGH *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 593 Fed. Appx. 234.

No. 15–9407. HASKINS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied.

No. 15–9408. MILLER *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 819 F. 3d 1314.

No. 15–9416. PEREZ RAMIREZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 15–9418. BARTOLO-GUERRA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 637 Fed. Appx. 138.

No. 15–1020. NTSEBEZA ET AL. *v.* FORD MOTOR CO. ET AL. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 796 F. 3d 160.

No. 15–1049. M. A., AS MOTHER OF J. D. *v.* PADILLA, JUDGE, SUPERIOR COURT OF ARIZONA, MARICOPA COUNTY, ET AL. Ct. App. Ariz. Motion of respondent Christopher Allen Simcox for leave to proceed *in forma pauperis* granted. Motions of Defendants of Children; Child Justice, Inc., et al.; and Arizona Voice for Crime Victims et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 237 Ariz. 263, 349 P. 3d 1100.

No. 15–9402. LEWIS *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

Rehearing Denied

No. 15–878. CHINWEZE *v.* BANK OF AMERICA, N. A., 577 U.S. 1194;

June 20, 27, 2016

579 U. S.

No. 15–1065. CHAPARRO ET UX. *v.* U. S. BANK N. A., 578 U. S. 923;

No. 15–6345. ROGERS *v.* PERRY, SECRETARY, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, 577 U. S. 1015;

No. 15–7872. LEWIS *v.* TEXAS, 578 U. S. 907;

No. 15–7893. MATTHISEN *v.* UNITED STATES, 578 U. S. 908;

No. 15–7993. WILLYARD *v.* KELLEY, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION, 578 U. S. 926;

No. 15–8040. CONSTANT *v.* DTE ELECTRIC Co., AKA DETROIT EDISON Co., 578 U. S. 927;

No. 15–8098. WALKER *v.* CITY OF MEMPHIS, TENNESSEE, ET AL., 578 U. S. 929;

No. 15–8224. SMALL *v.* FLORIDA, 578 U. S. 932;

No. 15–8314. ALBERTO SOLERNORONA *v.* MICHIGAN, 578 U. S. 948;

No. 15–8379. INTA *v.* UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MISSOURI, 578 U. S. 961;

No. 15–8398. JEHOVAH *v.* CLARKE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, ET AL. (two judgments), 578 U. S. 962;

No. 15–8437. SHELLMAN *v.* COLVIN, ACTING COMMISSIONER, SOCIAL SECURITY ADMINISTRATION, 578 U. S. 950; and

No. 15–8500. DAVIS *v.* ROUNDTREE ET AL., 578 U. S. 950. Petitions for rehearing denied.

JUNE 27, 2016

Certiorari Granted—Vacated and Remanded

No. 14–1440. TRIPLE CANOPY, INC. *v.* UNITED STATES EX REL. BADR ET AL. C. A. 4th Cir. Reported below: 775 F. 3d 628;

No. 15–404. WESTON EDUCATIONAL, INC., DBA HERITAGE COLLEGE *v.* UNITED STATES EX REL. MILLER ET AL. C. A. 8th Cir. Reported below: 784 F. 3d 1198; and

No. 15–729. UNITED STATES EX REL. NELSON *v.* SANFORD-BROWN, LTD., ET AL. C. A. 7th Cir. Reported below: 788 F. 3d 696. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *Universal Health Services, Inc. v. United States ex rel. Escobar*, ante, p. 176.

No. 15–5. NEVADA *v.* TORRES. Sup. Ct. Nev. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further

579 U. S.

June 27, 2016

consideration in light of *Utah v. Strieff*, *ante*, p. 232. Reported below: 131 Nev. 11, 341 P. 3d 652.

No. 15–1014. *CLICK-TO-CALL TECHNOLOGIES, LP v. ORACLE CORP. ET AL.* C. A. Fed. Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Cuozzo Speed Technologies, LLC v. Lee*, *ante*, p. 261. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 622 Fed. Appx. 907.

Certiorari Dismissed

No. 15–9021. *JOHNSON v. STEPHENS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

Miscellaneous Orders

No. D–2863. *IN RE DISBARMENT OF KORESKO.* Disbarment entered. [For earlier order herein, see 577 U. S. 1027.]

No. D–2869. *IN RE DISBARMENT OF O’BRIEN.* Disbarment entered. [For earlier order herein, see 577 U. S. 1131.]

No. D–2870. *IN RE DISBARMENT OF DENICOLA.* Disbarment entered. [For earlier order herein, see 577 U. S. 1131.]

No. D–2871. *IN RE DISBARMENT OF FREDERICKS.* Disbarment entered. [For earlier order herein, see 577 U. S. 1131.]

No. D–2872. *IN RE DISBARMENT OF KWASNY.* Disbarment entered. [For earlier order herein, see 577 U. S. 1132.]

No. D–2873. *IN RE DISBARMENT OF KAUFMAN.* Disbarment entered. [For earlier order herein, see 577 U. S. 1132.]

No. D–2874. *IN RE DISBARMENT OF COHEN.* Disbarment entered. [For earlier order herein, see 577 U. S. 1132.]

No. D–2875. *IN RE DISBARMENT OF KONIGSBERG.* Disbarment entered. [For earlier order herein, see 577 U. S. 1132.]

No. D–2876. *IN RE DISBARMENT OF LAVALLEE.* Disbarment entered. [For earlier order herein, see 577 U. S. 1132.]

June 27, 2016

579 U. S.

No. D-2877. IN RE DISBARMENT OF SCHLESINGER. Disbarment entered. [For earlier order herein, see 577 U. S. 1132.]

No. D-2878. IN RE DISBARMENT OF FASCIANA. Disbarment entered. [For earlier order herein, see 577 U. S. 1132.]

No. D-2879. IN RE DISBARMENT OF GALLIMORE. Disbarment entered. [For earlier order herein, see 577 U. S. 1133.]

No. D-2880. IN RE DISBARMENT OF LONDON. Disbarment entered. [For earlier order herein, see 577 U. S. 1133.]

No. 15M134. ROMERO LOPEZ *v.* MCFADDEN, WARDEN; and
No. 15M135. ROBINSON *v.* DRUG ENFORCEMENT ADMINISTRATION ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 15-8680. PAUL *v.* DE HOLCZER ET AL. C. A. 4th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [578 U. S. 1002] denied.

No. 15-9006. IN RE GOIST. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [578 U. S. 974] denied.

No. 15-9042. ANDERSON *v.* HARRISON COUNTY, MISSISSIPPI. C. A. 5th Cir.; and

No. 15-9472. SKRETTAS *v.* DEPARTMENT OF VETERANS AFFAIRS. C. A. Fed. Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until July 18, 2016, 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. 15-1362. IN RE PIECZENIK; and

No. 15-9519. IN RE WILLIAMS. Petitions for writs of mandamus denied.

No. 15-8997. IN RE CAMPBELL. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus dismissed. See this Court's Rule 39.8.

No. 15-9389. IN RE HEIZMAN. Petition for writ of prohibition denied.

579 U.S.

June 27, 2016

Probable Jurisdiction Noted

No. 15–1262. MCCRORY, GOVERNOR OF NORTH CAROLINA, ET AL. *v.* HARRIS ET AL. Appeal from D. C. M. D. N. C. Probable jurisdiction noted. Reported below: 159 F. Supp. 3d 600.

Certiorari Granted

No. 14–1538. LIFE TECHNOLOGIES CORP. ET AL. *v.* PROMEGA CORP. C. A. Fed. Cir. Certiorari granted limited to Question 2 presented by the petition. Reported below: 773 F. 3d 1338.

No. 15–8544. BECKLES *v.* UNITED STATES. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. JUSTICE KAGAN took no part in the consideration or decision of this motion and this petition. Reported below: 616 Fed. Appx. 415.

Certiorari Denied

No. 14–1206. ODHAMBO *v.* REPUBLIC OF KENYA ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 764 F. 3d 31.

No. 15–363. AT&T, INC., ET AL. *v.* UNITED STATES EX REL. HEATH. C. A. D. C. Cir. Certiorari denied. Reported below: 791 F. 3d 112.

No. 15–610. MIDLAND FUNDING, LLC, ET AL. *v.* MADDEN. C. A. 2d Cir. Certiorari denied. Reported below: 786 F. 3d 246.

No. 15–683. HOME CARE ASSOCIATION OF AMERICA ET AL. *v.* WEIL, ADMINISTRATOR, WAGE AND HOUR DIVISION, ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 799 F. 3d 1084.

No. 15–716. INTERVAL LICENSING LLC *v.* LEE, DIRECTOR, PATENT AND TRADEMARK OFFICE. C. A. Fed. Cir. Certiorari denied. Reported below: 608 Fed. Appx. 945.

No. 15–802. RESOURCE INVESTMENTS, INC., ET AL. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 785 F. 3d 660.

No. 15–889. THOMAS *v.* LYNCH, ATTORNEY GENERAL. C. A. 5th Cir. Certiorari denied. Reported below: 796 F. 3d 535.

No. 15–945. CORDOVA-SOTO *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 804 F. 3d 714.

June 27, 2016

579 U. S.

No. 15–990. *TERRITORY OF GUAM ET AL. v. PAESTE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 798 F. 3d 1228.

No. 15–1024. *LITTLE RIVER BAND OF OTTAWA INDIANS TRIBAL GOVERNMENT v. NATIONAL LABOR RELATIONS BOARD.* C. A. 6th Cir. Certiorari denied. Reported below: 788 F. 3d 537.

No. 15–1034. *SOARING EAGLE CASINO AND RESORT v. NATIONAL LABOR RELATIONS BOARD.* C. A. 6th Cir. Certiorari denied. Reported below: 791 F. 3d 648.

No. 15–1072. *HAGGART ET AL., INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED v. WOODLEY ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 809 F. 3d 1336.

No. 15–1129. *UNITED STATES EX REL. MARSHALL ET AL. v. WOODWARD, INC.* C. A. 7th Cir. Certiorari denied. Reported below: 812 F. 3d 556.

No. 15–1144. *FLOWERS v. TROUP COUNTY, GEORGIA, SCHOOL DISTRICT, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 803 F. 3d 1327.

No. 15–1145. *VERSATA DEVELOPMENT GROUP, INC. v. SAP AMERICA, INC., ET AL.* (two judgments). C. A. Fed. Cir. Certiorari denied. Reported below: 793 F. 3d 1306 (first judgment) and 1352 (second judgment).

No. 15–1151. *FITCH RATINGS, INC., FKA FITCH, INC. v. FIRST COMMUNITY BANK, N. A., ET AL.* Sup. Ct. Tenn. Certiorari denied. Reported below: 489 S. W. 3d 369.

No. 15–1166. *OLIVE v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 804 F. 3d 747.

No. 15–1182. *SEQUENOM, INC. v. ARIOSIA DIAGNOSTICS, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 788 F. 3d 1371.

No. 15–1185. *CALIFORNIA ET AL. v. PAUMA BAND OF LUISENO MISSION INDIANS OF THE PAUMA & YUIMA RESERVATION, AKA PAUMA BAND OF MISSION INDIANS, AKA PAUMA LUISENO BAND OF MISSION INDIANS; and*

579 U.S.

June 27, 2016

No. 15–1291. PAUMA BAND OF LUISENO MISSION INDIANS OF THE PAUMA & YUIMA RESERVATION, AKA PAUMA BAND OF MISSION INDIANS, AKA PAUMA LUISENO BAND OF MISSION INDIANS *v.* CALIFORNIA ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 813 F. 3d 1155.

