

ORDERS FOR OCTOBER 1, 2018, THROUGH
MARCH 25, 2019

OCTOBER 1, 2018

Affirmed for Absence of Quorum

No. 17–8910. *JOHNSON v. UNITED STATES*. C. A. Fed. Cir. Because the Court lacks a quorum, 28 U.S.C. §1, and since the only qualified Justice is of the opinion that the case cannot be heard and determined at the next Term of the Court, the judgment is affirmed under 28 U.S.C. §2109, which provides that under these circumstances “the court shall enter its order affirming the judgment of the court from which the case was brought for review with the same effect as upon affirmance by an equally divided court.” THE CHIEF JUSTICE, JUSTICE THOMAS, JUSTICE GINSBURG, JUSTICE BREYER, JUSTICE ALITO, JUSTICE SOTOMAYOR, and JUSTICE KAGAN took no part in the consideration or decision of this petition. Reported below: 708 Fed. Appx. 689.

Certiorari Granted—Vacated and Remanded

No. 17–8035. *MANNERS v. UNITED STATES*. C. A. 6th Cir.
No. 17–8244. *RICITELLI v. UNITED STATES*. C. A. 11th Cir.;
No. 17–8349. *PARRALES-GUZMAN v. UNITED STATES*. C. A. 5th Cir. Reported below: 700 Fed. Appx. 382;
No. 17–8655. *LUIS PINEDA v. SESSIONS, ATTORNEY GENERAL*. C. A. 5th Cir. Reported below: 709 Fed. Appx. 315; and
No. 17–8876. *BANNISTER v. UNITED STATES*. C. A. 11th Cir. Motions of petitioners for leave to proceed *in forma pauperis* granted. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *Sessions v. Dimaya*, 584 U.S. 148 (2018).

No. 17–8523. *BRILEY v. UNITED STATES*;
No. 17–8608. *PEMBROOK v. UNITED STATES*; and
No. 17–9235. *CALHOUN v. UNITED STATES*. C. A. 6th Cir. Reported below: 876 F. 3d 812. Motions of petitioners for leave to proceed *in forma pauperis* granted. Certiorari granted, judg-

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ment vacated, and cases remanded for further consideration in light of *Sessions v. Dimaya*, 584 U. S. 148 (2018).

No. 17–8526. *WARD v. UNITED STATES*. Ct. App. D. C. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Class v. United States*, 583 U. S. 174 (2018). Reported below: 160 A. 3d 1174.

No. 17–9248. *DIEZ v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Wilson v. Sellers*, 584 U. S. 122 (2018). Reported below: 717 Fed. Appx. 898.

No. 18–88. *GRAMM v. DEERE & Co.* C. A. Fed. Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *SAS Institute Inc. v. Iancu*, 584 U. S. 357 (2018). Reported below: 711 Fed. Appx. 650.

Certiorari Dismissed

No. 17–8926. *HARPER v. TEXAS ET AL.* C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

No. 17–8958. *HOLT v. BAKER 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. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). Reported below: 710 Fed. Appx. 422.

No. 17–8991. *BURGESS v. ELLIOTT ET AL.* C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied,

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and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). Reported below: 696 Fed. Appx. 125.

No. 17-9005. *SHOVE v. UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 17-9041. *CIOTTA v. HOLLAND, WARDEN*. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 17-9107. *GRIGSBY v. UNITED STATES*. C. A. 10th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 715 Fed. Appx. 868.

No. 17-9110. *GRAHAM v. UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA*. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 17-9175. *FLUTE v. UNITED STATES ET AL.* C. A. 10th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 723 Fed. Appx. 599.

No. 17-9193. *HALL v. CHANDLER, WARDEN*. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 17-9239. *BULLOCK v. UNITED STATES*. C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. JUSTICE KAGAN took no part in the consideration or decision of this motion and this petition.

No. 17-9255. *FIGUEROA v. RAMIREZ, WARDEN*. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As

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petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). Reported below: 710 Fed. Appx. 165.

No. 17-9262. *MUA ET UX. v. CALIFORNIA CASUALTY INDEMNITY EXCHANGE ET AL.* C. A. 4th Cir. Motion of petitioners for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 17-9263. *MUA ET UX. v. MARYLAND ET AL.* C. A. 4th Cir. Motion of petitioners for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 700 Fed. Appx. 309.

No. 17-9264. *MUA v. CALIFORNIA CASUALTY INDEMNITY EXCHANGE ET AL.* C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 17-9265. *MUA ET UX. v. CALIFORNIA CASUALTY INDEMNITY EXCHANGE.* C. A. 4th Cir. Motion of petitioners for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 17-9266. *MUA v. CALIFORNIA CASUALTY INDEMNITY EXCHANGE ET AL.* C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 17-9324. *McNAMARA v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist., Div. 2. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 17-9413. *LEI KE v. FRY ET AL.* Super. Ct. Pa. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 174 A. 3d 75.

No. 17-9446. *ROGERS v. BEASLEY, WARDEN.* C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As

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petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

No. 17-9501. SMITH *v.* CLINE, WARDEN, ET AL. C. A. 10th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

No. 17-9530. FLUTE *v.* UNITED STATES ET AL. C. A. 10th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 723 Fed. Appx. 604.

No. 17-9538. HARPER *v.* CROW. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

No. 18-5002. GRAY *v.* DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 18-5017. SELDEN *v.* KOVACHEVICH, JUDGE, UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA, ET AL. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari before judgment dismissed. See this Court's Rule 39.8. As petitioner has repeat-

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edly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

No. 18–5030. *WILLIAMS v. NORMAN, WARDEN*. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 18–5070. *WILLIAMS v. MAYBERG, WARDEN*. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 18–5101. *REILLY v. DAVIS*. Dist. Ct. App. Fla., 1st Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 240 So. 3d 642.

No. 18–5277. *DAY v. OFFICE OF THE PRESIDENT*. C. A. D. C. Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 697 Fed. Appx. 17.

No. 18–5323. *CALDWELL v. TEXAS*. Ct. Crim. App. Tex. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

No. 18–5417. *HARDY v. ADAMS ET AL.* C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 18–5574. *ACKER v. UNITED STATES ET AL.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal mat-

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ters 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*).

No. 18–5631. JACOB *v.* FRAKES, DIRECTOR, NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

No. 18–5820. EVANS *v.* DELAWARE. Sup. Ct. Del. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 184 A. 3d 843.

Miscellaneous Orders

No. 18M1. FATHER *v.* MAINE DEPARTMENT OF HEALTH AND HUMAN SERVICES ET AL.; and

No. 18M8. JASON K. *v.* MAINE DEPARTMENT OF HEALTH AND HUMAN SERVICES ET AL. Motions for leave to file petitions for writs of certiorari under seal granted.

No. 18M2. ATWOOD *v.* RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.;

No. 18M3. WRIGHT *v.* THOMAS NELSON COMMUNITY COLLEGE ET AL.;

No. 18M4. WAGNER ET AL. *v.* UNITED STATES TRUSTEE ET AL.;

No. 18M10. ODUOK *v.* CARNES ET AL.;

No. 18M11. CHARLES *v.* MCCAIN, WARDEN;

No. 18M12. CYNTHIA R. *v.* CHILDREN’S AID SOCIETY;

No. 18M15. YORK *v.* SOCIAL SECURITY ADMINISTRATION;

No. 18M18. BLACK *v.* LARIMER COUNTY, COLORADO;

No. 18M19. JONES *v.* SEDITA ET AL.;

No. 18M24. MONTOKA *v.* WELLS FARGO BANK, N. A.;

No. 18M26. SPIGHT *v.* UNITED STATES;

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- No. 18M27. *GARRETT v. BRENNAN*, POSTMASTER GENERAL;
No. 18M28. *BEST v. KIMBLE*, WARDEN;
No. 18M30. *PHILLIPS v. PHILLIPS*;
No. 18M31. *HENSON v. GRIEM*;
No. 18M32. *FEARING v. UNITED STATES TRUSTEE ET AL.*;
No. 18M33. *CHRONISTER v. SOUTH CAROLINA ET AL.*;
No. 18M36. *LARSON v. WALLACE ET AL.*;
No. 18M37. *CARLOS OCASIO v. MERIT SYSTEMS PROTECTION BOARD*; and
No. 18M38. *HOWARD v. UNITED STATES*. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.
- No. 18M5. *STEPHENS v. ALLIANT TECHSYSTEMS CORP. ET AL.*; and
No. 18M6. *BROWN v. WELLMAN ET AL.* Motions to direct the Clerk to file petitions for writs of certiorari out of time under this Court's Rule 14.5 denied.
- No. 18M7. *MALNES v. CITY OF FLAGSTAFF, ARIZONA, ET AL.*;
No. 18M13. *HENDERSON v. VIP TAXI LLC ET AL.*;
No. 18M29. *ZAPATA v. PEO ET AL.*; and
No. 18M35. *JOSSIE v. CVS PHARMACY*. Motions for leave to proceed as veterans denied.
- No. 18M9. *RODRIGUEZ v. UNITED STATES*;
No. 18M16. *THELEMAQUE v. UNITED STATES*;
No. 18M20. *MURRAY v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS*;
No. 18M21. *JONES v. UNITED STATES*;
No. 18M22. *LASCHKEWITSCH v. RELIASTAR LIFE INSURANCE Co.*;
No. 18M23. *M. E. D. v. NEW JERSEY*; and
No. 18M34. *MEDINA v. UNITED STATES*. Motions for leave to file petitions for writs of certiorari with supplemental appendixes under seal granted.
- No. 18M14. *AQUINO-FLORENCIANI v. UNITED STATES*; and
No. 18M17. *SEALED APPELLEE v. UNITED STATES*. Motions for leave to file petitions for writs of certiorari under seal with redacted copies for the public record granted.
- No. 18M25. *MORENO v. UNITED STATES*. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

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JUSTICE GORSUCH took no part in the consideration or decision of this motion.

No. 16–1275. VIRGINIA URANIUM, INC., ET AL. *v.* WARREN ET AL. C. A. 4th Cir. [Certiorari granted, 584 U.S. 992.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 17–204. APPLE INC. *v.* PEPPER ET AL. C. A. 9th Cir. [Certiorari granted, 585 U.S. 1003.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 17–773. CULBERTSON *v.* BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY. C. A. 11th Cir. [Certiorari granted, 584 U.S. 992.] Motion of the Solicitor General for divided argument granted.

No. 17–949. STURGEON *v.* FROST, ALASKA REGIONAL DIRECTOR OF THE NATIONAL PARK SERVICE, ET AL. C. A. 9th Cir. [Certiorari granted, 585 U.S. 1002.] Motion of petitioner to dispense with printing joint appendix granted.

No. 17–961. FRANK ET AL. *v.* GAOS, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED, ET AL. C. A. 9th Cir. [Certiorari granted, 584 U.S. 958.] Joint motion of respondents for divided argument granted. Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. Motion of former Professor Roy A. Katriel for leave to participate in oral argument as *amicus curiae* and for divided argument denied.

No. 17–1011. JAM ET AL. *v.* INTERNATIONAL FINANCE CORP. C. A. D. C. Cir. [Certiorari granted, 584 U.S. 992.] Motion of petitioners to dispense with printing joint appendix granted. Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 17–1042. BNSF RAILWAY Co. *v.* LOOS. C. A. 8th Cir. [Certiorari granted, 584 U.S. 976.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 17–1175. POARCH BAND OF CREEK INDIANS ET AL. *v.* WILKES ET AL. Sup. Ct. Ala. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

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No. 17–1184. *BIESTEK v. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY*. C. A. 6th Cir. [Certiorari granted, 585 U. S. 1015.] Motion of petitioner to dispense with printing joint appendix granted.

No. 17–1272. *HENRY SCHEIN, INC., ET AL. v. ARCHER & WHITE SALES, INC.* C. A. 5th Cir. [Certiorari granted, 585 U. S. 1015.] Motion of petitioners to file volume II of the joint appendix under seal granted.

No. 17–1498. *ATLANTIC RICHFIELD Co. v. CHRISTIAN ET AL.* Sup. Ct. Mont.;

No. 17–1678. *HERNANDEZ ET AL. v. MESA*. C. A. 5th Cir.;

No. 17–1686. *RPX CORP. v. CHANBOND LLC*. C. A. Fed. Cir.; and

No. 17–1712. *THOLE ET AL. v. U. S. BANK N. A. ET AL.* C. A. 8th Cir. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 17–1529. *CLEARSTREAM BANKING S. A. v. PETERSON ET AL.*;

No. 17–1530. *BANCA UBAE, S. P. A. v. PETERSON ET AL.*; and

No. 17–1534. *BANK MARKAZI, AKA CENTRAL BANK OF IRAN v. PETERSON ET AL.* C. A. 2d Cir. The Solicitor General is invited to file a brief in these cases expressing the views of the United States.

No. 17–8151. *BUCKLEW v. PRECYTHE, DIRECTOR, MISSOURI DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 8th Cir. [Certiorari granted, 584 U. S. 959.] Motion of petitioner to file volume III of the joint appendix under seal with redacted copy of transcript for public record granted.

No. 17–8555. *ANDERSON v. VENTURE EXPRESS*. C. A. 5th Cir.;

No. 17–8719. *DE VERA v. UNITED AIRLINES, INC.* C. A. 9th Cir.;

No. 17–9105. *DEBEIKES v. HAWAIIAN AIRLINES, INC., ET AL.* C. A. 9th Cir.;

No. 17–9226. *GREEN v. HORRY COUNTY, SOUTH CAROLINA, ET AL.* C. A. 4th Cir.;

No. 17–9295. *JEANTY v. NEW YORK CITY DEPARTMENT OF FINANCE*. C. A. 2d Cir.;

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- No. 17-9306. *TRINH v. TRINH*. Super. Ct. Pa.;
- No. 17-9323. *IN RE MICHAEL*;
- No. 18-5026. *YATES v. WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT*. C. A. 9th Cir.;
- No. 18-5137. *DANIEL v. BROOKLYN LAW SCHOOL*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept.;
- No. 18-5537. *OPENGEYM v. HEARTLAND EMPLOYMENT SERVICES, LLC*. C. A. 6th Cir.;
- No. 18-5670. *CAMPISE v. NEW YORK COMMISSIONER OF LABOR*. App. Div., Sup. Ct. N. Y., 3d Jud. Dept.;
- No. 18-5683. *IN RE BRITTON-HARR*; and
- No. 18-5786. *THOMAS v. UNITED STATES*. C. A. 7th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until October 22, 2018, 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. 17-8689. *GILLESPIE v. REVERSE MORTGAGE SOLUTIONS ET AL.* Sup. Ct. Fla. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [585 U. S. 1013] denied.
- No. 17-8794. *IN RE SPENGLER*. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [584 U. S. 1000] denied.
- No. 17-1647. *IN RE HENDERSON ET AL.*;
- No. 17-9023. *IN RE KOSSIE*;
- No. 17-9366. *IN RE MCCRARY*;
- No. 17-9384. *IN RE JENKS*;
- No. 17-9468. *IN RE YONAMINE*;
- No. 18-5128. *IN RE FAIRCHILD-LITTLEFIELD*;
- No. 18-5176. *IN RE EUGENE*;
- No. 18-5208. *IN RE BARTUNEK*;
- No. 18-5472. *IN RE HEDRICK*;
- No. 18-5492. *IN RE COLSON*;
- No. 18-5577. *IN RE BOYLEN*;
- No. 18-5580. *IN RE KYE-EL*;
- No. 18-5603. *IN RE KILMARTIN*;
- No. 18-5799. *IN RE SMITHBACK*; and
- No. 18-5812. *IN RE DECARO*. Petitions for writs of habeas corpus denied.

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No. 17–9269. IN RE RODGERS;
No. 18–5175. IN RE BROWN;
No. 18–5400. IN RE PENNINGTON-THURMAN; and
No. 18–5543. IN RE LEFFEBRE. Motions of petitioners for leave to proceed *in forma pauperis* denied, and petitions for writs of habeas corpus dismissed. See this Court’s Rule 39.8.

No. 17–9447. IN RE ROGERS; and
No. 17–9480. IN RE WOODS. Motions of petitioners for leave to proceed *in forma pauperis* denied, and petitions for writs of habeas corpus dismissed. See this Court’s Rule 39.8. As petitioners have repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioners unless the docketing fees required by Rule 38(a) are paid and the petitions are submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

No. 17–1570. IN RE BIERI;
No. 17–1710. IN RE GILGENBACH ET UX.;
No. 17–8710. IN RE ARMSTRONG;
No. 17–8777. IN RE LEE;
No. 17–8871. IN RE PAYNE;
No. 17–8981. IN RE RUIZ-RIVERA;
No. 17–9073. IN RE BEY;
No. 17–9290. IN RE REDDEN;
No. 17–9355. IN RE WARDLAW;
No. 17–9465. IN RE MCCREE;
No. 18–123. IN RE CITIZENS FOR FAIR REPRESENTATION ET AL.;
No. 18–140. IN RE BUNDY;
No. 18–5025. IN RE WARDLAW;
No. 18–5064. IN RE STOKES;
No. 18–5236. IN RE ESCO;
No. 18–5262. IN RE MCCLAUGHLIN;
No. 18–5265. IN RE LEE;
No. 18–5409. IN RE RILEY;
No. 18–5449. IN RE SMITH; and
No. 18–5579. IN RE COLE. Petitions for writs of mandamus denied.

No. 17–9443. IN RE ROGERS. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus dismissed. See this Court’s Rule 39.8. As petitioner

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has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

No. 18–5671. IN RE SIMPSON. 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. 17–1556. IN RE McDONALD;

No. 17–1561. IN RE ELLIS ET AL.;

No. 17–1562. IN RE STANLEY;

No. 17–1563. IN RE FORD;

No. 17–1614. IN RE VOTER VERIFIED, INC.;

No. 17–1715. IN RE MCNEIL ET AL.;

No. 17–9240. IN RE SCHNEIDER;

No. 18–5740. IN RE CLARK; and

No. 18–5785. IN RE WINKLES. Petitions for writs of mandamus and/or prohibition denied.

No. 17–9201. IN RE ROSE. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus and/or prohibition dismissed. See this Court's Rule 39.8.

No. 18–5020. IN RE BROWN. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus and/or prohibition dismissed. See this Court's Rule 39.8. JUSTICE KAGAN took no part in the consideration or decision of this motion and this petition.

No. 17–1581. IN RE COULTER;

No. 17–8957. IN RE GAITOR; and

No. 18–5157. IN RE LUIS AREVALO. Petitions for writs of prohibition denied.

Certiorari Denied

No. 17–1140. STAMBLER *v.* MASTERCARD INTERNATIONAL INC. C. A. Fed. Cir. Certiorari denied. Reported below: 702 Fed. Appx. 985.

No. 17–1198. MARTINS BEACH 1, LLC, ET AL. *v.* SURFRIDER FOUNDATION. Ct. App. Cal., 1st App. Dist., Div. 5. Certiorari

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denied. Reported below: 14 Cal. App. 5th 238, 221 Cal. Rptr. 3d 382.

No. 17-1222. *MULTNOMAH COUNTY, OREGON v. UPDIKE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 870 F. 3d 939.

No. 17-1252. *B/E AEROSPACE, INC. v. C&D ZODIAC, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 709 Fed. Appx. 687.

No. 17-1283. *ATLANTA MEDICAL CENTER, INC., FKA TENET HEALTHSYSTEM GB, INC., ET AL. v. CARE IMPROVEMENT PLUS SOUTH CENTRAL INSURANCE CO.* C. A. 11th Cir. Certiorari denied. Reported below: 875 F. 3d 584.

No. 17-1286. *NATIONAL MINING ASSN. v. ZINKE, SECRETARY OF THE INTERIOR, ET AL.*; and

No. 17-1290. *AMERICAN EXPLORATION & MINING ASSN. v. ZINKE, SECRETARY OF THE INTERIOR, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 877 F. 3d 845.

No. 17-1316. *SPORTSWEAR, INC., DBA PREP SPORTSWEAR v. SAVANNAH COLLEGE OF ART & DESIGN, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 872 F. 3d 1256.

No. 17-1320. *GARVIN v. NEW YORK.* Ct. App. N. Y. Certiorari denied. Reported below: 30 N. Y. 3d 174, 88 N. E. 3d 319.

No. 17-1332. *JANG v. BOSTON SCIENTIFIC CORP. ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 872 F. 3d 1275.

No. 17-1335. *CONSOLIDATION COAL CO. v. DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, DEPARTMENT OF LABOR, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 819.

No. 17-1343. *DAVIS v. MISSISSIPPI.* Sup. Ct. Miss. Certiorari denied.

No. 17-1349. *JOHNSON v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 874 F. 3d 571.

No. 17-1376. *NORFOLK SOUTHERN RAILWAY CO. v. PARSONS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2017 IL App (1st) 161384, 88 N. E. 3d 45.

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No. 17–1383. *EMPIRE DISTRIBUTION INC. v. TWENTIETH CENTURY FOX TELEVISION ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 875 F. 3d 1192.

No. 17–1384. *DROPLETS, INC. v. IANCU, DIRECTOR, UNITED STATES PATENT AND TRADEMARK OFFICE.* C. A. Fed. Cir. Certiorari denied. Reported below: 698 Fed. Appx. 612.

No. 17–1393. *PAVAN ET AL. v. SMITH.* Sup. Ct. Ark. Certiorari denied.

No. 17–1398. *SWC, LLC, ET AL. v. HERR ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 865 F. 3d 351.

No. 17–1408. *BRECKINRIDGE HEALTH, INC., ET AL. v. AZAR, SECRETARY OF HEALTH AND HUMAN SERVICES.* C. A. 6th Cir. Certiorari denied. Reported below: 869 F. 3d 422.

No. 17–1411. *AKER BIOMARINE ANTARCTIC AS ET AL. v. NAM CHUONG HUYNH ET AL.* Ct. App. Wash. Certiorari denied. Reported below: 199 Wash. App. 1005.

No. 17–1419. *LUMMI TRIBE OF THE LUMMI RESERVATION ET AL. v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 870 F. 3d 1313.

No. 17–1432. *COUNTY OF AMADOR, CALIFORNIA v. DEPARTMENT OF THE INTERIOR ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 872 F. 3d 1012.

No. 17–1442. *DIMOND RIGGING Co., LLC, DBA ABSOLUTE RIGGING AND MILLWRIGHTS v. ORDOS CITY HAWTAI AUTOBODY Co., LTD., ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 695 Fed. Appx. 864.

No. 17–1453. *COMMUNITY HEALTH SYSTEMS, INC., ET AL. v. NEW YORK CITY EMPLOYEES' RETIREMENT SYSTEM ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 877 F. 3d 687.

No. 17–1456. *KENNEDY v. SKADDEN ARPS SLATE MEAGHER & FLOM LLP ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 706 Fed. Appx. 94.

No. 17–1459. *WORLD PROGRAMMING LTD. v. SAS INSTITUTE, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 874 F. 3d 370.

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No. 17–1470. *FIVE STAR SENIOR LIVING INC., FKA FIVE STAR QUALITY CARE, INC. v. LEFEVRE*. C. A. 9th Cir. Certiorari denied. Reported below: 705 Fed. Appx. 622.

No. 17–1472. *INDIANA v. BOWMAN ET AL.* Ct. App. Ind. Certiorari denied. Reported below: 81 N. E. 3d 1127.

No. 17–1474. *NASSAR v. NASSAR*. C. A. 11th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 615.

No. 17–1476. *CITY OF FORT WORTH, TEXAS, ET AL. v. DARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 880 F. 3d 722.

No. 17–1477. *UNITED STATES EX REL. CHASE v. CHAPTERS HEALTH SYSTEM, INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 783.

No. 17–1479. *GENTRY v. THOMPSON, JUDGE, CIRCUIT COURT OF TENNESSEE, SUMNER COUNTY*. C. A. 6th Cir. Certiorari denied.

No. 17–1480. *XIU JIAN SUN v. POLLAK*. C. A. 2d Cir. Certiorari denied.

No. 17–1485. *MIRANDA-MONDRAGON v. NAUTILUS INSURANCE Co.* C. A. 5th Cir. Certiorari denied. Reported below: 711 Fed. Appx. 214.

No. 17–1486. *PINNAVARIA v. TROUT VALLEY ASSN. ET AL.* App. Ct. Ill., 2d Dist. Certiorari denied.

No. 17–1490. *NEIDERMEYER v. CALDWELL*. C. A. 9th Cir. Certiorari denied. Reported below: 718 Fed. Appx. 485.

No. 17–1497. *AMERICAN TECHNICAL CERAMICS CORP. v. PRESIDIO COMPONENTS, INC.; and*

No. 17–1649. *PRESIDIO COMPONENTS, INC. v. AMERICAN TECHNICAL CERAMICS CORP.* C. A. Fed. Cir. Certiorari denied. Reported below: 875 F. 3d 1369.

No. 17–1503. *JOHNSON v. STORIX, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 628.

No. 17–1505. *TAVARES v. ENTERPRISE RENT-A-CAR-COMPANY OF RHODE ISLAND*. C. A. 1st Cir. Certiorari denied.

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No. 17–1507. *ALPINE PCS, INC. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 878 F. 3d 1086.

No. 17–1508. *MCCALL, AS ADMINISTRATOR OF THE ESTATE OF MCCALL v. MORANT ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 594.

No. 17–1509. *UNITED STATES EX REL. BARRICK v. PARKER-MIGLIORINI INTERNATIONAL, LLC, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 878 F. 3d 1224.

No. 17–1512. *ZIMING SHEN v. CITY OF NEW YORK, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 725 Fed. Appx. 7.

No. 17–1513. *KEITHLY, EXECUTRIX OF THE ESTATE OF COOPER v. ROBERTS ET AL.* Sup. Ct. Va. Certiorari denied.

No. 17–1514. *LEE v. TEXAS*. Ct. App. Tex., 4th Dist. Certiorari denied.

No. 17–1515. *TAYLOR v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 303 Ga. 57, 810 S. E. 2d 113.

No. 17–1516. *EVANS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 876 F. 3d 375.

No. 17–1517. *OLYMPIC STEWARDSHIP FOUNDATION ET AL. v. STATE OF WASHINGTON ENVIRONMENTAL AND LAND USE HEARINGS OFFICE ET AL.* Ct. App. Wash. Certiorari denied. Reported below: 199 Wash. App. 668, 399 P. 3d 562.

No. 17–1518. *XIU JIAN SUN v. ASIELLO ET AL.* C. A. 2d Cir. Certiorari denied.

No. 17–1522. *XIU JIAN SUN v. SUPREME COURT OF NEW YORK, QUEENS COUNTY*. C. A. 2d Cir. Certiorari denied.

No. 17–1528. *ROSS v. KENTUCKY*. Ct. App. Ky. Certiorari denied.

No. 17–1533. *LEED HR, LLC, ET AL. v. MITCHELL*. Ct. App. Ky. Certiorari denied.

No. 17–1535. *ASRARI v. DEPARTMENT OF HOMELAND SECURITY*. C. A. Fed. Cir. Certiorari denied. Reported below: 710 Fed. Appx. 894.

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No. 17–1536. *MMA CONSULTANTS 1, INC. v. REPUBLIC OF PERU*. C. A. 2d Cir. Certiorari denied. Reported below: 719 Fed. Appx. 47.

No. 17–1537. *MORRISON v. QUEST DIAGNOSTICS INC. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 698 Fed. Appx. 350.

No. 17–1538. *COULTER v. FORREST ET AL.* Super. Ct. Pa. Certiorari denied. Reported below: 175 A. 3d 361.

No. 17–1541. *SOBEL v. CITY OF RUTLAND, VERMONT*. Sup. Ct. Vt. Certiorari denied.

No. 17–1543. *OLIVAR ET AL. v. PUBLIC SERVICE EMPLOYEE CREDIT UNION LONG TERM DISABILITY PLAN ET AL.* Sup. Ct. Colo. Certiorari denied. Reported below: 428 P. 3d 208.

No. 17–1546. *STANKEVICH v. KAPLAN ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 707 Fed. Appx. 717.

No. 17–1547. *SAUERS v. TOWNSHIP OF LOWER SOUTHAMPTON, PENNSYLVANIA*. C. A. 3d Cir. Certiorari denied. Reported below: 722 Fed. Appx. 255.

No. 17–1548. *PENNSYLVANIA HIGHER EDUCATION ASSISTANCE, DBA FEDLOAN SERVICING v. SILVER*. C. A. 9th Cir. Certiorari denied. Reported below: 706 Fed. Appx. 369.

No. 17–1549. *MORSY E. v. COMMISSIONER, CONNECTICUT DEPARTMENT OF CHILDREN AND FAMILIES*. Sup. Ct. Conn. Certiorari denied. Reported below: 327 Conn. 506, 175 A. 3d 21.

No. 17–1550. *FAILON v. COMPASS CHEMICAL INTERNATIONAL, LLC*. C. A. 4th Cir. Certiorari denied. Reported below: 711 Fed. Appx. 141.

No. 17–1551. *STRATTON v. VIRGINIA, DBA CLEMENS, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 302.

No. 17–1552. *BRUCE v. POTOMAC ELECTRIC POWER Co.* Ct. App. D. C. Certiorari denied. Reported below: 162 A. 3d 177.

No. 17–1553. *DE LA CRUZ v. KAILER ET AL.* Sup. Ct. Tex. Certiorari denied.

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No. 17–1554. *BERNSTEIN v. WELLS FARGO BANK, N. A., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 693 Fed. Appx. 848.

No. 17–1555. *ORNSTEIN v. BANK OF AMERICA, N. A., ET AL.* Ct. App. Ariz. Certiorari denied.

No. 17–1557. *TORTORA v. ALVAREZ.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 17–1560. *VIGGERS v. VIGGERS.* Ct. App. Mich. Certiorari denied.

No. 17–1564. *CORNELIO v. CONNECTICUT ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 708 Fed. Appx. 41.

No. 17–1565. *GERAGOS & GERAGOS, APC v. FIRST SOLAR, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 711 Fed. Appx. 410.

No. 17–1569. *CALLWOOD, AS ADMINISTRATRIX OF THE ESTATE OF ILLIDGE v. JONES ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 552.

No. 17–1571. *MARRANCA v. LOYTSKER.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 17–1574. *SANDS v. MENARD ET AL.* Sup. Ct. Wis. Certiorari denied. Reported below: 2017 WI 110, 379 Wis. 2d 1, 904 N. W. 2d 789.

No. 17–1576. *VIGGERS v. PACHA ET AL.* Ct. App. Mich. Certiorari denied.

No. 17–1578. *BACQUIE v. NEW YORK.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 154 App. Div. 3d 648, 62 N. Y. S. 3d 425.

No. 17–1580. *SOLOMON v. DESERT HEALTHCARE DISTRICT ET AL.* Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 17–1582. *BENOIT ET UX. v. ST. CHARLES GAMING CO., INC.* Ct. App. La., 3d Cir. Certiorari denied. Reported below: 2017–101 (La. App. 3 Cir. 11/8/17), 230 So. 3d 997.

No. 17–1584. *BARTELT v. WISCONSIN.* Sup. Ct. Wis. Certiorari denied. Reported below: 2018 WI 16, 379 Wis. 2d 588, 906 N. W. 2d 684.

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No. 17–1587. *BRINGMAN v. JOHNSON ET AL.* C. A. 6th Cir. Certiorari denied.

No. 17–1588. *GERRARD, AS TEMPORARY ADMINISTRATOR OF THE ESTATE OF WHITE v. WHITE, AS EXECUTOR OF THE ESTATE OF WHITE.* Ct. App. Ga. Certiorari denied. Reported below: 342 Ga. App. XXV.

No. 17–1589. *HICKERSON v. YAMAHA MOTOR CORP., U. S. A., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 882 F. 3d 476.

No. 17–1590. *INTEGRATED TECHNOLOGICAL SYSTEMS, INC. v. FIRST INTERNET BANK OF INDIANA.* C. A. Fed. Cir. Certiorari denied. Reported below: 712 Fed. Appx. 1007.

No. 17–1591. *HOSKINS v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 696 Fed. Appx. 242.

No. 17–1595. *GLORIOSO-BRANDT v. AZAR, SECRETARY OF HEALTH AND HUMAN SERVICES.* C. A. 4th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 792.

No. 17–1596. *FRANCIS ET AL. v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 709 Fed. Appx. 403.

No. 17–1598. *PEFFER ET VIR v. STEPHENS.* C. A. 6th Cir. Certiorari denied. Reported below: 880 F. 3d 256.

No. 17–1599. *OHIO EX REL. WALGATE ET AL. v. KASICH, GOVERNOR OF OHIO, ET AL.* Ct. App. Ohio, 10th App. Dist., Franklin County. Certiorari denied. Reported below: 2017-Ohio-5528, 93 N. E. 3d 417.

No. 17–1600. *TODD v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 17–1601. *BARONE v. WELLS FARGO BANK, N. A.* Sup. Ct. Fla. Certiorari denied.

No. 17–1603. *KELLEY v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 235 So. 3d 280.

No. 17–1605. *KINNEY v. CLARK.* Ct. App. Cal., 2d App. Dist., Div. 1. Certiorari denied.

No. 17–1608. *HOLKESVIG v. NORTH DAKOTA.* Sup. Ct. N. D. Certiorari denied. Reported below: 2018 ND 17, 906 N. W. 2d 84.

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No. 17–1609. *BEST AUTO REPAIR, INC., ET AL. v. UNIVERSAL INSURANCE GROUP ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 875 F. 3d 733.

No. 17–1612. *HINDS v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 17–1613. *WIEST v. UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 485.

No. 17–1615. *MACPHERSON v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 9th Cir. Certiorari denied. Reported below: 702 Fed. Appx. 621.

No. 17–1617. *ACE PARTNERS, LLC, DBA TC’S PAWN Co. v. TOWN OF EAST HARTFORD, CONNECTICUT, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 883 F. 3d 190.

No. 17–1619. *MORRIS v. BRANCH BANKING & TRUST Co.* Sup. Ct. Tex. Certiorari denied.

No. 17–1620. *E. B. v. WICOMICO COUNTY DEPARTMENT OF SOCIAL SERVICES ET AL.* Ct. App. Md. Certiorari denied. Reported below: 456 Md. 428, 174 A. 3d 372.

No. 17–1621. *ANDERSON v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 17–1622. *DENNIS v. SESSIONS, ATTORNEY GENERAL.* C. A. 2d Cir. Certiorari denied. Reported below: 724 Fed. Appx. 34.

No. 17–1626. *ASSADIAN v. PARSI ET AL.* Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 17–1627. *LEE, WARDEN v. CLINARD.* C. A. 6th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 552.

No. 17–1628. *MYOUNGCHUL SHIN ET AL. v. UNI-CAPS, LLC, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 699 Fed. Appx. 681.

No. 17–1629. *YAN SUI ET AL. v. MARSHACK.* C. A. 9th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 642.

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No. 17–1630. *YAN SUI ET AL. v. MARSHACK ET AL.* C. A. 9th Cir. Certiorari denied.

No. 17–1631. *T. B. ET VIR v. P. M. ET UX.* Sup. Ct. Iowa. Certiorari denied. Reported below: 907 N. W. 2d 522.

No. 17–1632. *MCGUIRK v. SWISS RE FINANCIAL SERVICES CORP. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 699 Fed. Appx. 55.

No. 17–1634. *TEAMAH v. APPLIED MATERIALS, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 343.

No. 17–1635. *TRI-CITIES HOLDINGS LLC ET AL. v. TENNESSEE ADMINISTRATIVE PROCEDURES DIVISION ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 298.

No. 17–1637. *DOE v. HOLCOMB, GOVERNOR OF INDIANA, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 883 F. 3d 971.

No. 17–1639. *STREAMBEND PROPERTIES II, LLC, ET AL. v. IVY TOWER MINNEAPOLIS, LLC, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 701 Fed. Appx. 544.

No. 17–1640. *MIRA v. KINGSTON ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 715 Fed. Appx. 28.

No. 17–1642. *HEREDIA v. WALMART STORES TEXAS, LLC.* Ct. App. Tex., 13th Dist. Certiorari denied.

No. 17–1643. *NOLAN v. DEPARTMENT OF ENERGY.* C. A. Fed. Cir. Certiorari denied.

No. 17–1644. *XIU JIAN SUN v. CITY OF NEW YORK HUMAN RESOURCES ADMINISTRATION ET AL.* C. A. 2d Cir. Certiorari denied.

No. 17–1645. *BOMBARDIER RECREATIONAL PRODUCTS INC. ET AL. v. ARCTIC CAT INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 876 F. 3d 1350.

No. 17–1646. *LYON v. CANADIAN NATIONAL RAILWAY CO. ET AL.* C. A. 7th Cir. Certiorari denied.

No. 17–1648. *GEO GROUP, INC. v. MENOCAL ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 882 F. 3d 905.

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No. 17-1650. *TOWN OF KEARNY, NEW JERSEY v. NEW JERSEY SPORTS AND EXPOSITION AUTHORITY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 17-1651. *BATES ET UX. v. VILLAGE OF PENTWATER, MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 17-1652. *CREDIT ONE BANK, N. A. v. ANDERSON*. C. A. 2d Cir. Certiorari denied. Reported below: 884 F. 3d 382.

No. 17-1653. *TOWN CENTER FLATS, LLC v. ECP COMMERCIAL II LLC*. C. A. 6th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 114.

No. 17-1658. *LYLES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 953.

No. 17-1659. *VICKS ET UX. v. OCWEN LOAN SERVICING, LLC, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 704 Fed. Appx. 241.

No. 17-1661. *HARTFIELD ET AL. v. EIGHTH JUDICIAL DISTRICT FOR NEVADA, CLARK COUNTY, ET AL.* Sup. Ct. Nev. Certiorari denied. Reported below: 134 Nev. 40, 412 P. 3d 23.

No. 17-1662. *ASPEN INSURANCE (UK) LTD. ET AL. v. BLACK & VEATCH CORP.* C. A. 10th Cir. Certiorari denied. Reported below: 882 F. 3d 952.

No. 17-1663. *CHECKSFIELD v. BERG*. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 148 App. Div. 3d 1376, 49 N. Y. S. 3d 205.

No. 17-1664. *GREGORY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 711 Fed. Appx. 838.

No. 17-1665. *DIXON v. EAST COAST MUSIC MALL ET AL.* App. Ct. Conn. Certiorari denied. Reported below: 178 Conn. App. 901, 171 A. 3d 1113.

No. 17-1666. *DIVEGLIA v. PENNSYLVANIA DEPARTMENT OF TRANSPORTATION, BUREAU OF DRIVER LICENSING*. Commw. Ct. Pa. Certiorari denied. Reported below: 174 A. 3d 1212.

No. 17-1667. *CREATIVE VISION RESOURCES, L. L. C. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 5th Cir. Certiorari denied. Reported below: 882 F. 3d 510.

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No. 17-1668. *NASHVILLE DOWNTOWN PLATINUM, LLC v. METROPOLITAN DEVELOPMENT AND HOUSING AGENCY*. Ct. App. Tenn. Certiorari denied.

No. 17-1670. *OSKOU v. ACOSTA, SECRETARY OF LABOR*. C. A. 9th Cir. Certiorari denied. Reported below: 692 Fed. Appx. 908.

No. 17-1671. *MIDAMINES SPRL LTD. ET AL. v. KBC BANK N. V.* C. A. 2d Cir. Certiorari denied. Reported below: 719 Fed. Appx. 41.

No. 17-1674. *YUFA v. TSI INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 730 Fed. Appx. 905.

No. 17-1675. *MCINTOSH v. ESTATE OF TURNER, DECEASED*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 17-1677. *BRADLEY v. WEST CHESTER UNIVERSITY OF THE PENNSYLVANIA STATE SYSTEM OF HIGHER EDUCATION ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 880 F. 3d 643.

No. 17-1680. *BUSTAMANTE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 703 Fed. Appx. 537.

No. 17-1681. *TANNER-BROWN ET AL. v. ZINKE, SECRETARY OF INTERIOR, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 709 Fed. Appx. 17.

No. 17-1682. *BRANUM ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 428.

No. 17-1683. *BROOKS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 872 F. 3d 78.

No. 17-1684. *FRANCE v. PATRICK*. Ct. App. Ga. Certiorari denied.

No. 17-1685. *MAMAKOS ET AL. v. TOWN OF HUNTINGTON, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 715 Fed. Appx. 77.

No. 17-1687. *SUHL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 885 F. 3d 1106.

No. 17-1688. *OZARK MATERIALS RIVER ROCK, LLC v. BENHAM*. C. A. 10th Cir. Certiorari denied. Reported below: 885 F. 3d 1267.

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No. 17–1689. *PERSAUD v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 715 Fed. Appx. 86.

No. 17–1690. *COONEY v. BARRY SCHOOL OF LAW, AKA DWAYNE O. ANDREAS SCHOOL OF LAW*. C. A. 11th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 571.

No. 17–1691. *BAYLAY v. ETIHAD AIRWAYS P. J. S. C.* C. A. 7th Cir. Certiorari denied. Reported below: 881 F. 3d 1032.

No. 17–1694. *XIU JIAN SUN v. SCHNEIDERMAN, ATTORNEY GENERAL OF NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 17–1695. *CALIFORNIA STATE TEACHERS’ RETIREMENT SYSTEM ET AL. v. ALVAREZ ET AL.* Sup. Ct. Del. Certiorari denied. Reported below: 179 A. 3d 824.

No. 17–1696. *LEWIS v. PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY ET AL.* C. A. 6th Cir. Certiorari denied.

No. 17–1697. *MARSHALL v. ROYAL CARIBBEAN CRUISES LTD.* C. A. 11th Cir. Certiorari denied. Reported below: 706 Fed. Appx. 620.

No. 17–1706. *PUIATTI v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 234 So. 3d 551.

No. 17–1707. *NICHIA CORP. ET AL. v. EVERLIGHT ELECTRONICS Co., LTD., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 719 Fed. Appx. 1008.

No. 17–1708. *SMITH v. LOUDOUN COUNTY PUBLIC SCHOOLS*. C. A. 4th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 194.

No. 17–1709. *KENDALL v. OLSEN ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 970.

No. 17–1711. *HUBBARD v. KAISER FOUNDATION HEALTH PLAN INC. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 692 Fed. Appx. 425.

No. 17–1714. *TAVARES v. BRIDGELoan INVESTORS, INC.* Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 241 So. 3d 154.

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No. 17–1716. *HENRY ET AL. v. CASH BIZ, LP, ET AL.* Sup. Ct. Tex. Certiorari denied. Reported below: 551 S. W. 3d 111.

No. 17–1718. *DEUTSCH v. PHIL’S ICEHOUSE, INC., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 361.

No. 17–7297. *GONZALEZ GARIBAY v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 698 Fed. Appx. 176.

No. 17–7335. *YOUNG v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 872 F. 3d 742.

No. 17–7476. *JUNGWIRTH v. LEE.* Ct. Civ. App. Ala. Certiorari denied. Reported below: 246 So. 3d 104.

No. 17–7613. *HARPER v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 875 F. 3d 329.

No. 17–7640. *SAMS v. QUINN ET AL.* C. A. 6th Cir. Certiorari denied.

No. 17–7703. *OLDHAM v. UNITED STATES;*

No. 17–8386. *NORWOOD v. UNITED STATES;* and

No. 17–8393. *WALKER v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 702 Fed. Appx. 367.

No. 17–7732. *BROWN v. MASSACHUSETTS.* Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 477 Mass. 805, 81 N. E. 3d 1173.

No. 17–7801. *BAGI v. CITY OF PARMA, OHIO.* C. A. 6th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 480.

No. 17–7873. *BARINAS v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 865 F. 3d 99.

No. 17–7930. *BOYER v. VANNOY, WARDEN.* C. A. 5th Cir. Certiorari denied. Reported below: 863 F. 3d 428.

No. 17–7939. *CASTILLO-MURION, AKA CHAIREZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 343.

No. 17–7970. *ROBINSON v. UNITED STATES;* and

No. 17–7989. *MARTIN v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 872 F. 3d 760.

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No. 17-7988. *MATHURIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 868 F. 3d 921.

No. 17-8008. *LEON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 948.

No. 17-8041. *MONTEIRO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 871 F. 3d 99.

No. 17-8059. *BEAVERS, AKA STOKES, AKA WEST v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17-8073. *COBO-COBO v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 873 F. 3d 613.

No. 17-8170. *HIMES v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 690 Fed. Appx. 640.

No. 17-8180. *ROBERTSON v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 387.

No. 17-8198. *JACOBY v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 642 Pa. 623, 170 A. 3d 1065.

No. 17-8202. *TRUELOVE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 281.

No. 17-8224. *NEWMILLER v. RAEMISCH, EXECUTIVE DIRECTOR, COLORADO DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 877 F. 3d 1178.

No. 17-8260. *GRIFFIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17-8270. *HARRIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 878 F. 3d 111.

No. 17-8274. *BRANDON v. WILSON, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 699 Fed. Appx. 283.

No. 17-8280. *KING v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17-8292. *VELASCO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

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No. 17–8298. *PATTERSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17–8331. *PABON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 871 F. 3d 164.

No. 17–8345. *WARD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 165.

No. 17–8352. *MARTIN v. LIVING ESSENTIALS, LLC*. C. A. 7th Cir. Certiorari denied.

No. 17–8365. *DONAT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 17–8370. *FLOWERS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 492.

No. 17–8411. *CHAPPELL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 492.

No. 17–8413. *VERWIEBE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 874 F. 3d 258.

No. 17–8418. *MAXWELL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 492.

No. 17–8421. *HUTTON v. SHOOP, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 704 Fed. Appx. 584.

No. 17–8432. *ALI v. ALLBAUGH, DIRECTOR, OKLAHOMA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 699 Fed. Appx. 824.

No. 17–8443. *SANCHEZ MOLINAR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 881 F. 3d 1064.

No. 17–8476. *SCOTT v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 877 F. 3d 42.

No. 17–8485. *PANNULLO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 709 Fed. Appx. 683.

No. 17–8524. *ANTHONY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 280.

No. 17–8527. *VEGA-ORTIZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 822 F. 3d 1031.

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No. 17–8543. *PAYNE v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 17–8553. *BLANKENSHIP v. PASTRANA, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 17–8567. *SAMPLE v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 17–8576. *JOHNSON v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 17–8587. *ARJUNE v. NEW YORK*. Ct. App. N. Y. Certiorari denied. Reported below: 30 N. Y. 3d 347, 89 N. E. 3d 1207.

No. 17–8599. *SHOCKLEY v. GRIFFITH, WARDEN*. Sup. Ct. Mo. Certiorari denied.

No. 17–8616. *HARDEN v. MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES ET AL.* C. A. 6th Cir. Certiorari denied.

No. 17–8623. *NICHOL v. COLORADO*. Sup. Ct. Colo. Certiorari denied.

No. 17–8624. *CELAYA-CARTAJENA, AKA ALBERTO ROJAZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 673 Fed. Appx. 431.

No. 17–8629. *HENRY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 496.

No. 17–8632. *JOHNSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 880 F. 3d 226.

No. 17–8639. *JAVIER VERGARA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 884 F. 3d 1309.

No. 17–8645. *PRESTEGUI v. MADDEN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 17–8646. *MEDINA v. JOHNSON, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 17–8664. *PADILLA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 817.

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No. 17–8666. *OWENS v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 2017–1258 (La. 11/13/17), 229 So. 3d 457.

No. 17–8668. *ROTONDO v. GASPARINI*. Ct. App. N. Y. Certiorari denied. Reported below: 30 N. Y. 3d 1082, 92 N. E. 3d 1239.

No. 17–8670. *DINGLER v. MILESTONE MANAGEMENT ET AL.* C. A. 5th Cir. Certiorari denied.

No. 17–8680. *WILLIAMS v. MCCAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 17–8681. *WALKER v. UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI*. C. A. 8th Cir. Certiorari denied.

No. 17–8683. *BARNETT v. MISSOURI*. Sup. Ct. Mo. Certiorari denied.

No. 17–8686. *HUTTON v. SHOOP, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 17–8688. *ASSA’AD-FALTAS v. CITY OF COLUMBIA, SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 420 S. C. 28, 800 S. E. 2d 782.

No. 17–8690. *BELL v. KEETON, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 17–8691. *BARNETT v. SULLIVAN, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 17–8693. *BOHANNAN v. GRIFFIN ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 689 Fed. Appx. 377.

No. 17–8699. *LOPEZ v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 134 Nev. 974, 412 P. 3d 14.

No. 17–8703. *SOLIS-ALONZO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 863.

No. 17–8707. *NOZISKA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 696 Fed. Appx. 253.

No. 17–8708. *GRANT-FARLEY v. GEORGIA*. Sup. Ct. Ga. Certiorari denied.

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No. 17–8712. *ALFRED v. JONES*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. Sup. Ct. Fla. Certiorari denied.

No. 17–8716. *BARNETT v. DAVIS*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 698 Fed. Appx. 239.

No. 17–8717. *LINDER v. HAVILAND*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 17–8718. *BELL v. VANNOY*, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 17–8722. *W. P. v. WEST VIRGINIA*. Cir. Ct. Kanawha County, W. Va. Certiorari denied.

No. 17–8724. *WHITFIELD v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 235 So. 3d 297.

No. 17–8725. *VALDIVIA v. FRAUENHEIM*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 17–8730. *PRICE v. OVERMYER*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT FOREST, ET AL. C. A. 3d Cir. Certiorari denied.

No. 17–8732. *NAYLOR v. HARRELL ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 697 Fed. Appx. 416.

No. 17–8733. *CARNEY v. TEXAS*. Ct. App. Tex., 11th Dist. Certiorari denied.

No. 17–8737. *MARKHAM v. MINNESOTA*. Ct. App. Minn. Certiorari denied.

No. 17–8748. *WILLIAMS v. CLARK ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 698 Fed. Appx. 555.

No. 17–8750. *MILLS v. SESSIONS*, ATTORNEY GENERAL. C. A. 11th Cir. Certiorari denied.

No. 17–8751. *PATTERSON v. DAVIS*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

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No. 17–8753. *KLEIN v. WILLIAMS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 631.

No. 17–8755. *MAYES v. TEXAS.* Ct. App. Tex., 5th Dist. Certiorari denied.

No. 17–8756. *LAROSE v. MISSOURI.* C. A. 8th Cir. Certiorari denied.

No. 17–8761. *BARGO v. UNITED STATES ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 715 Fed. Appx. 17.

No. 17–8764. *GUBANIC v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 17–8768. *RODRIGUEZ v. RATLEDGE.* C. A. 4th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 261.

No. 17–8770. *EVANS v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 875 F.3d 210.

No. 17–8773. *DANIELS v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied.

No. 17–8778. *SMITH v. WISCONSIN.* Sup. Ct. Wis. Certiorari denied. Reported below: 2018 WI 2, 379 Wis. 2d 86, 905 N. W. 2d 353.

No. 17–8779. *DAWSON v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 17–8780. *CAINES v. GASTELO, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 17–8781. *TAYLOR v. JACKSON, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 17–8786. *DEVEAUX v. CALDWELL, WARDEN.* C. A. 11th Cir. Certiorari denied.

No. 17–8789. *CROWDER v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 17–8793. *RUSSELL v. BIELEFELD ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 17–8795. *QUIROZ v. MORAN ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 707 Fed. Appx. 1.

No. 17–8799. *ZELEDON v. HATTON, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 17–8808. *KESSLER v. OVERMYER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT FOREST.* Sup. Ct. Pa. Certiorari denied.

No. 17–8810. *INK, AKA IGNACIO v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 17–8812. *NASEMAN v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 17–8815. *PEREZ v. FLORIDA.* Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 232 So. 3d 527.

No. 17–8816. *ACKERMAN ET AL. v. BANK OF NEW YORK MELLON.* Sup. Ct. Ohio. Certiorari denied. Reported below: 149 Ohio St. 3d 1416, 2017-Ohio-4038, 75 N. E. 3d 235.

No. 17–8817. *COLLINS v. GEORGIA.* Super. Ct. Athens-Clarke County, Ga. Certiorari denied.

No. 17–8820. *STONE v. JOHNSON ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 713 Fed. Appx. 103.

No. 17–8822. *DUBOIS v. MWV HEALTHCARE ASSN., INC., ET AL.* C. A. 1st Cir. Certiorari denied.

No. 17–8824. *CONNER v. METROPOLITAN LIFE INSURANCE CO. ET AL.*; and *CONNER v. UNITED STATES POSTAL SERVICE ET AL.* C. A. 6th Cir. Certiorari denied.

No. 17–8827. *LACEY v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2017 IL App (1st) 142352–U.

No. 17–8834. *WALCK v. CORIZON HEALTH CARE SERVICES ET AL.* C. A. 6th Cir. Certiorari denied.

No. 17–8839. *THOMAS v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 17–8841. *MANTEPAN v. DEROSE ET AL.* Sup. Ct. Fla. Certiorari denied.

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No. 17–8842. *JACKSON v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 301 Ga. 774, 804 S. E. 2d 73.

No. 17–8843. *SMALL v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied.

No. 17–8845. *EASON v. CLARKE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 696 Fed. Appx. 630.

No. 17–8846. *RAMEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 880 F. 3d 447.

No. 17–8847. *SATTERWHITE v. FRISCH'S RESTAURANT ET AL.* Ct. App. Ohio, 10th App. Dist., Hamilton County. Certiorari denied.

No. 17–8849. *HAMPTON v. STRAIGER ET AL.* Ct. App. Ariz. Certiorari denied.

No. 17–8850. *HUTSON v. GIURBINO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 17–8851. *YOUNG v. NEW YORK*. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 153 App. Div. 3d 1618, 61 N. Y. S. 3d 752.

No. 17–8856. *SHANK v. CORIZON HEALTH SERVICES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 692 Fed. Appx. 414.

No. 17–8857. *SMITH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 881 F. 3d 954.

No. 17–8865. *GRAZZINI-RUCKI v. RUCKI*. Ct. App. Minn. Certiorari denied.

No. 17–8867. *CLOPTON v. MURPHY, JUDGE, DISTRICT COURT OF GRAYSON COUNTY, TEXAS*. Sup. Ct. Tex. Certiorari denied.

No. 17–8869. *JORDAN v. LOUISIANA*. Ct. App. La., 1st Cir. Certiorari denied.

No. 17–8870. *KERSEY v. PRUDENTIAL INSURANCE COMPANY OF AMERICA*. C. A. 1st Cir. Certiorari denied.

No. 17–8881. *RODRIGUEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 711 Fed. Appx. 486.

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No. 17–8883. *SWINGTON v. CITY OF WATERLOO, IOWA, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 698 Fed. Appx. 861.

No. 17–8887. *FORTUNE v. HERRING.* C. A. 4th Cir. Certiorari denied. Reported below: 680 Fed. Appx. 201.

No. 17–8888. *HENRY v. CARUSO ET AL.* C. A. 6th Cir. Certiorari denied.

No. 17–8892. *MORRISON v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 236 So. 3d 204.

No. 17–8894. *WARNER v. McLAUGHLIN.* C. A. 1st Cir. Certiorari denied.

No. 17–8895. *NYABWA v. CORRECTIONS CORPORATION OF AMERICA.* C. A. 5th Cir. Certiorari denied. Reported below: 703 Fed. Appx. 357.

No. 17–8896. *LEONARD v. FLORIDA.* Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 245 So. 3d 722.

No. 17–8900. *CURRY v. KLEE, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 271.

No. 17–8901. *GROGGER v. GENOVESE, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 17–8902. *FERGUSON v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 17–8903. *HEATH v. NEW YORK.* App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied.

No. 17–8905. *ISRAEL v. FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES ET AL.* C. A. 11th Cir. Certiorari denied.

No. 17–8908. *MARTINEZ v. ROBERTSON, ACTING WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 17–8909. *JARAMILLO v. NEW YORK.* App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 151 App. Div. 3d 1782, 53 N. Y. S. 3d 580.

No. 17–8911. *JONES v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied.

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No. 17–8913. *STOKES ET AL. v. FIRST AMERICAN TITLE COMPANY OF MONTANA, INC., ET AL.* Sup. Ct. Mont. Certiorari denied. Reported below: 389 Mont. 245, 406 P. 3d 439.

No. 17–8915. *RAMIREZ v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist., Div. 3. Certiorari denied.

No. 17–8916. *SONIAT v. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ET AL.* C. A. 5th Cir. Certiorari denied.

No. 17–8917. *GILBERT v. DANIELS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 725 Fed. Appx. 789.

No. 17–8918. *FRANKLIN v. VALENZUELA, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 17–8919. *GARCIA v. PICKETT ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 698 Fed. Appx. 521.

No. 17–8920. *FUENTES v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* Sup. Ct. Fla. Certiorari denied.

No. 17–8922. *DURAN v. MUSE ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 833.

No. 17–8923. *EVANS v. FLORIDA.* Sup. Ct. Fla. Certiorari denied.

No. 17–8924. *MURRA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 879 F. 3d 669.

No. 17–8927. *HARRIS v. VIGIL ET AL.* C. A. 11th Cir. Certiorari denied.

No. 17–8928. *GARCIA v. TEXAS.* Ct. App. Tex., 13th Dist. Certiorari denied.

No. 17–8930. *HORTON v. ARIZONA.* Ct. App. Ariz. Certiorari denied.

No. 17–8931. *HOWELL v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 17–8932. *FLORES v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

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No. 17–8935. *CAMPBELL v. NEW YORK CITY TRANSIT AUTHORITY, ADJUDICATION BUREAU*. C. A. 2d Cir. Certiorari denied.

No. 17–8937. *FERGUSON-CASSIDY v. CITY OF LOS ANGELES, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 705 Fed. Appx. 611.

No. 17–8939. *TERRY v. NEW JERSEY*. Sup. Ct. N. J. Certiorari denied. Reported below: 232 N. J. 218, 179 A. 3d 378.

No. 17–8947. *PETERSON v. BURRIS ET AL.* C. A. 6th Cir. Certiorari denied.

No. 17–8948. *POWELL v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 17–8949. *ALEXANDER v. MILLER, SUPERINTENDENT, GREAT MEADOW CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 17–8953. *CRUICKSHANK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 909.

No. 17–8956. *BONNER v. CUMBERLAND REGIONAL HIGH SCHOOL DISTRICT*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 17–8961. *HARRINGTON v. WINN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 17–8962. *DE MIN GU v. FEDERAL BUREAU OF INVESTIGATION ET AL.* C. A. 2d Cir. Certiorari denied.

No. 17–8963. *HERBERT v. CVS PHARMACY ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 700 Fed. Appx. 698.

No. 17–8967. *MERRICK v. BRNOVICH, ATTORNEY GENERAL OF ARIZONA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 17–8968. *MOORE v. BREWER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 17–8970. *BLAKENEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 876 F. 3d 1126.

No. 17–8971. *BARTLETT v. PINEDA, JUDGE, SUPERIOR COURT OF ARIZONA, MARICOPA COUNTY, ET AL.* Ct. App. Ariz. Certiorari denied.

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No. 17–8972. *BROWN v. CALIFORNIA* (two judgments). Ct. App. Cal., 2d App. Dist., Div. 5. Certiorari denied.

No. 17–8973. *JONES v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2017 IL App (1st) 150821–U.

No. 17–8977. *SLATER v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 432.

No. 17–8983. *ANTONIO ALDANA v. SANTORO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 17–8989. *BROWN v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied.

No. 17–8990. *BOSTIC v. DAVIS ET AL.* C. A. 6th Cir. Certiorari denied.

No. 17–8994. *AMANKRAH v. ANGLEA, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 688 Fed. Appx. 455.

No. 17–8997. *TURRIETA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 875 F. 3d 1340.

No. 17–8998. *LUNA-BARRAGAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 639.

No. 17–8999. *REED v. HARTFORD SUPER 8 ET AL.* C. A. 2d Cir. Certiorari denied.

No. 17–9002. *ARGON v. CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION ET AL.* C. A. 9th Cir. Certiorari denied.

No. 17–9004. *STURGES v. CURTIN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 17–9007. *BAILEY v. GARDNER ET AL.* C. A. 4th Cir. Certiorari denied.

No. 17–9010. *WIMBERLY v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied.

No. 17–9012. *WINSTON v. BANK OF NOVA SCOTIA, DBA SCOTIA BANK*. C. A. 3d Cir. Certiorari denied. Reported below: 722 Fed. Appx. 138.

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No. 17-9014. *OXNER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 916.

No. 17-9015. *PITTMAN v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 871 F. 3d 1231.

No. 17-9016. *PRINCE v. LOUISIANA*. Ct. App. La., 3d Cir. Certiorari denied. Reported below: 2016-260 (La. App. 3 Cir. 2/1/17), 211 So. 3d 481.

No. 17-9018. *LITTLEJOHN v. ROYAL, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 875 F. 3d 548.

No. 17-9019. *JOHNSON v. MACKIE, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 17-9022. *ABDUL-SALAAM v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 644 Pa. 149, 174 A. 3d 1049.

No. 17-9024. *JACOBS v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 17-9025. *LIDDELL v. NEW JERSEY DEPARTMENT OF CORRECTIONS*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 17-9027. *LACAYO v. TANNER, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 17-9030. *CURRY v. CLARKE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 699 Fed. Appx. 222.

No. 17-9031. *MARTIN v. WENDY'S INTERNATIONAL, INC., ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 590.

No. 17-9032. *MAXBERRY v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 722 Fed. Appx. 997.

No. 17-9034. *TAYLOR v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 17-9035. *DUMA v. WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY*. Ct. App. D. C. Certiorari denied. Reported below: 159 A. 3d 1220.

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No. 17–9036. *ROBINSON v. NEVADA SYSTEM OF HIGHER EDUCATION ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 692 Fed. Appx. 377.

No. 17–9040. *MEREDITH v. O’ROURKE, SECRETARY OF VETERANS AFFAIRS.* C. A. 8th Cir. Certiorari denied. Reported below: 709 Fed. Appx. 392.

No. 17–9046. *HAMMONDS v. DUNN, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 841.

No. 17–9047. *ALBERT v. STATE BAR OF CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 17–9048. *PIRELA v. WETZEL, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 710 Fed. Appx. 66.

No. 17–9051. *SMITH v. ARKANSAS.* Sup. Ct. Ark. Certiorari denied. Reported below: 2018 Ark. 37.

No. 17–9052. *WHITE v. KNIGHT, SUPERINTENDENT, CORRECTIONAL INDUSTRIAL FACILITY.* C. A. 7th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 260.

No. 17–9054. *TOWBRIDGE v. FLORIDA.* Sup. Ct. Fla. Certiorari denied.

No. 17–9056. *CONRAD v. MAYS, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 17–9058. *CARTER v. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY.* C. A. 4th Cir. Certiorari denied. Reported below: 711 Fed. Appx. 176.

No. 17–9060. *BARNETT v. LAUREL COUNTY, KENTUCKY, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 17–9062. *BELL v. U.S. BANK N. A.* Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 232 So. 3d 385.

No. 17–9063. *BELL v. U.S. BANK N. A. ET AL.* Sup. Ct. Fla. Certiorari denied.

No. 17–9064. *BELL v. PLM L. P. ET AL.* Sup. Ct. Fla. Certiorari denied.

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No. 17–9069. *DEGRATE v. HARRIS*, CLERK, SUPREME COURT OF THE UNITED STATES. C. A. D. C. Cir. Certiorari denied. Reported below: 707 Fed. Appx. 721.

No. 17–9071. *BAILEY v. WHITE*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 17–9072. *QUINN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 17–9074. *CHONG v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 329.

No. 17–9075. *RAMIREZ v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 303 Ga. 232, 811 S. E. 2d 416.

No. 17–9076. *BROWN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 880 F. 3d 399.

No. 17–9077. *CONDON v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 77 M. J. 244.

No. 17–9078. *ARLOTTA v. BANK OF AMERICA*, N. A., ET AL.; and *ARLOTTA v. DIOCESE OF BUFFALO ET AL.* C. A. 2d Cir. Certiorari denied.

No. 17–9079. *RUIZ v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 185 A. 3d 718.

No. 17–9080. *REYES-QUINTERO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 708.

No. 17–9081. *STINNETT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 821.

No. 17–9084. *UPTERGROVE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 705 Fed. Appx. 620.

No. 17–9085. *WESTINE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 883 F. 3d 659.

No. 17–9087. *MEMBRENO-AREVALO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 463.

No. 17–9088. *SANCHEZ ROLON v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

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No. 17–9089. *HIRSCH v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 17–9090. *GAGNON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17–9091. *HUMPHREYS v. WELLS FARGO BANK, N. A.* Super. Ct. Pa. Certiorari denied. Reported below: 160 A. 3d 266.

No. 17–9092. *HELTON v. PASH, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 17–9093. *DAVIS v. YORK COUNTY BOARD OF SUPERVISORS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 182.

No. 17–9094. *BARRIOS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 713.

No. 17–9095. *CRUZ DIAZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 330.

No. 17–9096. *PARUM v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 502.

No. 17–9098. *MARTIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 325.

No. 17–9099. *LONGORIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 327.

No. 17–9102. *HORTON v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 17–9103. *GLEASON v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 17–9104. *CARMENATE-PALENCIA, AKA GIULIAN v. SESSIONS, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied.

No. 17–9106. *FRAZIER v. WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 17–9108. *HURD v. LIZARRAGA, WARDEN*. C. A. 9th Cir. Certiorari denied.

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No. 17–9109. *GARRINGER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 894.

No. 17–9111. *GIRARD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17–9112. *GUERRERO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 17–9113. *HUDGINS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 17–9114. *HARDY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 262.

No. 17–9116. *HOWARD v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 17–9117. *FRANKLIN v. HAWLEY ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 879 F. 3d 307.

No. 17–9118. *WILLIAMS v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 5. Certiorari denied.

No. 17–9119. *SHUE v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 133 Nev. 798, 407 P. 3d 332.

No. 17–9120. *GLENEWINKEL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 17–9121. *HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 17–9122. *GEREBIZZA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 302.

No. 17–9124. *GJURAJ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 17–9125. *LEWIS v. NOGAN, ADMINISTRATOR, EAST JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 17–9126. *ARAMBUL-DURAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 352.

No. 17–9131. *PINET-FUENTES v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 888 F. 3d 557.

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No. 17–9132. *WALDROP v. DUNN*, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 711 Fed. Appx. 900.

No. 17–9133. *VERDUZCO v. SPEARMAN*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 579.

No. 17–9135. *THOMAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 994.