No. 15–1187. STEPHENSON *v.* GAME SHOW NETWORK, LLC, ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 624 Fed. Appx. 756.

No. 15–1199. PFEIL ET AL., INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED *v.* STATE STREET BANK & TRUST CO. C. A. 6th Cir. Certiorari denied. Reported below: 806 F. 3d 377.

No. 15–1209. BARR PHARMACEUTICALS, LLC, ET AL. *v.* SUPERIOR COURT OF CALIFORNIA, SAN FRANCISCO COUNTY, ET AL. Ct. App. Cal., 1st App. Dist., Div. 1. Certiorari denied.

No. 15–1229. MANTIPLY *v.* HORNE, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF HORNE. C. A. 11th Cir. Certiorari denied. Reported below: 630 Fed. Appx. 908.

No. 15–1285. SHUKH *v.* SEAGATE TECHNOLOGY, LLC, ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 803 F. 3d 659.

No. 15–1292. CARONI *v.* UNITED STATES; and

No. 15–8254. DiLEO *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 625 Fed. Appx. 464.

No. 15–1303. AYISSI-ETOH *v.* FANNIE MAE ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 621 Fed. Appx. 677.

No. 15–1304. BENT *v.* FOSTER. C. A. 9th Cir. Certiorari denied.

No. 15–1306. MITRANO *v.* ORLANS MORAN, PLLC. C. A. 1st Cir. Certiorari denied.

No. 15–1308. RADBIL *v.* REGIONAL ADJUSTMENT BUREAU, INC. C. A. 5th Cir. Certiorari denied. Reported below: 641 Fed. Appx. 298.

No. 15–1312. SNYDER *v.* COLLURA ET AL. C. A. 1st Cir. Certiorari denied. Reported below: 812 F. 3d 46.

June 27, 2016

579 U. S.

No. 15–1314. *AUTOMOTIVE BODY PARTS ASSN. v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN ET AL.* C. A. Fed. Cir. Certiorari denied.

No. 15–1324. *WASHINGTON ET AL. v. BANK OF AMERICA, N. A.* C. A. 5th Cir. Certiorari denied. Reported below: 624 Fed. Appx. 301.

No. 15–1349. *OYAMA v. UNIVERSITY OF HAWAII ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 813 F. 3d 850.

No. 15–1353. *TAYLOR v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 808 F. 3d 1202.

No. 15–1355. *RODRIGUEZ, AS PARENT AND GUARDIAN OF JoDON R. ET AL., MINORS v. FOX NEWS NETWORK, L. L. C.* Ct. App. Ariz. Certiorari denied. Reported below: 238 Ariz. 36, 356 P. 3d 322.

No. 15–1360. *STONER v. YOUNG CONCERT ARTISTS, INC.* C. A. 2d Cir. Certiorari denied. Reported below: 626 Fed. Appx. 293.

No. 15–1376. *ARBUCKLE MOUNTAIN RANCH OF TEXAS, INC. v. CHESAPEAKE ENERGY CORP. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 810 F. 3d 335.

No. 15–1386. *SAMSUNG ELECTRONICS Co., LTD., ET AL. v. APPLE INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 809 F. 3d 633.

No. 15–1393. *MONTANA CANNABIS INDUSTRY ASSN. ET AL. v. MONTANA.* Sup. Ct. Mont. Certiorari denied. Reported below: 382 Mont. 256, 368 P. 3d 1131.

No. 15–1424. *SANDOVAL v. COUNTY OF LOS ANGELES, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 622 Fed. Appx. 705.

No. 15–1448. *PRIME HEALTHCARE SERVICES, INC. v. SERVICE EMPLOYEES INTERNATIONAL UNION ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 642 Fed. Appx. 665.

No. 15–6889. *LANIER v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 623 Fed. Appx. 768.

No. 15–7790. *KILPATRICK v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 798 F. 3d 365.

579 U. S.

June 27, 2016

No. 15–7849. *ESCALANTI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 623 Fed. Appx. 844.

No. 15–7878. *OSSANA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 607 Fed. Appx. 599.

No. 15–7935. *HASKINS v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 15–7978. *HOLDEN v. CLARKE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 609 Fed. Appx. 161.

No. 15–8204. *JOHNSON v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 15–8227. *JAMES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 631 Fed. Appx. 803.

No. 15–8424. *SANCHEZ-VASQUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 623 Fed. Appx. 209.

No. 15–8465. *MAHON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 804 F. 3d 946.

No. 15–8985. *MANUEL RODRIGUEZ v. SALUS, JUDGE, COURT OF COMMON PLEAS OF PENNSYLVANIA, MONTGOMERY COUNTY, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 623 Fed. Appx. 588.

No. 15–8998. *COMEAX v. STEPHENS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 616 Fed. Appx. 167.

No. 15–8999. *ELLIOTT v. GRACE, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 632 Fed. Appx. 61.

No. 15–9003. *CARROLL v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 15–9004. *KIRBY ET AL. v. MORRISSEY ET AL.* Sup. Ct. Okla. Certiorari denied.

No. 15–9005. *CHRISTMANN v. SCHUTTE, ATTORNEY GENERAL OF MICHIGAN*. C. A. 6th Cir. Certiorari denied.

No. 15–9022. *TRUJILLO v. MONTGOMERY, WARDEN*. C. A. 9th Cir. Certiorari denied.

June 27, 2016

579 U. S.

No. 15–9023. *HERNANDEZ v. MUNIZ*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 628 Fed. Appx. 541.

No. 15–9025. *FENTON v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2015 IL App (1st) 130861–U.

No. 15–9029. *PALMER v. STEPHENS*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 15–9030. *NUCCIO v. McDONALD*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 647 Fed. Appx. 790.

No. 15–9033. *BLACK v. JOHNSON*, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL. C. A. 3d Cir. Certiorari denied.

No. 15–9034. *BROWN v. MACOMBER*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 15–9035. *BASS v. TEXAS*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 15–9036. *MANUEL ALBARADO v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 15–9046. *COSBY v. SAFECO INSURANCE COMPANY OF AMERICA*. C. A. 2d Cir. Certiorari denied.

No. 15–9048. *BREWER v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 333 Ga. App. XXV.

No. 15–9049. *COOK v. LAMOTTE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 618 Fed. Appx. 229.

No. 15–9058. *CANNON v. DUCKWORTH*, INTERIM WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 796 F. 3d 1256.

No. 15–9073. *TWO BULLS, AKA REYNA v. RIES ET AL.* C. A. 8th Cir. Certiorari denied.

No. 15–9075. *ABYLA v. DALTON ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 637 Fed. Appx. 103.

No. 15–9080. *HERNANDEZ v. DAVEY*, WARDEN. C. A. 9th Cir. Certiorari denied.

579 U.S.

June 27, 2016

No. 15–9081. *SMITH v. JENKINS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 15–9082. *HOWARD v. VANCE COUNTY SHERIFF DEPT. ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 624 Fed. Appx. 95.

No. 15–9087. *VALLI v. MILLER, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 15–9091. *DEL VALLE-SANTANA v. SERVICIOS LEGALES DE PUERTO RICO, INC., ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 804 F. 3d 127.

No. 15–9095. *GOODELL v. BARRETT, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 15–9098. *MCCOY v. WATKINS ET AL.* Ct. App. Tex., 5th Dist. Certiorari denied.

No. 15–9099. *JONES v. TEXAS*. Ct. App. Tex., 1st Dist. Certiorari denied. Reported below: 466 S. W. 3d 252.

No. 15–9104. *SAVOLT v. LONG, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 15–9106. *BELL v. ILLINOIS*. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 2015 IL App (2d) 140765–U.

No. 15–9108. *FRANQUI v. FLORIDA*. C. A. 11th Cir. Certiorari denied.

No. 15–9110. *HARS v. KEELING*. C. A. 2d Cir. Certiorari denied. Reported below: 809 F. 3d 43.

No. 15–9129. *TEMPLE v. SINGLETON ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 622 Fed. Appx. 291.

No. 15–9155. *MANUEL SALCIDO v. KNIPP, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 15–9156. *MARTIN v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 131 A. 3d 94.

No. 15–9175. *SOTELO-AYALA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 633 Fed. Appx. 393.

June 27, 2016

579 U. S.

No. 15–9198. *BUNTION v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 482 S. W. 3d 58.

No. 15–9212. *TEJEDA v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 332 Ga. App. XXX.

No. 15–9216. *MICKENS v. LARKIN, SUPERINTENDENT, EASTERN NEW YORK CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 633 Fed. Appx. 24.

No. 15–9218. *KENNEDY v. VANNOY, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 624 Fed. Appx. 886.

No. 15–9223. *STOUTAMIRE v. MORGAN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 15–9288. *McKYE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 638 Fed. Appx. 680.

No. 15–9295. *CARON v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 15–9300. *GUTIERREZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 15–9307. *DONE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 620 Fed. Appx. 839.

No. 15–9310. *BACKMON v. BREWER*. Ct. App. Colo. Certiorari denied.

No. 15–9311. *JAVIER ARAIZA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 643 Fed. Appx. 524.

No. 15–9324. *ORTS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 643 Fed. Appx. 853.

No. 15–9325. *MARK ET AL. v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 80 A. 3d 685.

No. 15–9334. *CARTAGENA-MERCED v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 610 Fed. Appx. 805.

No. 15–9335. *CLEM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 644 Fed. Appx. 238.

579 U.S.

June 27, 2016

No. 15–9336. *ELLIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 646 Fed. Appx. 889.

No. 15–9337. *LAGI v. FLORIDA*. Sup. Ct. Fla. Certiorari denied.

No. 15–9349. *ACEVEDO v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied.

No. 15–9361. *FISHER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 15–9362. *GARCIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 615 Fed. Appx. 897.

No. 15–9363. *HAMMOND v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 15–9366. *GUEST v. UNITED STATES ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 615 Fed. Appx. 656.

No. 15–9367. *FLEMING v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 15–9375. *UPSHAW v. EBBERT, WARDEN*. C. A. 3d Cir. Certiorari denied. Reported below: 634 Fed. Appx. 357.

No. 15–9376. *WHITE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 627 Fed. Appx. 217.

No. 15–9381. *SMITH v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 15–9396. *MALACHOWSKI v. UNITED STATES*; and

No. 15–9400. *MALACHOWSKI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: No. 15–9396, 623 Fed. Appx. 562; No. 15–9400, 623 Fed. Appx. 555.

No. 15–9412. *TARANTINO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 617 Fed. Appx. 62.

No. 15–9413. *WHITNEY v. CARTER, SECRETARY OF DEFENSE*. C. A. 7th Cir. Certiorari denied. Reported below: 628 Fed. Appx. 446.

No. 15–9415. *ROGERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 633 Fed. Appx. 141.

June 27, 2016

579 U. S.

No. 15–9424. *COLE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 619 Fed. Appx. 381.

No. 15–9425. *CRAWFORD v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 192 So. 3d 905.

No. 15–9430. *BIAS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 15–9440. *GREEN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 15–9448. *RUIZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 638 Fed. Appx. 397.

No. 15–9449. *MCCALL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 15–9454. *GUTIERREZ-SALINAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 640 Fed. Appx. 690.

No. 15–9457. *JORDAN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 813 F. 3d 442.

No. 15–9458. *MARTINEZ v. SHARTLE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 15–9462. *BERRY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 15–9468. *JAMISON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 15–9469. *BROWN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 636 Fed. Appx. 157.

No. 15–9479. *BURCHETTE v. McDONALD, SECRETARY OF VETERANS AFFAIRS*. C. A. 2d Cir. Certiorari denied.

No. 15–9482. *TAYLOR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 15–9485. *KIEFFER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 638 Fed. Appx. 746.

No. 15–9490. *GUEVARA-MIRANDA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 640 Fed. Appx. 319.

579 U.S.

June 27, 2016

No. 15–9491. JARVIS *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 814 F. 3d 936.

No. 15–9515. MARTIN, INDIVIDUALLY AND AS TRUSTEE FOR THE ABRAHAM NGUYEN MARTIN REVOCABLE TRUST AGREEMENT DATED JANUARY 10, 1991 *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 15–9516. ALFARO *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 638 Fed. Appx. 374.

No. 15–9517. BLACK *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied.

No. 15–9522. HOPE *v.* FLORIDA. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 186 So. 3d 1037.

No. 15–9533. JOHNSON *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 641 Fed. Appx. 875.

No. 15–9535. COPELAND *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 820 F. 3d 809.

No. 15–9539. MARTINEZ DELGADO *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 640 Fed. Appx. 620.

No. 15–9541. WILSON *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 631 Fed. Appx. 623.

No. 15–9542. PADRON *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 631 Fed. Appx. 250.

No. 15–9543. MERILIA *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 640 Fed. Appx. 239.

No. 14–1140. TIBBS ET AL. *v.* BUNNELL, JUDGE, CIRCUIT COURT OF KENTUCKY, FAYETTE COUNTY, ET AL. Sup. Ct. Ky. Motions of American Hospital Association et al., Joint Commission, and Alliance for Quality Improvement and Patient Safety for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 448 S. W. 3d 796.

No. 15–950. MICHIGAN *v.* UYEDA. Ct. App. Mich. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied.

June 27, 2016

579 U. S.

No. 15–1026. *EPPINGER, WARDEN v. MCCARLEY*. C. A. 6th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 801 F. 3d 652.

No. 15–1076. *FUENTES v. MARESCA ET AL.* C. A. 10th Cir. Motion of New Mexico Department of Public Safety for leave to file brief as *amicus curiae* granted. Certiorari denied. Reported below: 804 F. 3d 1301.

No. 15–1215. *SHINNECOCK INDIAN NATION v. NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 628 Fed. Appx. 54.

No. 15–1309. *PHARMERICA CORP. v. UNITED STATES EX REL. GADBOIS*. C. A. 1st Cir. Motion of New England Legal Foundation for leave to file brief as *amicus curiae* granted. Certiorari denied. Reported below: 809 F. 3d 1.

No. 15–1440. *COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH ORGANISATION v. CISCO SYSTEMS, INC.* C. A. Fed. Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 809 F. 3d 1295.

No. 15–9382. *TURNER v. HOLLAND, WARDEN*. C. A. 9th Cir. Certiorari before judgment denied.

No. 15–9463. *BASCIANO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 634 Fed. Appx. 832.

Rehearing Denied

No. 14–520. *HAWKINS ET AL. v. COMMUNITY BANK OF RAYMORE*, 577 U. S. 495 (2016);

No. 15–926. *IN RE GRISKIE*, 577 U. S. 1234;

No. 15–999. *KNIGHT ET AL. v. THOMPSON ET AL.*, 578 U. S. 959;

No. 15–8061. *CAISON v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*, 578 U. S. 928;

No. 15–8256. *LESTER v. MACKIE, WARDEN*, 578 U. S. 947;

No. 15–8270. *SMITH v. STEPHENS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, 578 U. S. 947;

579 U. S.

June 27, 28, 2016

No. 15–8438. BERNARD *v.* WOODS, WARDEN, 578 U. S. 963; and
No. 15–8443. LONGORIA *v.* TEXAS, 578 U. S. 963. Petitions for
rehearing denied.

JUNE 28, 2016

Certiorari Granted—Vacated and Remanded

No. 14–1469. WASHBURN *v.* NORTH DAKOTA. Sup. Ct. N. D.
Reported below: 2015 ND 8, 861 N. W. 2d 173;

No. 14–1506. BEYLUND *v.* NORTH DAKOTA. Sup. Ct. N. D.
Reported below: 2015 ND 27, 861 N. W. 2d 172;

No. 14–1512. HARNS *v.* NORTH DAKOTA. Sup. Ct. N. D. Re-
ported below: 2015 ND 45, 861 N. W. 2d 173;

No. 15–129. WOJAHN *v.* LEVI, DIRECTOR, NORTH DAKOTA
DEPARTMENT OF TRANSPORTATION. Sup. Ct. N. D. Reported
below: 2015 ND 50, 861 N. W. 2d 173;

No. 15–243. BAXTER *v.* NORTH DAKOTA. Sup. Ct. N. D. Re-
ported below: 2015 ND 107, 863 N. W. 2d 208;

No. 15–518. WALL *v.* STANEK, SHERIFF, HENNEPIN COUNTY,
MINNESOTA. C. A. 8th Cir. Reported below: 794 F. 3d 890;

No. 15–989. KORDONOWY *v.* NORTH DAKOTA. Sup. Ct. N. D.
Reported below: 2015 ND 197, 867 N. W. 2d 690; and

No. 15–1052. HEXOM *v.* MINNESOTA. Ct. App. Minn. Certio-
rari granted, judgments vacated, and cases remanded for further
consideration in light of *Birchfield v. North Dakota*, ante, p. 438.

No. 15–5587. SHARBUTT *v.* VASQUEZ, WARDEN. C. A. 5th Cir.
Reported below: 600 Fed. Appx. 251;

No. 15–6468. PATRIE *v.* UNITED STATES. C. A. 8th Cir. Re-
ported below: 794 F. 3d 998;

No. 15–6603. GOODWIN *v.* UNITED STATES. C. A. 8th Cir.;

No. 15–6783. DIAZ-MORALES, AKA DIAZ *v.* UNITED STATES.
C. A. 11th Cir. Reported below: 595 Fed. Appx. 932;

No. 15–7106. CASTRO-MARTINEZ *v.* UNITED STATES. C. A.
6th Cir. Reported below: 624 Fed. Appx. 357;

No. 15–7249. BRYANT *v.* UNITED STATES. C. A. 5th Cir. Re-
ported below: 615 Fed. Appx. 199;

No. 15–7832. LUIS GUEVARA *v.* UNITED STATES. C. A. 9th
Cir. Reported below: 619 Fed. Appx. 648;

No. 15–7846. SANDERS *v.* UNITED STATES. C. A. 6th Cir.
Reported below: 635 Fed. Appx. 286; and

No. 15–8015. BROOKS *v.* UNITED STATES. C. A. 9th Cir. Mo-
tions of petitioners for leave to proceed *in forma pauperis*

June 28, 2016

579 U. S.

granted. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *Mathis v. United States*, *ante*, p. 500.

No. 15–7987. GUADALUPE GARZA *v.* MINNESOTA. Ct. App. Minn. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Birchfield v. North Dakota*, *ante*, p. 438.

Certiorari Granted

No. 14–1055. LIGHTFOOT ET AL. *v.* CENDANT MORTGAGE CORP., DBA PHH MORTGAGE, ET AL. C. A. 9th Cir. Certiorari granted. Reported below: 769 F. 3d 681.

No. 15–486. IVY ET AL. *v.* MORATH, TEXAS COMMISSIONER OF EDUCATION. C. A. 5th Cir. Certiorari granted. Reported below: 781 F. 3d 250.

No. 15–497. FRY ET VIR, AS NEXT FRIENDS OF MINOR E. F. *v.* NAPOLEON COMMUNITY SCHOOLS ET AL. C. A. 6th Cir. Certiorari granted. Reported below: 788 F. 3d 622.

No. 15–649. CZYZEWSKI ET AL. *v.* JEVIC HOLDING CORP. ET AL. C. A. 3d Cir. Certiorari granted. Reported below: 787 F. 3d 173.

No. 15–1191. LYNCH, ATTORNEY GENERAL *v.* MORALES-SANTANA. C. A. 2d Cir. Certiorari granted. Reported below: 804 F. 3d 520.

No. 15–423. BOLIVARIAN REPUBLIC OF VENEZUELA ET AL. *v.* HELMERICH & PAYNE INTERNATIONAL DRILLING CO. ET AL. C. A. D. C. Cir. Certiorari granted limited to Question 3 presented by the petition. Reported below: 784 F. 3d 804.

No. 15–961. VISA INC. ET AL. *v.* OSBORN ET AL.; and

No. 15–962. VISA INC. ET AL. *v.* STOUMBOS ET AL. C. A. D. C. Cir. Certiorari granted, cases consolidated, and a total of one hour is allotted for oral argument. Reported below: 797 F. 3d 1057.

No. 15–1111. BANK OF AMERICA CORP. ET AL. *v.* CITY OF MIAMI, FLORIDA; and

No. 15–1112. WELLS FARGO & CO. ET AL. *v.* CITY OF MIAMI, FLORIDA. C. A. 11th Cir. Certiorari granted, cases consoli-

579 U. S.

June 28, 2016

dated, and a total of one hour is allotted for oral argument. Reported below: No. 15–1111, 800 F. 3d 1262; No. 15–1112, 801 F. 3d 1258.

Certiorari Denied

No. 14–997. CURRIER, STATE HEALTH OFFICER OF THE MISSISSIPPI DEPARTMENT OF HEALTH, ET AL. *v.* JACKSON WOMEN’S HEALTH ORGANIZATION ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 760 F. 3d 448.

No. 14–1508. CULVER *v.* LEVI, DIRECTOR, NORTH DAKOTA DEPARTMENT OF TRANSPORTATION. Sup. Ct. N. D. Certiorari denied. Reported below: 2015 ND 26, 861 N. W. 2d 172.

No. 14–9861. MANSKA *v.* MINNESOTA. Ct. App. Minn. Certiorari denied.

No. 14–10423. GAEDE *v.* ILLINOIS. App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 2014 IL App (4th) 130346, 20 N. E. 3d 1266.

No. 15–64. JENSEN, INDIVIDUALLY AND AS PARENT AND NEXT FRIEND OF D. J. J., ET AL. *v.* EXC INC., DBA D. I. A. EXPRESS INC. ET AL., ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 588 Fed. Appx. 720.

No. 15–386. ROUNKLES *v.* LEVI, DIRECTOR, NORTH DAKOTA DEPARTMENT OF TRANSPORTATION. Sup. Ct. N. D. Certiorari denied. Reported below: 2015 ND 128, 863 N. W. 2d 910.

No. 15–403. WILLIAMS *v.* MINNESOTA. Ct. App. Minn. Certiorari denied.

No. 15–840. DUNCAN *v.* KENTUCKY. Sup. Ct. Ky. Certiorari denied. Reported below: 483 S. W. 3d 353.

No. 15–848. BENNETT *v.* MINNESOTA. Ct. App. Minn. Certiorari denied. Reported below: 867 N. W. 2d 539.

No. 15–931. NEVADA *v.* BARRAL. Sup. Ct. Nev. Certiorari denied. Reported below: 131 Nev. 520, 353 P. 3d 1197.

No. 15–1063. TEXAS *v.* VILLARREAL. Ct. Crim. App. Tex. Certiorari denied. Reported below: 475 S. W. 3d 784.

June 28, 2016

579 U. S.

No. 15–1200. SCHIMEL, ATTORNEY GENERAL OF WISCONSIN, ET AL. *v.* PLANNED PARENTHOOD OF WISCONSIN, INC., ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 806 F. 3d 908.

No. 15–5307. MAWOLO *v.* MINNESOTA. Ct. App. Minn. Certiorari denied.