No. 17–9136. *TERRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 939.

No. 17–9137. *ALVAREZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 878 F. 3d 640.

No. 17–9138. *HILL v. DAVIS*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 17–9139. *YUN v. DIAZ*, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION. C. A. 9th Cir. Certiorari denied. Reported below: 725 Fed. Appx. 511.

No. 17–9140. *FRIE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 698 Fed. Appx. 209.

No. 17–9141. *HAREN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17–9142. *HALL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 687 Fed. Appx. 906.

No. 17–9143. *HOLDER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 586 Fed. Appx. 82.

No. 17–9144. *HONISH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 17–9145. *MALOY v. NEW YORK*. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied.

No. 17–9146. *LEWIS v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 17–9147. *GARCIA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

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No. 17–9148. *FRAZIER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 699 Fed. Appx. 249.

No. 17–9149. *GREEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17–9150. *FORTSON v. EPPINGER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 17–9152. *LUMA v. FLORIDA DEPARTMENT OF REVENUE*. Sup. Ct. Fla. Certiorari denied.

No. 17–9153. *JONES v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 231 So. 3d 374.

No. 17–9154. *BRIGHT v. BRYSON, COMMISSIONER, GEORGIA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 17–9156. *TURNER v. VIRGINIA*. Sup. Ct. Va. Certiorari denied. Reported below: 295 Va. 104, 809 S. E. 2d 679.

No. 17–9157. *HARRIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 715.

No. 17–9158. *BASKIN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 878 F. 3d 1106.

No. 17–9160. *TOPILINA, AKA PINCHUK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 689.

No. 17–9161. *BATES v. FLORIDA ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 238 So. 3d 98.

No. 17–9162. *PERRY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 539.

No. 17–9163. *LOPEZ-COTTO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 884 F. 3d 1.

No. 17–9164. *PEMBERTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 221.

No. 17–9165. *WITHERSPOON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17–9166. *HARRIS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 712 Fed. Appx. 108.

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No. 17–9167. *KRYGER v. SOUTH DAKOTA*. Sup. Ct. S. D. Certiorari denied. Reported below: 2018 S.D. 13, 907 N. W. 2d 800.

No. 17–9168. *STUDHORSE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 883 F. 3d 1198.

No. 17–9172. *RYAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 885 F. 3d 449.

No. 17–9173. *SUGGS v. FLORIDA ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 234 So. 3d 546.

No. 17–9174. *DABNEY v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 478 Mass. 839, 90 N. E. 3d 750.

No. 17–9176. *HIGGINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 678 Fed. Appx. 147.

No. 17–9177. *GOWADIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 17–9178. *GARCIA-ESPARZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 697 Fed. Appx. 426.

No. 17–9179. *ABEL GRIMALDO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 17–9180. *FREDERICK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17–9181. *GENTILE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 911.

No. 17–9182. *GONZALEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 17–9183. *HODGE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 699 Fed. Appx. 254.

No. 17–9184. *GARCIA v. BURT, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 17–9185. *GUADARRAMA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 17–9186. *FALKENHORST v. HARRIS COUNTY CHILDREN’S PROTECTIVE SERVICES ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 711 Fed. Appx. 228.

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No. 17–9187. *MURPHY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 689.

No. 17–9188. *MEARS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 709 Fed. Appx. 241.

No. 17–9189. *MILTIER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 882 F. 3d 81.

No. 17–9190. *PALMER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 230.

No. 17–9191. *MEAUX v. LOUISIANA*. C. A. 5th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 380.

No. 17–9192. *GROSE v. OUTLAW, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 17–9194. *GARDNER v. NEW MEXICO*. Sup. Ct. N. M. Certiorari denied.

No. 17–9195. *HOOD v. DIAZ, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied.

No. 17–9196. *KALABA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 727 Fed. Appx. 1.

No. 17–9197. *JANATSCH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 806.

No. 17–9198. *TAFOYA, AKA TAPIOA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 401.

No. 17–9199. *BUSTAMANTE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 965.

No. 17–9200. *DASA v. CAIN, SUPERINTENDENT, SNAKE RIVER CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied.

No. 17–9202. *SORENSEN v. WASHINGTON*. Ct. App. Wash. Certiorari denied.

No. 17–9203. *RAMOS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 632.

No. 17–9204. *RHODES v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 234 So. 3d 554.

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No. 17–9205. *ROSALES-AGUILAR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 818 F. 3d 965.

No. 17–9206. *SWEET v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 234 So. 3d 646.

No. 17–9207. *DAVIS v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 2018 Ark. 69, 539 S. W. 3d 565.

No. 17–9208. *EVANS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 883 F. 3d 1154.

No. 17–9209. *ALLBROOKS v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 256 N. C. App. 505, 808 S. E. 2d 168.

No. 17–9210. *BUTTERCASE v. NEBRASKA*. Ct. App. Neb. Certiorari denied. Reported below: 25 Neb. App. xi.

No. 17–9211. *ZAITSEV v. KELLER*. Ct. App. Wash. Certiorari denied. Reported below: 200 Wash. App. 1003.

No. 17–9212. *WU v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 824.

No. 17–9213. *WILLIAMS v. KENT, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 17–9214. *KRAWCZUK v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 873 F. 3d 1273.

No. 17–9215. *MATHIS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 17–9216. *KENNEDY v. ILLINOIS*. App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 2017 IL App (4th) 150372–U.

No. 17–9217. *KEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 274.

No. 17–9219. *ALEXANDER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 492.

No. 17–9220. *HEIKKILA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 546.

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No. 17-9222. *FREE v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 200 Wash. App. 1055.

No. 17-9224. *HUSBAND v. EBBERT, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 17-9225. *FRANK v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 175 A. 3d 394.

No. 17-9227. *GERAY v. MUNIZ, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 678 Fed. Appx. 607.

No. 17-9228. *HAMILTON v. BRANNON, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 17-9229. *GLADDEN v. BARBER, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 692 Fed. Appx. 128.

No. 17-9230. *FARRAR v. PETERS, DIRECTOR, OREGON DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 698 Fed. Appx. 363.

No. 17-9231. *FORD v. DOE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 642.

No. 17-9232. *FAWLEY v. CLARKE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 692 Fed. Appx. 736.

No. 17-9233. *HENDRIX v. TEXAS*. Ct. App. Tex., 6th Dist. Certiorari denied.

No. 17-9234. *LEVINE v. STATE BAR OF GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 303 Ga. 284, 811 S. E. 2d 349.

No. 17-9236. *CHANNON v. UNITED STATES*; and

No. 17-9242. *CHANNON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 881 F. 3d 806.

No. 17-9237. *RICE v. MONTGOMERY, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 743.

No. 17-9241. *SMITH v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied.

No. 17-9243. *STEPHENS v. FLORIDA ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 238 So. 3d 94.

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No. 17–9244. *JOHNSON v. MITCHELL, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 704 Fed. Appx. 303.

No. 17–9245. *CAMILO LOPEZ v. KEY, SUPERINTENDENT, AIRWAY HEIGHTS CORRECTIONS CENTER*. C. A. 9th Cir. Certiorari denied.

No. 17–9246. *MARQUARDT v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 239 So. 3d 1251.

No. 17–9247. *CASSIANO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 881 F. 3d 314.

No. 17–9249. *RAMNARAIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 749.

No. 17–9250. *FLOWERS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 820.

No. 17–9251. *KARBAN v. BRNOVICH, ATTORNEY GENERAL OF ARIZONA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 17–9252. *LUCERO v. TURCO ET AL.* C. A. 1st Cir. Certiorari denied.

No. 17–9253. *PIERRE v. ATTORNEY GRIEVANCE COMMITTEE FOR THE FIRST JUDICIAL DEPARTMENT*. Ct. App. N. Y. Certiorari denied. Reported below: 31 N. Y. 3d 1043, 100 N. E. 3d 844.

No. 17–9254. *FRATICELLI v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 170 A. 3d 1246.

No. 17–9256. *GRIFFITH v. BLADES, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 17–9257. *FOLLANSBEE v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 17–9258. *GARRETT v. PARAMO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 17–9260. *COLEBROOK v. CIT BANK*. C. A. 9th Cir. Certiorari denied. Reported below: 698 Fed. Appx. 529.

No. 17–9261. *CROMARTIE v. ALABAMA STATE UNIVERSITY ET AL.* Sup. Ct. Ala. Certiorari denied.

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No. 17–9267. *SMITH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 701.

No. 17–9268. *SCHNEIDER v. WELKER*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 243 So. 3d 374.

No. 17–9270. *STEELE v. CHEATHAM, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 17–9271. *FRANK v. RACKLEY, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 17–9272. *TIPPINS v. CARUSO ET AL.* C. A. 6th Cir. Certiorari denied.

No. 17–9273. *TIPPINS v. NWI–1, INC., ET AL.* C. A. 6th Cir. Certiorari denied.

No. 17–9274. *ANDERSON v. LOUISIANA*. Ct. App. La., 1st Cir. Certiorari denied.

No. 17–9275. *ARIAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 804.

No. 17–9277. *ZAPATA-OCHOA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 407.

No. 17–9278. *CORTEZ-LUNA v. UNITED STATES*; and

No. 17–9402. *SERRATO-NAVARRO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 394.

No. 17–9279. *UDOH v. DOOLEY, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 17–9280. *MORTON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 419.

No. 17–9281. *GRAY v. GILMORE, SUPERINTENDENT, CORRECTIONAL INSTITUTION AT GREENE, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 17–9282. *GRABLE v. TURNER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 17–9283. *IOANE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

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No. 17–9285. *HARWELL v. SCHWEITZER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 17–9286. *HARDEN v. BOWERSOX, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 17–9287. *HOLLIS v. PFISTER, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 17–9288. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17–9289. *RODGERS v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 268 So. 3d 636.

No. 17–9291. *SULLIVAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 946.

No. 17–9292. *STYLES v. DEPARTMENT OF VETERANS AFFAIRS*. C. A. 6th Cir. Certiorari denied.

No. 17–9293. *SCOTT v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 17–9294. *REDIC v. RACKLEY, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 695 Fed. Appx. 236.

No. 17–9296. *HASTINGS v. BERGHUIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 17–9297. *HAMILTON v. STRAHOTA, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 17–9298. *GLOVER v. WOODS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 17–9299. *GALVAN v. STEWART, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 705 Fed. Appx. 392.

No. 17–9300. *HAWKINS v. CLARKE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 208.

No. 17–9301. *FOUNTAIN v. RUPERT, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied.

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No. 17-9302. *HOWARD v. TEXAS*. Ct. App. Tex., 1st Dist. Certiorari denied. Reported below: 527 S. W. 3d 348.

No. 17-9303. *GEOTCHA v. TEXAS*. Ct. App. Tex., 2d Dist. Certiorari denied.

No. 17-9304. *FABRICANT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 677 Fed. Appx. 408.

No. 17-9305. *WRIGHT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 692 Fed. Appx. 873.

No. 17-9307. *KIRKPATRICK v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 357.

No. 17-9308. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 1007.

No. 17-9309. *MAXWELL v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 17-9311. *JOHNSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 699 Fed. Appx. 224.

No. 17-9312. *HIGLEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 715.

No. 17-9313. *MCMAHON v. NEVEN, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 17-9314. *MILLER v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 237 So. 3d 921.

No. 17-9315. *AGUILAR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 246.

No. 17-9316. *EDWARDS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 694 Fed. Appx. 770.

No. 17-9317. *HALL v. CITY OF DETROIT, MICHIGAN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 17-9318. *INMAN v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

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No. 17–9319. *GIVENS v. ALLEN, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 17–9320. *HYDE-EL v. POOLE*. C. A. 4th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 203.

No. 17–9321. *GUZMAN v. MADDEN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 17–9322. *HAFFER v. NEW HAMPSHIRE*. Sup. Ct. N. H. Certiorari denied.

No. 17–9325. *NELSON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied.

No. 17–9327. *MALLORY v. SIMON & SCHUSTER, INC., ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 728 Fed. Appx. 132.

No. 17–9328. *MALDONADO-ZELAYA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 424.

No. 17–9329. *JEFFRIES v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 235 So. 3d 283.

No. 17–9330. *MELTON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied.

No. 17–9331. *CHASSON, AKA ALIAS, AKA HASON v. SESSIONS, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied.

No. 17–9333. *THYBERG v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 847.

No. 17–9334. *SMITH v. MYRICK, SUPERINTENDENT, TWO RIVERS CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied.

No. 17–9335. *SMITH v. CAIN, SUPERINTENDENT, SNAKE RIVER CORRECTIONAL INSTITUTION, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 17–9336. *SHEFFIELD v. BURT, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 438.

No. 17–9337. *SUSALLA v. HARRY, WARDEN*. C. A. 6th Cir. Certiorari denied.

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No. 17–9338. *SCHNAGL v. MINNESOTA*. Ct. App. Minn. Certiorari denied. Reported below: 907 N. W. 2d 188.

No. 17–9341. *McLAMB v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 880 F. 3d 685.

No. 17–9342. *MEDINA-AVALOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 434.

No. 17–9343. *JENKINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 241.

No. 17–9344. *ENGLAND v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 798.

No. 17–9345. *LASCHKEWITSCH v. TRANSAMERICA LIFE INSURANCE Co.* C. A. 4th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 275.

No. 17–9346. *WOODWARD v. KANSAS*. Ct. App. Kan. Certiorari denied. Reported below: 54 Kan. App. 2d xxxiii, 398 P. 3d 880.

No. 17–9347. *ALDANA ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 878 F. 3d 877.

No. 17–9348. *BOWLES v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 235 So. 3d 292.

No. 17–9349. *JOHNSON v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied.

No. 17–9350. *THI HOUNG LE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 249.

No. 17–9351. *TRIPLETT v. WYOMING*. Sup. Ct. Wyo. Certiorari denied. Reported below: 2017 WY 148, 406 P. 3d 1257.

No. 17–9352. *VIOLA v. BENNETT*. C. A. 6th Cir. Certiorari denied.

No. 17–9354. *WALKER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17–9356. *WALSH v. OREGON*. Ct. App. Ore. Certiorari denied. Reported below: 288 Ore. App. 278, 406 P. 3d 123.

No. 17–9357. *DEASON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

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No. 17–9358. *GRAVES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 877 F. 3d 494.

No. 17–9359. *LUNA VALDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 17–9360. *BOOKER v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 235 So. 3d 298.

No. 17–9361. *BELL v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 235 So. 3d 287.

No. 17–9362. *DOCKERY v. CLARK, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ALBION, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 17–9363. *McFARLIN v. HARRIS, CLERK, SUPREME COURT OF THE UNITED STATES, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 354.

No. 17–9364. *MOLINA v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 181 A. 3d 412.

No. 17–9365. *OKOH v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 17–9367. *NEWBERG v. PALMER ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 586.

No. 17–9368. *RANDLE v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 17–9370. *SANTAMARIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 464.

No. 17–9371. *SIMS v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 17–9372. *CESAR RAMIREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 470.

No. 17–9373. *REECE v. BASI ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 704 Fed. Appx. 685.

No. 17–9375. *DILLBECK v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 234 So. 3d 558.

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No. 17–9376. *DURAN v. GROUNDS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 728.

No. 17–9380. *LONG v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 235 So. 3d 293.

No. 17–9381. *MAYO v. OPPMAN ET AL.* C. A. 3d Cir. Certiorari denied.

No. 17–9382. *LEWIS v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 17–9383. *MITCHELL v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 17–9385. *MAYHEW v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 17–9386. *BRADLEY v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 238 So. 3d 95.

No. 17–9387. *TAPPEN v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 630.

No. 17–9388. *TOWNE v. VERMONT*. Sup. Ct. Vt. Certiorari denied. Reported below: 2018 VT 5, 206 Vt. 615, 182 A. 3d 1149.

No. 17–9389. *FOSTER v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 235 So. 3d 290.

No. 17–9390. *MARTINEZ-GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 407.

No. 17–9391. *JIYAO JIANG v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 715 Fed. Appx. 91.

No. 17–9392. *GRANT v. WHITE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 703 Fed. Appx. 523.

No. 17–9393. *GASPARD ET AL. v. DRUG ENFORCEMENT ADMINISTRATION TASK FORCE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 698 Fed. Appx. 382.

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No. 17–9394. *FAROOQ v. RUSSELL, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 17–9395. *HINES v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 17–9396. *HOUK v. IOWA*. Ct. App. Iowa. Certiorari denied. Reported below: 898 N. W. 2d 202.

No. 17–9397. *HORSLEY v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 937.

No. 17–9398. *ROCK v. EXECUTIVE OFFICE PARK OF DURHAM ASSN., INC.* Sup. Ct. N. C. Certiorari denied. Reported below: 370 N. C. 585, 809 S. E. 2d 602.

No. 17–9401. *QUINCE v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 233 So. 3d 1017.

No. 17–9403. *ROBY v. DEMOURA, SUPERINTENDENT, MASSACHUSETTS CORRECTIONAL INSTITUTION AT CONCORD*. C. A. 1st Cir. Certiorari denied.

No. 17–9404. *BURGETT v. PORTER ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 271.

No. 17–9405. *IVORY v. HUBBARD*. C. A. 8th Cir. Certiorari denied.

No. 17–9406. *INGRAM v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 17–9407. *ISASI v. ANNUCCI, ACTING COMMISSIONER, NEW YORK DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION*. C. A. 2d Cir. Certiorari denied.

No. 17–9408. *ZOGRAFIDIS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 729 Fed. Appx. 41.

No. 17–9409. *SUTTON v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 17–9410. *OLIVO RAMIREZ v. HOOKS, SECRETARY, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY*. C. A. 4th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 179.

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No. 17–9412. *HANKISHIYEV v. ARUP LABORATORIES ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 673.

No. 17–9414. *COLTON v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA.* C. A. 8th Cir. Certiorari denied.

No. 17–9415. *ROBINSON v. SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLE, AND PARDON SERVICES, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 706 Fed. Appx. 809.

No. 17–9416. *KELLY v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

No. 17–9417. *SEALED APPELLANT v. SEALED APPELLEE.* C. A. 5th Cir. Certiorari denied.

No. 17–9418. *BARTON v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 879 F. 3d 595.

No. 17–9419. *PAIGE v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* Sup. Ct. Fla. Certiorari denied.

No. 17–9420. *PORTER v. JOYNER, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 709 Fed. Appx. 227.

No. 17–9421. *OBEGINSKI v. GEORGIA.* Ct. App. Ga. Certiorari denied. Reported below: 338 Ga. App. XXVII.

No. 17–9422. *NUNN v. KELLEY, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION.* C. A. 8th Cir. Certiorari denied.

No. 17–9423. *WOODS v. ARIZONA.* C. A. 9th Cir. Certiorari denied.

No. 17–9424. *MCBRIDE v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 285.

No. 17–9425. *MOORE v. OHIO.* Sup. Ct. Ohio. Certiorari denied. Reported below: 152 Ohio St. 3d 1419, 2018-Ohio-923, 93 N. E. 3d 1001.

No. 17–9426. *MILLER v. WETZEL, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 17–9427. *CARTER v. SHERRILL ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 698 Fed. Appx. 111.

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No. 17–9428. *JOHNSON v. DAVIS*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 17–9429. *MANZO-RIOS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 773.

No. 17–9430. *JACKSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 631.

No. 17–9431. *LAWRENCE v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 236 So. 3d 240.

No. 17–9432. *JENKINS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 17–9433. *JUNOD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 17–9434. *JAMES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 196.

No. 17–9435. *DAVIS v. JONES*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. Sup. Ct. Fla. Certiorari denied. Reported below: 235 So. 3d 301.

No. 17–9437. *MORALES-VELEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 17–9438. *WEST v. SESSIONS*, ATTORNEY GENERAL. C. A. 9th Cir. Certiorari denied.

No. 17–9439. *WINDOM v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 234 So. 3d 556.

No. 17–9440. *LISTER v. MCGINLEY*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT COAL TOWNSHIP, ET AL. C. A. 3d Cir. Certiorari denied.

No. 17–9441. *LEON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 709 Fed. Appx. 673.

No. 17–9442. *JUDY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 17–9444. *STEPHENS ET AL. v. CITY OF ENGLEWOOD*, NEW JERSEY, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 689 Fed. Appx. 710.

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No. 17-9445. *SUAREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 653.

No. 17-9448. *JOHNSON v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied.

No. 17-9449. *COTTRELL v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 421 S. C. 622, 809 S. E. 2d 423.

No. 17-9450. *PATTERSON v. ASUNCION, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 936.

No. 17-9451. *MOREL ET AL. v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 885 F. 3d 17.

No. 17-9452. *MYHRE v. SEVENTH-DAY ADVENTIST CHURCH REFORM MOVEMENT AMERICAN UNION INTERNATIONAL MISSIONARY SOCIETY ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 926.

No. 17-9453. *PRILLERMAN v. HUGGINS ET AL.* C. A. 8th Cir. Certiorari denied.

No. 17-9454. *HALPER v. COLORADO*. Dist. Ct. Colo., Ouray County. Certiorari denied.

No. 17-9455. *BOLANOS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 822.

No. 17-9456. *CARROLL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 659.

No. 17-9457. *JOHNSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 883.

No. 17-9459. *PETERS v. SATKIEWICZ ET AL.* C. A. 7th Cir. Certiorari denied.

No. 17-9460. *MCKNIGHT v. BISHOP, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 151.

No. 17-9461. *BULOVIC v. STOP & SHOP SUPERMARKET Co., LLC, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 698 Fed. Appx. 21.

No. 17-9462. *CRAWFORD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

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No. 17-9463. *ROJAS v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 240 So. 3d 701.

No. 17-9464. *PETERSON v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 2017 IL 120331, 106 N. E. 3d 944.

No. 17-9466. *MOORE v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2017 IL App (1st) 150240-U.

No. 17-9470. *ILDEFONSO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 661.

No. 17-9471. *GARCIA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 17-9472. *FRANCO-DE LA CRUZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 469.

No. 17-9473. *ANTONIO GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 404.

No. 17-9475. *HEATH v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 237 So. 3d 931.

No. 17-9476. *ELGHANNAM v. EDUCATIONAL TESTING SERVICE*. Ct. App. D. C. Certiorari denied. Reported below: 171 A. 3d 185.

No. 17-9477. *GRANT v. ALPEROVICH ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 703 Fed. Appx. 556.

No. 17-9478. *FISHER v. MISSOURI*. C. A. 8th Cir. Certiorari denied.

No. 17-9479. *WRIGHT v. MARTIN ET AL.* C. A. 11th Cir. Certiorari denied.

No. 17-9481. *WYATT v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 242 So. 3d 363.

No. 17-9482. *WEEKS v. LEWIS, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 17-9483. *GREGORY v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 342 Ga. App. 411, 803 S. E. 2d 367.

No. 17-9485. *LEBLANC-SIMPSON v. MAINE*. Sup. Jud. Ct. Me. Certiorari denied.

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No. 17-9486. *KIMBALL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 716.

No. 17-9487. *RODRIGUEZ v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied. Reported below: 92 Mass. App. 1115, 94 N. E. 3d 880.

No. 17-9488. *BROWN v. ILLINOIS DEPARTMENT OF HUMAN SERVICES*. C. A. 7th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 623.

No. 17-9489. *LEBRON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 17-9491. *McKISSICK v. DEAL, GOVERNOR OF GEORGIA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 17-9492. *CLARK v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 238 So. 3d 99.

No. 17-9493. *DAMREN v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 236 So. 3d 230.

No. 17-9494. *CHRISTIAN v. UNITED STATES ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 306.

No. 17-9495. *BURKS v. KELLEY, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied. Reported below: 881 F. 3d 663.

No. 17-9496. *PETERKA v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 237 So. 3d 903.

No. 17-9497. *OCCHICONE v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 235 So. 3d 299.

No. 17-9498. *HARTLEY v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 237 So. 3d 908.

No. 17-9499. *ATWATER v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 234 So. 3d 550.

No. 17-9500. *SWINTON v. RACETTE, SUPERINTENDENT, GREAT MEADOWS CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 17-9502. *STEVENSON v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 235 Md. App. 749.

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No. 17–9503. *ROGERS v. LIBERTY BELL BANK*. C. A. 3d Cir. Certiorari denied. Reported below: 726 Fed. Appx. 147.

No. 17–9504. *RAY v. MCCOLLUM, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 517.

No. 17–9505. *DOTSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 17–9506. *WALKER v. HOWELL, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 760.

No. 17–9507. *THOMPSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 492.

No. 17–9508. *DOVE v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 17–9509. *ESTREMER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 17–9510. *WALLS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 238 So. 3d 96.

No. 17–9511. *KNAPP v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17–9512. *JONES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 729 Fed. Appx. 21.

No. 17–9513. *LYKINS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 17–9514. *WAGNER v. FORD, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 17–9515. *WALTON v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 17–9516. *TAULBEE v. NOBLE, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 17–9517. *DENOMA v. KASICH, GOVERNOR OF OHIO, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 17–9518. *CARPENTER v. WHITE ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 553.

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No. 17–9519. *HARDIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 281.

No. 17–9520. *PHILLIPS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 234 So. 3d 547.

No. 17–9521. *HERRINGTON v. OHIO*. Ct. App. Ohio, 8th App. Dist., Cuyahoga County. Certiorari denied.

No. 17–9522. *HORTON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 17–9523. *BREKHUS v. CITY OF BISMARCK, NORTH DAKOTA*. Sup. Ct. N. D. Certiorari denied. Reported below: 2018 ND 84, 908 N. W. 2d 715.

No. 17–9524. *CRUMBLE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 878 Fed. Appx. 656.

No. 17–9525. *WALL v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 3 Cal. 5th 1048, 404 P. 3d 1209.

No. 17–9526. *CRUZ v. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY*. C. A. 11th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 875.

No. 17–9527. *JAVIER JASSO v. LEWIS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 729.

No. 17–9528. *LOPEZ-FUENTES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 341.

No. 17–9529. *EDENSTROM v. THURSTON COUNTY, WASHINGTON, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 752.

No. 17–9531. *HAYS v. SOTO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 17–9532. *HUBBARD v. HAVILAND, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 17–9533. *FOX v. TRIPP ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 787.

No. 17–9534. *FLETCHER v. LENGERICH, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 702 Fed. Appx. 795.

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No. 17–9536. *KOKAL v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 237 So. 3d 907.

No. 17–9537. *MARQUARD v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 234 So. 3d 560.

No. 17–9539. *HOOD v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 17–9540. *FARMER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 699 Fed. Appx. 218.

No. 17–9541. *FRITZ v. BURT, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 17–9542. *GRIFFITH v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 17–9543. *SOLIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 632.

No. 17–9544. *REED v. FORD, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 17–9545. *STEIN v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 237 So. 3d 919.

No. 17–9546. *RALEIGH v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 239 So. 3d 1185.

No. 17–9547. *CAUKIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 17–9548. *WILLACY v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 238 So. 3d 100.

No. 17–9550. *TORRES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 17–9551. *MCCLURE v. OREGON BOARD OF PAROLE AND POST-PRISON SUPERVISION*. Ct. App. Ore. Certiorari denied. Reported below: 288 Ore. App. 702, 406 P. 3d 241.

No. 17–9552. *MORRIS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 236 So. 3d 324.

No. 17–9553. *MERRIWEATHER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 498.

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No. 17–9554. *NELSON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 235 So. 3d 308.

No. 17–9555. *MELTON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 236 So. 3d 234.

No. 17–9557. *OROZCO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 504.

No. 17–9558. *AVALOS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 17–9561. *POLK v. HILL, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 700 Fed. Appx. 688.

No. 17–9562. *TAYLOR v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 342 Ga. App. 814, 805 S. E. 2d 131.

No. 17–9563. *INGRAM v. DIAZ, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied.

No. 17–9564. *JACKSON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 237 So. 3d 905.

No. 17–9565. *CHATMAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17–9566. *PINKNEY v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 876 F. 3d 1290.

No. 17–9567. *BROWN v. DEL NORTE COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 17–9569. *BRADFIELD v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 698 Fed. Appx. 838.

No. 17–9570. *DAVIS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 235 So. 3d 295.

No. 17–9571. *CUEVAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 436.

No. 17–9573. *HODGES v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 236 So. 3d 241.

No. 17–9574. *FLOWERS v. MINNESOTA*. Sup. Ct. Minn. Certiorari denied. Reported below: 907 N. W. 2d 901.

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No. 17–9575. *GONZALEZ v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 240 So. 3d 629.

No. 17–9576. *PELLUM v. FISHER ET AL.* Ct. Sp. App. Md. Certiorari denied. Reported below: 233 Md. App. 755 and 762.

No. 17–9577. *McKINNEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 827.

No. 17–9578. *McCLINTON v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 2018 Ark. 116, 542 S. W. 3d 859.

No. 17–9579. *RUSSELL v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied. Reported below: 299 Neb. 483, 908 N. W. 2d 669.

No. 17–9580. *JOHNSON v. FLORIDA*. C. A. 11th Cir. Certiorari denied.

No. 17–9581. *VELO-CANO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 352.

No. 17–9582. *CORKER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17–9583. *WINTERS v. CINCINNATI INSURANCE CO.* Ct. App. Utah. Certiorari denied.

No. 17–9584. *SHAMAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 17–9585. *HATCHER v. VANNOY, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 17–9586. *ZENQUIS v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 17–9587. *GAMBLE v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 235 So. 3d 288.

No. 17–9588. *FINNEY v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 235 So. 3d 279.

No. 17–9590. *FOX v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 17–9591. *HARDY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

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No. 17-9592. MARTINEZ-HERNANDEZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 358.

No. 17-9593. KNOX *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 883 F. 3d 1262.

No. 17-9594. KRASKEY *v.* GROSCHE. Ct. App. Minn. Certiorari denied.

No. 17-9595. SHARNESE *v.* LOPEZ ET AL. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 18-1. C. G. *v.* DEBORAH HEART AND LUNG CENTER ET AL. Super. Ct. N. J., App. Div. Certiorari denied.

No. 18-3. OHLENDORF ET AL. *v.* LOCAL 876, UNITED FOOD & COMMERCIAL WORKERS INTERNATIONAL UNION. C. A. 6th Cir. Certiorari denied. Reported below: 883 F. 3d 636.

No. 18-4. GIANCARLO ET AL. *v.* UBS FINANCIAL SERVICES, INC., ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 725 Fed. Appx. 278.

No. 18-5. RILEY *v.* OHIO. Ct. App. Ohio, 4th App. Dist., Washington County. Certiorari denied. Reported below: 2017-Ohio-5819.

No. 18-6. MCNEIL *v.* MARSH ET AL. Ct. Civ. App. Okla. Certiorari denied.

No. 18-9. WASHINGTON *v.* AZAR, SECRETARY OF HEALTH AND HUMAN SERVICES. C. A. 4th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 279.

No. 18-10. ANDERSON ET UX. *v.* RAINSDON, CHAPTER 7 TRUSTEE. C. A. 9th Cir. Certiorari denied.

No. 18-11. KAN-DI-KI, LLC, DBA DIAGNOSTIC LABORATORIES *v.* SORENSEN ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 432.

No. 18-13. FRANCISCO MALDONADO *v.* TEXAS. Ct. App. Tex., 13th Dist. Certiorari denied.

No. 18-19. REPUBLIC OF KOREA'S DEFENSE ACQUISITION PROGRAM ADMINISTRATION ET AL. *v.* BAE SYSTEMS SOLUTION &

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SERVICES, INC. C. A. 4th Cir. Certiorari denied. Reported below: 884 F. 3d 463.

No. 18–20. *BANGIYEV v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 116.

No. 18–21. *ALLERGAN SALES, LLC v. SANDOZ, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 717 Fed. Appx. 991.

No. 18–22. *YOUNG SUNG LEE ET AL. v. GARVEY*. C. A. 2d Cir. Certiorari denied. Reported below: 718 Fed. Appx. 11.

No. 18–23. *STOLZ, DBA ROYCE INTERNATIONAL BROADCASTING Co. v. FEDERAL COMMUNICATIONS COMMISSION*. C. A. D. C. Cir. Certiorari denied. Reported below: 882 F. 3d 234.

No. 18–24. *HYLAND v. LIBERTY MUTUAL FIRE INSURANCE Co.* C. A. 7th Cir. Certiorari denied. Reported below: 885 F. 3d 482.

No. 18–25. *MANDEL v. THRASHER ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 186.

No. 18–26. *SCHAFLER v. MERRILL LYNCH, PIERCE, FENNER & SMITH INC.* C. A. 2d Cir. Certiorari denied. Reported below: 707 Fed. Appx. 751.

No. 18–27. *ESTATE OF JACKSON ET AL. v. SCHRON*. C. A. 11th Cir. Certiorari denied. Reported below: 873 F. 3d 1325.

No. 18–28. *BALDING v. SUNBELT STEEL TEXAS, INC., ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 718 Fed. Appx. 742.

No. 18–30. *BYRD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 697 Fed. Appx. 431.

No. 18–31. *BECK v. NATIONSTAR MORTGAGE, LLC, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 700 Fed. Appx. 691.

No. 18–32. *PHILADELPHIA TAXI ASSN., INC., ET AL. v. UBER TECHNOLOGIES, INC.* C. A. 3d Cir. Certiorari denied. Reported below: 886 F. 3d 332.

No. 18–33. *SUBWAY SANDWICH SHOPS, INC. v. RAHMANY ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 752.

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No. 18–34. *SAN MARTIN v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 237 So. 3d 930.

No. 18–38. *ERWIN v. DEPARTMENT OF THE ARMY*. C. A. Fed. Cir. Certiorari denied. Reported below: 708 Fed. Appx. 1019.

No. 18–40. *LEGACY COMMUNITY HEALTH SERVICES, INC. v. SMITH, EXECUTIVE COMMISSIONER, TEXAS HEALTH AND HUMAN SERVICES COMMISSION*. C. A. 5th Cir. Certiorari denied. Reported below: 881 F. 3d 358.

No. 18–41. *BAPTISTE v. GRAY*. Sup. Ct. Fla. Certiorari denied.

No. 18–43. *LOOR v. BAILEY ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 992.

No. 18–44. *KWOK ET AL. v. MINGO ENERGY, LLC*. Ct. Civ. App. Okla. Certiorari denied. Reported below: 2018 OK CIV APP 33, 417 P. 3d 393.

No. 18–45. *WHITEHEAD v. NETFLIX ET AL.* C. A. 5th Cir. Certiorari denied.

No. 18–46. *CITY OF MIDDLETOWN, CONNECTICUT, ET AL. v. MCKINNEY*. C. A. 2d Cir. Certiorari denied. Reported below: 712 Fed. Appx. 97.

No. 18–47. *MCCLARY ET AL. v. COMMODORES ENTERTAINMENT CORP.* C. A. 11th Cir. Certiorari denied. Reported below: 879 F. 3d 1114.

No. 18–49. *PLUMB ET AL. v. U.S. BANK N. A. ET AL.* Ct. App. Wash. Certiorari denied. Reported below: 1 Wash. App. 2d 1045.

No. 18–51. *FRANCIS ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 8th Cir. Certiorari denied.

No. 18–52. *LEITNER-WISE v. LWRC INTERNATIONAL, LLC, ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 711 Fed. Appx. 646.

No. 18–53. *DILLARD v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 884 F. 3d 758.

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No. 18–54. *DABBS v. ANNE ARUNDEL COUNTY, MARYLAND*. Ct. App. Md. Certiorari denied. Reported below: 458 Md. 331, 182 A. 3d 798.

No. 18–55. *DIGITAL ALLY, INC. v. TASER INTERNATIONAL, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 720 Fed. Appx. 1023.

No. 18–57. *VALLEJOS v. LOVELACE MEDICAL CENTER ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 696 Fed. Appx. 923.

No. 18–58. *PRICE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 241.

No. 18–59. *PINEIRO PEREZ ET AL. v. BP, P. L. C., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 360.

No. 18–60. *GUNN v. NORTH DAKOTA*. Sup. Ct. N. D. Certiorari denied. Reported below: 2018 ND 95, 909 N. W. 2d 701.

No. 18–62. *COLBRY ET AL. v. VON PIER, DIRECTOR, NEW JERSEY DIVISION OF CHILD PROTECTION AND PERMANENCY, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–63. *BRIGGS v. SONY PICTURES ENTERTAINMENT, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 712.

No. 18–65. *ARONSTEIN ET AL. v. THOMPSON CREEK METALS CO., INC., ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 711 Fed. Appx. 489.

No. 18–66. *ROSS v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 18–68. *CONFORTO v. SPENCER, SECRETARY OF THE NAVY, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 669.

No. 18–69. *YAN PING XU v. CITY OF NEW YORK, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 700 Fed. Appx. 62.

No. 18–70. *COSBY v. DICKINSON*. Ct. App. Cal., 2d App. Dist., Div. 8. Certiorari denied. Reported below: 17 Cal. App. 5th 655, 225 Cal. Rptr. 3d 430.

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No. 18–71. *CANETE v. BARNABAS HEALTH SYSTEM ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 718 Fed. Appx. 168.

No. 18–72. *DRK PHOTO v. JOHN WILEY & SONS, INC.* C. A. 2d Cir. Certiorari denied. Reported below: 882 F. 3d 394.

No. 18–74. *ZOVKO ET AL. v. NATIONAL CREDIT UNION ADMINISTRATION BOARD.* C. A. 6th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 567.

No. 18–75. *JIAN LONG DONG, AKA JIAN RONG DONG v. SESSIONS, ATTORNEY GENERAL.* C. A. 2d Cir. Certiorari denied.

No. 18–76. *GEORGE ET AL. v. HARGETT, TENNESSEE SECRETARY OF STATE, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 879 F. 3d 711.

No. 18–79. *KLEIN ET AL. v. O'BRIEN ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 884 F. 3d 754.

No. 18–80. *MELVIN v. O'ROURKE, SECRETARY OF VETERANS AFFAIRS.* C. A. Fed. Cir. Certiorari denied. Reported below: 714 Fed. Appx. 1002.

No. 18–82. *COTMAN ET AL. v. GEORGIA.* Ct. App. Ga. Certiorari denied. Reported below: 342 Ga. App. 569, 804 S. E. 2d 672.

No. 18–83. *BUSCH ET AL. v. NAPPIER ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 571.

No. 18–85. *STUART v. RYAN ET AL.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 232 So. 3d 418.

No. 18–87. *SAMSON, TRUSTEE FOR THE HEIRS AND NEXT OF KIN OF SAMSON, DECEASED v. GORDON ET AL.* Ct. App. Minn. Certiorari denied.

No. 18–90. *COLONIAL SCHOOL DISTRICT v. RENA C.* C. A. 3d Cir. Certiorari denied. Reported below: 890 F. 3d 404.

No. 18–91. *PIZZINO v. NCL (BAHAMAS) LTD., DBA NORWEGIAN CRUISE LINE.* C. A. 11th Cir. Certiorari denied. Reported below: 709 Fed. Appx. 563.

No. 18–92. *PERRY v. KRIEGMAN.* C. A. 9th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 922.

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No. 18–94. *THOMAS v. DELMARVA POWER & LIGHT CO.* C. A. 4th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 301.

No. 18–95. *WENTZELL ET AL. v. BP AMERICA, INC., ET AL.* C. A. 5th Cir. Certiorari denied.

No. 18–100. *DRANE v. SELLERS, WARDEN.* Sup. Ct. Ga. Certiorari denied.

No. 18–101. *EVERS v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 322.

No. 18–102. *WHITE ET AL. v. FOSTER ET AL.* Sup. Ct. N. H. Certiorari denied.

No. 18–103. *VAN v. LANGUAGE LINE LLC ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 349.

No. 18–104. *TUERK v. DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA.* Sup. Ct. Pa. Certiorari denied.

No. 18–105. *SABENIANO v. CITIBANK, N. A., ET AL.* C. A. 2d Cir. Certiorari denied.

No. 18–111. *BARRETT v. MINOR.* Sup. Ct. Va. Certiorari denied.

No. 18–117. *GRIMM v. MARYLAND.* Ct. App. Md. Certiorari denied. Reported below: 458 Md. 602, 183 A. 3d 167.

No. 18–120. *HERNANDEZ v. BAILEY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 298.

No. 18–126. *GRIMSTAD v. DESCHUTES COUNTY, OREGON, ET AL.* Sup. Ct. Ore. Certiorari denied.

No. 18–130. *KARR v. INDIANA.* Ct. App. Ind. Certiorari denied. Reported below: 96 N. E. 3d 126.

No. 18–131. *LYNDON v. SECURITIES AND EXCHANGE COMMISSION.* C. A. 9th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 816.

No. 18–133. *MOORE v. BRAMWELL ET AL.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied.

No. 18–134. *PERKINS v. US AIRWAYS, INC., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 709 Fed. Appx. 188.

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No. 18–135. *NEW PRODUCTS CORP. v. TIBBLE ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 379.

No. 18–137. *HUNTER v. DISTRICT OF COLUMBIA.* Ct. App. D. C. Certiorari denied. Reported below: 185 A. 3d 715.

No. 18–139. *FREEMAN v. NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES.* Sup. Ct. N. C. Certiorari denied. Reported below: 370 N. C. 690, 811 S. E. 2d 597.

No. 18–141. *BARONI v. CIT BANK N. A., FKA ONEWEST BANK FSB ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 773.

No. 18–143. *BART v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 888 F. 3d 374.

No. 18–144. *BARANSKI v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 880 F. 3d 951.

No. 18–145. *ALSTON v. SOUTH CAROLINA.* Sup. Ct. S. C. Certiorari denied. Reported below: 422 S. C. 270, 811 S. E. 2d 747.

No. 18–146. *MARCOSKI v. RATH.* C. A. 11th Cir. Certiorari denied. Reported below: 718 Fed. Appx. 910.

No. 18–154. *ROOKS v. BREWER, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 18–155. *BRADY v. ASSOCIATED PRESS TELECOM ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 714 Fed. Appx. 62.

No. 18–159. *CLACK v. UNITED SERVICES AUTOMOBILE ASSN.* C. A. 5th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 356.

No. 18–160. *KINNEY v. UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT.* C. A. 9th Cir. Certiorari denied.

No. 18–163. *TEUFEL v. NORTHERN TRUST CO. ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 887 F. 3d 799.

No. 18–174. *APPLIED UNDERWRITERS CAPTIVE RISK ASSURANCE CO., INC. v. CITIZENS OF HUMANITY, LLC, ET AL.* Sup. Ct.

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Neb. Certiorari denied. Reported below: 299 Neb. 545, 909 N. W. 2d 614.

No. 18–175. *APPLIED UNDERWRITERS, INC., ET AL. v. CITIZENS OF HUMANITY, LLC, ET AL.* Ct. App. Cal., 2d App. Dist., Div. 2. Certiorari denied. Reported below: 17 Cal. App. 5th 806, 226 Cal. Rptr. 3d 1.

No. 18–178. *SGK PROPERTIES, L. L. C., ET AL. v. U. S. BANK N. A. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 881 F. 3d 933.

No. 18–179. *GOODMAN v. FLORIDA.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 229 So. 3d 366.

No. 18–180. *TIRREZ v. COMMISSION FOR LAWYER DISCIPLINE ET AL.* Ct. App. Tex., 3d Dist. Certiorari denied.

No. 18–186. *SILVA-RAMIREZ v. HOSPITAL ESPANOL AUXILIO MUTUO DE PUERTO RICO, INC., ET AL.* C. A. 1st Cir. Certiorari denied.

No. 18–189. *SMARTFLASH LLC v. SAMSUNG ELECTRONICS AMERICA, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 718 Fed. Appx. 985.

No. 18–190. *QUEEN’S UNIVERSITY AT KINGSTON v. SAMSUNG ELECTRONICS Co., LTD., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 708 Fed. Appx. 680.

No. 18–191. *CASSIDY v. MASSACHUSETTS.* Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 479 Mass. 527, 96 N. E. 3d 691.

No. 18–193. *CANNICI v. VILLAGE OF MELROSE PARK, ILLINOIS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 885 F. 3d 476.

No. 18–196. *SUPENO ET AL. v. SECRETARY, VERMONT AGENCY OF NATURAL RESOURCES.* Sup. Ct. Vt. Certiorari denied. Reported below: 2018 VT 30, 207 Vt. 108, 185 A. 3d 1264.

No. 18–199. *LIANG v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 927.

No. 18–202. *HAYNES TIMBERLAND, INC. v. UNITED STATES.* C. A. 1st Cir. Certiorari denied.

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No. 18–208. *NEW PRODUCTS CORP. ET AL. v. DICKINSON WRIGHT, PLLC, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 890 F. 3d 244.

No. 18–216. *PAIXAO ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 885 F. 3d 1203.

No. 18–219. *SEWELL v. FIDELITY NATIONAL FINANCIAL, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 718 Fed. Appx. 212.

No. 18–221. *MOUTON v. ARKANSAS.* Sup. Ct. Ark. Certiorari denied. Reported below: 2018 Ark. 187, 547 S. W. 3d 76.

No. 18–226. *ZAHND v. OFFICE OF CHIEF DISCIPLINARY COUNSEL, SUPREME COURT OF MISSOURI.* Sup. Ct. Mo. Certiorari denied.

No. 18–236. *WEDDLE v. NUTZMAN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 725 Fed. Appx. 596.

No. 18–264. *NEW WORLD INTERNATIONAL, INC., ET AL. v. FORD GLOBAL TECHNOLOGIES, LLC, ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 714 Fed. Appx. 1021.

No. 18–5001. *HANCOCK v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 18–5005. *DAWKINS v. ECKERT, SUPERINTENDENT, WENDE CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 18–5006. *DEUMAN v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 18–5007. *TUA v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied. Reported below: 18 Cal. App. 5th 1136, 228 Cal. Rptr. 3d 143.

No. 18–5009. *DRUMMOND v. SESSIONS, ATTORNEY GENERAL.* C. A. 2d Cir. Certiorari denied.

No. 18–5010. *CHANG v. ANDREWS.* Ct. App. Cal., 1st App. Dist., Div. 5. Certiorari denied.

No. 18–5011. *CARDONA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 709 Fed. Appx. 275.

No. 18–5012. *LIGHTBOURNE v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 235 So. 3d 285.

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No. 18–5013. *LANGLEY v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 716 Fed. Appx. 960.

No. 18–5014. *ALLEN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–5015. *APONTE v. TICE, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SMITHFIELD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–5016. *BROWN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 722.

No. 18–5018. *QUINCE v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 241 So. 3d 58.

No. 18–5019. *SENIW v. CONNECTICUT GENERAL ASSEMBLY ET AL.* C. A. 2d Cir. Certiorari denied.

No. 18–5021. *BROWN v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 235 So. 3d 289.

No. 18–5022. *WATSON, AKA SEUI, ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 881 F. 3d 782.

No. 18–5023. *EDWARDS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 717 Fed. Appx. 166.

No. 18–5024. *DIXON v. LEGRAND, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 679 Fed. Appx. 571.

No. 18–5027. *WRIGHT v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 18–5028. *EDLIND v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 887 F. 3d 166.

No. 18–5029. *BLACK v. TEXAS*. Ct. App. Tex., 4th Dist. Certiorari denied. Reported below: 522 S. W. 3d 2.

No. 18–5031. *WALLACE v. KAUFFMAN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–5032. *VASQUEZ v. CITY OF READING, PENNSYLVANIA, ET AL.* Sup. Ct. Pa. Certiorari denied.

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No. 18–5033. *DAWSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 991.

No. 18–5034. *ANDERSON v. NORTH DAKOTA ET AL.* C. A. 8th Cir. Certiorari denied.

No. 18–5035. *GRAZZINI-RUCKI v. MINNESOTA*. Ct. App. Minn. Certiorari denied.

No. 18–5037. *HAMILTON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 236 So. 3d 276.

No. 18–5040. *SIRECI v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 237 So. 3d 916.

No. 18–5041. *ROBINSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5042. *SLINEY v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 235 So. 3d 310.

No. 18–5043. *ST. AMOUR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 886 F. 3d 1009.

No. 18–5044. *ANGULO RIASCOS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5045. *BROWN v. UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA*. C. A. 3d Cir. Certiorari denied. Reported below: 714 Fed. Appx. 199.

No. 18–5046. *MAGNO ZAMORA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5047. *TUTT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 766.

No. 18–5048. *TAYLOR v. BROWN, SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY*. C. A. 7th Cir. Certiorari denied.

No. 18–5049. *WELLS v. PETERS ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–5050. *WHITNEY v. TRUMP, PRESIDENT OF THE UNITED STATES*. C. A. 8th Cir. Certiorari denied.

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No. 18–5051. *DERRICK v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 236 So. 3d 231.

No. 18–5053. *LOPEZ-MARTINEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 992.

No. 18–5054. *JENNINGS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 237 So. 3d 909.

No. 18–5055. *STEVENS v. VANNOY, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 718 Fed. Appx. 313.

No. 18–5056. *BOUZIDEN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 725 Fed. Appx. 653.

No. 18–5057. *BAGBY v. HYATTE, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 18–5058. *DRAKE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 780.

No. 18–5059. *BEDELL v. JORDAN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–5060. *FOTOPOULOS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 237 So. 3d 911.

No. 18–5061. *HORNE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5062. *HUNTER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–5063. *BYERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 18–5065. *ANTONIO RODRIGUEZ v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 237 So. 3d 918.

No. 18–5066. *RAY v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 18–5067. *STUHR v. WHITE, SUPERINTENDENT, WASHINGTON CORRECTIONS CENTER*. C. A. 9th Cir. Certiorari denied.

No. 18–5068. *TAYLOR v. LAMANNA, ACTING SUPERINTENDENT, BEDFORD HILLS CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

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No. 18–5069. *USCHOCK v. PENNSYLVANIA*. C. A. 3d Cir. Certiorari denied. Reported below: 711 Fed. Appx. 81.

No. 18–5072. *EVANS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 684.

No. 18–5073. *CRUZ-COLOCHO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 381.

No. 18–5074. *MCLEAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 702 Fed. Appx. 81.

No. 18–5075. *OKAFOR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 352.

No. 18–5076. *MELOT v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 5th Cir. Certiorari denied.

No. 18–5077. *MCCOY v. MARYLAND DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 704 Fed. Appx. 286.

No. 18–5078. *PACE v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 237 So. 3d 912.

No. 18–5079. *MICHAUD v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 4 Cal. 5th 790, 415 P. 3d 717.

No. 18–5080. *PITTMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 197.

No. 18–5081. *MORTON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 236 So. 3d 242.

No. 18–5082. *SEDA v. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY*. C. A. 4th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 288.

No. 18–5083. *FULTON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 837 F. 3d 281.

No. 18–5084. *BURNS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 234 So. 3d 555.

No. 18–5085. *WILLIAMS v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 371 N. C. 111, 812 S. E. 2d 852.

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No. 18–5086. *UZZLE v. FLEMING, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 611.

No. 18–5087. *WILSON v. PARAMO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 18–5088. *JOHNSON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 236 So. 3d 232.

No. 18–5089. *BEAMON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 221.

No. 18–5091. *FOSTER v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 235 So. 3d 294.

No. 18–5093. *CATERBONE v. TRUMP, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–5094. *SHERRY v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 18–5095. *DAVIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 318.

No. 18–5096. *TIBBETTS v. KASICH, GOVERNOR OF OHIO, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 881 F. 3d 447.

No. 18–5097. *TORRES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 379.

No. 18–5098. *WILLIAMS v. CURTIN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–5099. *WILLIAMS v. LOS ANGELES COUNTY DEPARTMENT OF PUBLIC SOCIAL SERVICES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 353.

No. 18–5100. *RAHIM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 428.

No. 18–5102. *ROBINSON v. SHAW, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 18–5103. *RIEBER v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 265 So. 3d 318.

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No. 18–5104. *REED v. GARMAN*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW, ET AL. Sup. Ct. Pa. Certiorari denied.

No. 18–5106. *STEWART v. HOLDER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 120.

No. 18–5107. *QUINN v. UNITED STATES.* C. A. 7th Cir. Certiorari denied.

No. 18–5108. *DAVILA-REYES v. UNITED STATES.* C. A. 1st Cir. Certiorari denied.

No. 18–5109. *RANKINS v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2017 IL App (1st) 162145–U.

No. 18–5110. *SPRAGGINS v. WASHBURN, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 18–5111. *GREGORY v. UNITED STATES.* C. A. 3d Cir. Certiorari denied.

No. 18–5112. *ROBINSON v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 405.

No. 18–5113. *HESTER v. SPRAYBERRY.* C. A. 11th Cir. Certiorari denied.

No. 18–5114. *FAISON v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 704 Fed. Appx. 252.

No. 18–5115. *HAYWARD v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 706 Fed. Appx. 646.

No. 18–5116. *GIBBS v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 690 Fed. Appx. 130.

No. 18–5117. *FRAZIER v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 698 Fed. Appx. 80.

No. 18–5119. *KING v. KING.* Ct. Sp. App. Md. Certiorari denied.

No. 18–5120. *NELSON v. BERRYHILL*, ACTING COMMISSIONER OF SOCIAL SECURITY. C. A. 1st Cir. Certiorari denied.

No. 18–5122. *OVERTON v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 236 So. 3d 238.

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No. 18–5123. *PARKER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 289.

No. 18–5124. *PIETRI v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 236 So. 3d 235.

No. 18–5125. *FOSTER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 709 Fed. Appx. 220.

No. 18–5126. *HAMILTON v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 18–5127. *BLACK v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied.

No. 18–5129. *TREJO v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 396.

No. 18–5130. *WATFORD v. FOSSUM ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 719 Fed. Appx. 24.

No. 18–5131. *TU MY TONG v. NEW MEXICO ET AL.* Ct. App. N. M. Certiorari denied.

No. 18–5133. *HOPSON v. STARK COUNTY, OHIO, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 18–5134. *FOWLKES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–5136. *ILLARRAMENDI v. SECURITIES AND EXCHANGE COMMISSION ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 703 Fed. Appx. 39.

No. 18–5138. *PENNINGTON v. ARKANSAS GAME AND FISH COMMISSION*. C. A. 8th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 609.

No. 18–5139. *RUNNELS v. BORDELON, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 409.

No. 18–5140. *M. P. F. v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 268 So. 3d 626.

No. 18–5141. *FREDERIKSEN v. TEXAS*. Ct. App. Tex., 3d Dist. Certiorari denied.

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No. 18–5142. *HEXIMER v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied.

No. 18–5143. *GRAHAM v. HAINSWORTH, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SOMERSET, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–5144. *GUTIERREZ-JARAMILLO v. WARDEN, FEDERAL CORRECTIONAL INSTITUTION, GILMER*. C. A. 4th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 311.

No. 18–5145. *BENNETT v. WOLFE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 146.

No. 18–5146. *TOGHILL v. CLARKE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 877 F. 3d 547.

No. 18–5148. *BLALOCK v. OHIO*. Ct. App. Ohio, 8th App. Dist., Cuyahoga County. Certiorari denied. Reported below: 2017-Ohio-2658.

No. 18–5149. *CUBERO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5150. *CORREA-DIAZ v. SESSIONS, ATTORNEY GENERAL*. C. A. 7th Cir. Certiorari denied. Reported below: 881 F. 3d 523.

No. 18–5151. *YAHNKE v. NORTH DAKOTA*. Sup. Ct. N. D. Certiorari denied. Reported below: 2018 ND 66, 908 N. W. 2d 134.

No. 18–5152. *HOWARD v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 729 Fed. Appx. 181.

No. 18–5153. *KNIFFLEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 406.

No. 18–5154. *RAY v. JEFFERSON ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 885.

No. 18–5155. *QAZI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–5156. *BATTIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 967.

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No. 18–5158. *BROWN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5159. *GOLDEN v. CALDWELL, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 18–5161. *WADDLETON v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 18–5162. *WELLS v. POTTER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–5163. *THIER v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 241 So. 3d 851.

No. 18–5165. *WILSON v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 18–5166. *TAYLOR v. CLARK, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ALBION, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–5167. *BROWN v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 3. Certiorari denied.

No. 18–5169. *DAVIDSON v. FEDERAL BUREAU OF PRISONS*. C. A. 6th Cir. Certiorari denied.

No. 18–5170. *KHAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 236.

No. 18–5171. *LOPEZ-MENDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 507.

No. 18–5172. *MARQUEZ v. FILSON, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 924.

No. 18–5173. *MEDINA GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 887 F. 3d 205.

No. 18–5174. *GRIFFIN v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 236 So. 3d 237.

No. 18–5177. *MAJORS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 434.

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No. 18–5178. *BALTIMORE v. BUCK*. Sup. Ct. Ala. Certiorari denied.

No. 18–5179. *JOHNSON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 240 So. 3d 630.

No. 18–5180. *WEN LIU v. UNIVERSITY OF MIAMI SCHOOL OF MEDICINE*. C. A. 11th Cir. Certiorari denied. Reported below: 693 Fed. Appx. 793.

No. 18–5183. *HOLMES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–5185. *ZIVOT v. SUPERIOR COURT OF CALIFORNIA, CONTRA COSTA COUNTY, ET AL.* Ct. App. Cal., 1st App. Dist., Div. 3. Certiorari denied.

No. 18–5186. *THERESA v. IANCU, DIRECTOR, UNITED STATES PATENT AND TRADEMARK OFFICE*. C. A. Fed. Cir. Certiorari denied. Reported below: 720 Fed. Appx. 634.

No. 18–5187. *TAVARES v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 18–5188. *WILKS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 718 Fed. Appx. 300.

No. 18–5189. *GREEN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 718 Fed. Appx. 141.

No. 18–5192. *McLAUGHLIN v. OHIO DEPARTMENT OF JOB & FAMILY SERVICES*. Ct. App. Ohio, 10th App. Dist., Franklin County. Certiorari denied.

No. 18–5193. *BROWN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 18–5194. *BRANK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 527.

No. 18–5195. *ALVAREZ v. SPEARMAN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 18–5196. *CORBIN v. FEDERAL EXPRESS, DBA FEDEX*. C. A. 4th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 319.

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No. 18–5197. *DIXIT v. DIXIT*. Ct. App. Ga. Certiorari denied.

No. 18–5198. *JONES v. GRAND CANYON UNIVERSITY ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 703 Fed. Appx. 612.

No. 18–5199. *LEWIS v. HADARI*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 18–5200. *KRUSKAL v. MELTZER ET AL.* Ct. App. N. M. Certiorari denied.

No. 18–5201. *LOWE v. VANNOY, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 18–5202. *KNOWLES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5203. *MUJAHID v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 297.

No. 18–5204. *LUIS MORALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 839.

No. 18–5205. *LITTLES v. ROUNDTREE*. Sup. Ct. Fla. Certiorari denied.

No. 18–5206. *OATMAN v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 18–5207. *MONTOYA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–5210. *ESPINOZA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 267.

No. 18–5211. *TAYLOR B. v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 3. Certiorari denied.

No. 18–5212. *BLANC v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 886 F. 3d 1318.

No. 18–5214. *MCGINLEY v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 174 A. 3d 47.

No. 18–5215. *CONTRERAS MEJIA v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

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No. 18–5216. *MARTIN v. McLAUGHLIN, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 18–5218. *ROBERTSON v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 2016–1742 (La. 4/6/18), 239 So. 3d 268.

No. 18–5219. *CAMPBELL v. MENDEZ ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 683 Fed. Appx. 575.

No. 18–5220. *LIBBY v. BAKER, WARDEN, ET AL.* Sup. Ct. Nev. Certiorari denied. Reported below: 134 Nev. 973, 409 P. 3d 889.

No. 18–5221. *GUIZAMANO-CORTES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 984.

No. 18–5224. *COSTELON v. NEW MEXICO*. C. A. 10th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 696.

No. 18–5225. *SAVAGE, AKA KAMARA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 885 F. 3d 212.

No. 18–5226. *LUGO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 18–5227. *HARRIS v. ESTES, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–5229. *NEUMAN v. NOOTH*. C. A. 9th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 613.

No. 18–5231. *ODOM v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 18–5233. *ALEJANDRO RADILLO ET AL. v. NDOH, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 918.

No. 18–5235. *THOMAS v. CHANDRAN*. C. A. 4th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 263.

No. 18–5237. *BLAND v. GELLMAN, BRYDGES & SCHROFF, ET AL.* App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 151 App. Div. 3d 1484, 58 N. Y. S. 3d 225.

No. 18–5238. *WRIGHT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 235.

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No. 18–5239. *TERRELL v. OHIO*. Ct. App. Ohio, 8th App. Dist., Cuyahoga County. Certiorari denied. Reported below: 2016-Ohio-4563.

No. 18–5240. *WARD v. CARTER, COMMISSIONER, INDIANA DEPARTMENT OF CORRECTION, ET AL.* Sup. Ct. Ind. Certiorari denied. Reported below: 90 N. E. 3d 660.

No. 18–5241. *MATURINO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 887 F. 3d 716.

No. 18–5242. *MARTIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 353.

No. 18–5243. *JACOB v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 18–5244. *JENSEN v. MADDEN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 18–5245. *RIOS-RAMOS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 18–5246. *RIVERS v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 18–5247. *MCCRAY v. BURT, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–5248. *PAYNE, AKA POWER v. PUBLISHERS CLEARING HOUSE, INC., ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–5249. *THOMAS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 700.

No. 18–5250. *MARINO v. DEPARTMENT OF JUSTICE ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 18–5253. *DECIANCIO v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 333.

No. 18–5254. *YOUNG v. OREGON DEPARTMENT OF CORRECTIONS ET AL.* Ct. App. Ore. Certiorari denied. Reported below: 288 Ore. App. 853, 406 P. 3d 619.

No. 18–5255. *GIBSON v. WETZEL, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 718 Fed. Appx. 126.

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No. 18–5256. *MORAGNE-EL v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 179 A. 3d 613.

No. 18–5257. *MELVIN v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 240 So. 3d 677.

No. 18–5258. *MILLER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 18–5259. *NOWLIN v. SHANNON ET AL.* C. A. 5th Cir. Certiorari denied.

No. 18–5260. *MCGLOCKLIN v. BLANKENSHIP ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–5261. *PATTERSON v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 2. Certiorari denied.

No. 18–5264. *JENKINS ET AL. v. WMC MORTGAGE ET AL.* Ct. App. D. C. Certiorari denied. Reported below: 184 A. 3d 851.

No. 18–5266. *FERGUSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 745.

No. 18–5267. *WATERS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 883 F. 3d 1022.

No. 18–5269. *ST. HUBERT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 883 F. 3d 1319.

No. 18–5270. *DEEM v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 18–5272. *BEN-ARI v. UNITED STATES*; and *BEN-ARI v. UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA*. C. A. 11th Cir. Certiorari denied.

No. 18–5273. *WILSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 209.

No. 18–5274. *VEGA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 905.

No. 18–5275. *COUNTS v. WILSON, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 699 Fed. Appx. 779.

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No. 18–5276. *CLARK v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 18–5278. *COLLINGS v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 543 S. W. 3d 1.

No. 18–5279. *HAYHOE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 179.

No. 18–5280. *LANIER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 879 F. 3d 141.

No. 18–5281. *MOSLEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 267.

No. 18–5282. *MOSS v. WORKERS’ COMPENSATION APPEALS BOARD ET AL.* Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 18–5283. *MCGOWAN v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied.

No. 18–5284. *SMALL v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied.

No. 18–5286. *SULEITOPA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 233.

No. 18–5287. *SALAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5290. *LONG v. ROBINSON, ADMINISTRATOR, NORTHERN STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–5291. *BALLARD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 757.

No. 18–5292. *ANGELES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 725 Fed. Appx. 624.

No. 18–5293. *AUTOBEE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 701 Fed. Appx. 710.

No. 18–5294. *PRIDGEN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 171.

No. 18–5295. *PEDRAZA v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 18–5297. *ROBINSON v. VANNOY, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 18–5299. *SMITH v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 257 N. C. App. 389, 808 S. E. 2d 621.

No. 18–5300. *ROBINSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 227.

No. 18–5301. *CLAY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 883 F. 3d 1056.

No. 18–5302. *DIXON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 334.

No. 18–5304. *SANCHEZ LOPEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 445.

No. 18–5305. *JOHNSON v. COPENHAVER, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 883 F. 3d 756.

No. 18–5307. *HULEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 879 F. 3d 1015.

No. 18–5308. *HARRIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 873.

No. 18–5309. *McLAIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 171.

No. 18–5310. *RHODES v. BAKER, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 947.

No. 18–5311. *REID v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 732 Fed. Appx. 14.

No. 18–5312. *ROWE v. CLARK, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ALBION, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–5315. *CHAMBERS v. GREEN TREE SERVICING, L. L. C., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 439.

No. 18–5316. *VAUGHAN v. VAUGHAN ET AL.* Ct. App. N. C. Certiorari denied. Reported below: 256 N. C. App. 398, 806 S. E. 2d 80.

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No. 18–5317. *VILLANUEVA-CARDENAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 205.

No. 18–5318. *TERRY v. STONEBREAKER, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 236.

No. 18–5319. *TOLBERT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 725 Fed. Appx. 319.

No. 18–5320. *MACDONALD v. SINGER ET AL.* Ct. App. Cal., 2d App. Dist., Div. 3. Certiorari denied.

No. 18–5324. *LAOUTARIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 215.

No. 18–5325. *LASHER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 18–5326. *LLOYD v. MOATS ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 490.

No. 18–5327. *MAKDESSI v. FIELDS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 148.

No. 18–5328. *ANDERSON v. LARSEN*. Sup. Ct. Wash. Certiorari denied. Reported below: 190 Wash. 2d 1013, 415 P. 3d 1189.

No. 18–5329. *LOCKHART v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 743.

No. 18–5330. *KOKAL v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied.

No. 18–5332. *KEMP v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 368.

No. 18–5333. *CARMELL v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 295.

No. 18–5334. *CRAWFORD v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–5335. *MIN KWON v. ERIE INSURANCE*. Sup. Ct. Va. Certiorari denied.

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No. 18–5336. *LOTT v. WARREN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–5337. *JOHNSON v. JOHNSON, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–5338. *KING v. ERDOS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–5339. *JAMES v. SNYDER, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 789.

No. 18–5340. *WILSON v. FEDERAL CORRECTIONAL INSTITUTION AT CUMBERLAND ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 199.

No. 18–5341. *WILSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 18–5342. *WILSON v. DELTA AIRLINES ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 731 Fed. Appx. 90.