No. 15–5315. ISAACSON *v.* MINNESOTA. Ct. App. Minn. Certiorari denied.

No. 15–6495. GUARNERO *v.* WISCONSIN. Sup. Ct. Wis. Certiorari denied. Reported below: 2015 WI 72, 363 Wis. 2d 857, 867 N. W. 2d 400.

No. 15–6645. BOAZ *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 607 Fed. Appx. 618.

No. 15–7286. PONCE-CORTES *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 15–7528. BURKE *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 15–7918. WILLIS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 795 F. 3d 986.

No. 15–7926. OGITCHIDA *v.* MINNESOTA. Ct. App. Minn. Certiorari denied.

No. 15–7960. LIPPY *v.* MINNESOTA. Ct. App. Minn. Certiorari denied.

No. 15–8853. DJORDJEVIC *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 631 Fed. Appx. 463.

No. 15–862. STORMANS, INC., DBA RALPH’S THRIFTWAY, ET AL. *v.* WIESMAN, SECRETARY, WASHINGTON STATE DEPARTMENT OF HEALTH, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 794 F. 3d 1064.

JUSTICE ALITO, with whom THE CHIEF JUSTICE and JUSTICE THOMAS join, dissenting.

This case is an ominous sign.

At issue are Washington State regulations that are likely to make a pharmacist unemployable if he or she objects on religious grounds to dispensing certain prescription medications. There are strong reasons to doubt whether the regulations were adopted

for—or that they actually serve—any legitimate purpose. And there is much evidence that the impetus for the adoption of the regulations was hostility to pharmacists whose religious beliefs regarding abortion and contraception are out of step with prevailing opinion in the State. Yet the Ninth Circuit held that the regulations do not violate the First Amendment, and this Court does not deem the case worthy of our time. If this is a sign of how religious liberty claims will be treated in the years ahead, those who value religious freedom have cause for great concern.

I

The Stormans family owns Ralph's Thriftway, a local grocery store and pharmacy in Olympia, Washington. Devout Christians, the Stormans seek to run their business in accordance with their religious beliefs. Among those beliefs is a conviction that life begins at conception and that preventing the uterine implantation of a fertilized egg is tantamount to abortion. Consequently, in order to avoid complicity in what they believe to be the taking of a life, Ralph's pharmacy does not stock emergency contraceptives, such as Plan B, that can "inhibit implantation" of a fertilized egg, 1 Supp. Excerpts of Record in No. 12–35221 etc. (CA9), p. 1245 (SER). When customers come into the pharmacy with prescriptions for such drugs, Ralph's employees inform them that the pharmacy does not carry those products, and they refer the customers to another nearby pharmacy that does. The drugs are stocked by *more than 30 other pharmacies within five miles of Ralph's*. *Stormans, Inc. v. Selecky*, 854 F. Supp. 2d 925, 934 (WD Wash. 2012); see SER 1293. These pharmacies include an Albertson's located 1.9 miles from Ralph's and a Rite-Aid located 2.3 miles away.¹

As explained by the 5 national and 33 state pharmacist associations that urge us to take this case, "facilitated referral supports pharmacists' professionally recognized right of conscience" "without compromising patient care." Brief for National and State Pharmacists' Associations as *Amici Curiae* 17. In addition to protecting rights of conscience, facilitated referral also serves more practical ends. Pharmacies can stock only a small fraction of the more than 6,000 FDA-approved drugs now available. Pharmacies of all stripes therefore "refer patients to other phar-

¹These pharmacies were identified at trial as carrying Plan B. SER 1293. The distances are as calculated by Google Maps driving directions.

macies at least several times a day because a drug is not in stock.” 854 F. Supp. 2d, at 934. Because of the practice of facilitated referrals, none of Ralph’s customers has ever been denied timely access to emergency contraceptives. *Id.*, at 933.

Nevertheless, in 2007 the Washington State Board of Pharmacy (Board) issued rules mandating that pharmacies like Ralph’s stock and sell contraceptives like Plan B. Under these regulations, a pharmacy may not “refuse to deliver a drug or device to a patient because its owner objects to delivery on religious, moral, or other personal grounds.” Brief in Opposition for Washington State Respondents 10. The dilemma this creates for the Stormans family and others like them is plain: Violate your sincerely held religious beliefs or get out of the pharmacy business. Ralph’s, joined by two pharmacists with similar beliefs who work at other pharmacies, contends that the regulations target religiously motivated conduct for disfavored treatment and thereby “suppress religious belief or practice” in violation of the First Amendment’s Free Exercise Clause. *Church of Lukumi Babalu Aye, Inc. v. Hialeah*, 508 U. S. 520, 523 (1993). After a 12-day trial, the District Court agreed and enjoined the regulations, 854 F. Supp. 2d 925 (findings of fact and conclusions of law); *Stormans Inc. v. Selecky*, 844 F. Supp. 2d 1172 (WD Wash. 2012) (opinion granting injunction).

The District Court found that the regulations were adopted with “the predominant purpose” to “stamp out the right to refuse” to dispense emergency contraceptives for religious reasons. *Id.*, at 1178. Among other things, the District Court noted the following. When the Board began to consider new regulations, the Governor of the State “sent a letter to the Board opposing referral for personal or conscientious reasons.” 854 F. Supp. 2d, at 937. The State Human Rights Commission followed with “a letter threatening Board members with personal liability if they passed a regulation permitting referral” for religious or moral reasons. *Id.*, at 938; see App. to Pet. for Cert. 374a–399a. And after the Board initially voted to adopt rules allowing referrals for reasons of conscience, the Governor not only sent another letter opposing the draft rules but “publicly explained that she could remove the Board members” if need be. 854 F. Supp. 2d, at 938. “[T]his was the first instance in which a Governor had ever threatened the Board . . . with removal.” *Id.*, at 939.

The Board heeded the Governor's wishes. As Steven Saxe, the Board's executive director, explained at the time: "[T]he public, legislators and governor are telling us loud and clear that they expect the rule to protect the public from unwanted intervention based on the moral beliefs . . . of a pharmacist." *Ibid.* "[T]he moral issue IS the basis of the concern." *Ibid.* Saxe, a primary drafter of the regulations, recognized that the task was "to draft language to allow facilitating a referral for *only these non-moral or non-religious reasons.*" *Ibid.* He suggested that making an express "statement that does not allow a pharmacist/pharmacy the right to refuse for moral or religious judgment" might be a "clearer" way to "leave intact the ability to decline to dispense . . . for most *legitimate* examples raised; clinical, fraud, business, skill, etc." *Ibid.* And in the end, that is what the Board did. While the regulations themselves do not expressly single out religiously motivated referrals, the Board's guidance accompanying the regulations does: "The rule," it warns, "does not allow a pharmacy to refer a patient to another pharmacy to avoid filling the prescription *due to moral or ethical objections.*" SER 1248 (emphasis added).

Although the District Court found that the Board's intent was to target pharmacies that made referrals for religious or moral reasons, the court did not base its decision solely on that ground. Instead, the court considered the design of the regulations and concluded that they discriminated against religious objectors. 854 F. Supp. 2d, at 967–990. Not only do the rules expressly contain certain secular exceptions, but the court also found that in operation the Board allowed pharmacies to make referrals for many other secular reasons not set out in the rules. *Id.*, at 954–956, 970–971. The court concluded that "the 'design of these [Regulations] accomplishes . . . a religious gerrymander'" capturing religiously motivated referrals and little else. *Id.*, at 984 (quoting *Church of Lukumi Babalu Aye, supra*, at 535; some internal quotation marks omitted).

The State appealed the District Court's decision, and the Ninth Circuit reversed. 794 F. 3d 1064 (2015). Both in the Ninth Circuit and before this Court, the State defends the regulations as necessary to "ensur[e] that its citizens have safe and timely access to their lawful and lawfully prescribed medications." *Id.*, at 1084. But the State has conceded that this is not really a problem. It *stipulated* that "facilitated referrals do not pose a threat to timely

access to lawfully prescribed medications” and indeed “help assure timely access to lawfully prescribed medications . . . includ[ing] Plan B.” App. to Pet. for Cert. 335a.

I believe that the constitutionality of what Washington has done merits further review. As I discuss below, Ralph’s has made a strong case that the District Court got it right and that the regulations here are improperly designed to stamp out religious objectors. The importance of this issue is underscored by the 38 national and state pharmacist associations that urge us to hear the case. The decision below, they tell us, “upheld a radical departure from past regulation of the pharmacy industry” that “threatens to *reduce* patient access to medication by forcing some pharmacies—particularly small, independent ones that often survive by providing specialty services not provided elsewhere—to close.” Brief for National and State Pharmacists’ Associations as *Amici Curiae* 4, 5. Given the important First Amendment interests at stake and the potentially sweeping ramifications of the decision below, I would grant certiorari.

II

The question presented in this case concerns the constitutionality of two rules adopted by the Washington State Pharmacy Board in 2007. The first rule, known as the Delivery Rule, requires pharmacies to “deliver lawfully prescribed drugs or devices to patients and to distribute drugs and devices approved by the U. S. Food and Drug Administration for restricted distribution by pharmacies.” Wash. Admin. Code § 246–869–010(1) (2009).² The

²This rule provides in pertinent part as follows:

“(1) Pharmacies have a duty to deliver lawfully prescribed drugs or devices to patients and to distribute drugs and devices approved by the U. S. Food and Drug Administration for restricted distribution by pharmacies, or provide a therapeutically equivalent drug or device in a timely manner consistent with reasonable expectations for filling the prescription, except for the following or substantially similar circumstances:

“(a) Prescriptions containing an obvious or known error, inadequacies in the instructions, known contraindications, or incompatible prescriptions, or prescriptions requiring action in accordance with WAC 246–875–040.

“(b) National or state emergencies or guidelines affecting availability, usage or supplies of drugs or devices;

“(c) Lack of specialized equipment or expertise needed to safely produce, store, or dispense drugs or devices, such as certain drug compounding or storage for nuclear medicine;

Delivery Rule works in tandem with a pre-existing rule, called the Stocking Rule, that requires pharmacies to stock a “representative assortment of drugs in order to meet the pharmaceutical needs of its patients.” § 246–869–150(1). The net result of these rules is that, so long as there is customer demand for emergency contraceptives, pharmacies like Ralph’s must stock and dispense them regardless of any religious or moral objections that their owners may have.

The Delivery Rule includes a number of exceptions. See §§ 246–869–010(1)(a)–(e), (2). Four of these are narrow. See § 246–869–010(1)(a) (prescription is erroneous or has a known contraindication); § 246–869–010(1)(b) (national and state emergencies); § 246–869–010(1)(d) (potentially fraudulent prescriptions); § 246–869–010(1)(e) (drug is temporarily out of stock). A fifth exception is broader: Under subsection (c), pharmacies need not stock prescription medications that require specialized equipment or expertise, including the equipment or expertise needed to compound drugs. § 246–869–010(1)(c). And a sixth exception is very broad indeed: A pharmacy is not required to deliver a drug “without payment of [its] usual and customary or contracted charge.” § 246–869–010(2). This means, among other things, that a pharmacy need not fill a prescription for a Medicaid patient. In addition, as discussed below, the District Court found that there are many unwritten exceptions to the Delivery and Stocking Rules. See *infra*, at 949–950.