No. 18–5343. *WILSON v. MCKEESPORT POLICE DEPARTMENT ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 731 Fed. Appx. 92.

No. 18–5344. *WILSON v. UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 731 Fed. Appx. 94.

No. 18–5345. *WILSON v. UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 731 Fed. Appx. 95.

No. 18–5346. *WILSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 18–5347. *COSTIC v. ILLINOIS*. App. Ct. Ill., 3d Dist. Certiorari denied. Reported below: 2017 IL App (3d) 140218–U.

No. 18–5348. *CLACK v. KENTUCKY*. Ct. App. Ky. Certiorari denied.

No. 18–5349. *YOUNG v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 803.

No. 18–5350. *CRIDER v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 18–5351. *BORHAN v. LIZARRAGA, WARDEN*. C. A. 9th Cir. Certiorari denied.

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No. 18–5353. *BERRY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 732 Fed. Appx. 127.

No. 18–5354. *BARWICK v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 237 So. 3d 927.

No. 18–5355. *SANDERS v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 18–5356. *CIRIA v. CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 18–5358. *REYNOLDS v. STEWART, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 18–5360. *CLINTON v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 153 Ohio St. 3d 422, 2017-Ohio-9423, 108 N. E. 3d 1.

No. 18–5361. *SAYED v. TRANI, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 691.

No. 18–5362. *QAZI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 691.

No. 18–5363. *RENDON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 712.

No. 18–5364. *AUSTIN v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 760.

No. 18–5365. *BRUNO v. CITY OF SCHENECTADY, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 727 Fed. Appx. 717.

No. 18–5366. *MARTIN v. TRIERWEILER, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 443.

No. 18–5367. *JONES v. SCHWARZENEGGER, FORMER GOVERNOR OF CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 523.

No. 18–5368. *WERDENE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 883 F. 3d 204.

No. 18–5369. *TAAL v. ST. MARY’S BANK ET AL.* C. A. 1st Cir. Certiorari denied.

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No. 18–5370. *JURESIC v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 18–5371. *ELLIS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2018 IL App (1st) 140613–U.

No. 18–5372. *BAGWELL v. SOUTHERN NATIONAL ASSETS, LLC*. Ct. App. Ga. Certiorari denied. Reported below: 341 Ga. App. XXIII.

No. 18–5373. *SYKES v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 885 F. 3d 488.

No. 18–5374. *HYMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 884 F. 3d 496.

No. 18–5375. *HENRIQUEZ v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 4 Cal. 5th 1, 406 P. 3d 748.

No. 18–5377. *HUTCHINSON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 243 So. 3d 880.

No. 18–5378. *CHAVEZ-GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 708.

No. 18–5379. *FREEMAN v. DIAZ, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 705 Fed. Appx. 513.

No. 18–5380. *LOPEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 890 F. 3d 332.

No. 18–5382. *FIEDLER v. BRINDLEY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 396.

No. 18–5383. *SHUMAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5385. *BELL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 217.

No. 18–5386. *ALEXANDER, AKA KEENAN v. NEW JERSEY*. Sup. Ct. N. J. Certiorari denied. Reported below: 233 N. J. 132, 183 A. 3d 903.

No. 18–5388. *ROBERTS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 881 F. 3d 1049.

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No. 18–5389. *RODGERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 718 Fed. Appx. 217.

No. 18–5390. *RAYYAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 885 F. 3d 436.

No. 18–5392. *CARTER v. BLACKMON, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 268.

No. 18–5394. *PEEBLES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 883 F. 3d 1062.

No. 18–5396. *McMILLAN v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 358 So. 3d 1154.

No. 18–5397. *PARRA-RAMOS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 403.

No. 18–5404. *COOPER v. COURT OF APPEAL OF CALIFORNIA, FIRST APPELLATE DISTRICT, ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 18–5405. *PIMENTEL-SOTO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 99.

No. 18–5406. *McDANIEL v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 176 A. 3d 175.

No. 18–5407. *MITROVIC v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 890 F. 3d 1217.

No. 18–5408. *SERNA v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 18–5414. *DEICHERT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 18–5416. *HAMMOND v. OHIO*. Ct. App. Ohio, 8th App. Dist., Cuyahoga County. Certiorari denied. Reported below: 2017-Ohio-8574, 99 N. E. 3d 1262.

No. 18–5419. *GRIFFIN v. DiNAPOLI*. C. A. 2d Cir. Certiorari denied.

No. 18–5421. *GAINES v. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY*. C. A. 4th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 289.

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No. 18–5423. *SEUNGJIN KIM v. UNITED STATES CUSTOMS AND BORDER PROTECTION*. C. A. D. C. Cir. Certiorari denied. Reported below: 729 Fed. Appx. 10.

No. 18–5426. *RIVERO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 889 F. 3d 618.

No. 18–5427. *SAINT LOUIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 889 F. 3d 145.

No. 18–5430. *BENNETT ET UX. v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 577.

No. 18–5431. *MORRIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 885 F. 3d 405.

No. 18–5433. *ATKINS v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 18–5436. *TAYLOR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 740.

No. 18–5438. *TULIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 889 F. 3d 145.

No. 18–5439. *LONGORIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 874 F. 3d 1278.

No. 18–5444. *BUCHANAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 717.

No. 18–5445. *PYLES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 888 F. 3d 1320.

No. 18–5452. *REID v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA*. C. A. 4th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 281.

No. 18–5456. *KACHINA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 587.

No. 18–5458. *TAYLOR v. VANNOY, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 418.

No. 18–5461. *HENDERSON v. MINNESOTA*. Sup. Ct. Minn. Certiorari denied.

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No. 18–5462. *SENIOR v. HAYNES*, SUPERINTENDENT, STAFFORD CREEK CORRECTIONS CENTER. C. A. 9th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 882.

No. 18–5466. *WILSON v. OHIO*. Ct. App. Ohio, 2d App. Dist., Montgomery County. Certiorari denied. Reported below: 2017-Ohio-8498.

No. 18–5467. *WYCHE v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 232 So. 3d 1117.

No. 18–5469. *DORTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–5470. *BOHLMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 425.

No. 18–5471. *GABRIEL CONTRERAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 700 Fed. Appx. 669.

No. 18–5473. *CREDICO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 718 Fed. Appx. 116.

No. 18–5474. *GARCIA-HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 250.

No. 18–5480. *LUSTER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–5482. *ZEPEDA-RAMIREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 803.

No. 18–5483. *VANDEMERWE v. LANGFORD*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 18–5484. *WASHINGTON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 18–5488. *JACKSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–5490. *LOWE v. VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 209.

No. 18–5497. *JOHNSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 704.

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No. 18–5500. *REYNOLDS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–5508. *DARBY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 304.

No. 18–5510. *JONES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 18–5511. *TARVIN v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 18–5515. *SALEMI v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5516. *GALBREATH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 310.

No. 18–5519. *TEMPLETON v. AMSBERRY, SUPERINTENDENT, EASTERN OREGON CORRECTIONAL INSTITUTION, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–5520. *SELLERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 309.

No. 18–5521. *ANTONIO RAMOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 329.

No. 18–5522. *RAY v. DIAZ, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied.

No. 18–5524. *ROCHELLE v. VANNOY, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 18–5525. *JOUETTE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 360.

No. 18–5526. *LOUGH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 291.

No. 18–5527. *ALEJANDRO CHAVEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 894 F. 3d 593.

No. 18–5528. *THURMAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 889 F. 3d 356.

No. 18–5532. *RUIZ-HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 890 F. 3d 202.

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No. 18–5533. *SHANNON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 356.

No. 18–5535. *SCHLIEVE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 434.

No. 18–5539. *PELTO v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–5541. *STEPP-ZAFFT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 327.

No. 18–5542. *MAYER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5547. *ESTRADA-CORRALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 409.

No. 18–5550. *LOPEZ-PACHECO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 588.

No. 18–5552. *VEGA-JIMENEZ, AKA HERNANDEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5554. *TROCHE-ALVARADO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 18–5555. *WOMACK v. ADAMS ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–5556. *BARNES v. LANDRY, ATTORNEY GENERAL OF LOUISIANA*. C. A. 5th Cir. Certiorari denied.

No. 18–5559. *EASTER v. AMSBERRY, SUPERINTENDENT, EASTERN OREGON CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 791.

No. 18–5561. *NIEVES-GALARZA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 718 Fed. Appx. 159.

No. 18–5564. *CURRY v. OREGON*. Ct. App. Ore. Certiorari denied. Reported below: 288 Ore. App. 703, 406 P. 3d 242.

No. 18–5565. *EDWARDS v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 175 A. 3d 356.

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No. 18–5576. *ASAR, AKA GIST v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 704 Fed. Appx. 280.

No. 18–5585. *MACKEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 227.

No. 18–5587. *ROSA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 403.

No. 18–5588. *SANCHEZ-JARA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 889 F. 3d 418.

No. 18–5593. *MITCHELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 771.

No. 18–5598. *MOORE v. STEPHAN, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 300.

No. 18–5599. *CHI v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 184.

No. 18–5601. *RAMIREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 377.

No. 18–5604. *FIDEL FLORES v. MONTGOMERY, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 273.

No. 18–5605. *BEYER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 878 F. 3d 610.

No. 18–5606. *DEMIRJIAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 888.

No. 18–5607. *JAMES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 18–5613. *SYKES v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2017 IL App (1st) 150023, 96 N. E. 3d 468.

No. 18–5614. *SANTIAGO v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 744 Fed. Appx. 135.

No. 18–5615. *CHAVIRA-NUNEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 689 Fed. Appx. 896.

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No. 18–5617. *BARTUNEK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–5620. *ZUNIGA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 18–5622. *WALKER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–5624. *VILLA-SARIANA, AKA VILLA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 383.

No. 18–5630. *EURE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 238.

No. 18–5636. *SEARCY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 880 F. 3d 116.

No. 18–5638. *PURNELL v. ST. MARY’S HOSPITAL ET AL.* Ct. App. Cal., 2d App. Dist., Div. 4. Certiorari denied.

No. 18–5640. *LAUX v. ZATECKY, SUPERINTENDENT, PENDLETON CORRECTIONAL FACILITY*. C. A. 7th Cir. Certiorari denied. Reported below: 890 F. 3d 666.

No. 18–5642. *FEJFAR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 621.

No. 18–5646. *MARTIN v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 342 Ga. App. XXVI.

No. 18–5647. *MARES v. ILLINOIS*. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 2018 IL App (2d) 150565, 98 N. E. 3d 554.

No. 18–5651. *SWOOPES v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 732.

No. 18–5653. *BRAVEBULL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 896 F. 3d 897.

No. 18–5654. *DANIELS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5658. *BROWN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 614.

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No. 18–5663. *DALE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 503.

No. 18–5665. *CABRERA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5667. *BROWNE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 751.

No. 18–5673. *SMALLS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 307.

No. 18–5675. *PATE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 228.

No. 18–5678. *PAUL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 885 F. 3d 1099.

No. 18–5679. *O'BRIEN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 738 Fed. Appx. 38.

No. 18–5680. *MCGEE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 346.

No. 18–5682. *ANDERSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 620 Fed. Appx. 365.

No. 18–5684. *VERDUZCO-RANGEL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 884 F. 3d 918.

No. 18–5685. *PATTERSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–5686. *MUNDLE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 700 Fed. Appx. 70.

No. 18–5693. *KAY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 750.

No. 18–5696. *CROFT v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2018 IL App (1st) 150043, 100 N. E. 3d 577.

No. 18–5699. *BOYD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 709 Fed. Appx. 679.

No. 18–5701. *AGUIAR v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

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No. 18–5706. *ISLAS-HERNANDEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 511.

No. 18–5708. *ARNOLD v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied.

No. 18–5709. *ANDERSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–5710. *AMOR v. UNITED STATES EX REL. PENA ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–5715. *SWEENEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 891 F. 3d 232.

No. 18–5717. *SAVANH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 931.

No. 18–5721. *LEVY v. PARRIS, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 960.

No. 18–5725. *THOMAS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 723 Fed. Appx. 60.

No. 18–5729. *DIAZ v. HURWITZ, DIRECTOR, FEDERAL BUREAU OF PRISONS, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 716 Fed. Appx. 98.

No. 18–5731. *COX v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–5732. *LACONTE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5736. *MOSES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 18–5739. *KINCEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5744. *CLARK v. BERRY, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–5745. *MOLINA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5748. *MEEKS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

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No. 18–5751. *BURKE v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 302 Ga. 786, 809 S. E. 2d 765.

No. 18–5752. *CAUSEY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 18–5754. *CAMPILLO RESTREPO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5756. *BLEVINS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–5757. *BERRY v. NICHOLSON, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 18–5759. *CASTELLANOS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 891 F. 3d 359.

No. 18–5766. *JIAN-YUN DONG v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 180.

No. 18–5775. *HOGAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 373.

No. 18–5776. *PLACERES-CRUZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 297.

No. 18–5778. *DEPRIEST v. BONDI, ATTORNEY GENERAL OF FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–5780. *CAPRA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 811.

No. 18–5788. *DUTSCHKE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–5789. *THOMPSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 18–5790. *TEAUPA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–5795. *ANTONIO IBARRA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 336.

No. 18–5822. *KEENE v. ILLINOIS*. App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 2018 IL App (5th) 140553–U.

No. 18–5854. *LAMBRIGHT v. ARIZONA*. Ct. App. Ariz. Certiorari denied. Reported below: 243 Ariz. 244, 404 P. 3d 646.

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No. 17–1353. FORT PECK HOUSING AUTHORITY ET AL. *v.* DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ET AL. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 881 F. 3d 1181.

No. 17–1375. GERAWAN FARMING, INC. *v.* AGRICULTURAL LABOR RELATIONS BOARD. Sup. Ct. Cal. Motion of National Federation of Independent Business Small Business Legal Center et al. for leave to file brief as *amici curiae* granted. Certiorari denied. Reported below: 3 Cal. 5th 1118, 405 P. 3d 1087.

No. 17–1397. SPENCER *v.* ABBOTT ET AL. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 731 Fed. Appx. 731.

No. 17–1438. NOBLE ENERGY, INC. *v.* CONOCOPHILLIPS CO. Sup. Ct. Tex. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 532 S. W. 3d 771.

No. 17–1449. ARIZONA *v.* RUSHING. Sup. Ct. Ariz. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 243 Ariz. 212, 404 P. 3d 240.

No. 17–1478. JONES *v.* LIFE INSURANCE COMPANY OF NORTH AMERICA ET AL. C. A. 9th Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 716 Fed. Appx. 584.

No. 17–1487. COOK ET AL. *v.* HARDING ET AL. C. A. 9th Cir. Motions of Concerned United Birthparents, Inc., et al.; American Association of Pro-Life Obstetricians & Gynecologists et al.; and 10 Feminist Academics and Advocates for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 879 F. 3d 1035.

No. 17–1592. MAKAH INDIAN TRIBE *v.* QUILEUTE INDIAN TRIBE ET AL. C. A. 9th Cir. Motion of United Catcher Boats for leave to file brief as *amicus curiae* granted. Certiorari denied. Reported below: 873 F. 3d 1157.

No. 17–1602. PICKARD *v.* DEPARTMENT OF JUSTICE. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the

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consideration or decision of this petition. Reported below: 713 Fed. Appx. 609.

No. 17–1616. REGENERON PHARMACEUTICALS, INC. *v.* MERUS N. V. C. A. Fed. Cir. Motion of Seven Chicago Patent Lawyers for leave to file brief as *amici curiae* granted. Certiorari denied. Reported below: 864 F. 3d 1343.

No. 17–1633. CHILDREN’S HOSPITAL LOS ANGELES ET AL. *v.* N. L., A MINOR, BY AND THROUGH HIS GUARDIAN AD LITEM, ARCE. C. A. 9th Cir. Motion of California Hospital Association et al. for leave to file brief as *amici curiae* granted. Certiorari denied. Reported below: 711 Fed. Appx. 433.

No. 17–1638. SANCHEZ ET AL. *v.* YOUNG COUNTY, TEXAS, ET AL. C. A. 5th Cir. Motion of National Alliance on Mental Illness of Texas et al. for leave to file brief as *amici curiae* granted. Certiorari denied. Reported below: 866 F. 3d 274.

No. 17–1669. PROMEGA CORP. *v.* LIFE TECHNOLOGIES CORP. ET AL. C. A. Fed. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 875 F. 3d 651.

No. 17–1698. PACETTA, LLC, ET AL. *v.* TOWN OF PONCE INLET, FLORIDA. Dist. Ct. App. Fla., 5th Dist. Motion of Cato Institute et al. for leave to file brief as *amici curiae* granted. Certiorari denied. Reported below: 226 So. 3d 303.

No. 17–6853. PARACHA *v.* TRUMP, PRESIDENT OF THE UNITED STATES, ET AL. C. A. D. C. Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 697 Fed. Appx. 703.

No. 17–7974. WILLIAMS *v.* JARVIS, WARDEN. C. A. 11th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

No. 17–8457. ROBINSON *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 720 Fed. Appx. 946.

No. 17–8480. COUCHMAN *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consid-

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eration or decision of this petition. Reported below: 720 Fed. Appx. 501.

No. 17–8752. *OLIVER v. LINK*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 17–9086. *WADE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 719 Fed. Appx. 822.

No. 17–9100. *KLEINMAN v. UNITED STATES*. C. A. 9th Cir. Motion of Fully Informed Jury Association for leave to file brief as *amicus curiae* granted. Certiorari denied. Reported below: 880 F. 3d 1020.

No. 17–9101. *DECARLO v. TRUE*, WARDEN. C. A. 7th Cir. Certiorari before judgment denied.

No. 17–9115. *GHAILANI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR and JUSTICE GORSUCH took no part in the consideration or decision of this petition.

No. 17–9123. *GREGORY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

No. 17–9170. *SAFFORD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 707 Fed. Appx. 571.

No. 17–9369. *STUCKEY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 878 F. 3d 62.

No. 17–9374. *CARTER v. KANE ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 717 Fed. Appx. 105.

No. 17–9568. *ADAMS v. DAVIS*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari before judgment denied.

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No. 18–8. COHEN *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 685 Fed. Appx. 609.

No. 18–17. KEISTER *v.* BELL ET AL. C. A. 11th Cir. Motion of Alliance Defending Freedom et al. for leave to file brief as *amici curiae* granted. Certiorari denied. Reported below: 879 F. 3d 1282.

No. 18–97. LIU, INDIVIDUALLY AND AS SUCCESSOR IN INTEREST TO LIU, DECEASED *v.* JANSSEN RESEARCH & DEVELOPMENT, LLC. Ct. App. Cal., 2d App. Dist., Div. 5. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 18–170. GENTRY *v.* TENNESSEE ET AL. C. A. 6th Cir. Motion of petitioner to expedite consideration of petition for writ of certiorari denied. Certiorari denied.

No. 18–5357. REDIFER *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 728 Fed. Appx. 804.

No. 18–5381. HANDY *v.* JOHNSON & JOHNSON ET AL. C. A. 4th Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 724 Fed. Appx. 218.

No. 18–5428. BARRAQUIAS *v.* WILKIE, SECRETARY OF VETERANS AFFAIRS. C. A. Fed. Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

No. 18–5536. PACHECO *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 884 F. 3d 1031.

No. 18–5538. GIESWEIN *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. JUSTICE KAGAN and JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 887 F. 3d 1054.

No. 18–5578. AKEL *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

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No. 18–5644. *DELVA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 704 Fed. Appx. 8.

Rehearing Denied

No. 17–1532. *KRAMER v. UNITED STATES ET AL.*, 584 U. S. 1034;

No. 17–6892. *WILFORD v. UNITED STATES*, 585 U. S. 1033;

No. 17–7141. *YOUNG v. OCASIO, WARDEN*, 585 U. S. 1019;

No. 17–7633. *DEVLIN v. MONTANA*, 584 U. S. 907;

No. 17–7830. *IN RE ALDRIDGE ET UX.*, 583 U. S. 1178;

No. 17–7885. *GRIFFIN ET AL. v. HESS CORP., AKA AMERADA PETROLEUM CORP., ET AL.*, 584 U. S. 910;

No. 17–8230. *WEST v. BERGHUIS, WARDEN*, 584 U. S. 1005;

No. 17–8231. *WHEELER v. DAVIS*, 584 U. S. 995;

No. 17–8319. *DOREMUS v. BERRYHILL, DEPUTY COMMISSIONER FOR OPERATIONS, SOCIAL SECURITY ADMINISTRATION*, 584 U. S. 1006;

No. 17–8444. *FLORES GONZALEZ v. FLORIDA ET AL.*, 584 U. S. 1017;

No. 17–8471. *BLAIR v. YUM! BRANDS, INC., ET AL.*, 585 U. S. 1006;

No. 17–8534. *STARKS v. PARBALL CORP., DBA BALLY’S LAS VEGAS*, 584 U. S. 1037;

No. 17–8627. *ARLOTTA v. COOK MOVING SYSTEM, INC., ET AL.*, 585 U. S. 1026;

No. 17–8653. *MABRY v. VIRGINIA*, 584 U. S. 1017;

No. 17–8840. *JOHNSTON v. UNITED STATES*, 584 U. S. 1039; and

No. 17–8975. *BUXTON v. ESTOCK, ACTING SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MERCER, ET AL.*, 585 U. S. 1023. Petitions for rehearing denied.

No. 17–1321. *GRANTON v. WASHINGTON STATE LOTTERY*, 584 U. S. 951;

No. 17–7074. *CARTER v. LABOR READY MID-ATLANTIC, INC., ET AL.*, 583 U. S. 1128; and

No. 17–8938. *GILLS v. UNITED STATES*, 585 U. S. 1009. Motions for leave to file petitions for rehearing denied.

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Dismissal Under Rule 46

No. 18–114. ROLLYSON *v.* O’NEAL ET AL. C. A. 4th Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 729 Fed. Appx. 254.

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Certiorari Granted—Vacated and Remanded

No. 17–1428. NIANG ET AL. *v.* TOMBLINSON ET AL. C. A. 8th Cir. Certiorari granted, judgment of the United States Court of Appeals for the Eighth Circuit vacated, and case remanded to that court with instructions to direct the District Court to dismiss the case as moot. See *United States v. Munsingwear, Inc.*, 340 U. S. 36 (1950). Reported below: 879 F. 3d 870.

No. 17–8381. FRAZIER *v.* UNITED STATES. C. A. 6th 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 *Sessions v. Dimaya*, 584 U. S. 148 (2018). Reported below: 878 F. 3d 508.

Miscellaneous Orders

No. 18A335. BRAKEBILL ET AL. *v.* JAEGER, NORTH DAKOTA SECRETARY OF STATE. Application to vacate the stay entered by the United States Court of Appeals for the Eighth Circuit on September 24, 2018, presented to JUSTICE GORSUCH, and by him referred to the Court, denied.

JUSTICE GINSBURG, with whom JUSTICE KAGAN joins, dissenting.

I would grant the application to vacate the Eighth Circuit’s stay because last-minute “[c]ourt orders affecting elections, especially conflicting orders, can themselves result in voter confusion and consequent incentive to remain away from the polls.” *Purcell v. Gonzalez*, 549 U. S. 1, 4–5 (2006) (*per curiam*). The risk of voter confusion appears severe here because the injunction against requiring residential-address identification was in force during the

*JUSTICE KAVANAUGH took no part in the consideration or decision of the orders announced on this date.

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primary election and because the Secretary of State's website announced for months the ID requirements as they existed under that injunction. Reasonable voters may well assume that the IDs allowing them to vote in the primary election would remain valid in the general election. If the Eighth Circuit's stay is not vacated, the risk of disfranchisement is large. The Eighth Circuit observed that voters have a month to "adapt" to the new regime. But that observation overlooks specific factfindings by the District Court: (1) 70,000 North Dakota residents—almost 20% of the turnout in a regular quadrennial election—lack a qualifying ID; and (2) approximately 18,000 North Dakota residents also lack supplemental documentation sufficient to permit them to vote without a qualifying ID. Although the unchallenged portion of the injunction permitting the use of more informal supplemental documents somewhat lessens this concern, that relief, by itself, scarcely cures the problem given the all too real risk of grand-scale voter confusion. True, an order by this Court vacating the stay would be yet another decision that disrupts the status quo as the election draws ever closer. But the confusion arising from vacating the stay would at most lead to voters securing an additional form of ID. That inconvenience pales in comparison to the confusion caused by the Eighth Circuit's order, which may lead to voters finding out at the polling place that they cannot vote because their formerly valid ID is now insufficient.

No. 18M39. *STRONG v. BURT, WARDEN*;

No. 18M40. *PFEFFER v. WELLS FARGO ADVISORS, LLC, ET AL.*;

No. 18M41. *WILLIAMS v. COX, JUDGE, COURT OF APPEAL OF LOUISIANA, SECOND CIRCUIT, ET AL.*;

No. 18M45. *ADAMS v. UNITED STATES*;

No. 18M46. *MOSS v. POLLARD, WARDEN*;

No. 18M48. *KILPATRICK v. KAMKAR*; and

No. 18M49. *SYLINCE v. FLORIDA*. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 18M42. *LASCHKEWITSCH v. AMERICAN NATIONAL LIFE INSURANCE Co.*;

No. 18M43. *WAIRI v. UNITED STATES*; and

No. 18M44. *JOHNSON v. UNITED STATES*. Motions for leave to file petitions for writs of certiorari with supplemental appendices under seal granted.

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No. 18M47. RUIZ *v.* DIAZ, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION. Motion to direct the Clerk to file petition for writ of certiorari out of time under this Court's Rule 14.5 denied.

No. 16–1094. REPUBLIC OF SUDAN *v.* HARRISON ET AL. C. A. 2d Cir. [Certiorari granted, 585 U. S. 1015.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 16–1498. WASHINGTON STATE DEPARTMENT OF LICENSING *v.* COUGAR DEN, INC. Sup. Ct. Wash. [Certiorari granted, 585 U. S. 1015.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 17–419. DAWSON ET UX. *v.* STEAGER, WEST VIRGINIA STATE TAX COMMISSIONER. Sup. Ct. App. W. Va. [Certiorari granted, 585 U. S. 1015.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 17–949. STURGEON *v.* FROST, ALASKA REGIONAL DIRECTOR OF THE NATIONAL PARK SERVICE, ET AL. C. A. 9th Cir. [Certiorari granted, 585 U. S. 1002.] Motion of Alaska for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 17–1026. GARZA *v.* IDAHO. Sup. Ct. Idaho. [Certiorari granted, 585 U. S. 1002.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 17–1107. CARPENTER, INTERIM WARDEN *v.* MURPHY. C. A. 10th Cir. [Certiorari granted *sub nom.* *Royal v. Murphy*, 584 U. S. 992.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. JUSTICE GORSUCH took no part in the consideration or decision of this motion.*

No. 17–1174. NIEVES ET AL. *v.* BARTLETT. C. A. 9th Cir. [Certiorari granted, 585 U. S. 1029.] Motion of respondent to file volume II of the joint appendix under seal granted.

*See also note, 586 U. S. 913.

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No. 17–1229. *HELSINN HEALTHCARE S. A. v. TEVA PHARMACEUTICALS USA, INC., ET AL.* C. A. Fed. Cir. [Certiorari granted, 585 U. S. 1015.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 18–164. *FIRST SOLAR, INC., ET AL. v. MINEWORKERS’ PENSION SCHEME ET AL.* C. A. 9th Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 18–351. *CITY OF PENSACOLA, FLORIDA, ET AL. v. KONDRAT’YEV ET AL.* C. A. 11th Cir. Motion of petitioners to expedite consideration of petition for writ of certiorari denied.

No. 18–5401. *POIRIER v. MASSACHUSETTS DEPARTMENT OF CORRECTION.* C. A. 1st Cir.;

No. 18–5567. *CURRY v. CITY OF MANSFIELD, OHIO, ET AL.* Ct. App. Ohio, 5th App. Dist., Richland County; and

No. 18–5568. *CURRY v. CITY OF MANSFIELD, OHIO, ET AL.* Ct. App. Ohio, 5th App. Dist., Richland County. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until October 30, 2018, 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. 18–5976. *IN RE AMUN RE EL.* Petition for writ of habeas corpus denied.

No. 18–6034. *IN RE BURWELL.* Petition for writ of habeas corpus denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.*

No. 18–5952. *IN RE WILLIAMS.* Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of habeas corpus dismissed. See this Court’s Rule 39.8.

No. 18–5852. *IN RE SMOTHERMAN.* Petition for writ of mandamus denied.

No. 18–5454. *IN RE GOUCH-ONASSIS;*

No. 18–5455. *IN RE GOUCH-ONASSIS;* and

*See also note, 586 U. S. 913.

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No. 18–5551. *IN RE JOSEPH*. Motions of petitioners for leave to proceed *in forma pauperis* denied, and petitions for writs of mandamus dismissed. See this Court’s Rule 39.8.

No. 18–5575. *IN RE ALLAH*. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

Certiorari Denied

No. 17–1318. *KINDRED NURSING CENTERS L. P., DBA WINCHESTER CENTRE FOR HEALTH AND REHABILITATION, NKA FOUNTAIN CIRCLE HEALTH AND REHABILITATION, ET AL. v. WELLNER, INDIVIDUALLY AND ON BEHALF OF THE ESTATE OF WELLNER, DECEASED*. Sup. Ct. Ky. Certiorari denied. Reported below: 533 S. W. 3d 189.

No. 17–1463. *SEGOVIA ET AL. v. UNITED STATES ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 880 F. 3d 384.

No. 17–1483. *ALEXSAM, INC. v. WILDCARD SYSTEMS, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 708 Fed. Appx. 680.

No. 17–1499. *RP HEALTHCARE, INC., ET AL. v. RANBAXY PHARMACEUTICALS INC. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 722 Fed. Appx. 132.

No. 17–1510. *VEAL v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 303 Ga. 18, 810 S. E. 2d 127.

No. 17–1559. *VILLEGAS-SARABIA v. SESSIONS, ATTORNEY GENERAL*. C. A. 5th Cir. Certiorari denied. Reported below: 874 F. 3d 871.

No. 17–1566. *LACAZE v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 2016–0234 (La. 3/13/18), 239 So. 3d 807.

No. 17–1607. *FAIRLEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 880 F. 3d 198.

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No. 17–1610. *JONES v. DEPARTMENT OF HEALTH AND HUMAN SERVICES*. C. A. Fed. Cir. Certiorari denied. Reported below: 702 Fed. Appx. 988.

No. 17–1611. *HILLSMAN v. ESCOTO*. C. A. 9th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 722.

No. 17–1699. *MR. P. ET UX., INDIVIDUALLY AND AS NEXT FRIENDS OF M. P. v. WEST HARTFORD BOARD OF EDUCATION*. C. A. 2d Cir. Certiorari denied. Reported below: 885 F. 3d 735.

No. 17–1703. *HONEYWELL INTERNATIONAL INC. ET AL. v. MEXICHEM FLUOR INC. ET AL.*; and

No. 18–2. *NATURAL RESOURCES DEFENSE COUNCIL v. MEXICHEM FLUOR, INC., ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 866 F. 3d 451.

No. 17–8382. *GLOVER ET AL. v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 872 F. 3d 625.

No. 17–8558. *LONG v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 875 F. 3d 411.

No. 17–8801. *DEL MONTE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17–9000. *ACOSTA v. RAEMISCH, EXECUTIVE DIRECTOR, COLORADO DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 877 F. 3d 918.

No. 17–9130. *POTENCIANO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 620.

No. 17–9159. *WARD v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 2018 Ark. 59, 539 S. W. 3d 546.

No. 17–9549. *ZACK v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 918.

No. 18–108. *DUNCAN v. GEICO GENERAL INSURANCE CO.* C. A. 11th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 900.

No. 18–115. *WYNN v. WASHINGTON*. C. A. 9th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 513.

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No. 18–116. REARDON *v.* ZONIES ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 730 Fed. Appx. 129.

No. 18–118. SCHWARTZ ET AL. *v.* JPMORGAN CHASE BANK, N. A., ET AL. Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 18–128. ABOUELMAGD *v.* NEWELL. Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 18–129. W. S. *v.* S. T. ET AL. Ct. App. Cal., 6th App. Dist. Certiorari denied. Reported below: 20 Cal. App. 5th 132, 228 Cal. Rptr. 3d 756.

No. 18–132. ELMHIRST *v.* McLAREN NORTHERN MICHIGAN HOSPITAL, DBA NORTHERN MICHIGAN EMERGENCY MEDICINE CENTER, ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 439.

No. 18–136. DREYER *v.* COUNTY COURT OF TEXAS, COLEMAN COUNTY. Ct. App. Tex., 11th Dist. Certiorari denied.

No. 18–142. BARONI *v.* BANK OF NEW YORK MELLON, FKA BANK OF NEW YORK. C. A. 9th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 770.

No. 18–147. SCOTT *v.* DISTRICT HOSPITAL PARTNERS, L. P., ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 715 Fed. Appx. 6.

No. 18–148. LOTHIAN CASSIDY, L. L. C., ET AL. *v.* LOTHIAN EXPLORATION & DEVELOPMENT II, L. P. (LEAD II), ET AL.; and SHOSHANA TRUST ET AL. *v.* RALEIGH ET AL. C. A. 5th Cir. Certiorari denied.

No. 18–151. PETIT-CLAIR ET AL. *v.* GREWAL, ATTORNEY GENERAL OF NEW JERSEY, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 730 Fed. Appx. 120.

No. 18–152. GARMONG *v.* SUPREME COURT OF NEVADA ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 656.

No. 18–156. BRADY *v.* GOLDMAN ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 714 Fed. Appx. 63.

No. 18–157. BRADY *v.* UNDERWOOD, ATTORNEY GENERAL OF NEW YORK. C. A. 2d Cir. Certiorari denied. Reported below: 714 Fed. Appx. 60.

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No. 18–158. *GEBHARDT v. NIELSEN, SECRETARY OF HOMELAND SECURITY, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 879 F. 3d 980.

No. 18–166. *PROBANDT ET AL. v. WALKER.* Ct. App. Neb. Certiorari denied. Reported below: 25 Neb. App. 30, 902 N. W. 2d 468.

No. 18–169. *LABER v. MILBERG LLP ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 413.

No. 18–171. *SNYDER v. CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 457.

No. 18–172. *ANDRADE HERNANDEZ v. SESSIONS, ATTORNEY GENERAL.* C. A. 9th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 708.

No. 18–173. *XIU JIAN SUN v. ZEVE.* C. A. 2d Cir. Certiorari denied.

No. 18–183. *ADVANCED AUDIO DEVICES, LLC v. HTC CORP. ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 721 Fed. Appx. 989.

No. 18–184. *AYANBADEJO v. SIEGL ET AL.* C. A. 5th Cir. Certiorari denied.

No. 18–197. *WADE v. ACOSTA, SECRETARY OF LABOR, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 454.

No. 18–207. *DUGGAN v. DEPARTMENT OF DEFENSE.* C. A. 9th Cir. Certiorari denied. Reported below: 883 F. 3d 842.

No. 18–211. *HURD v. CALIFORNIA.* Ct. App. Cal., 1st App. Dist., Div. 3. Certiorari denied.

No. 18–237. *THOMAS ET AL. v. UNITED STATES; and*

No. 18–240. *KIRK TANG YUK v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 885 F. 3d 57.

No. 18–249. *CONNOR v. CASTRO ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 376.

No. 18–250. *TU YING CHEN v. SUFFOLK COUNTY COMMUNITY COLLEGE ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 734 Fed. Appx. 773.

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No. 18–253. *FELIX v. NEW YORK*. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 159 App. Div. 3d 1508, 70 N. Y. S. 3d 104.

No. 18–256. *BARTLETT ET AL. v. HONEYWELL INTERNATIONAL, INC.* C. A. 2d Cir. Certiorari denied. Reported below: 737 Fed. Appx. 543.

No. 18–270. *PHILLIPS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 883 F. 3d 399.

No. 18–291. *JAISINGHANI v. SHARMA ET AL.* Ct. App. Cal., 2d App. Dist., Div. 5. Certiorari denied.

No. 18–312. *SMITH v. TENNESSEE NATIONAL GUARD*. Sup. Ct. Tenn. Certiorari denied. Reported below: 551 S. W. 3d 702.

No. 18–5036. *MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 498.

No. 18–5038. *SWEENEY v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 887 F. 3d 529.

No. 18–5039. *ROWLAND v. CHAPPELL, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 876 F. 3d 1174.

No. 18–5164. *BROOKS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 671.

No. 18–5217. *PEREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 804.

No. 18–5285. *SINGH v. SESSIONS, ATTORNEY GENERAL*. C. A. 6th Cir. Certiorari denied.

No. 18–5352. *BROWN v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 237 So. 3d 924.

No. 18–5359. *SUGGS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 238 So. 3d 699.

No. 18–5376. *GERALDS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 237 So. 3d 923.

No. 18–5387. *SMITH v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied. Reported below: 189 Wash. 2d 655, 405 P. 3d 997.

No. 18–5395. *MEZZLES v. KATAVICH, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 639.

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No. 18–5402. *POPE v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 237 So. 3d 926.

No. 18–5403. *DENNIS v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 18–5410. *PODARAS v. CITY OF MENLO PARK, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 698 Fed. Appx. 348.

No. 18–5411. *MEHMETI v. JOFAZ TRANSPORTATION, INC.* C. A. 2d Cir. Certiorari denied.

No. 18–5412. *JOHNSON v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 18–5413. *LEWIS v. HEDGEMON ET AL.* C. A. 5th Cir. Certiorari denied.

No. 18–5415. *GASKIN v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 237 So. 3d 928.

No. 18–5420. *HEAGY v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 179 A. 3d 552.

No. 18–5424. *SAKUMA v. ASSOCIATION OF APARTMENT OWNERS OF THE TROPICS OF WAIKELE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 906.

No. 18–5425. *JOAQUIN RAMIREZ v. APONTE ET AL.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied.

No. 18–5429. *GARRY v. TRANE CO.* Sup. Ct. Wis. Certiorari denied.

No. 18–5432. *SANKARA v. O’HARA ET AL.* C. A. 2d Cir. Certiorari denied.

No. 18–5434. *VICTORINO v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 241 So. 3d 48.

No. 18–5437. *WHITTON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 238 So. 3d 724.

No. 18–5440. *LOMAX v. VANNOY, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 18–5441. *BYRD v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 237 So. 3d 922.

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No. 18–5442. *WALL v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 238 So. 3d 127.

No. 18–5443. *DEGRATE v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 18–5446. *STORY v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 18–5447. *ROCK v. BRACY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–5448. *STANLEY v. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY*. C. A. 8th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 818.

No. 18–5450. *RIVAS-RIVERA v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 161 A. 3d 382.

No. 18–5451. *STEELE v. JENKINS, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 18–5453. *ELLIOTT v. PALMER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–5457. *KENNEDY v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 18–5459. *WARNELL v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 18–5460. *HILL v. REINKE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 707.

No. 18–5463. *KENNEDY v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 18–5465. *DREYFUSE v. JUSTICE, GOVERNOR OF WEST VIRGINIA*. Sup. Ct. App. W. Va. Certiorari denied.

No. 18–5476. *ISMAIYL v. BROWN ET AL.* C. A. 6th Cir. Certiorari denied.

No. 18–5477. *EBRON v. BROWN, CHAIR, VIRGINIA PAROLE BOARD, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 697 Fed. Appx. 779.

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No. 18–5478. *JENNINGS v. DEUTSCHE BANK NATIONAL TRUST CO. ET AL.* Sup. Ct. Mo. Certiorari denied.

No. 18–5479. *JACKSON v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 18–5481. *WATSON v. VIRGINIA.* C. A. 4th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 325.

No. 18–5485. *WASHINGTON v. ARNOLD, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 18–5486. *QUINTANA v. HANSEN ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 439.

No. 18–5489. *MIN HO KWON v. HYOUN PHIL WON ET AL.* Sup. Ct. Va. Certiorari denied.

No. 18–5491. *LOVIN v. ALLBAUGH, DIRECTOR, OKLAHOMA DEPARTMENT OF CORRECTIONS.* C. A. 10th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 698.

No. 18–5493. *GANT v. WINN, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 18–5494. *MILAM v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 781.

No. 18–5496. *PEREZ v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied. Reported below: 4 Cal. 5th 1055, 416 P. 3d 42.

No. 18–5498. *CURTIS v. MICHIGAN.* Sup. Ct. Mich. Certiorari denied. Reported below: 501 Mich. 1037, 909 N. W. 2d 251.

No. 18–5499. *SANCHEZ v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 18–5501. *JONES v. BANK OF AMERICA ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–5502. *JACOBSON v. ARIZONA.* Ct. App. Ariz. Certiorari denied. Reported below: 244 Ariz. 187, 418 P. 3d 960.

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No. 18–5503. *PRESTON v. GREAT LAKES SPECIALTY FINANCE, INC., DBA AXCESS FINANCIAL*. C. A. 6th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 453.

No. 18–5506. *SUNDY v. FRIENDSHIP PAVILION ACQUISITION CO., LLC, ET AL.* Ct. App. Ga. Certiorari denied.

No. 18–5507. *SCHWARZMAN v. GRAY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–5512. *WILSON v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 2018 WI App 16, 380 Wis. 2d 282, 913 N. W. 2d 233.

No. 18–5513. *MY VAN TRAN v. SHELDON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–5514. *WILKINS v. VIRGINIA*. C. A. 4th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 310.

No. 18–5523. *SANCHEZ v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 18–5531. *CULVER v. ZATECKY, SUPERINTENDENT, PENDLETON CORRECTIONAL FACILITY*. C. A. 7th Cir. Certiorari denied.

No. 18–5540. *RUSH v. REWERTS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–5544. *VAN LE v. ALDRIDGE, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 763.

No. 18–5545. *LOPEZ v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 18–5546. *COBLE v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 297.

No. 18–5553. *WILLIAMS v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 18–5566. *LIBRACE v. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY*. C. A. 8th Cir. Certiorari denied. Reported below: 709 Fed. Appx. 418.

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No. 18–5573. *WILLIAMS v. CAMPBELL, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–5600. *BONNER v. UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–5609. *LAJEUNESSE v. IOWA*. Ct. App. Iowa. Certiorari denied. Reported below: 913 N. W. 2d 275.

No. 18–5616. *CLAYBORNE v. NEBRASKA*. C. A. 8th Cir. Certiorari denied.

No. 18–5623. *WILLIAMS v. UNITED STATES ET AL.* C. A. 5th Cir. Certiorari denied.

No. 18–5633. *KENNEDY v. MICHIGAN STATE TREASURER*. Ct. App. Mich. Certiorari denied.

No. 18–5639. *CASTLEMAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5657. *PASSMORE v. O’FALLON ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 703.

No. 18–5661. *WILLIAMS v. SAMSON RESOURCES CORP. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 726 Fed. Appx. 162.

No. 18–5666. *DENNISON v. HOOKS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–5669. *CRUZ v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied.

No. 18–5688. *EMANUEL v. DEPARTMENT OF JUSTICE*. C. A. D. C. Cir. Certiorari denied.

No. 18–5689. *BRIDGETTE v. ASUNCION, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–5698. *BROWN v. OHIO*. Ct. App. Ohio, 6th App. Dist., Lucas County. Certiorari denied. Reported below: 2018-Ohio-132.

No. 18–5713. *DUNNING v. WARE, DIRECTOR, COURT SERVICES AND OFFENDER SUPERVISION AGENCY*. C. A. D. C. Cir. Certiorari denied.

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No. 18–5743. *SIMMONS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–5747. *AMADOR-FLORES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 839.

No. 18–5749. *AGOLLI v. DISTRICT OF COLUMBIA ET AL.* Ct. App. D. C. Certiorari denied.

No. 18–5750. *CUEVAS v. KELLY, SUPERINTENDENT, OREGON STATE PENITENTIARY*. Ct. App. Ore. Certiorari denied.

No. 18–5753. *PELLO v. ZATECKY, SUPERINTENDENT, PENDLETON CORRECTIONAL FACILITY*. C. A. 7th Cir. Certiorari denied.

No. 18–5797. *GUTIERREZ-TORRES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 709 Fed. Appx. 502.

No. 18–5800. *WILLIAMS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 290.

No. 18–5803. *DURY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 123.

No. 18–5804. *DIALLO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 732 Fed. Appx. 94.

No. 18–5808. *ANGEL RONDON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5809. *SHARP v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 879 F. 3d 327.

No. 18–5814. *CRUZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 18–5817. *MOORER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–5823. *MARSHALL v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 185 A. 3d 722.

No. 18–5824. *LARIVE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–5825. *JOHNSON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 737 Fed. Appx. 839.

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No. 18–5826. *CARTER v. CALDWELL, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 18–5828. *LOPEZ-GARCIA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 18–5831. *CURRY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 314.

No. 18–5835. *LIZARRAGA-LEYVA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 258.

No. 18–5839. *REBMANN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–5840. *STONEV v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 18–5842. *CHHEA v. DELBALSO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MAHANOEY, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–5844. *TINOCO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 581.

No. 18–5845. *PIERCE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–5846. *WILKINS v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 734 Fed. Appx. 1.

No. 18–5847. *GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 837.

No. 18–5849. *SOZA v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–5858. *GLOOR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 725 Fed. Appx. 493.

No. 18–5861. *LOPEZ CHAVEZ v. MARTINEZ, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 518.

No. 18–5865. *PENNINGTON v. CLARK, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ALBION, ET AL.* Sup. Ct. Pa. Certiorari denied.

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No. 18–5866. *MOSLEY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 18–5871. *POSA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5872. *MEDINA-REYES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 732.

No. 18–5874. *EDWARDS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 891 F. 3d 708.

No. 18–5875. *VIVO v. CONNECTICUT*. App. Ct. Conn. Certiorari denied. Reported below: 179 Conn. App. 906, 176 A. 3d 1261.

No. 18–5879. *ENEH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 367.

No. 18–5882. *VELA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 136.

No. 18–5884. *RICHARDSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 890 F. 3d 616.

No. 18–5885. *SHANNON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 725 Fed. Appx. 243.

No. 18–5890. *WHITFIELD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–5893. *STREETMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 725 Fed. Appx. 594.

No. 18–5894. *SHAW v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 885 F. 3d 1217.

No. 18–5895. *IZATT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 610.

No. 18–5896. *BAKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 704 Fed. Appx. 281.

No. 18–5899. *LEWIS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 735 Fed. Appx. 28.

No. 18–5900. *MARTINEZ-BARRIENTOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 95.

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No. 18–5901. *MAXI v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 886 F. 3d 1318.

No. 18–5904. *CROSS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 888 F. 3d 985.

No. 18–5910. *PACKARD v. GOODRICH, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 711.

No. 18–5912. *KIMMELL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 725 Fed. Appx. 586.

No. 18–5913. *ESCOBEDO GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 725 Fed. Appx. 322.

No. 18–5914. *FINNEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 342.

No. 18–5915. *HILL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 877 F. 3d 717.

No. 18–5916. *FLORES, AKA BECERRA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 891 F. 3d 359.

No. 18–5917. *DOE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 723 Fed. Appx. 178.

No. 18–5921. *STEVENS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 881 F. 3d 1249.

No. 18–5928. *LIMON-URENDA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–5929. *ODOM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 254.

No. 18–5933. *WILKERSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 745.

No. 18–5934. *WAGNER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 18–5935. *CESAR VELASQUEZ v. UNITED STATES* (Reported below: 728 Fed. Appx. 359); and *LAGUNA-GOMEZ v. UNITED STATES* (732 Fed. Appx. 340). C. A. 5th Cir. Certiorari denied.

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No. 18–5944. *TANCO-PIZARRO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 892 F. 3d 472.

No. 18–5953. *THORNE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 706 Fed. Appx. 143.

No. 18–5984. *BEYAH v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 17–1284. *APODACA ET AL. v. RAEMISCH ET AL.*; and

No. 17–1289. *LOWE v. RAEMISCH ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: No. 17–1284, 864 F. 3d 1071; No. 17–1289, 864 F. 3d 1205.

Statement of JUSTICE SOTOMAYOR respecting the denial of certiorari.

A punishment need not leave physical scars to be cruel and unusual. See *Trop v. Dulles*, 356 U. S. 86, 101 (1958). As far back as 1890, this Court expressed concerns about the mental anguish caused by solitary confinement.¹ These petitions address one aspect of what a prisoner subjected to solitary confinement may experience: the denial of even a moment in daylight for months or years. Although I agree with the Court’s decision not to grant certiorari in these cases because of arguments unmade and facts underdeveloped below, I write because the issue raises deeply troubling concern.

I

Petitioners Jonathan Apodaca, Joshua Vigil, and Donnie Lowe were all previously incarcerated in the Colorado State Penitentiary (CSP). During that time, they were held in what is often referred to as “administrative segregation,” but what is also fairly known by its less euphemistic name: solitary confinement. As described in a prior case involving the same prison’s conditions:

“In administrative segregation at the CSP, each offender is housed in a single cell approximately 90 square feet in

¹ See *In re Medley*, 134 U. S. 160, 168 (1890) (“[E]xperience demonstrated that there were serious objections to it. A considerable number of the prisoners fell, after even a short confinement, into a semi-fatuous condition, from which it was next to impossible to arouse them, and others became violently insane; others, still, committed suicide, while those who stood the ordeal better were not generally reformed, and in most cases did not recover sufficient mental activity to be of any subsequent service to the community”).

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size. . . . The cell contains a metal bed, desk, toilet and three shelves. There is [a] small vertical glass window that admits light but which, because of its placement in relation to the bed, desk and shelving, is difficult to access to look out. A light in the cell is left on 24 hours a day. The inmates' daily existence is one of extreme isolation. They remain in their cells at least 23 hours a day. The cells were designed in a manner that discourages and largely restricts vocal communication between cells. [One prisoner could] hear other people yelling and screaming but not conversations. All meals are passed through a slot in the cell door to the inmate. The inmates have little human contact except with prison staff and limited opportunities for visitors" *Anderson v. Colorado*, 887 F. Supp. 2d 1133, 1137 (Colo. 2012).

Under then-operative Colorado Department of Corrections (CDOC) regulations, prisoners like Apodaca, Vigil, and Lowe were allowed out of their cells five days per week, for at least "one hour of recreation in a designated exercise area." CDOC Reg. No. 650-03, p. 7 (May 15, 2012). That "designated exercise area" was also about 90 square feet in size, but "oddly shaped" and "empty except for a chin-up bar." *Anderson*, 887 F. Supp. 2d, at 1137. As the prior District Court described it:

"It has two vertical 'windows,' approximately five feet by six inches in size, which are not glassed but instead are covered with metal grates. The grates have holes approximately the size of a quarter that open to the outside. The inmate can see through the holes, can sometimes feel a breeze, and can sometimes feel the warmth of the sun. This is his only exposure of any kind to fresh air." *Ibid*.

During their time at CSP, Apodaca, Vigil, and Lowe were denied any out-of-cell exercise other than the prescribed hour in that room for between 11 and 25 months.² In 2015, Lowe, indi-

² For Apodaca and Vigil, the deprivation lasted 11 months—from September 2013 to August 2014. Complaint in *Apodaca v. Raemisch*, No. 15-cv-845 (D Colo.), Doc. 1, pp. 16–17. For Lowe, it lasted 25 months—from February 2013 to March 2015. Complaint in *Lowe v. Raemisch*, No. 15-cv-1830 (D Colo.), Doc. 1, pp. 20–21 (Complaint). All three were later either transferred or released from prison. Brief in Opposition 1. Lowe has since passed away. Reply Brief 2.

vidually, and Apodaca and Vigil, on behalf of themselves and others similarly situated, filed lawsuits seeking damages under Rev. Stat. § 1979, 42 U. S. C. § 1983, in the District of Colorado, alleging that this deprivation violated their Eighth Amendment rights to be free from cruel and unusual punishment. Respondents, CDOC Executive Director Rick Raemisch and CSP Warden Travis Trani, moved to dismiss both cases.³ The District Court denied both motions to dismiss. The U. S. Court of Appeals for the Tenth Circuit reversed both denials, concluding that its prior precedents allowed “reasonable debate on the constitutionality of disallowing outdoors exercise for two years and one month” in Lowe’s case, 864 F. 3d 1205, 1209 (2017), or, moreover, 11 months in Apodaca and Vigil’s case, 864 F. 3d 1071, 1078 (2017).

Apodaca, Vigil, and Lowe petitioned this Court for certiorari, arguing that the Tenth Circuit had diverged from the common practice among the Courts of Appeals of allowing a deprivation of outdoor exercise only when it was supported by a sufficient security justification. See Pet. for Cert. in No. 17–1284, pp. 2–3; Pet. for Cert. in No. 17–1289, pp. 2–3. Petitioners are correct that the presence (or absence) of a particularly compelling security justification has, rightly, played an important role in the analysis of the Courts of Appeals.⁴ But the litigation before the lower courts here did not focus on the presence or absence of a

³ With regard to Apodaca and Vigil’s 11-month deprivation, respondents both contested that there was an Eighth Amendment violation and claimed qualified immunity. See Motion To Dismiss or Motion for Summary Judgment in *Apodaca*, Doc. 18, pp. 6–11. With regard to Lowe’s 25-month deprivation, respondents did not contest that there was an Eighth Amendment violation but did again claim qualified immunity. See Motion To Dismiss in *Lowe*, Doc. 10, pp. 7–13.

⁴ See, e. g., *Pearson v. Ramos*, 237 F. 3d 881, 884–885 (CA7 2001) (reversing judgment for plaintiff who was denied outdoor exercise for a year after a series of serious infractions, including beating a guard to the point that he was hospitalized, setting a fire that prompted an evacuation, and throwing bodily fluids in a medical technician’s face); *Bass v. Perrin*, 170 F. 3d 1312, 1316–1317 (CA11 1999) (affirming summary judgment for defendants where plaintiffs had, between them, been convicted of aggravated battery, murder, and attempted murder since their incarceration and each had attempted to escape during outdoor recreation); *Spain v. Proconier*, 600 F. 2d 189, 200 (CA9 1979) (affirming injunctive relief in the absence of “an adequate justification” from the State for not providing outdoor exercise for over four years).

valid security justification, and therefore the factual record before this Court—as well as the legal analysis provided by the lower courts—is not well suited to our considering the question now.⁵ Despite my deep misgivings about the conditions described, I therefore concur in the Court’s denial of certiorari. Cf. *Perez v. Florida*, 580 U. S. 1187, 1188 (2017) (SOTOMAYOR, J., concurring in denial of certiorari).

II

I write to note, however, that what is clear all the same is that to deprive a prisoner of any outdoor exercise for an extended period of time in the absence of an especially strong basis for doing so is deeply troubling—and has been recognized as such for many years. Then-Judge Kennedy observed as much in 1979, ruling that, in the absence of “an adequate justification” from the State, “it was cruel and unusual punishment for a prisoner to be confined for a period of years without opportunity to go outside except for occasional court appearances, attorney interviews, and hospital appointments.” *Spain v. Procunier*, 600 F. 2d 189, 200 (CA9 1979). And while he acknowledged that various security concerns—including the safety of staff and other prisoners and preventing escape—could “justify not permitting plaintiffs to mingle with the general prison population,” he observed that those generalized concerns did “not explain why other exercise arrangements were not made.” *Ibid.* The same inquiry remains essential today, given the vitality—recognized by the Tenth Circuit in other cases⁶—of the basic human need at issue. It should be

⁵ For example, the CDOC regulations in effect during the relevant time period outlined particular conduct that could justify the imposition of solitary confinement, including, for example, attempting to harm seriously or kill another person, organizing or inciting a riot, or attempting to escape from a secure facility. See CDOC Reg. No. 650–03, p. 4 (May 15, 2012). But those regulations also included provisions that could be questionable in their application, including a catchall for “[o]ther circumstances.” See *ibid.* Here, we have not been presented with facts in the record explaining what led to this extreme condition of confinement being imposed on Apodaca, Vigil, or Lowe, or, similarly, whether permitting outdoor exercise would have meaningfully increased any of the potential risks.

⁶ See *Fogle v. Pierson*, 435 F. 3d 1252, 1260 (2006) (“[W]e think it is clear that a factfinder might conclude that the risk of harm from three years of deprivation of any form of outdoor exercise was obvious”); *Perkins v. Kansas Dept. of Corrections*, 165 F. 3d 803, 810 (1999) (“[W]e conclude the district court here erred when it held that plaintiff’s allegations about the

clear by now that our Constitution does not permit such a total deprivation in the absence of a particularly compelling interest.

Two Justices of this Court have recently called attention to the broader Eighth Amendment concerns raised by long-term solitary confinement. See *Ruiz v. Texas*, 580 U.S. 1191–1192 (BREYER, J., dissenting from denial of stay of execution); *Davis v. Ayala*, 576 U.S. 257, 286–290 (2015) (Kennedy, J., concurring). Those writings came in cases involving capital prisoners, but it is important to remember that the issue sweeps much more broadly: Whereas fewer than 3,000 prisoners are on death row, a recent study estimated that 80,000 to 100,000 people were held in some form of solitary confinement.⁷ The Eighth Amendment, of course, protects them all.

Lowe himself, respondents tell us, was convicted of second-degree burglary and introduction of contraband—and he evidently spent 11 years in solitary confinement. See Brief in Opposition 1, n. 1; Complaint, at 5. It is hard to see how those 11 years could have prepared him for the day in July 2015 when he “was released from solitary confinement directly to the streets,” though his Complaint mentions that he had found “wor[k] doing construction labor and [was] striving to establish a life on the streets.” *Ibid.* While we do not know what caused his death in May 2018, see Reply Brief 2, n. 2, we do know that solitary confinement imprints on those that it clutches a wide range of psychological scars.⁸

extended deprivation of outdoor exercise showed no excessive risk to his well-being” (internal quotation marks and alteration omitted)); *Bailey v. Shillinger*, 828 F.2d 651, 653 (1987) (“There is substantial agreement among the cases in this area that some form of regular outdoor exercise is extremely important to the psychological and physical well being of inmates, and some courts have held a denial of fresh air and exercise to be cruel and unusual punishment under certain circumstances”).

⁷ See Dept. of Justice, Bureau of Justice Statistics, E. Davis & T. Snell, *Capital Punishment*, 2016, p. 2 (Apr. 2018); The Liman Program & Assn. of State Correctional Adm’rs, *Time-In-Cell: The ASCA-Liman 2014 National Survey of Administrative Segregation in Prison*, p. ii (Aug. 2015).

⁸ See, e.g., *Davis v. Ayala*, 576 U.S. 257, 289 (2015) (Kennedy, J., concurring) (detailing psychological effects and citing story of 16-year-old who was held in pretrial solitary confinement for three years and committed suicide two years after his release); *Grissom v. Roberts*, 902 F.3d 1162, 1175–1178 (CA10 2018) (Lucero, J., concurring); see also B. Stevenson, *Just Mercy* 153 (2014) (recounting story of juvenile prisoner whose “mental health unrav-

Respondent Raemisch, CDOC's executive director, himself has acknowledged the ills of solitary confinement,⁹ and I note that Colorado has in recent years revised its regulations such that it now allows all inmates "access to outdoor recreation" for at least one hour, three times per week, subject to "security or safety considerations."¹⁰ Those changes cannot undo what petitioners, and others similarly situated, have experienced, but they are nevertheless steps toward a more humane system.

More steps may well be needed. Justice Kennedy, in his *Ayala* concurrence, 576 U. S., at 287, referenced Charles Dickens' depiction of the ravages of solitary confinement in *A Tale of Two Cities*, but it is worth appreciating that the portrayal referenced was not merely the result of a skilled novelist's imagination. In 1842, Dickens recounted his real-life visit to Philadelphia's Eastern State Penitentiary, in which he described the prisoners housed in solitary confinement there:

"[The prisoner] is led to the cell from which he never again comes forth, until his whole term of imprisonment has expired. He never hears of wife and children; home or friends; the life or death of any single creature. He sees the prison-officers, but with that exception he never looks upon a human countenance, or hears a human voice. He is a man buried alive; to be dug out in the slow round of years; and in the mean time dead to everything but torturing anxieties and horrible despair." C. Dickens, *American Notes for General Circulation* 148 (J. Whitley & A. Goldman eds. 1972).

eled" in solitary, yielding self-harm and multiple suicide attempts). See generally Bennion, *Banning the Bing: Why Extreme Solitary Confinement Is Cruel and Far Too Usual Punishment*, 90 Ind. L. J. 741, 753–763 (2015); Betts, *Only Once I Thought About Suicide*, 125 Yale L. J. Forum 222 (2016); Grassian, *Psychiatric Effects of Solitary Confinement*, 22 Wash. U. J. L. & Pol'y 325 (2006); Smith, *The Effects of Solitary Confinement on Prison Inmates: A Brief History and Review of the Literature*, 34 Crime & Justice 441 (2006); Calambokidis, *Note, Beyond Cruel and Unusual: Solitary Confinement and Dignitary Interests*, 68 Ala. L. Rev. 1117, 1150–1155 (2017).

⁹ See Raemisch, *Why We Ended Long-Term Solitary Confinement in Colorado*, N. Y. Times, Oct. 12, 2017, p. A25 ("It is time for this unethical tool to be removed from the penal toolbox"); Raemisch, *My Night in Solitary*, N. Y. Times, Feb. 21, 2014, p. A25 ("I felt as if I'd been there for days. I sat with my mind. How long would it take before Ad Seg chipped that away? I don't know, but I'm confident that it would be a battle I would lose").

¹⁰ CDOC Reg. No. 600–09, p. 7 (Jan. 1, 2018).

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Dickens did not question the penal officers' motives. He concluded, rather, that they did "not know what it is that they are doing" and that "very few" were "capable of estimating the immense amount of torture and agony which this dreadful punishment, prolonged for years, inflicts upon the sufferers." *Id.*, at 146. The pain caused was invisible and inaudible, such that "slumbering humanity" was "not roused up" to put a stop to it. *Id.*, at 147.

We are no longer so unaware. Courts and corrections officials must accordingly remain alert to the clear constitutional problems raised by keeping prisoners like Apodaca, Vigil, and Lowe in "near-total isolation" from the living world, *Ayala*, 576 U. S., at 289 (Kennedy, J., concurring), in what comes perilously close to a penal tomb.

No. 18–35. PENNSYLVANIA *v.* JOHNSON. Sup. Ct. Pa. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 644 Pa. 150, 174 A. 3d 1050.

No. 18–112. DAY, JUDGE, CIRCUIT COURT OF OREGON, THIRD JUDICIAL DISTRICT *v.* OREGON COMMISSION ON JUDICIAL FITNESS AND DISABILITY. Sup. Ct. Ore. Motion of Freedom of Conscience Defense Fund for leave to file brief as *amicus curiae* granted. Certiorari denied. Reported below: 362 Ore. 547, 413 P. 3d 907.

No. 18–210. BATS GLOBAL MARKETS, INC., ET AL. *v.* CITY OF PROVIDENCE, RHODE ISLAND, ET AL. C. A. 2d Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition.* Reported below: 878 F. 3d 36.

No. 18–231. NEW WEST, L. P., ET AL. *v.* CITY OF JOLIET, ILLINOIS, ET AL. C. A. 7th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.* Reported below: 891 F. 3d 271.

No. 18–5560. BEAUCHAMP *v.* DOGLIETTO ET AL. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition.* Reported below: 698 Fed. Appx. 396.

No. 18–5583. TURNER *v.* SMITH ET AL. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consider-

*See also note, 586 U. S. 913.

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ation or decision of this petition.* Reported below: 734 Fed. Appx. 460.

No. 18–5704. *AUSTIN v. DISTRICT ATTORNEY OF PHILADELPHIA COUNTY, PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.*

No. 18–5810. *CHIRINO RIVERA v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.*

No. 18–5811. *ESCOBAR DE JESUS v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.*

No. 18–5930. *WALKER v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.* Reported below: 738 Fed. Appx. 91.

Rehearing Denied

No. 17–8324. *WELLS v. HARRY, WARDEN,* 584 U. S. 1016. Petition for rehearing denied.

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Miscellaneous Order

No. 18A385. *MAYS, WARDEN, v. ZAGORSKI.* Application to vacate stay of execution of sentence of death, entered by the United States Court of Appeals for Sixth Circuit on October 10, 2018, presented to JUSTICE KAGAN, and by her referred to the Court, granted. JUSTICE BREYER and JUSTICE SOTOMAYOR would deny the application to vacate the stay.

Certiorari Denied

No. 18–6238 (18A376). *ZAGORSKI v. PARKER, COMMISSIONER, TENNESSEE DEPARTMENT OF CORRECTIONS, ET AL.* Sup. Ct. Tenn. Application for stay of execution of sentence of death, presented to JUSTICE KAGAN, and by her referred to the Court, denied. Certiorari denied. Reported below: 558 S. W. 3d 606.

*See also note, 586 U. S. 913.

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SOTOMAYOR, J., dissenting

JUSTICE SOTOMAYOR, with whom JUSTICE BREYER joins, dissenting.

Once again, a State hastens to kill a prisoner despite mounting evidence that the sedative to be used, midazolam, will not prevent the prisoner from feeling as if he is “drowning, suffocating, and being burned alive from the inside out” during a process that could last as long as 18 minutes. *Irick v. Tennessee*, 585 U. S. 1048, 1048–1049 (2018) (SOTOMAYOR, J., dissenting from denial of application for stay); see also *Arthur v. Dunn*, 580 U. S. 1141, 1153–1154 (2017) (SOTOMAYOR, J., dissenting from denial of certiorari). And once again the State claims the right to do so under the Eighth Amendment not because a court has concluded that these risks are overblown, but rather because of the “perverse requirement that inmates offer alternative methods for their own executions.” *McGehee v. Hutchinson*, 581 U. S. 933, 935 (2017) (SOTOMAYOR, J., dissenting from denial of application for stay and denial of certiorari); see also *Glossip v. Gross*, 576 U. S. 863, 878–881 (2015). This requirement was legally and morally wrong when it was promulgated, and it has been proved even crueler in light of the obstacles that have prevented capital prisoners from satisfying this precondition. I would therefore grant a stay of execution and grant petitioner Edmund Zagorski’s petition for certiorari to consider what suffices for a prisoner to prove “a known and available alternative method of execution.” *Id.*, at 878.¹

For several years, Tennessee has provided for the execution of capital prisoners via a single drug called pentobarbital. See *Abdur’Rahman v. Parker*, No. M2018–01385–SC–RDO–CV (Sup. Ct. Tenn., Oct. 8, 2018), pp. 3–4. Pentobarbital, a barbiturate, does not carry the risks described above; unlike midazolam (a benzodiazepine), pentobarbital is widely conceded to be able to render a person fully insensate. See, e. g., *Glossip*, 576 U. S., at 878.