The Board’s second new rule, called the Pharmacist Responsibility Rule, governs individual pharmacists. § 246–863–095 (2010). The rule does not require any *individual pharmacist* to dispense medication in conflict with his or her beliefs. But because the Delivery Rule requires every *pharmacy* to dispense the medication, if a pharmacy wishes to employ a pharmacist who objects to dispensing a drug for religious reasons, the pharmacy must keep on duty at all times a second pharmacist who can dispense those drugs. We are told that few pharmacies are likely to be willing to bear this expense. Brief for National and State Pharmacists’ Associations as *Amici Curiae* 23–24.

“(d) Potentially fraudulent prescriptions; or

“(e) Unavailability of drug or device despite good faith compliance with WAC 246–869–150.

“(2) Nothing in this section requires pharmacies to deliver a drug or device without payment of their usual and customary or contracted charge.”

III

In *Employment Div., Dept. of Human Resources of Ore. v. Smith*, 494 U. S. 872 (1990), this Court held that “the right of free exercise does not relieve an individual of the obligation to comply with a ‘valid and neutral law of general applicability.’” *Id.*, at 879. But as our later decision in *Church of Lukumi Babalu Aye* made clear, a law that discriminates against religiously motivated conduct is not “neutral.” 508 U. S., at 533–534. In that case, the Court unanimously held that ordinances prohibiting animal sacrifice violated the First Amendment. This case bears a distinct resemblance to *Church of Lukumi Babalu Aye*.

In *Church of Lukumi Babalu Aye*, there was strong evidence that the ordinances were adopted for the purpose of preventing religious services of the Santeria religion. *Id.*, at 534. As noted, there is similar evidence of discriminatory intent here.³

Even if we disregard all evidence of intent and confine our consideration to the nature of the laws at issue in the two cases,

³ It is an open question whether a court considering a free exercise claim should consider evidence of individual lawmakers’ personal intentions, as is done in the equal protection context. Compare *Church of Lukumi Babalu Aye*, 508 U. S., at 540 (opinion of KENNEDY, J.) (relying on such evidence), with *id.*, at 558 (Scalia, J., concurring in part and concurring in judgment) (rejecting such evidence). The Ninth Circuit, however, did not hold that such evidence was irrelevant; instead, it concluded that the record “does not reveal improper intent.” 794 F. 3d 1064, 1078 (2015). Ralph’s has a strong argument that the Ninth Circuit improperly substituted its own view of the evidence for that of the District Court.

In overturning the District Court’s finding, the Ninth Circuit pointed to evidence that the Board “was also concerned with the safe and timely delivery of many other drugs, which may or may not engender religious objections,” such as drugs for treating HIV. *Ibid.* But the District Court considered this evidence and found it “not inconsistent with the Board’s focus on conscientious objections to Plan B.” *Stormans, Inc. v. Selecky*, 854 F. Supp. 2d 925, 943 (WD Wash. 2012). The District Court further concluded that “such a focus is supported by the great weight of the evidence, including other documents issued by the Board,” as well as Board meetings and public testimony—all of which were “dominated by emergency contraception and conscientious objection to Plan B.” *Ibid.* For example, a survey the Board conducted in the lead up to its rulemaking “focused exclusively on Plan B and potential accommodations for conscientious objectors,” *ibid.*, while “the Board didn’t do any research or conduct any studies on HIV medications or how this rule might apply to HIV medications,” SER 654.

the similarities are striking. In *Church of Lukumi Babalu Aye*, the challenged ordinances broadly prohibited the unnecessary or cruel killing of animals, but when all the statutory definitions and exemptions were taken into account, the laws did little more than prohibit the sacrifices carried out in Santeria services. *Id.*, at 535–538. In addition, the ordinances restricted religious practice to a far greater extent than required to serve the municipality’s asserted interests. *Id.*, at 538–539. Here, Ralph’s has made a strong showing that the challenged regulations are gerrymandered in a similar way. While requiring pharmacies to dispense all prescription medications for which there is demand, the regulations contain broad secular exceptions but none relating to religious or moral objections; the regulations are substantially under-inclusive because they permit pharmacies to decline to fill prescriptions for financial reasons; and the regulations contemplate the closing of any pharmacy with religious objections to providing emergency contraceptives, regardless of the impact that will have on patients’ access to medication.

A

Considering “the effect of [the regulations] in [their] real operation,” *id.*, at 535, the District Court concluded that the burden they impose “falls ‘almost exclusively’ on those with religious objections to dispensing Plan B,” 844 F. Supp. 2d, at 1188. The court found that “the rules exempt pharmacies and pharmacists from stocking and delivering lawfully prescribed drugs for an almost unlimited variety of secular reasons, but fail to provide exemptions for reasons of conscience.” *Ibid.* For example, the District Court found that a pharmacy may decline to stock a drug because the drug requires additional paperwork or patient monitoring, has a short shelf life, may attract crime, requires simple compounding (a skill all pharmacists must learn), or falls outside the pharmacy’s niche (*e.g.*, pediatrics, diabetes, or fertility). *Id.*, at 1190. Additionally, the court found, a pharmacy can “decline to accept Medicare or Medicaid or the patient’s particular insurance, and on that basis, refuse to deliver a drug that is actually on the shelf.” *Ibid.* As the District Court noted, such secular refusals “inhibit patient access” to medication no less than do religiously motivated facilitated referrals. *Ibid.* Allowing secular but not religious refusals is flatly inconsistent with *Church of Lukumi Babalu Aye*. It “devalues religious reasons” for de-

clining to dispense medications “by judging them to be of lesser import than nonreligious reasons,” thereby “singl[ing] out” religious practice “for discriminatory treatment.” 508 U. S., at 537–538.

The Ninth Circuit did not dispute this logic. Instead, it held that the District Court committed clear error in finding that the regulations allow refusals for a host of secular reasons. 794 F. 3d, at 1080–1081. The Court of Appeals upheld the District Court’s finding that pharmacies *in fact* refuse to stock and deliver drugs for secular reasons, but it disputed the District Court’s finding that the Board actually *permits* such refusals. *Ibid.* I think it likely that the Court of Appeals failed to accord the District Court’s findings appropriate deference. “If the district court’s account of the evidence is plausible in light of the record viewed in its entirety, the court of appeals may not reverse it even though convinced that had it been sitting as the trier of fact, it would have weighed the evidence differently.” *Anderson v. Bessemer City*, 470 U. S. 564, 573–574 (1985).

The District Court carefully laid out its rationale for finding that the regulations allow refusals for secular, but not religious, reasons. Secular refusals have been common, and commonly known, both before and after the regulations were issued, yet the Board has never enforced its regulations against such practices. 854 F. Supp. 2d, at 956, 960. Nor has the Board issued any guidance disapproving secular refusals or otherwise made an “effort to curtail widespread referrals for business reasons.” *Id.*, at 960. By contrast, the Board has specifically targeted religious objections. Upon issuing the regulations, the Board sent a guidance document to pharmacies warning that “[t]he rule does not allow a pharmacy to refer a patient to another pharmacy to avoid filling the prescription *due to moral or ethical objections*.” SER 1248 (emphasis added). The negative implication is obvious. Additionally, a Board spokesman—who was charged with answering pharmacists’ inquiries about the rules’ requirements—testified that, “other than eliminating referral as an option for pharmacies which cannot stock Plan B for religious reasons, from a practical standpoint, nothing has changed after the enactment of these rules.” *Id.*, at 356; see *id.*, at 295.

The Ninth Circuit disregarded the Board’s failure to enforce its regulations against secular refusals on the ground that the Board does not pursue enforcement action unless it receives a complaint,

and it has not received complaints against secular referrals. 794 F. 3d, at 1081. Putting aside the potential for abuse this system allows,⁴ the point remains that the Board tolerates widespread secular refusals while categorically declaring religious ones verboten. That supports the District Court's finding that the "real operation" of the regulations is to uniquely burden religiously motivated conduct.⁵

B

Even if the Ninth Circuit were correct to reject the District Court's finding that the Board condones many secular refusals, the Court of Appeals overlooked a basis for refusal that is written into the regulations themselves. "Nothing in this section," the Delivery Rule states, "requires pharmacies to deliver a drug or device without payment of their usual and customary or contracted charge." § 246-869-010(2). The Ninth Circuit thought this exception unremarkable, asserting that "[n]obody could seriously question a refusal to fill a prescription because the customer did not pay for it." 794 F. 3d, at 1080. But as the District Court found—and the Ninth Circuit simply ignored—this exception extends well beyond denying service to customers who won't pay. It also allows a pharmacy to refuse to fill a prescription because it does not accept the patient's insurance or because it does not accept Medicaid or Medicare—regardless of the amount

⁴The District Court noted that "an active campaign" by advocacy groups "to seek out pharmacies and pharmacists with religious objections to Plan B and to file complaints with the Board . . . has resulted in a disproportionate number of investigations directed at religious objections to Plan B"—with complaints against Ralph's constituting a third of all complaints. 854 F. Supp. 2d, at 961.

⁵The dozens of pharmacist associations supporting Ralph's as *amici* give us another reason to question the Ninth Circuit's conclusion that the regulations outlaw the secular bases for refusal that the District Court found were permitted. According to these groups, the Ninth Circuit's conception of the regulations "open[s] the door to unprecedented state control over stocking decisions" by "anticipat[ing] the invalidation of a whole swath of reasons, both secular and non-secular, for declining to stock or deliver certain drugs." Brief for National and State Pharmacists' Associations as *Amici Curiae* 21. In other words, we are told, the Ninth Circuit has effectively read the regulations to require "that *all* pharmacies deliver *all* lawfully prescribed drugs," *id.*, at 22—a striking departure from normal pharmaceutical practice that one would not expect the Board to adopt without giving some clear indication that it was doing so.

of payment it would receive. 854 F. Supp. 2d, at 955, 972–973. A pharmacy accordingly may deny *all* prescriptions to certain patients, many of whom (those on Medicaid) are particularly likely to lack ready means of traveling to another pharmacy. What is more, a pharmacy that refuses a patient’s insurance does not even have to refer the patient to another pharmacy. *Id.*, at 973. This renders the regulations substantially underinclusive: They “fail to prohibit nonreligious conduct that endangers” the State’s professed interest in ensuring timely access to medication “in a similar or greater degree than” religiously motivated facilitated referrals do. *Church of Lukumi Babalu Aye*, 508 U. S., at 543.

C

One last example. In adopting the rules, the Board recognized that some pharmacy owners might “close rather than dispense medications that conflict with their beliefs.” App. to Brief in Opposition for Washington State Respondents 34a. Such closures would appear to inflict on customers a much greater disruption in access to medications than would allowing facilitated referrals: Shuttering pharmacies would make *all* of those pharmacies’ customers find other sources for *all* of their medications, rather than have only some customers be referred to another pharmacy for a small handful of drugs. But the Board shrugged off this problem, asserting that it “may . . . be temporary” because a religious objector may be replaced by “a new operator who will comply with these rules.” *Ibid.* I don’t dispute that the market will often work to fill such openings, but it cannot reasonably be supposed that new pharmacies will appear overnight. The bottom line is clear: Washington would rather have no pharmacy than one that doesn’t toe the line on abortifacient emergency contraceptives. Particularly given the State’s stipulation that “facilitated referrals do not pose a threat to timely access” to such drugs, App. to Pet. for Cert. 335a, it is hard not to view its actions as exhibiting hostility toward religious objections.

IV

For these reasons and others, it seems to me likely that the Board’s regulations are not neutral and generally applicable. Quite the contrary: The evidence relied upon by the District Court suggests that the regulations are targeted at religious conduct alone, to stamp out religiously motivated referrals while

allowing referrals for secular reasons (whether by rule or by wink). If that is so, the regulations are invalid unless the State can prove that they are narrowly tailored to advance a compelling government interest. The Ninth Circuit did not reach this question, as it upheld the regulations under far less demanding rational-basis review. 794 F. 3d, at 1084. I will not try to answer here whether the regulations meet strict scrutiny, except to observe that the State's justification that the regulations advance its "interest in ensuring that its citizens have safe and timely access to their lawful and lawfully prescribed medications," *ibid.*, seems awfully hard to square with the State's stipulation that "facilitated referrals do *not* pose a threat to timely access to lawfully prescribed medications," App. to Pet. for Cert. 335a (emphasis added).

* * *

"The Free Exercise Clause commits government itself to religious tolerance, and upon even slight suspicion that proposals for state intervention stem from animosity to religion or distrust of its practices, all officials must pause to remember their own high duty to the Constitution and to the rights it secures." *Church of Lukumi Babalu Aye, supra*, at 547. Ralph's has raised more than "slight suspicion" that the rules challenged here reflect antipathy toward religious beliefs that do not accord with the views of those holding the levers of government power. I would grant certiorari to ensure that Washington's novel and concededly unnecessary burden on religious objectors does not trample on fundamental rights. I respectfully dissent.⁶

No. 15–1234. DELAWARE STRONG FAMILIES *v.* DENN, ATTORNEY GENERAL OF DELAWARE, ET AL. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO would grant the petition for writ of certiorari.

JUSTICE THOMAS, dissenting.

First Amendment rights are all too often sacrificed for the sake of transparency in federal and state elections. "Sunlight," this Court has noted, is "the best of disinfectants" in elections. See *Buckley v. Valeo*, 424 U. S. 1, 67 (1976) (*per curiam*) (quoting L. Brandeis, *Other People's Money* 62 (1933)). But that is not so

⁶The Court's denial of certiorari does not, of course, preclude petitioners from bringing a future as-applied challenge to the Board's regulations.

when “‘sunlight’” chills speech by exposing anonymous donors to harassment and threats of reprisal. See *Citizens United v. Federal Election Comm’n*, 558 U. S. 310, 482–484 (2010) (THOMAS, J., concurring in part and dissenting in part); see also, e. g., *NAACP v. Alabama ex rel. Patterson*, 357 U. S. 449, 462–463 (1958). This case presents the opportunity to clarify that the State’s interest in transparency does not always trump First Amendment rights. I respectfully dissent from the denial of certiorari.

I

In 2012, Delaware Strong Families, a tax-exempt nonprofit organization, produced a “General Election Values Voter Guide” for Delaware citizens. The voter guide listed all candidates running for Congress or the state legislature and indicated whether the candidate “[s]upport[ed],” “[o]pposed,” or was “[u]ndecided” about various issues. The guide covered issues ranging from candidates’ positions on “[g]iving tax dollars to Planned Parenthood” to “legalizing Internet gambling.” Delaware Strong Families, 2012 General Election Values Voter Guide 1–4, online at <http://www.delawarestrong.org/wp-content/uploads/2012/10/2012-C3-General-Election-Voter-Guide-v5.pdf> (as last visited June 23, 2016).

As Delaware Strong Families prepared to produce a similar voter guide for the 2014 election cycle, it filed this federal suit challenging Delaware’s newly enacted disclosure requirements that would require it to reveal many of its donors if it disseminated the voter guide. The Delaware Election Disclosures Act requires “[a]ny person other than a candidate committee or political party” who spends more than \$500 on “third-party advertisements . . . during an election period [to] file a third-party advertisement report” with the state commissioner of elections. Del. Code Ann., Tit. 15, §8031(a) (2015). A “‘third-party advertisement’” includes “electioneering communication[s]” that “[r]efe[r] to a clearly identified candidate” and are “publicly distributed within 30 days before a primary election . . . or 60 days before a general election to an audience that includes members of the electorate for the office sought by such candidate.” §§8002(10)(a), 8002(27). The voter guide fits that description. Accordingly, Delaware Strong Families must report the names, addresses, and contribution amounts of not only those donors who earmarked their donations for the creation of the voter guide but also any and all donors who contributed more than \$100 to the non-

profit during the election period. § 8031(a)(3); see *Delaware Strong Families v. Attorney General of Delaware*, 793 F. 3d 304, 307 (CA3 2015) (“Disclosure is not limited to individuals who earmarked their donations to fund an electioneering communication”).

The District Court enjoined the Act. The court observed that the Act required disclosure of “virtually every communication made during the critical time period, no matter how indirect and unrelated it is to the electoral process,” including a presumptively neutral voter guide published by a presumptively neutral, tax-exempt, nonprofit entity. *Delaware Strong Families v. Biden*, 34 F. Supp. 3d 381, 395 (Del. 2014). The court concluded that the relationship between the Act’s purpose and the First Amendment burdens it imposed was “too tenuous.” *Ibid.*

The United States Court of Appeals for the Third Circuit reversed. The court held that the Act’s far-reaching disclosure requirements were sufficiently tailored to Delaware’s asserted interest in an “informed electorate.” 793 F. 3d, at 309–312. It sufficed that the Act required only those organizations that disseminated communications during “the applicable ‘election period’” to disclose their donors. *Id.*, at 312.

II

This Court has long considered disclosure requirements as “the least restrictive means of curbing the evils of campaign ignorance and corruption.” *Buckley*, 424 U.S., at 68. At the same time, the Court has recognized that “[i]t is undoubtedly true” that mandatory disclosure of donor names “will deter some individuals who otherwise might contribute” and “may even expose contributors to harassment or retaliation.” *Ibid.* These First Amendment harms justify eliminating disclosure requirements altogether. But even under this Court’s existing precedents, Delaware’s scheme is far broader than those the Court has previously upheld.

In my view, it is time for the Court to reconsider whether a State’s interest in an informed electorate can ever justify the disclosure of otherwise anonymous donor rolls. As the Court said in *McIntyre v. Ohio Elections Comm’n*, 514 U.S. 334 (1995), “[t]he simple interest in providing voters with additional relevant information does not justify a state requirement that a writer make statements or disclosures she would otherwise omit.” *Id.*, at 348; see also *id.*, at 360–367 (THOMAS, J., concurring in judgment)

(discussing tradition of anonymous speech during the founding era); *Doe v. Reed*, 561 U. S. 186, 240 (2010) (THOMAS, J., dissenting) (“[A] long, unbroken line of this Court’s precedents holds that privacy of association is protected under the First Amendment”). The same rule should apply here. “Disclaimer and disclosure requirements enable private citizens and elected officials to implement political strategies *specifically calculated* to curtail campaign-related activity and prevent the lawful, peaceful exercise of First Amendment rights.” *Citizens United*, *supra*, at 483 (opinion of THOMAS, J.) (emphasis in original); *McConnell v. Federal Election Comm’n*, 540 U. S. 93, 275–276 (2003) (THOMAS, J., concurring in part and dissenting in part); see also *NAACP*, *supra*, at 462 (noting that disclosure of members’ names would expose them “to economic reprisal, loss of employment, threat of physical coercion, and other manifestations of public hostility”). Given the specter of these First Amendment harms, a State’s purported interest in disclosure cannot justify revealing the identities of an organization’s otherwise anonymous donors.

Even if the Court were to evaluate the Disclosures Act by applying its existing framework, the Delaware scheme sweeps far broader than those the Court has previously considered. Disclosure requirements “cannot be justified by a mere showing of some legitimate governmental interest.” *Buckley*, 424 U. S., at 64. Instead, disclosure requirements must withstand “exacting scrutiny.” *Ibid.* Exacting scrutiny requires the State to establish that “the disclosure requirement” is “substantial[ly] relat[ed]” to “a sufficiently important governmental interest.” *Citizens United*, 558 U. S., at 366–367 (internal quotation marks omitted); see also *Buckley*, *supra*, at 64–65.

Here, the Third Circuit’s “exacting scrutiny” analysis compared the finer details of the Disclosures Act with the federal disclosure requirements. 793 F. 3d, at 309–312. Delaware’s scheme as applied to Delaware Strong Families, however, bears little resemblance to the federal disclosure requirements that this Court has considered. In *Buckley*, for example, the Court construed a federal disclosure provision to require disclosure only “for communications that expressly advocate the election or defeat of a clearly identified candidate” to “insure that the reach of [the federal provision wa]s not impermissibly broad.” 424 U. S., at 80 (footnote omitted). No one contends that Delaware Strong Families’ voter guide expressly advocates for a particular candidate. Later in

579 U. S.

June 28, July 14, 2016

McConnell, the Court upheld amended federal disclosure requirements as applied to the electioneering communications of “corporations and labor unions . . . fund[ing] broadcast advertisements designed to influence federal elections . . . while concealing their identities from the public” by “hiding behind dubious and misleading names.” 540 U. S., at 196–197 (internal quotation marks omitted). The record here contains no evidence of such “abuse” or “tactics.” *Ibid.* (internal quotation marks omitted). And finally in *Citizens United*, the Court concluded that federally required disclosure “avoid[ed] confusion by making clear” to voters that advertisements naming then-Senator Hillary Clinton and “contain[ing] pejorative references to her candidacy” were “not funded by a candidate or political party.” 558 U. S., at 368. But today’s case involves no such “pejorative references”—indeed, if the voter guide were anything but neutral, it would threaten Delaware Strong Families’ tax-exempt status.

Perhaps a mere “interest in an informed electorate,” 793 F. 3d, at 310, might justify a more tailored regime (though I have my doubts). But here, the Third Circuit failed to ask how that interest could justify mandatory disclosure merely because an organization mentions a candidate’s name.

* * *

In my view, the purported government interest in an informed electorate cannot justify the First Amendment burdens that disclosure requirements impose. See *Citizens United*, *supra*, at 483 (opinion of THOMAS, J.). But if the Court is determined to stand by its “exacting scrutiny” test, then this case is its proving ground. By refusing to review the constitutionality of the Delaware law, the Court sends a strong message that “exacting scrutiny” means no scrutiny at all. I respectfully dissent from the denial of certiorari.

Rehearing Denied

No. 14–915. FRIEDRICHS ET AL. *v.* CALIFORNIA TEACHERS ASSN. ET AL., 578 U. S. 1. Petition for rehearing denied.

JULY 14, 2016

Certiorari Denied

No. 16–5229 (16A58). CONNER *v.* SELLERS, WARDEN. Sup. Ct. Ga. Application for stay of execution of sentence of death, pre-

July 14, 18, 2016

579 U. S.

sented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied.

JUSTICE BREYER, dissenting.

John Conner was initially sentenced to death 34 years ago. He now asks this Court to decide whether the Eighth Amendment permits a State to keep him incarcerated under threat of execution for so long. For reasons I have previously expressed, I would grant the petition to consider this constitutional question. See *Lackey v. Texas*, 514 U. S. 1045 (1995) (memorandum of Stevens, J., respecting denial of certiorari); *Boyer v. Davis*, 578 U. S. 965, 966 (2016) (BREYER, J., dissenting from denial of certiorari); *Valle v. Florida*, 564 U. S. 1067 (2011) (BREYER, J., dissenting from denial of stay); *Knight v. Florida*, 528 U. S. 990, 993 (1999) (BREYER, J., dissenting from denial of certiorari); see also *Glossip v. Gross*, 576 U. S. 863, 908–948 (2015) (BREYER, J., dissenting).

I respectfully dissent from the denial of certiorari and application for stay of execution.

No. 16–5230 (16A59). CONNER *v.* SELLERS, WARDEN. C. A. 11th Cir. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied.