In January 2018, Tennessee Department of Corrections (TDOC) adopted an alternative to pentobarbital: Protocol B, a three-drug

¹The State’s refusal to allow Zagorski’s attorneys to access a telephone during Zagorski’s scheduled execution is also troubling. For reasons expressed before, I would grant review of this question as well. See *Arthur v. Dunn*, 581 U. S. 1002, 1002–1003 (2017) (SOTOMAYOR, J., dissenting from denial of application for stay and denial of certiorari).

sequence beginning with midazolam (the drug whose sedative properties are dubious), to be followed by vecuronium bromide (to paralyze the prisoner) and then potassium chloride (to stop the prisoner's heart).² No. M2018-01385-SC-RDO-CV, at 4. The pentobarbital option—Protocol A—remained, meanwhile, in effect. *Ibid.* In February 2018, the State set execution dates for several prisoners, including Zagorski, and Zagorski and others soon thereafter filed suit challenging Protocol B and pointing to Protocol A, pentobarbital, as the available, significantly less risky alternative. See *id.*, at 4–5. The State, however, was noncommittal about pentobarbital's availability. At a pretrial hearing in April 2018, as Justice Lee explained in dissent below, the trial court “zeroed in on the problem and repeatedly questioned counsel about the availability of pentobarbital,” emphasizing that an answer to this question was “‘essential.’” *Id.*, at 4. “The State’s response to the trial court’s direct question—‘will [Protocol A] be available for the August 9th execution?’—was ‘I can’t answer that question, Your Honor.’” *Id.*, at 5.

Then, “[j]ust a few hours before the parties filed their trial briefs on July 5, 2018, [TDOC] adopted a revised execution protocol that abandoned [pentobarbital], leaving only Protocol B”—the midazolam option. *Id.*, at 4. Trial commenced a few days later. Working on a highly expedited timeline, the trial court ruled against the prisoners later that month, concluding that they had failed to prove the availability of pentobarbital—the very method that TDOC had retained as Protocol A until just before trial started.³ See *Abdur’Rahman v. Parker*, No. 18-183-II(III) (Ch.

² “The first drug [midazolam] is critical; without it, the prisoner faces the unadulterated agony of the second and third drugs.” *Arthur v. Dunn*, 580 U. S. 1141, 1142 (2017) (SOTOMAYOR, J., dissenting from denial of certiorari). This Court in *Glossip* concluded that a district court did not clearly err in finding that midazolam could render a prisoner sufficiently insensate to the excruciating effects of the second and third drugs. See 576 U. S., at 885. Any confidence in that conclusion has since eroded in the face of growing contrary medical evidence and worrisome results from executions themselves. See, e. g., *Abdur’Rahman v. Parker*, No. 18-183-II(III) (Ch. Ct. Davidson Cty., Tenn., July 26, 2018), pp. 21–22, 27–28. Because the opinions below do not defend the use of midazolam on the merits, midazolam’s inadequacy is not the focus here.

³ The trial court also concluded that the prisoners’ experts “established that midazolam does not elicit strong analgesic effects and the inmate being executed may be able to feel pain from the administration of the second and

Ct. Davidson Cty., Tenn., July 26, 2018), pp. 2, 34. The Tennessee Supreme Court affirmed on that ground, while declining to “address the Plaintiffs’ claim that the three-drug protocol creates a demonstrated risk of severe pain.” No. M2018–01385–SC–RDO–CV, at 22.

The circumstances surrounding Zagorski and his fellow prisoners’ attempts to prove that pentobarbital was “available” demonstrate how unfairly this already perverse requirement is being applied. For one, the prisoners’ ability to prove the drug’s availability was severely constrained by rules of secrecy surrounding individuals involved in the execution process. See *id.*, at 3 (Lee, J., dissenting); see also Tenn. Code Ann. § 10–7–504(h) (2018). The prisoners were unable to depose individuals with direct knowledge of the State’s efforts to obtain pentobarbital. Nor were the prisoners allowed to learn which potential sellers the State ostensibly approached to try to obtain pentobarbital. Short of cold-calling every pharmacy in the country and asking for pentobarbital, it is anyone’s guess how the prisoners were supposed to challenge meaningfully the State’s claim that it could not obtain the drug. Yet they were faulted below for failing to offer “direct proof.” No. M2018–01385–SC–RDO–CV, at 21.

Moreover, it is not as if pentobarbital has vanished from the Earth, for purposes of execution or otherwise. As Justice Lee noted in dissent, Texas and Georgia have each used it multiple times in executions this year alone. *Id.*, at 5. Missouri also appears to be prepared to use it in upcoming executions. See, e.g., Brief for Respondent in *Bucklew v. Precythe*, O. T. 2018, No. 17–8151, p. 1. Moreover, what discovery the prisoners did obtain below indicates that roughly 10 of the 100 suppliers that TDOC reached out to in 2017 did have pentobarbital for sale—just not the number of doses that the State had requested. No. 18–183–II(III), at 13. And at least one supplier around this time evidently quoted a price and discussed a “bulk \$ option.” App. to Pet. for Cert. 197a.

The trial court found credible the senior TDOC officials who testified to having delegated a search for pentobarbital to their

third drugs.” *Id.*, at 21. But it nevertheless concluded, without expressing any countervailing confidence in midazolam’s anesthetic properties, that this Court “would not find the facts established in this case to violate the Constitution.” *Id.*, at 22; see also *Irick v. Tennessee*, 585 U.S. 1048, 1049–1050 (2018) (SOTOMAYOR, J., dissenting from denial of certiorari).

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subordinates, see No. 18–183–II(III), at 11–12, and the Tennessee Supreme Court based its affirmance in significant part on these “credibility determinations,” see No. M2018–01385–SC–RDO–CV, at 21–22. But these senior officials were not the individuals who actually undertook the search for pentobarbital, see *id.*, at 12; the actual procurers, by contrast, were unavailable to the prisoners because of the State’s secrecy laws. When the prisoners tasked with asking the State to kill them another way are denied by the State information crucial to establishing the availability of that other means of killing, a grotesque requirement has become Kafkaesque as well.

Such barriers are not the only ways in which prisoners proposing a more humane means of execution may be thwarted. In other instances, courts have rejected claims by petitioners proposing means of execution that are unavailable under state law. See, e. g., *Arthur*, 580 U. S., at 1141–1142 (SOTOMAYOR, J., dissenting from denial of certiorari). Such rejections are likewise troubling, because they suggest that “all a State has to do to execute [a person] through an unconstitutional method is to pass a statute declining to authorize any alternative method,” *id.*, at 1148, and they likewise show the need for us to address in more detail what *Glossip* actually requires. In any event, the prisoners here sought only the State’s own Protocol A, which the State itself had held out as a seemingly available method before eliminating it “on the eve of trial.” No. M2018–01385–SC–RDO–CV, at 5 (Lee, J., dissenting). That is hardly an extravagant request, particularly when the State’s own evidence discloses that there had been opportunities to purchase pentobarbital both in smaller quantities and in bulk.

I accordingly would grant Zagorski’s request for a stay and grant certiorari to address what renders a method of execution “available” under *Glossip*. Capital prisoners are not entitled to pleasant deaths under the Eighth Amendment, but they are entitled to humane deaths. The longer we stand silent amid growing evidence of inhumanity in execution methods like Tennessee’s, the longer we extend our own complicity in state-sponsored brutality. I dissent.

OCTOBER 12, 2018

Certiorari Granted

No. 17–1702. MANHATTAN COMMUNITY ACCESS CORP. ET AL.
v. HALLECK ET AL. C. A. 2d Cir. Motion of Chicago Access

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Corporation for leave to file brief as *amicus curiae* granted. Certiorari granted. Reported below: 882 F. 3d 300.

OCTOBER 15, 2018

Dismissal Under Rule 46

No. 18–161. DETROIT INTERNATIONAL BRIDGE CO., INC., ET AL. *v.* DEPARTMENT OF STATE ET AL. C. A. D. C. Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 883 F. 3d 895.

Certiorari Granted—Vacated and Remanded

No. 18–5184. HASHIMI *v.* UNITED STATES. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *McCoy v. Louisiana*, 584 U. S. 414 (2018). Reported below: 718 Fed. Appx. 178.

Miscellaneous Orders

No. 18M50. LYON *v.* CANADIAN NATIONAL RAILWAY COMPANY ET AL.;

No. 18M51. ZAREMBA FAMILY FARMS, INC., ET AL. *v.* ENCANA OIL & GAS (USA) INC.;

No. 18M52. REID *v.* UNITED STATES; and

No. 18M54. MCGHEE *v.* DAVIS, WARDEN. Motions for leave to file petitions for writs of certiorari with supplemental appendices under seal granted.

No. 18M53. SMITH *v.* FOOD BANK OF EASTERN MICHIGAN; and

No. 18M55. RAFI *v.* BRIGHAM AND WOMEN’S HOSPITAL ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 18–5621. TORKORNOO *v.* HELWIG ET AL. C. A. 4th Cir.; and

No. 18–5982. BRITTON-HARR *v.* UNITED STATES. C. A. 5th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until November 5, 2018, 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. 18–6048. IN RE SPOTTSVILLE; and

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No. 18–6065. *IN RE RICHARDSON*. Motions of petitioners for leave to proceed *in forma pauperis* denied, and petitions for writs of habeas corpus dismissed. See this Court’s Rule 39.8.

No. 18–6054. *IN RE BOONE*. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of habeas corpus dismissed. See this Court’s Rule 39.8. JUSTICE KAGAN took no part in the consideration or decision of this motion and this petition.

No. 18–5968. *IN RE GRACIA-CANTU*. Petition for writ of mandamus denied.

No. 18–6018. *IN RE TERRY*. 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. JUSTICE KAGAN took no part in the consideration or decision of this motion and this petition.

Certiorari Denied

No. 17–1575. *YONG v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 644 Pa. 613, 177 A. 3d 876.

No. 17–1624. *CITIZEN POTAWATOMI NATION v. OKLAHOMA*. C. A. 10th Cir. Certiorari denied. Reported below: 881 F. 3d 1226.

No. 17–1713. *EMERSON ELECTRIC CO. ET AL. v. SUPERIOR COURT OF CALIFORNIA, ORANGE COUNTY, ET AL.* Sup. Ct. Cal. Certiorari denied. Reported below: 4 Cal. 5th 316, 410 P. 3d 32.

No. 17–7929. *BROWN v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 17–8462. *PETRAS ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 879 F. 3d 155.

No. 17–8495. *VELEZ v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 17–8853. *DIXON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 718 Fed. Appx. 924.

No. 17–9326. *KORNSE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 135.

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No. 17–9436. FRANCISCO VEGA *v.* GERMAINE. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 247 So. 3d 471.

No. 17–9458. PORTER *v.* RHODE ISLAND. Sup. Ct. R. I. Certiorari denied. Reported below: 179 A. 3d 1218.

No. 18–84. CONAGRA GROCERY PRODUCTS CO. ET AL. *v.* CALIFORNIA; and

No. 18–86. SHERWIN-WILLIAMS CO. *v.* CALIFORNIA. Ct. App. Cal., 6th App. Dist. Certiorari denied. Reported below: 17 Cal. App. 5th 51, 227 Cal. Rptr. 3d 499.

No. 18–124. TWO-WAY MEDIA LTD. *v.* COMCAST CABLE COMMUNICATIONS, LLC, ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 874 F. 3d 1329.

No. 18–167. MCC (XIANGTAN) HEAVY INDUSTRIAL EQUIPMENT CO., LTD. *v.* LIEBHERR MINING & CONSTRUCTION EQUIPMENT, INC., DBA LIEBHERR MINING EQUIPMENT NEWPORT NEWS Co. Sup. Ct. Va. Certiorari denied.

No. 18–176. CONESTOGA TRUST SERVICES, LLC, AS TRUSTEE OF THE CONESTOGA SETTLEMENT TRUST, DATED MAY 1, 2010 *v.* SUN LIFE ASSURANCE COMPANY OF CANADA. C. A. 6th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 600.

No. 18–181. KLAYMAN *v.* LUCK. Ct. App. Ohio, 8th App. Dist., Cuyahoga County. Certiorari denied. Reported below: 2017-Ohio-8231.

No. 18–198. CELLI *v.* NEW YORK CITY DEPARTMENT OF EDUCATION ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 699 Fed. Appx. 88.

No. 18–200. MICHIGAN *v.* JONES. Ct. App. Mich. Certiorari denied.

No. 18–201. MONTAZER *v.* MONTAZER. Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 18–205. NORTHERN CALIFORNIA WATER ASSN. ET AL. *v.* CALIFORNIA STATE WATER RESOURCES CONTROL BOARD ET AL. Ct. App. Cal., 3d App. Dist. Certiorari denied. Reported below: 20 Cal. App. 5th 1204, 230 Cal. Rptr. 3d 142.

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No. 18–224. *PICKENS v. BREVARD POLICE TESTING AND SELECTION CENTER*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 245 So. 3d 745.

No. 18–258. *EL-KHALIDI v. ARABIAN AMERICAN DEVELOPMENT Co.* Ct. App. Tex., 9th Dist. Certiorari denied.

No. 18–293. *FARKAS v. OCWEN LOAN SERVICING, L. L. C., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 725 Fed. Appx. 273.

No. 18–303. *OLEKSY v. GENERAL ELECTRIC Co.* C. A. Fed. Cir. Certiorari denied. Reported below: 718 Fed. Appx. 981.

No. 18–342. *CITY OF MAPLEWOOD, MISSOURI v. WEBB ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 889 F. 3d 483.

No. 18–368. *THOMAS v. COZZI*. C. A. 11th Cir. Certiorari denied. Reported below: 892 F. 3d 1288.

No. 18–5168. *PALACIOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 405.

No. 18–5191. *PANIAGUA-PANIAGUA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 700.

No. 18–5222. *COOPER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 259.

No. 18–5529. *TERRY v. EARLEY ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 704 Fed. Appx. 684.

No. 18–5530. *KALDAWI v. STATE OF KUWAIT ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 709 Fed. Appx. 452.

No. 18–5557. *BUSSING v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 18–5558. *ATWELL v. FERGUSON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–5562. *PIERRE v. VANNOY, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 891 F. 3d 224.

No. 18–5563. *BRUTON v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

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No. 18–5569. *WEISNER v. DAVIS*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 18–5570. *VARGAS v. SUPERIOR COURT OF CALIFORNIA, SAN BERNARDINO COUNTY*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 18–5571. *WILKINS, AKA BROWN v. CONTRA COSTA COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–5572. *WELLS v. GRAY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–5581. *JENEWICZ v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 18–5582. *KISSNER v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 18–5584. *THOMPSON v. COPELAND ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 885 F. 3d 582 and 714 Fed. Appx. 805.

No. 18–5586. *KNIGHT v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 247 So. 3d 481.

No. 18–5589. *DEMA v. ALLEGIANT AIR LLC*. C. A. 9th Cir. Certiorari denied.

No. 18–5590. *JOHNSON v. VIRGINIA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 308.

No. 18–5591. *MASON v. POLSTER, JUDGE, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 18–5592. *MADRID v. VANNOY, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 18–5595. *WILLIAMS v. SOOD ET AL.* C. A. 7th Cir. Certiorari denied.

No. 18–5596. *WALLACE v. BARNES, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 18–5602. *LEONARD v. FLORIDA*. Sup. Ct. Fla. Certiorari denied.

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No. 18–5608. *MATA v. DAVIS*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 18–5610. *SAXENA v. ABUD*. C. A. 9th Cir. Certiorari denied. Reported below: 677 Fed. Appx. 436.

No. 18–5611. *STEWART v. STUKEY*. C. A. 8th Cir. Certiorari denied.

No. 18–5619. *CONTRERAS v. ANGLEA*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 18–5625. *CREW v. MONTGOMERY*, ACTING WARDEN. C. A. 9th Cir. Certiorari denied.

No. 18–5627. *WEBB v. DAVIS*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 18–5628. *TACQUARD v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 18–5629. *CHANEY v. DAVIS*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 18–5632. *LEONOR v. FRAKES*, DIRECTOR, NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES. Ct. App. Neb. Certiorari denied. Reported below: 25 Neb. App. xvi.

No. 18–5635. *JACKSON v. DAVIS*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 18–5637. *DESIR v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 239 So. 3d 678.

No. 18–5643. *CRAFT v. BONDS*, ADMINISTRATOR, SOUTH WOODS STATE PRISON, ET AL. C. A. 3d Cir. Certiorari denied.

No. 18–5668. *BLACKLEDGE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 247.

No. 18–5677. *LOUGHNER v. CLARKE*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. Sup. Ct. Va. Certiorari denied.

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No. 18–5728. *EARNEST v. DAVIS, WARDEN, ET AL.* Sup. Ct. Va. Certiorari denied.

No. 18–5769. *SMITH v. EPPINGER, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 18–5794. *DAVIS v. MADDIE.* C. A. 5th Cir. Certiorari denied. Reported below: 702 Fed. Appx. 230.

No. 18–5857. *LATIMORE v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* Sup. Ct. Fla. Certiorari denied.

No. 18–5859. *MARTINEZ PEREZ v. SESSIONS, ATTORNEY GENERAL.* C. A. 9th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 605.

No. 18–5868. *CANNON v. CLARKE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* Sup. Ct. Va. Certiorari denied.

No. 18–5889. *WELCH v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–5902. *ALLEN v. CLARKE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 273.

No. 18–5905. *MOORE v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2017 IL App (1st) 150208–U.

No. 18–5922. *SARHAN v. FEDERAL BUREAU OF PRISONS.* C. A. 11th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 871.

No. 18–5937. *BURTON v. ALABAMA.* Ct. Crim. App. Ala. Certiorari denied. Reported below: 273 So. 3d 867.

No. 18–5941. *TIPPENS v. VIRGINIA.* Sup. Ct. Va. Certiorari denied.

No. 18–5949. *MORRIS v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 18–5950. *MILLER v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 431.

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No. 18–5956. *WHITNEY v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 2018 Ark. 138.

No. 18–5957. *ARCILA v. UNITED STATES*; and
No. 18–6016. *SANDOVAL-RAMOS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 279.

No. 18–5964. *HACHENEY v. OBENLAND, SUPERINTENDENT, MONROE CORRECTIONAL COMPLEX*. C. A. 9th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 541.

No. 18–5966. *FAULKNER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 885 F. 3d 488.

No. 18–5967. *HOWARD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 720.

No. 18–5970. *GORION v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 528.

No. 18–5971. *FORTIN v. CAIN, SUPERINTENDENT, SNAKE RIVER CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 762.

No. 18–5972. *FAYE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 728 Fed. Appx. 120.

No. 18–5973. *RAMIREZ-DE JESUS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 733 Fed. Appx. 558.

No. 18–5978. *REGISTER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 709 Fed. Appx. 670.

No. 18–5979. *DERRY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 738 Fed. Appx. 107.

No. 18–5983. *CHARLTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 737 Fed. Appx. 257.

No. 18–5987. *HAMMOND v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 890 F. 3d 901.

No. 18–5992. *BUTLER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–5994. *WHITE v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 2018 Ark. 81, 540 S. W. 3d 291.

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No. 18–5996. *BARRIS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 583.

No. 18–5997. *BURCIAGA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 811.

No. 18–6006. *GONZALEZ TOVAR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 89.

No. 18–6007. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 771.

No. 18–6008. *PAGAN-ROMERO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 894 F. 3d 441.

No. 18–6010. *PATEL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–6012. *WILSON v. SOTO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 18–6014. *VEGA-OROZCO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 233.

No. 18–6020. *RODGERS v. MILLER, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 294.

No. 18–6023. *BLACKWELL v. HANSEN, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 826.

No. 18–6024. *BROWN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 18–6028. *BAUM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 167.

No. 18–6030. *SMITH v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 720 Fed. Appx. 647.

No. 18–6031. *ROBINSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 18–6033. *MYERS v. OSBORNE, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–6036. *HARDEN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 893 F. 3d 434.

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No. 18–6041. *BURSE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 83.

No. 18–6042. *ARY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 892 F. 3d 787.

No. 18–6046. *SKILLERN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 884 F. 3d 1103.

No. 18–6049. *SMITH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 726.

No. 18–6060. *CHAVEZ v. LEGRAND, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 388.

No. 18–6063. *ALEXANDER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 423.

No. 17–508. *LIVNAT, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF LIVNAT, ET AL. v. PALESTINIAN AUTHORITY, AKA PALESTINIAN INTERIM SELF-GOVERNMENT AUTHORITY*. C. A. D. C. Cir. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition. Reported below: 851 F. 3d 45.

No. 17–1656. *VIOLET DOCK PORT, INC., LLC v. ST. BERNARD PORT, HARBOR & TERMINAL DISTRICT*. Sup. Ct. La. Motion of National Federation of Independent Business Small Business Legal Center et al. for leave to file brief as *amici curiae* granted. Certiorari denied. Reported below: 2017–0434 (La. 1/30/18), 239 So. 3d 243.

No. 17–8368. *MOLETTE v. UNITED STATES*. C. A. 5th Cir.;

No. 17–8637. *GIPSON v. UNITED STATES* (Reported below: 710 Fed. Appx. 697); and *WALKER v. UNITED STATES* (710 Fed. Appx. 696). C. A. 6th Cir.;

No. 17–8746. *WILSON v. UNITED STATES*. Reported below: 710 Fed. Appx. 435. C. A. 11th Cir.;

No. 17–9045. *HOMRICH v. UNITED STATES*. C. A. 6th Cir.;

No. 17–9379. *CHUBB v. UNITED STATES*. Reported below: 707 Fed. Appx. 388. C. A. 6th Cir.;

No. 17–9400. *SMITH v. UNITED STATES*. Reported below: 714 Fed. Appx. 310. C. A. 4th Cir.;

No. 17–9411. *BUCKNER v. UNITED STATES*. Reported below: 714 Fed. Appx. 273. C. A. 4th Cir.; and

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No. 17–9490. *LEWIS v. UNITED STATES*. Reported below: 733 Fed. Appx. 501. C. A. 11th Cir. Certiorari denied.

JUSTICE SOTOMAYOR, dissenting.

I dissent from the denial of certiorari for the reasons set out in *Brown v. United States*, 586 U. S. 953 (2018) (SOTOMAYOR, J., dissenting from denial of certiorari).

No. 17–8775. *GREER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 881 F. 3d 1241.

JUSTICE SOTOMAYOR, dissenting.

I dissent from the denial of certiorari for the reasons set out in *Brown v. United States*, 586 U. S. 953 (2018) (SOTOMAYOR, J., dissenting from denial of certiorari).

No. 17–9276. *BROWN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 868 F. 3d 297.

JUSTICE SOTOMAYOR, with whom JUSTICE GINSBURG joins, dissenting.

Today this Court denies petitioners, and perhaps more than 1,000 like them, a chance to challenge the constitutionality of their sentences.¹ They were sentenced under a then-mandatory provision of the U. S. Sentencing Guidelines, the exact language of which we have recently identified as unconstitutionally vague in another legally binding provision. These petitioners argue that their sentences, too, are unconstitutional. This important question, which has generated divergence among the lower courts, calls out for an answer. Because this Court’s decision to deny certiorari precludes petitioners from obtaining such an answer, I respectfully dissent.

Petitioner Thilo Brown, like others whose petitions the Court denies today, was sentenced as a “career offender” under the U. S. Sentencing Guidelines. United States Sentencing Commission,

¹ In addition to Thilo Brown’s petition, this Court denies the petitions of Gregory Molette, No. 17–8368; Bobby Jo Gipson and Keith Walker, No. 17–8637; Carlos Wilson, No. 17–8746; Jason Greer, No. 17–8775; Robert Homrich, No. 17–9045; Charles Chubb, No. 17–9379; Terrance Smith, No. 17–9400; John Elwood Buckner, No. 17–9411; and Paul Lewis, No. 17–9490. For the reasons expressed herein, I respectfully dissent from denial of certiorari in their cases as well.

Guidelines Manual §4B1.1(a) (Nov. 2004) (USSG). At the time, those Guidelines were mandatory. They were “binding on judges” and carried “the force and effect of laws.”² *United States v. Booker*, 543 U. S. 220, 234 (2005).³ The Guidelines directed enhanced punishment for “career offender[s].” USSG §4B1.1(a). Defendants qualified as “career offender[s]” if they had “at least two prior felony convictions of either a crime of violence or a controlled substance offense.” *Ibid.* There were different ways that a past conviction could count as “a crime of violence,” but only one is at issue here: A conviction counted as “a crime of violence” if it “involve[d] conduct that presents a serious potential risk of physical injury to another.” §4B1.2(a)(2) (Nov. 2002). Because it supplied an amorphous catchall at the end of a more definite list, that phrase has been known as the “residual clause.” If the phrase sounds familiar, it may be because in *Johnson v. United States*, 576 U. S. 591 (2015), this Court considered the exact same language in another provision where it was binding on judges and had the force and effect of law: a statute called the Armed Career Criminal Act (ACCA), 18 U. S. C. §924(e). Like the Guidelines, the ACCA also required enhanced punishments for career offenders. And, like the Guidelines, the ACCA included its own residual clause. In fact, the ACCA’s residual clause was identical to the Guidelines’ residual clause. See §924(e)(2)(B)(ii) (“ . . . involves conduct that presents a serious potential risk of physical injury to another”).

²This Court accordingly ruled that the mandatory Guidelines violated the Sixth Amendment. See *United States v. Booker*, 543 U. S. 220, 226–227 (2005). The Court then rendered the Guidelines advisory by striking down the provisions that had made them mandatory. See *id.*, at 245.

³Indeed, before *Booker*, this Court consistently held that the Sentencing Guidelines “b[ound] judges and courts in their uncontested responsibility to pass sentence in criminal cases.” *Mistretta v. United States*, 488 U. S. 361, 391 (1989); see also *Stinson v. United States*, 508 U. S. 36, 42 (1993) (“The principle that the Guidelines Manual is binding on federal courts applies as well to policy statements”). The lower courts heeded that instruction. See *United States v. Hendricks*, 171 F. 3d 1184, 1186 (CA8 1999) (“The sentencing guidelines are, of course, binding on federal district courts”); accord, *United States v. Lafayette*, 337 F. 3d 1043, 1051–1052 (CA10 2003); *United States v. Stephens*, 347 F. 3d 427, 430 (CA2 2003); *United States v. Barbosa*, 271 F. 3d 438, 465 (CA3 2001); *United States v. Bahe*, 201 F. 3d 1124, 1129, n. 5 (CA9 2000); *United States v. Harriott*, 976 F. 2d 198, 202–203 (CA4 1992); *United States v. Lee*, 957 F. 2d 770, 772 (CA10 1992).

Johnson struck down the ACCA's residual clause as unconstitutionally vague. 576 U.S., at 597. You might think that if a sequence of words that increases a person's time in prison is unconstitutionally vague in one legally binding provision, that same sequence is unconstitutionally vague if it serves the same purpose in another legally binding provision. Indeed, after *Johnson*, the Sentencing Commission deleted the residual clause from the Guidelines. See USSG §4B1.2(a)(2) (Nov. 2016). But for petitioners like Brown, who were sentenced long before *Johnson*, this Court has thus far left the validity of their sentences an open question. See *Beckles v. United States*, 580 U.S. 256, 266–267 (2017); *id.*, at 281, n. 4 (SOTOMAYOR, J., concurring). The Court's decision today all but ensures that the question will never be answered.

In these petitions, that question largely overlaps with a related, timeliness question: whether Brown and his fellow petitioners may rely on the right announced in *Johnson*, in the ACCA context, to attack collaterally their mandatory-Guidelines sentences. Federal law imposes on prisoners seeking to mount collateral attacks on final sentences “[a] 1-year period of limitation . . . from the latest of” several events. See 28 U.S.C. §2255(f). One event that can reopen this window is this Court “newly recognizing” a right and making that right “retroactively applicable to cases on collateral review.” §2255(f)(3). The right recognized in the ACCA context in *Johnson*, we have held, is retroactive on collateral review. *Welch v. United States*, 578 U.S. 120, 130 (2016).

The question for a petitioner like Brown, then, is whether he may rely on the right recognized in *Johnson* to challenge identical language in the mandatory Guidelines. Three Courts of Appeals have said no. See 868 F.3d 297 (CA4 2017) (case below); *Raybon v. United States*, 867 F.3d 625 (CA6 2017); *United States v. Greer*, 881 F.3d 1241 (CA10 2018). One Court of Appeals has said yes. See *Cross v. United States*, 892 F.3d 288 (CA7 2018). Another has strongly hinted yes in a different posture, after which point the Government dismissed at least one appeal that would have allowed the court to answer the question directly. See *Moore v. United States*, 871 F.3d 72, 80–84 (CA1 2017); see also *United States v. Roy*, 282 F.Supp.3d 421 (Mass. 2017); *United States v. Roy*, Withdrawal of Appeal in No. 17–2169 (CA1). One other court has concluded that the mandatory Guidelines themselves cannot be challenged for vagueness. See *In re Griffin*, 823 F.3d 1350, 1354 (CA11 2016).

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Regardless of where one stands on the merits of how far *Johnson* extends, this case presents an important question of federal law that has divided the courts of appeals and in theory could determine the liberty of over 1,000 people.⁴ That sounds like the kind of case we ought to hear. See this Court's Rules 10(a), (c).⁵ Because the Court nevertheless declines to do so, I respectfully dissent.

No. 18–5998. *BIGGINS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

Rehearing Denied

No. 17–7972. *BARNES v. TEXAS*, 584 U.S. 940. Petition for rehearing denied.

No. 17–6147. *SAPPINGTON v. OLDHAM, SHERIFF, SHELBY COUNTY, TENNESSEE*, 583 U.S. 1017. Motion for leave to file petition for rehearing denied.

OCTOBER 19, 2018

Miscellaneous Order. (For Court's order making allotment of Justices, see 586 U.S. IV.)

OCTOBER 22, 2018

Miscellaneous Order

No. 18A375. *IN RE DEPARTMENT OF COMMERCE ET AL.* Application for stay, presented to JUSTICE GINSBURG, and by her referred to the Court, granted in part and denied in part. The application is granted as to the order of the United States District Court for the Southern District of New York dated September 21, 2018, which is stayed through October 29, 2018, at 4 p.m. The

⁴ See Brief for Eight Federal Public Defender Offices as *Amici Curiae* in No. 16–7056 (CA4), pp. 1a–5a (estimating 1,187 cases pending nationwide).

⁵ Rule 10 sets forth situations that can weigh in favor of certiorari, although they are “neither controlling nor fully measuring the Court’s discretion.” Rule 10(a) points to a situation in which “a United States court of appeals has entered a decision in conflict with the decision of another United States court of appeals on the same important matter.” Rule 10(c) points to a situation in which “a United States court of appeals has decided an important question of federal law that has not been, but should be, settled by this Court.”

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application is denied as to the orders of the District Court dated July 3, 2018, and August 17, 2018.

If applicants file a petition for writ of certiorari or a petition for writ of mandamus with respect to the stayed order by or before October 29, 2018, at 4 p.m., the stay will remain in effect until disposition of such petition by this Court. Should the petition be denied, this stay shall terminate automatically. In the event the petition is granted, the stay shall terminate upon the sending down of the judgment of this Court. Denial of the stay with respect to the remaining orders does not preclude applicants from making arguments with respect to those orders.

JUSTICE GORSUCH, with whom JUSTICE THOMAS joins, concurring in part and dissenting in part.

To implement the constitutional requirement for an “actual Enumeration” of the people every 10 years, Art. I, §2, cl. 3, Congress has instructed the Secretary of Commerce to “take a decennial census . . . in such form and content as he may determine.” 13 U.S.C. §141(a). Most censuses in our history have asked about citizenship, and Commerce Secretary Wilbur Ross recently decided to reinstate a citizenship question in the 2020 census, citing a statement from the Department of Justice indicating that citizenship data would help it enforce the Voting Rights Act of 1965. Normally, judicial review of an agency action like this is limited to the record the agency has compiled to support its decision. But in the case before us the district court held that the plaintiffs—assorted States and interest groups—had made a “strong showing” that Secretary Ross acted in “bad faith” and were thus entitled to explore his subjective motivations through “extra-record discovery,” including depositions of the Secretary, an Acting Assistant Attorney General, and other senior officials. *New York v. Department of Commerce*, 333 F. Supp. 3d 282, 285, 289 (SDNY 2018). In two weeks, the district court plans to hold a trial to probe the Secretary’s mental processes.

This is all highly unusual, to say the least. Leveling an extraordinary claim of bad faith against a coordinate branch of government requires an extraordinary justification. As evidence of bad faith here, the district court cited evidence that Secretary Ross was predisposed to reinstate the citizenship question when he took office; that the Justice Department hadn’t expressed a desire for more detailed citizenship data until the Secretary solic-

ited its views; that he overruled the objections of his agency's career staff; and that he declined to order more testing of the question given its long history. But there's nothing unusual about a new cabinet secretary coming to office inclined to favor a different policy direction, soliciting support from other agencies to bolster his views, disagreeing with staff, or cutting through red tape. Of course, some people may disagree with the policy and process. But until now, at least, this much has never been thought enough to justify a claim of bad faith and launch an inquisition into a cabinet secretary's motives.