JUSTICE BREYER, dissenting.

I would grant the petition for writ of certiorari and application for stay of execution for the reasons stated in No. 16–5229 (16A58), *Conner v. Sellers*, immediately *supra* (BREYER, J., dissenting from denial of certiorari and application for stay of execution).

JULY 18, 2016

Miscellaneous Orders

No. D–2905. IN RE DISCIPLINE OF FISHER. Jason Eric Fisher, of Silver Spring, 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–2906. IN RE DISCIPLINE OF GRACEY. Wayne Gordon Gracey, of Phoenix, 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.

579 U. S.

July 18, 2016

No. D-2907. IN RE DISCIPLINE OF SIMON. Karla W. Simon, of Cornwall Bridge, Conn., 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-2908. IN RE DISCIPLINE OF JOHNSON. Richard Z. Johnson, Jr., 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-2909. IN RE DISCIPLINE OF MOREL. Harry J. Morel, Jr., of Luling, 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-2910. IN RE DISCIPLINE OF KENT. Bruce A. Kent of Arbutus, 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-2911. IN RE DISCIPLINE OF MILLER. Phillip Douglas Miller, of Margate, 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-2912. IN RE DISCIPLINE OF TABONE. Vincent J. Tabone, of Staten Island, 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-2913. IN RE DISCIPLINE OF BALLNER. Patricia Ballner, of New York, N. Y., 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-2914. IN RE DISCIPLINE OF AGOLA. Christine A. Agola, of Rochester, N. Y., is suspended from the practice of law

July 18, 2016

579 U. S.

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-2915. *IN RE DISCIPLINE OF MOSES*. Timothy Eugene Moses, of Augusta, 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-2916. *IN RE DISCIPLINE OF MOORE*. Richard Wells Moore, Jr., of Timonium, 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.

Rehearing Denied

No. 15-1021. *SUNRISE CHILDREN'S SERVICES, INC. v. GLISSON, SECRETARY, KENTUCKY CABINET FOR HEALTH AND FAMILY SERVICES, ET AL.*, 578 U. S. 1003;

No. 15-1159. *DOE ET AL. v. EAST LYME BOARD OF EDUCATION*, 578 U. S. 976;

No. 15-1183. *HAROLD v. CARRICK ET AL.*, 578 U. S. 977;

No. 15-1287. *MACALPINE v. UNITED STATES*, 578 U. S. 978;

No. 15-6181. *FAISON v. UNITED STATES*, 578 U. S. 978;

No. 15-6391. *GU v. PRESENCE SAINT JOSEPH MEDICAL CENTER ET AL.*, 577 U. S. 1034;

No. 15-7798. *ADAMS v. UNITED STATES*, 578 U. S. 1004;

No. 15-7946. *FLEMING v. SAINI ET AL.*, 578 U. S. 1004;

No. 15-7983. *HARLEY v. UNITED STATES*, 577 U. S. 1201;

No. 15-8002. *HOFLAND v. PERKINS ET AL.*, 578 U. S. 910;

No. 15-8025. *HOLLINS v. ILLINOIS*, 578 U. S. 927;

No. 15-8124. *IN RE SHOVE*, 578 U. S. 920;

No. 15-8248. *GOMEZ v. UNITED STATES*, 577 U. S. 1229;

No. 15-8277. *WILLIAMS v. WEBB LAW FIRM, P. C.*, 578 U. S. 979;

No. 15-8292. *LOVE v. SIEGLER* (two judgments), 578 U. S. 948;

No. 15-8311. *HAMILTON v. BIRD ET AL.*, 578 U. S. 956;

No. 15-8348. *HOPKINS v. JPMORGAN CHASE BANK, N. A.*, 578 U. S. 961;

No. 15-8376. *BOZEMAN v. JOHNSON ET AL.*, 578 U. S. 961;

No. 15-8393. *WEEMS v. PFISTER, WARDEN*, 578 U. S. 934;

579 U. S.

July 18, August 3, 2016

No. 15–8394. *TAYLOR v. BLUE LICK APARTMENTS ET AL.*, 578 U. S. 962;

No. 15–8413. *GARCIA v. UNITED STATES*, 578 U. S. 913;

No. 15–8550. *HUNTER v. PEPSICO, INC., ET AL.*, 578 U. S. 982;

No. 15–8558. *IN RE RANDALL*, 578 U. S. 904;

No. 15–8643. *LOPEZ v. TEXAS*, 578 U. S. 1006;

No. 15–8669. *WILSON v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*, 578 U. S. 983;

No. 15–8774. *HAWKINS v. UNITED STATES*, 578 U. S. 984;

No. 15–8783. *EVANS v. UNITED STATES*, 578 U. S. 984;

No. 15–8794. *HUDSON v. TARNOW, JUDGE, UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN, ET AL.*, 578 U. S. 985;

No. 15–8843. *THORPE v. NEW JERSEY ET AL.*, 578 U. S. 986; and

No. 15–9069. *PHILLIPS v. UNITED STATES*, 578 U. S. 1017. Petitions for rehearing denied.

No. 15–8734. *CARPENTER v. PNC BANK, N. A.*, 578 U. S. 1019. Petition for rehearing denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

AUGUST 3, 2016

Miscellaneous Order

No. 16A52. *GLOUCESTER COUNTY SCHOOL BOARD v. G. G., BY HIS NEXT FRIEND AND MOTHER, GRIMM*. Application to recall and stay the mandate of the United States Court of Appeals for the Fourth Circuit in case No. 15–2056, presented to THE CHIEF JUSTICE, and by him referred to the Court, granted, and the preliminary injunction entered by the United States District Court for the Eastern District of Virginia on June 23, 2016, is hereby 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 issuance of the judgment of this Court. JUSTICE GINSBURG, JUSTICE SOTOMAYOR, and JUSTICE KAGAN would deny the application.

JUSTICE BREYER, concurring.

In light of the facts that four Justices have voted to grant the application referred to the Court by THE CHIEF JUSTICE, that

August 3, 8, 2016

579 U. S.

we are currently in recess, and that granting a stay will preserve the status quo (as of the time the Court of Appeals made its decision) until the Court considers the forthcoming petition for certiorari, I vote to grant the application as a courtesy. See *Medellín v. Texas*, 554 U. S. 759, 765 (2008) (BREYER, J., dissenting).

AUGUST 8, 2016

Dismissal Under Rule 46

No. 15–751. CERVANTEZ-SANCHEZ *v.* LYNCH, ATTORNEY GENERAL. C. A. 9th Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 601 Fed. Appx. 540.

Miscellaneous Orders

No. D–2881. IN RE DISBARMENT OF MCMEEN. Disbarment entered. [For earlier order herein, see 577 U. S. 1210.]

No. D–2882. IN RE DISBARMENT OF BRUSH. Disbarment entered. [For earlier order herein, see 577 U. S. 1210.]

No. D–2883. IN RE DISBARMENT OF CASTLE. Disbarment entered. [For earlier order herein, see 577 U. S. 1210.]

No. D–2884. IN RE DISBARMENT OF ZUGANELIS. Disbarment entered. [For earlier order herein, see 577 U. S. 1210.]

No. D–2885. IN RE DISBARMENT OF DAVIES. Disbarment entered. [For earlier order herein, see 577 U. S. 1210.]

No. D–2886. IN RE DISBARMENT OF CARTER. Disbarment entered. [For earlier order herein, see 577 U. S. 1211.]

No. D–2892. IN RE MASTRONARDI. Janet Anthony Mastronardi, of East Greenwich, R. I., having requested to resign as a member of the Bar of this Court, it is ordered that her name be stricken from the roll of attorneys admitted to the practice of law before this Court. The rule to show cause, issued on May 16, 2016, [578 U. S. 971] is discharged.

No. D–2917. IN RE DISCIPLINE OF BRODER. Gary L. Broder, of Waterbury, 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.

579 U.S.

August 8, 2016

No. D-2918. IN RE DISCIPLINE OF GLUCKSMAN. L. Morris Glucksman, of Stamford, 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. D-2919. IN RE DISCIPLINE OF BRONSNICK. Warren Jay Bronsnick, of Short Hills, 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-2920. IN RE DISCIPLINE OF VILA. Gustavo Vila, of Staten Island, 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-2921. IN RE DISCIPLINE OF GAHWYLER. William E. Gahwyler, Jr., of Midland Park, 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.

Rehearing Denied

No. 15-946. TUCKER *v.* LOUISIANA, 578 U.S. 1018;

No. 15-1126. TELFORD, FKA LUNDAHL *v.* UNITED STATES, 578 U.S. 976;

No. 15-1186. ROGERS *v.* CHATMAN, WARDEN, 578 U.S. 1012;

No. 15-1207. WALLACE ET AL. *v.* HERNANDEZ, 578 U.S. 1012;

No. 15-1235. FUNES *v.* LYNCH, ATTORNEY GENERAL, 578 U.S. 1012;

No. 15-1238. RESTREPO-DUQUE *v.* DELAWARE, 578 U.S. 1023;

No. 15-1302. AARON *v.* CBS OUTDOORS, INC., *ante*, p. 918;

No. 15-8012. BOUMA *v.* HOWARD COUNTY, MARYLAND, ET AL., 578 U.S. 926;

No. 15-8020. ABDULLAH-MALIK *v.* BRYANT ET AL., 578 U.S. 926;

No. 15-8283. MICHAEL *v.* UNITED STATES, 578 U.S. 979;

No. 15-8295. GUTIERREZ *v.* COUNTY OF LOS ANGELES, CALIFORNIA, ET AL., 578 U.S. 960;

No. 15-8361. WATSON *v.* BANK OF AMERICA, N. A., 578 U.S. 1024;

August 8, 2016

579 U. S.

- No. 15–8486. JOSEPH *v.* BETH ISRAEL MEDICAL CENTER, 578 U. S. 980;
- No. 15–8555. PODLUCKY *v.* UNITED STATES, 578 U. S. 963;
- No. 15–8574. FORD *v.* TEXAS, 578 U. S. 1005;
- No. 15–8627. ALFREDO AGUIRRE *v.* AGUIRRE, 578 U. S. 1005;
- No. 15–8631. JONES *v.* FLORIDA PAROLE BOARD ET AL., 578 U. S. 982;
- No. 15–8647. JONES *v.* WILLIE ET AL., 578 U. S. 1006;
- No. 15–8704. KAMPFER *v.* CUOMO, GOVERNOR OF NEW YORK, *ante*, p. 920;
- No. 15–8747. GROTH *v.* INTERNATIONAL INFORMATION SYSTEMS SECURITY CERTIFICATION CONSORTIUM, INC., 578 U. S. 1025;
- No. 15–8766. GALLE *v.* ISLE OF CAPRI CASINOS, INC., ET AL., 578 U. S. 1025;
- No. 15–8821. MANN *v.* UNITED STATES, 578 U. S. 986;
- No. 15–8870. BLANK *v.* ROBINSON, 578 U. S. 987;
- No. 15–8886. BROADNAX *v.* UNITED STATES, 578 U. S. 987;
- No. 15–8911. ABDUR-RAHIIM *v.* HOLLAND, WARDEN, 578 U. S. 987;
- No. 15–8937. JOHNSON *v.* MASONITE INTERNATIONAL CORP., 578 U. S. 1007;
- No. 15–8978. CHARLES *v.* UNITED STATES, 578 U. S. 989;
- No. 15–8982. VOITS *v.* NOOTH, SUPERINTENDENT, SNAKE RIVER CORRECTIONAL INSTITUTION, 578 U. S. 1027;
- No. 15–9009. KILLINGBECK *v.* UNITED STATES, 578 U. S. 1008;
- No. 15–9054. LAMB *v.* JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL., *ante*, p. 907;
- No. 15–9056. COOLEY *v.* DAVENPORT, WARDEN, ET AL., 578 U. S. 1016;
- No. 15–9061. SHIVERS *v.* KERESTES, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MAHANOEY, ET AL., 578 U. S. 1016;
- No. 15–9146. FEDOROWICZ *v.* PEARCE, 578 U. S. 1028;
- No. 15–9152. ROBINSON *v.* JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, *ante*, p. 908;
- No. 15–9239. RENNER ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE, 578 U. S. 1029;
- No. 15–9252. TERRELL *v.* UNITED STATES, *ante*, p. 908;
- No. 15–9299. IN RE HALL, 578 U. S. 1021;
- No. 15–9413. WHITNEY *v.* CARTER, SECRETARY OF DEFENSE, *ante*, p. 935; and

579 U.S.

August 8, 11, 17, 19, 26, 2016

No. 15–9541. *WILSON v. UNITED STATES*, *ante*, p. 937. Petitions for rehearing denied.

AUGUST 11, 2016

Miscellaneous Order

No. 15–8544. *BECKLES v. UNITED STATES*. C. A. 11th Cir. [Certiorari granted, *ante*, p. 927.] Adam K. Mortara, Esq., of Chicago, Ill., is invited to brief and argue this case as *amicus curiae* in support of the judgment below on Question 2 presented by the petition. JUSTICE KAGAN took no part in the consideration or decision of this order.

AUGUST 17, 2016

Dismissal Under Rule 46

No. 16–5016. *IN RE MCKAY*. Petition for writ of habeas corpus dismissed under this Court’s Rule 46.

AUGUST 19, 2016

Dismissal Under Rule 46

No. 15–9653. *WHINDLETON v. UNITED STATES*. C. A. 1st Cir. Certiorari dismissed under this Court’s Rule 46. Reported below: 797 F. 3d 105.

AUGUST 26, 2016

Miscellaneous Orders

No. 15A1200 (15–9336). *ELLIS v. UNITED STATES*. Application for bail, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. 16A28. *MCCRACKEN v. WELLS FARGO BANK, N. A.* C. A. 9th Cir. Application for injunctive relief, addressed to JUSTICE SOTOMAYOR and referred to the Court, denied.

No. D–2909. *IN RE MOREL*. Harry J. Morel, Jr., of Luling, La., having requested to resign as a member of the Bar of this Court, it is ordered that his name be stricken from the roll of attorneys admitted to the practice of law before this Court. The rule to show cause, issued on July 18, 2016, [*ante*, p. 959] is discharged.

August 26, 2016

579 U. S.

Rehearing Denied

- No. 15–1178. *CHIKOSI v. GALLAGHER ET AL.*, 578 U. S. 1012;
No. 15–1324. *WASHINGTON ET AL. v. BANK OF AMERICA, N. A.*,
ante, p. 930;
No. 15–1339. *THORNTON v. UNITED STATES*, 578 U. S. 1024;
No. 15–8665. *SHAPLEY v. DUNN, COMMISSIONER, ALABAMA
DEPARTMENT OF CORRECTIONS, ET AL.*, 578 U. S. 1013;
No. 15–8667. *SILVA ROQUE v. ARIZONA*, 578 U. S. 1013;
No. 15–8678. *MOTE v. UNITED STATES*, 578 U. S. 950;
No. 15–8697. *BENJAMIN v. STEPHENS, DIRECTOR, TEXAS DE-
PARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS
DIVISION*, 578 U. S. 1014;
No. 15–8820. *MASCIO v. RAUNER, GOVERNOR OF ILLINOIS,
ET AL.*, 578 U. S. 1026;
No. 15–8844. *TAYLOR v. NIKOLITS ET AL.*, 578 U. S. 1026;
No. 15–8851. *ANDREWS ET AL. v. FLAIZ ET AL.*, *ante*, p. 905;
No. 15–8929. *BELL v. U. S. BANK N. A. ET AL.*, *ante*, p. 920;
No. 15–8930. *AMBROSE v. TRIERWEILER, WARDEN*, *ante*,
p. 920;
No. 15–8958. *FRAZIER v. MICHIGAN*, *ante*, p. 907;
No. 15–8989. *JACKSON v. MOORE, WARDEN*, 578 U. S. 1027;
No. 15–8991. *MILNER v. PENNSYLVANIA ET AL.*, 578 U. S. 1027;
No. 15–8993. *LEBOON v. ALAN MCILVAIN CO.*, *ante*, p. 921;
No. 15–8999. *ELLIOTT v. GRACE, WARDEN, ET AL.*, *ante*,
p. 931;
No. 15–9003. *CARROLL v. MICHIGAN*, *ante*, p. 931;
No. 15–9028. *JHAVERI v. JHAVERI*, 578 U. S. 1027;
No. 15–9046. *COSBY v. SAFECO INSURANCE COMPANY OF
AMERICA*, *ante*, p. 932;
No. 15–9166. *IN RE MASON*, *ante*, p. 916;
No. 15–9167. *SURATOS v. FOSTER, WARDEN*, *ante*, p. 921;
No. 15–9189. *PODLUCKY v. UNITED STATES*, 578 U. S. 1029;
No. 15–9269. *IN RE MARTS*, 578 U. S. 1021; and
No. 15–9336. *ELLIS v. UNITED STATES*, *ante*, p. 935. Petitions
for rehearing denied.
- No. 15–8768. *BROWN v. LOWE’S HOME CENTERS*, 578 U. S.
1030. Petition for rehearing denied. JUSTICE BREYER took no
part in the consideration or decision of this petition.

579 U. S. August 26, 29, 31, September 2, 9, 13, 2016

No. 15–9262. *TAYLOR v. UNITED STATES*, ante, p. 910. Petition for rehearing denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

AUGUST 29, 2016

Miscellaneous Order

No. 16A181. *LIBERTARIAN PARTY OF OHIO ET AL. v. HUSTED, OHIO SECRETARY OF STATE, ET AL.* C. A. 6th Cir. Application for stay and injunctive relief, presented to JUSTICE KAGAN, and by her referred to the Court, denied.

AUGUST 31, 2016

Miscellaneous Order

No. 16A168. *NORTH CAROLINA ET AL. v. NORTH CAROLINA STATE CONFERENCE OF THE NAACP ET AL.* Application to recall and stay the mandate of the United States Court of Appeals for the Fourth Circuit, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. THE CHIEF JUSTICE, JUSTICE KENNEDY, and JUSTICE ALITO would grant the stay, except with respect to the preregistration provision. JUSTICE THOMAS would grant the stay in its entirety.

SEPTEMBER 2, 2016

Dismissal Under Rule 46

No. 15–1463. *JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS v. PATTERSON*. C. A. 11th Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 812 F. 3d 885.

SEPTEMBER 9, 2016

Miscellaneous Order

No. 16A225. *JOHNSON, MICHIGAN SECRETARY OF STATE v. MICHIGAN STATE A. PHILIP RANDOLPH INSTITUTE ET AL.* D. C. E. D. Mich. Application for stay, presented to JUSTICE KAGAN, and by her referred to the Court, denied. JUSTICE THOMAS and JUSTICE ALITO would grant the application.

SEPTEMBER 13, 2016

Miscellaneous Orders

No. 16A223. *OHIO DEMOCRATIC PARTY ET AL. v. HUSTED, OHIO SECRETARY OF STATE, ET AL.* C. A. 6th Cir. Application

September 13, 21, 26, 27, 2016

579 U. S.

for stay, presented to JUSTICE KAGAN, and by her referred to the Court, denied.

No. 16A236. *FERRER v. SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS*. D. C. D. C. Application for stay, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. The order heretofore entered by THE CHIEF JUSTICE is vacated. JUSTICE ALITO took no part in the consideration or decision of this application.

SEPTEMBER 21, 2016

Miscellaneous Order

No. 16A241 (16–258). *DIGNITY HEALTH ET AL. v. ROLLINS*. C. A. 9th Cir. Application for stay, presented to JUSTICE KENNEDY, and by him referred to the Court, granted pending disposition of the petition for writ of certiorari. Should the petition for writ of certiorari be denied, this stay shall terminate automatically. In the event the petition for writ of certiorari is granted, the stay shall terminate upon the issuance of the judgment of this Court.

SEPTEMBER 26, 2016

Miscellaneous Orders

No. 14–9496. *MANUEL v. CITY OF JOLIET, ILLINOIS, ET AL.* C. A. 7th Cir. [Certiorari granted, 577 U. S. 1098.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 15–606. *PENA-RODRIGUEZ v. COLORADO*. Sup. Ct. Colo. [Certiorari granted, 578 U. S. 905.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 15–777. *SAMSUNG ELECTRONICS CO., LTD., ET AL. v. APPLE INC.* C. A. Fed. Cir. [Certiorari granted, 577 U. S. 1215.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

SEPTEMBER 27, 2016

Miscellaneous Order

No. 16A242. *TILTON ET AL. v. SECURITIES AND EXCHANGE COMMISSION*. C. A. 2d Cir. Application for stay, presented to JUSTICE GINSBURG, and by her referred to the Court, denied.

579 U. S.

September 29, 30, 2016

SEPTEMBER 29, 2016

Certiorari Granted

No. 15–827. ENDREW F., A MINOR, BY AND THROUGH HIS PARENTS AND NEXT FRIENDS, JOSEPH F. ET AL. *v.* DOUGLAS COUNTY SCHOOL DISTRICT RE–1. C. A. 10th Cir. Certiorari granted. Reported below: 798 F. 3d 1329.

No. 15–1256. NELSON *v.* COLORADO (Reported below: 362 P. 3d 1070); and MADDEN *v.* COLORADO (364 P. 3d 866). Sup. Ct. Colo. Certiorari granted.

No. 15–1293. LEE, DIRECTOR, UNITED STATES PATENT AND TRADEMARK OFFICE *v.* TAM. C. A. Fed. Cir. Certiorari granted. Reported below: 808 F. 3d 1321.

No. 15–1391. EXPRESSIONS HAIR DESIGN ET AL. *v.* SCHNEIDERMAN, ATTORNEY GENERAL OF NEW YORK, ET AL. C. A. 2d Cir. Certiorari granted. Reported below: 808 F. 3d 118.

No. 15–1498. LYNCH, ATTORNEY GENERAL *v.* DIMAYA. C. A. 9th Cir. Certiorari granted. Reported below: 803 F. 3d 1110.

No. 15–1500. LEWIS ET AL. *v.* CLARKE. Sup. Ct. Conn. Certiorari granted. Reported below: 320 Conn. 706, 135 A. 3d 677.

No. 15–1248. McLANE CO., INC. *v.* EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. C. A. 9th Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 804 F. 3d 1051.

No. 15–1406. GOODYEAR TIRE & RUBBER CO. *v.* HAEGER ET AL.; and

No. 15–1491. MUSNUFF *v.* HAEGER ET AL. C. A. 9th Cir. Certiorari granted limited to Question 1 presented by each petition. Cases consolidated, and a total of one hour is allotted for oral argument. Reported below: 813 F. 3d 1233.

SEPTEMBER 30, 2016

Dismissal Under Rule 46

No. 14–1091. DOW CHEMICAL CO. *v.* INDUSTRIAL POLYMERS, INC., ET AL. C. A. 10th Cir. Certiorari dismissed under this Court’s Rule 46. Reported below: 768 F. 3d 1245.