Unsurprisingly, the government tells us that it intends to file a petition seeking review of the district court's bad faith determination and its orders allowing extra-record discovery. Toward that end, it has asked us to stay temporarily all extra-record discovery until we may consider its petition for review.

Today, the Court signals that it is likely to grant the government's petition. It stays Secretary Ross's deposition after weighing, among other things, the likelihood of review and the injury that could occur without a stay. And it expressly invites the government to seek review of all of the district court's orders allowing extra-record discovery, including those authorizing the depositions of other senior officials.

Respectfully, I would take the next logical step and simply stay all extra-record discovery pending our review. When it comes to the likelihood of success, there's no reason to distinguish between Secretary Ross's deposition and those of other senior executive officials: each stems from the same doubtful bad faith ruling, and each seeks to explore his motives. As to the hardships, the Court apparently thinks the deposition of a cabinet secretary especially burdensome. But the other extra-record discovery also burdens a coordinate branch in most unusual ways. Meanwhile and by comparison, the plaintiffs would suffer no hardship from being temporarily denied that which they very likely have no right to at all.

There is another factor here, too, weighing in favor of a more complete stay: the need to protect the very review we invite. One would expect that the Court's order today would prompt the district court to postpone the scheduled trial and await further guidance. After all, that is what normally happens when we grant certiorari or indicate that we are likely to do so in a case where trial is imminent. But because today's order technically

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leaves the plaintiffs able to pursue much of the extra-record discovery they seek, it's conceivable they might withdraw their request to depose Secretary Ross, try to persuade the trial court to proceed quickly to trial on the basis of the remaining extra-record evidence they can assemble, and then oppose certiorari on the ground that their discovery dispute has become "moot." To ensure that the Court's offer of prompt review is not made meaningless by such maneuvers, I would have thought it simplest to grant the requested extra-record discovery stay in full. Of course, other, if more involved, means exist to ensure that this Court's review of the district court's bad faith finding is not frustrated. I only hope they are not required.

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Miscellaneous Orders

No. 17-571. *FOURTH ESTATE PUBLIC BENEFIT CORP. v. WALL-STREET.COM, LLC, ET AL.* C. A. 11th Cir. [Certiorari granted, 585 U. S. 1029.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 17-1077. *LORENZO v. SECURITIES AND EXCHANGE COMMISSION.* C. A. D. C. Cir. [Certiorari granted, 585 U. S. 1002.] Motion of the Solicitor General to argue *pro hac vice* granted. JUSTICE KAVANAUGH took no part in the consideration or decision of this motion.

No. 17-1107. *CARPENTER, INTERIM WARDEN v. MURPHY.* C. A. 10th Cir. [Certiorari granted *sub nom. Royal v. Murphy*, 584 U. S. 992.] Joint motion of respondent and Muscogee (Creek) Nation for leave for Muscogee (Creek) Nation to participate in oral argument as *amicus curiae* and for divided argument granted. JUSTICE GORSUCH took no part in the consideration or decision of this motion.

No. 17-1174. *NIEVES ET AL. v. BARTLETT.* C. A. 9th Cir. [Certiorari granted, 585 U. S. 1029.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

Certiorari Granted

No. 17-1594. *RETURN MAIL, INC. v. UNITED STATES POSTAL SERVICE ET AL.* C. A. Fed. Cir. Certiorari granted limited to

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Question 1 presented by the petition. Reported below: 868 F. 3d 1350.

No. 17–1657. MISSION PRODUCT HOLDINGS, INC. *v.* TEMPNOLOGY, LLC, NKA OLD COLD LLC. C. A. 1st Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 879 F. 3d 389.

No. 17–1672. UNITED STATES *v.* HAYMOND. C. A. 10th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 869 F. 3d 1153.

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Certiorari Dismissed

No. 18–5645. JOHNSON *v.* DIAZ, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 18–5774. DRIESSEN *v.* ROYAL BANK OF SCOTLAND. C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 691 Fed. Appx. 21.

No. 18–5801. LARSON *v.* MOORE ET AL. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

No. 18–5836. SHEKHEM EL-BEY *v.* UNITED STATES ET AL. C. A. D. C. Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Co-*

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lumbia Court of Appeals, 506 U. S. 1 (1992) (*per curiam*). JUSTICE KAVANAUGH took no part in the consideration or decision of this motion and this petition.

No. 18–5856. *JEEP v. UNITED STATES*. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

No. 18–5974. *SPAULDING v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA*. C. A. D. C. Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 18–6118. *JONASSEN v. SHARTLE, WARDEN*. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

Miscellaneous Orders

No. D–3029. *IN RE DISCIPLINE OF SPEIGHTS*. Nathaniel H. Speights, of Washington, D. C., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D–3030. *IN RE DISCIPLINE OF REINER*. Martin Barnett Reiner, of Beverly Hills, Cal., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D–3031. *IN RE DISCIPLINE OF ROBERTS*. Richard Allen Roberts, of White Plains, N. Y., is suspended from the practice of

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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-3032. IN RE DISCIPLINE OF POWELL. Roger N. Powell, of Reisterstown, 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-3033. IN RE DISCIPLINE OF CASALE. Michael J. Casale, Jr., of Montoursville, Pa., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-3034. IN RE DISCIPLINE OF JONAS. W. James Jonas, of San Antonio, Tex., 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-3035. IN RE DISCIPLINE OF BLYTHE. Angela M. Blythe, of Oakland, Md., 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-3036. IN RE DISCIPLINE OF KWASNIK. Michael William Kwasnik, of Hollywood, 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-3037. IN RE DISCIPLINE OF COOPER. John Edwin Cooper, of Erie, Pa., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-3038. IN RE DISCIPLINE OF HICKS. Thomas Stephen Hicks, of Snow Hill, N. C., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

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No. D-3039. IN RE DISCIPLINE OF MARCIN. John Bernard Marcin, of Las Vegas, Nev., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-3040. IN RE DISCIPLINE OF MANDELBAUM. David Ben Mandelbaum, of Overland Park, Kan., 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-3041. IN RE DISCIPLINE OF DURBAN. Frampton Durban, Jr., of Newberry, S. C., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 18M56. COTNER *v.* UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT. Motion for leave to proceed as a veteran denied.

No. 18M57. IN RE SEALED PETITIONER. Motion for leave to file petition for writ of mandamus under seal with redacted copies for the public record denied.

No. 18M58. CRAFT *v.* NATIONAL LABOR RELATIONS BOARD; and

No. 18M59. THOMPSON *v.* BANK OF NEW YORK MELLON TRUST CO. ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 18M60. BULLOCK *v.* DISTRICT OF COLUMBIA ET AL. Motion to direct the Clerk to file petition for writ of certiorari out of time under this Court's Rule 14.5 denied.

No. 17-9484. JASON K. *v.* MAINE DEPARTMENT OF HEALTH AND HUMAN SERVICES ET AL. Sup. Jud. Ct. Me. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until November 19, 2018, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

No. 18-109. ARIOSA DIAGNOSTICS, INC. *v.* ILLUMINA, INC. C. A. Fed. Cir.; and

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No. 18–309. *SWARTZ v. RODRIGUEZ, INDIVIDUALLY AND AS SURVIVING MOTHER AND PERSONAL REPRESENTATIVE OF J. A. C. A.* 9th Cir. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 18–5843. *CHANTHUNYA v. MARYLAND ATTORNEY GRIEVANCE COMMISSION.* Ct. App. Md.; and

No. 18–6128. *DIAMOND v. COMMISSIONER OF INTERNAL REVENUE.* C. A. D. C. Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until November 19, 2018, 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. 18–6099. *IN RE MARGHEIM.* Petition for writ of mandamus denied.

No. 18–5850. *IN RE SCHNEIDER.* Petition for writ of mandamus and/or prohibition denied.

Certiorari Denied

No. 17–1544. *FATHER v. MAINE DEPARTMENT OF HEALTH AND HUMAN SERVICES ET AL.* Sup. Jud. Ct. Me. Certiorari denied. Reported below: 2017 ME 214, 173 A. 3d 142.

No. 17–1568. *PADILLA-RAMIREZ v. CULLEY ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 882 F. 3d 826.

No. 17–1572. *PETERSON ET AL. v. FRANKLIN, TRUSTEE FOR THE ESTATE OF FRANKLIN.* C. A. 8th Cir. Certiorari denied. Reported below: 878 F. 3d 631.

No. 17–1604. *BROWN v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 709 Fed. Appx. 103.

No. 17–1636. *CALIFORNIA SEA URCHIN COMMISSION ET AL. v. COMBS, ACTING ASSISTANT SECRETARY FOR FISH, WILDLIFE, AND PARKS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 883 F. 3d 1173.

No. 17–1654. *WISE ET AL. v. HURT ET AL.*; and

No. 17–1655. *VANTLIN ET AL. v. HURT ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 880 F. 3d 831.

No. 17–1673. *AVIATION & GENERAL INSURANCE Co., LTD., ET AL. v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 882 F. 3d 1088.

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No. 17–1700. *TURZAI, SPEAKER OF THE PENNSYLVANIA HOUSE OF REPRESENTATIVES, ET AL. v. BRANDT ET AL.* Sup. Ct. Pa. Certiorari denied. Reported below: 644 Pa. 287, 175 A. 3d 282.

No. 17–1701. *WEI SUN v. SESSIONS, ATTORNEY GENERAL.* C. A. 2d Cir. Certiorari denied. Reported below: 883 F. 3d 23.

No. 17–8844. *COOPER v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 17–8960. *HASKIN v. US AIRWAYS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 689 Fed. Appx. 515.

No. 17–9171. *SANDOVAL v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 705 Fed. Appx. 773.

No. 17–9310. *LOPEZ LARA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 432.

No. 17–9377. *DESILLEN v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 17–9474. *GREENWAY v. ARIZONA.* Super. Ct. Ariz., Pima County. Certiorari denied.

No. 17–9535. *KING v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 883 F. 3d 577.

No. 18–67. *HURST v. CALDWELL ET AL.* Ct. App. Ky. Certiorari denied.

No. 18–77. *ADVANCED VIDEO TECHNOLOGIES LLC v. HTC CORP. ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 879 F. 3d 1314.

No. 18–182. *AIDS HEALTHCARE FOUNDATION, INC. v. GILEAD SCIENCES, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 890 F. 3d 986.

No. 18–187. *SIMPSON v. BANK OF NEW YORK MELLON.* Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 227 So. 3d 669.

No. 18–194. *NUNN v. TENNESSEE DEPARTMENT OF CORRECTION ET AL.* Ct. App. Tenn. Certiorari denied. Reported below: 547 S. W. 3d 163.

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No. 18–206. *CUNNINGHAM v. GENERAL DYNAMICS INFORMATION TECHNOLOGY, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 888 F. 3d 640.

No. 18–209. *MEHTA v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist., Div. 5. Certiorari denied.

No. 18–213. *AUSTIN v. HANOVER INSURANCE CO., AKA MASSACHUSETTS BAY INSURANCE CO.* C. A. 8th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 319.

No. 18–214. *BAZARGANI v. LATCH’S LANE OWNERS ASSN. ET AL.* Super. Ct. Pa. Certiorari denied.

No. 18–215. *AUBUCHON ET AL. v. MARICOPA COUNTY, ARIZONA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 436.

No. 18–218. *BEAM v. ABERCROMBIE.* C. A. 11th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 918.

No. 18–220. *CARRILLO ET AL. v. U. S. BANK N. A. ET AL.* Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 241 So. 3d 143.

No. 18–222. *EMED TECHNOLOGIES CORP. v. REPRO-MED SYSTEMS, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 725 Fed. Appx. 1005.

No. 18–228. *WESTERN RADIO SERVICES CO., INC. v. ALLEN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 660.

No. 18–230. *RICHARDS v. COUNTY OF LOS ANGELES, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 556.

No. 18–233. *INDIEZONE, INC., ET AL. v. ROOKE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 333.

No. 18–235. *VENTURA CONTENT, LTD. v. MOTHERLESS, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 885 F. 3d 597.

No. 18–239. *RINALDO v. MAHAN ET AL.* Ct. App. Colo. Certiorari denied.

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No. 18–241. *PARMAR, INDIVIDUALLY AND AS EXECUTOR OF THE ESTATE OF PARMAR, ET AL. v. MADIGAN, ATTORNEY GENERAL OF ILLINOIS, ET AL.* Sup. Ct. Ill. Certiorari denied. Reported below: 2018 IL 122265, 106 N. E. 3d 1004.

No. 18–242. *GICHARU ET AL. v. SESSIONS, ATTORNEY GENERAL.* C. A. 1st Cir. Certiorari denied.

No. 18–243. *FOX v. POWELL ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 726 Fed. Appx. 865.

No. 18–245. *PENN v. NEW YORK METHODIST HOSPITAL ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 884 F. 3d 416.

No. 18–248. *AHMED v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 863.

No. 18–251. *SCHWARTZ v. HRI HOSPITAL, INC., ET AL.* App. Ct. Mass. Certiorari denied. Reported below: 92 Mass. App. 1120, 95 N. E. 3d 302.

No. 18–255. *BRISCOE v. TEXAS.* Ct. App. Tex., 6th Dist. Certiorari denied. Reported below: 542 S. W. 3d 109.

No. 18–263. *FAUST v. ILLINOIS WORKERS COMPENSATION COMMISSION ET AL.* Sup. Ct. Ill. Certiorari denied.

No. 18–284. *GESSLER v. SMITH ET AL.* Sup. Ct. Colo. Certiorari denied. Reported below: 419 P. 3d 964.

No. 18–297. *WHITE ET AL. v. UNDERWOOD, ATTORNEY GENERAL OF NEW YORK, ET AL.* Ct. App. N. Y. Certiorari denied. Reported below: 31 N. Y. 3d 543, 106 N. E. 3d 709.

No. 18–298. *BEATY v. SOUTH CAROLINA.* Sup. Ct. S. C. Certiorari denied. Reported below: 423 S. C. 26, 813 S. E. 2d 502.

No. 18–313. *DIAMOND v. FLORIDA.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 250 So. 3d 1.

No. 18–332. *SINGSON v. REYES, ATTORNEY GENERAL OF UTAH.* Ct. App. Utah. Certiorari denied.

No. 18–335. *TEAMER v. LEWIS, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 286.

No. 18–341. *KEYES ET AL. v. GUNN ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 890 F. 3d 232.

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No. 18–343. *ANDREWS v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 77 M. J. 393.

No. 18–356. *ORTH v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 7th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 223.

No. 18–357. *TASKOV v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–360. *BERGRIN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 885 F. 3d 416.

No. 18–381. *MARRO v. NEW YORK STATE TEACHERS' RETIREMENT SYSTEM*. C. A. 6th Cir. Certiorari denied.

No. 18–387. *TRiestMAN v. UNDERWOOD, ATTORNEY GENERAL OF NEW YORK*. C. A. 2d Cir. Certiorari denied. Reported below: 715 Fed. Appx. 97.

No. 18–396. *HOLLAND ET AL. v. ROSEN ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 895 F. 3d 272.

No. 18–397. *CLOWDIS v. VIRGINIA BOARD OF MEDICINE*. Sup. Ct. Va. Certiorari denied.

No. 18–407. *STICKLE v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 18–5004. *MITCHELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 146.

No. 18–5230. *MURPHY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 887 F. 3d 1064.

No. 18–5263. *McGEE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5268. *SAILOR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5271. *MURRAY v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied. Reported below: 882 F. 3d 778.

No. 18–5298. *STEWART v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 711 Fed. Appx. 810.

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No. 18–5331. *JEREMIAS v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 134 Nev. 46, 412 P. 3d 43.

No. 18–5391. *SEXTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 894 F. 3d 787.

No. 18–5399. *PEREZ v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 4 Cal. 5th 421, 411 P. 3d 490.

No. 18–5618. *CHON v. OBAMA, FORMER PRESIDENT OF THE UNITED STATES, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 718 Fed. Appx. 653.

No. 18–5641. *ALSTON v. FLORIDA ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 243 So. 3d 885.

No. 18–5648. *LAMARCA v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 237 So. 3d 914.

No. 18–5649. *RICHARDSON v. KENT, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 18–5650. *ROSS v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 235 Md. App. 747.

No. 18–5652. *SPRINGER v. CAPLE ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 650.

No. 18–5656. *METAYER v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 241 So. 3d 836.

No. 18–5659. *CAVALIERI v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 18–5660. *GARTON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 4 Cal. 5th 485, 412 P. 3d 315.

No. 18–5662. *DIAZ v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 18–5672. *RENCHENSKI v. MCGINLEY, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT COAL TOWNSHIP, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–5676. *MORRIS v. PENNSYLVANIA*. C. A. 3d Cir. Certiorari denied.

No. 18–5681. *JOHNSON v. OKLAHOMA*. Sup. Ct. Okla. Certiorari denied.

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No. 18–5687. *O’KEEFE v. BAKER, WARDEN, ET AL.* Ct. App. Nev. Certiorari denied. Reported below: 134 Nev. 990.

No. 18–5690. *TAYLOR v. SCHWEITZER, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 18–5695. *ANNABEL v. MICHIGAN DEPARTMENT OF CORRECTIONS ET AL.* C. A. 6th Cir. Certiorari denied.

No. 18–5697. *REECE v. WHITLEY ET AL.* C. A. 6th Cir. Certiorari denied.

No. 18–5700. *DOCAJ v. JOHNSON, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–5703. *BLAIR v. VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied. Reported below: 699 Fed. Appx. 182.

No. 18–5705. *EASTERLY v. FLORIDA.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 251 So. 3d 844.

No. 18–5711. *COLEMAN v. WARD.* C. A. 4th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 279.

No. 18–5712. *CHRISTMON v. B&B AIRPARTS, INC.* C. A. 10th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 510.

No. 18–5714. *RIVERA-QUINONES v. PENNSYLVANIA.* C. A. 3d Cir. Certiorari denied.

No. 18–5716. *RAY v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 18–5718. *CAMPBELL v. VIRGINIA.* Sup. Ct. Va. Certiorari denied. Reported below: 294 Va. 486, 807 S. E. 2d 735.

No. 18–5719. *BARTLETT v. PINEDA, JUDGE, SUPERIOR COURT OF ARIZONA, MARICOPA COUNTY, ET AL.* Ct. App. Ariz. Certiorari denied.

No. 18–5720. *BARTLETT v. PINEDA, JUDGE, SUPERIOR COURT OF ARIZONA, MARICOPA COUNTY, ET AL.* Ct. App. Ariz. Certiorari denied.

No. 18–5722. *LUGO v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

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No. 18–5723. *KUSHNER v. GREWAL*, ATTORNEY GENERAL OF NEW JERSEY, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 734 Fed. Appx. 95.

No. 18–5724. *CONCEPCION v. MCGINLEY*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT COAL TOWNSHIP, ET AL. C. A. 3d Cir. Certiorari denied.

No. 18–5726. *CAZARES v. TEXAS*. Ct. App. Tex., 8th Dist. Certiorari denied.

No. 18–5727. *CLARKE v. JONES*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied.

No. 18–5733. *PINDER v. MCDOWELL ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 612.

No. 18–5734. *MARTIN v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 18–5735. *ERVIN v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 18–5737. *KYLES v. DAVIS*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 912.

No. 18–5738. *MARQUARDT v. JONES*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 550.

No. 18–5741. *RILEY v. WELLS FARGO BANK, N. A., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 413.

No. 18–5742. *ROBERTS v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 253 So. 3d 1111.

No. 18–5746. *NIX v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 242 So. 3d 1118.

No. 18–5755. *ALLEN v. SUPERIOR COURT OF GEORGIA, CAMDEN COUNTY*. C. A. 11th Cir. Certiorari denied.

No. 18–5758. *ANNAMALAI v. SIVANADIYAN*. C. A. 5th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 409.

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No. 18–5761. *HERMAN v. YOUNG ET AL.* App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 2018 IL App (4th) 170001, 92 N. E. 3d 1070.

No. 18–5764. *CRANE v. DIAZ, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION.* C. A. 9th Cir. Certiorari denied.

No. 18–5767. *SALERNO v. GENTRY, JUDGE, SUPERIOR COURT OF ARIZONA, MARICOPA COUNTY, ET AL.* Sup. Ct. Ariz. Certiorari denied.

No. 18–5768. *RAYFORD v. LEIBACH, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 18–5772. *SALDIVAR v. LEWIS, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 416.

No. 18–5777. *PEDERSON v. ARCTIC SLOPE REGIONAL CORP.* Sup. Ct. Alaska. Certiorari denied. Reported below: 421 P. 3d 58.

No. 18–5779. *COBIA v. OHIO ET AL.* C. A. 6th Cir. Certiorari denied.

No. 18–5782. *COOK v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–5783. *COTTON v. COUNTY OF SAN BERNARDINO, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 700 Fed. Appx. 776.

No. 18–5784. *WABUYABO v. CORRECT CARE SOLUTIONS.* C. A. 10th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 642.

No. 18–5787. *TUBBS v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 18–5792. *WATFORD v. LAFOND ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 725 Fed. Appx. 412.

No. 18–5798. *C. B. v. FISCHGRUND.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 243 So. 3d 365.

No. 18–5802. *DOE v. KAWEAH DELTA HOSPITAL ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 698 Fed. Appx. 457.

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No. 18–5805. *COBB v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–5806. *CORBETT v. WASHINGTON.* Ct. App. Wash. Certiorari denied.

No. 18–5807. *RUBENS v. VANNOY, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 18–5815. *FRANCISCO PUENTES v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–5829. *MATELYAN v. ATLANTIC RECORDS ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–5830. *A. L. v. FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 240 So. 3d 708.

No. 18–5832. *DIXON v. LEE, SUPERINTENDENT, EASTERN NEW YORK CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 18–5837. *ROBERTS v. ALABAMA.* Ct. Crim. App. Ala. Certiorari denied. Reported below: 268 So. 3d 605.

No. 18–5848. *DARBY v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 18–5851. *SALINAS v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 18–5855. *KNIGHT v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 18–5860. *AMIN v. SESSIONS, ATTORNEY GENERAL.* C. A. 4th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 206.

No. 18–5867. *PRESTON v. SMITH, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 18–5869. *MONTGOMERY v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 700 Fed. Appx. 278.

No. 18–5870. *PROW v. ROY ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 649.

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No. 18–5883. *LOWE v. DELTA AIR LINES, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 724.

No. 18–5887. *MORTON v. HAYNES, SUPERINTENDENT, STAFFORD CREEK CORRECTIONS CENTER.* C. A. 9th Cir. Certiorari denied.

No. 18–5911. *LAMPON-PAZ v. DEPARTMENT OF JUSTICE ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–5918. *GUERRERO LOZANO v. FLORIDA.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 243 So. 3d 352.

No. 18–5942. *BYLER v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 409.

No. 18–5943. *LINH THI MINH TRAN v. PHAM ET AL.* Ct. App. Ore. Certiorari denied. Reported below: 288 Ore. App. 384, 414 P. 3d 486.

No. 18–5946. *PARRISH v. WAINWRIGHT, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 18–5951. *CASSADY v. HALL.* C. A. 11th Cir. Certiorari denied. Reported below: 892 F. 3d 1150.

No. 18–5959. *INGEBRETSEN v. PALMER, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–5975. *SINGH v. SESSIONS, ATTORNEY GENERAL.* C. A. 6th Cir. Certiorari denied.

No. 18–6000. *BARREIRO v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* Sup. Ct. Fla. Certiorari denied.

No. 18–6001. *CARMAN v. GEORGIA.* Sup. Ct. Ga. Certiorari denied. Reported below: 304 Ga. 21, 815 S. E. 2d 860.

No. 18–6015. *TORRES-MEDEL v. LASHBROOK, WARDEN.* C. A. 7th Cir. Certiorari denied.

No. 18–6017. *ROBEY v. WASHINGTON.* Ct. App. Wash. Certiorari denied.

No. 18–6035. *CHAMBERS v. UNITED STATES.* C. A. 3d Cir. Certiorari denied.

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No. 18–6057. *SOSA-GONZALEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 900 F. 3d 1.

No. 18–6066. *VASQUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 323.

No. 18–6067. *LEWIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 827.

No. 18–6068. *JONES v. KELLEY, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied.

No. 18–6069. *CADENA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 381.

No. 18–6072. *GAMEZ MENDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 358.

No. 18–6073. *PRICE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 369.

No. 18–6076. *SANDIFER v. FLORIDA*. Sup. Ct. Fla. Certiorari denied.

No. 18–6078. *SPRINGER v. OHIO*. Ct. App. Ohio, 8th App. Dist., Cuyahoga County. Certiorari denied. Reported below: 2017-Ohio-8861.

No. 18–6079. *BROOKS v. FRAUENHEIM, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 18–6080. *BONOWITZ ET AL. v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 18–6083. *LAUREANO-PEREZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 892 F. 3d 50.

No. 18–6084. *LEE v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 243 So. 3d 337.

No. 18–6087. *JOHNSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–6090. *WILLIAMS v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 181 A. 3d 1253.

No. 18–6095. *LUIS BUENROSTRO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 895 F. 3d 1160.

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No. 18–6100. *PLIEGO-HERNANDEZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 790.

No. 18–6102. *MAYES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 18–6103. *VALDEZ-CEJAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 408.

No. 18–6104. *THOMAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 689.

No. 18–6107. *STONE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–6108. *SMOTHERMAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–6109. *SINGH v. UNITED STATES POSTAL SERVICE*. C. A. 9th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 661.

No. 18–6111. *MANDRELL v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 554.

No. 18–6112. *JONES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–6113. *BALLESTEROS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 801.

No. 18–6116. *JEAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 891 F. 3d 712.

No. 18–6117. *BUENDIA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 907 F. 3d 399.

No. 18–6119. *LONG v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–6120. *PULIDO-NOLAZCO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 859.

No. 18–6121. *VEGA-GARCIA, AKA MORENO MOLINA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 893 F. 3d 326.

No. 18–6122. *KAPAHU v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 600.

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No. 18–6123. *GREEN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 18–6127. *VALLIER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 711 Fed. Appx. 786.

No. 18–6132. *OLIVER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–6133. *OLIVARES-CEPEDA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–6143. *RODRIGUEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–6145. *NICHOLS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 18–6146. *NEUMAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–6148. *NANDA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 401.

No. 18–6150. *AQUINO-FLORENCIANI v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 894 F. 3d 4.

No. 18–6151. *THELEMAQUE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 696 Fed. Appx. 966.

No. 18–6171. *TAYLOR v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 405.

No. 18–6173. *TIZNADO-VALENZUELA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 731 F. 3d 627.

No. 17–7894. *TOWNES v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 253 So. 3d 447.

Statement of JUSTICE SOTOMAYOR respecting the denial of certiorari.

Today the Court denies review of Tawuan Townes’ capital murder conviction, the constitutionality of which hinges on whether the trial court instructed jurors that they “may” infer his intent to kill a victim or that they “must” do so. The former instruction is constitutional; the latter is not. There is no way to know for sure which instruction the trial court gave. Two court reporters

certified two conflicting transcripts, and the trial court no longer has the original recording. Because Townes has not shown that the procedures below amount to constitutional error, I must vote to deny his petition for certiorari. I write separately because the trial court's failure to preserve the original recording gives cause for deep concern.

Petitioner Tawuan Townes was convicted of capital murder committed in the course of a burglary and sentenced to death. At trial, the crucial question for the jury was whether Townes possessed the requisite intent for a capital murder conviction. According to the trial transcript prepared and certified by the court reporter after trial, the trial court instructed the jury on how to make that decision as follows:

“‘A specific intent to kill is an essential ingredient of capital murder as charged in this indictment, and may be inferred from the character of an assault, the use of a deadly weapon, or other attendant circumstances. Such intent *must be inferred* if the act was done deliberately and death was reasonably to be apprehended or expected as a natural and probable consequence of the act.’” No. CR–10–1892 (Ala. Crim. App., June 13, 2014), App. to Pet. for Cert. A–5 (emphasis added), withdrawn and substituted, 253 So. 3d 447 (Ala. Crim. App. 2015).

Townes appealed, arguing that the trial court's jury instructions violated his constitutional right to due process. The Alabama Court of Criminal Appeals agreed that the jury instruction, as reproduced above, plainly violated his due process rights. Instructing the jury that it “must” infer Townes' specific intent removed the issue of intent from the jury's consideration and relieved the State of its burden to prove each element of the crime beyond a reasonable doubt. See *Sandstrom v. Montana*, 442 U. S. 510, 523 (1979). Such presumptions, this Court has held, violate the Due Process Clause. *Francis v. Franklin*, 471 U. S. 307, 325 (1985).

Indeed, Townes' intent was the only issue for the jury to resolve at trial. He was charged with shooting and killing Christopher Woods during a burglary. Townes admitted that he and an acquaintance had planned to rob Woods. But Townes adamantly disclaimed any intent to kill Woods, insisting that he shot at

Woods only to scare him. At trial, Townes' counsel focused the defense on this distinction. Under state law, if the jury found that Townes lacked specific intent to kill Woods, it could find Townes guilty of only felony murder. But if the jury found that Townes intended to kill Woods, it could convict Townes of capital murder, making him eligible to receive a death sentence. Because the trial court's instructions took that pivotal question away from the jury, the Court of Criminal Appeals reversed Townes' conviction.

After the reversal, however, the trial court judge filed a "supplemental record" with the appellate court asserting that the certified trial transcript—or rather, a single word of that transcript—had been mistranscribed. The trial court judge insisted that he had properly instructed the jury that it "may," rather than "must," infer specific intent and that the audio recording of Townes' trial confirmed as much. (The government, notably, had not contested the accuracy of the transcript.)

Upon receiving the trial court's *sua sponte* filing, the Court of Criminal Appeals, citing Alabama law, remanded the case and directed the trial court to appoint a new court reporter to listen to the audio recording and retranscribe the trial court proceedings.¹ The second court reporter submitted a new 56-page transcript. It differed from the original transcript by exactly one word: The new transcript said "may" where the original had said "must."²

¹ Alabama Rule of Appellate Procedure 10(g) (1991) provides: "The appellate court may, on motion of a party or on its own initiative, order that a supplemental or corrected record be certified and transmitted to the appellate court if necessary to correct an omission or misstatement."

² This was not the first time that the same trial court judge sought to correct a transcript while a case was pending review. In *Hammonds v. Commissioner, Ala. Dept. of Corrections*, 712 Fed. Appx. 841, 847–848 (2017), the Eleventh Circuit rejected the State's attempt to amend the habeas record with a corrected transcript filed by a court reporter at the request of the same trial judge who presided over Townes' trial. The court reporter—the same one who prepared the second transcript in Townes' case—stated that she had reviewed her notes and the recording of the defendant's trial and concluded that the judge had said "inference" instead of "innocence," curing an allegedly erroneous instruction that the defendant challenged on collateral review. *Ibid.*

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On the basis of the new transcript, the Court of Criminal Appeals withdrew its reversal and affirmed Townes' conviction and death sentence. The court explained that, according to the new transcript—which was now the official record—the trial judge properly instructed the jury. There is no indication that the Court of Criminal Appeals itself reviewed the audio recording of the instructions.

Townes filed a petition for writ of certiorari. This Court called for the record and specifically requested that the trial court provide a copy of the audio recording. The trial court informed this Court's Clerk's Office that the recording no longer exists.

Without the recording, we cannot know what the judge actually said at trial. The second transcript is now the official record of the trial court proceedings, on which this Court must rely in evaluating Townes' challenge to his conviction. On that record, I am unable to conclude that Townes' conviction is unconstitutional.

But the absence of demonstrable constitutional error makes the doubts raised by the trial court's unusual handling of this matter no less troubling. In a matter of life and death, hinging on a single disputed word, all should take great care to protect the reviewing courts' opportunity to learn what was said to the jury before Townes was convicted of capital murder and sentenced to death. Yet the trial court, after its unilateral intervention in Townes' appeal resulted in dueling transcripts, failed to preserve the recording at issue—despite the fact that Townes' case was still pending direct review, and, consequently, his conviction was not yet final. As a result, the potential for this Court's full review of Townes' conviction has been frustrated.

The Constitution guarantees certain procedural protections when the government seeks to prove that a person should pay irreparably for a crime. A reliable, credible record is essential to ensure that a reviewing court—not to mention the defendant and the public at large—can say with confidence whether those fundamental rights have been respected. *Parker v. Dugger*, 498 U. S. 308, 321 (1991) (“It cannot be gainsaid that meaningful appellate review requires that the appellate court consider the defendant's actual record”). By fostering uncertainty about the result here, the trial court's actions in this case erode that confidence. That gives me—and should give us all—great pause.

No. 17–9340. *METCALF v. UNITED STATES*. C. A. 8th Cir. Motion of Gail Heriot et al. for leave to file brief as *amici curiae* granted. Reported below: 881 F. 3d 641.

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No. 18–48. MINNESOTA *v.* CHUTE. Sup. Ct. Minn. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 908 N. W. 2d 578.

No. 18–232. GRIFFIN *v.* TEAMCARE ET AL. C. A. 7th Cir. Certiorari before judgment denied.

No. 18–254. XIU JIAN SUN *v.* TRUMP, PRESIDENT OF THE UNITED STATES. C. A. D. C. Cir. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition.

No. 18–277. BHAGAT *v.* IANCU, DIRECTOR, UNITED STATES PATENT AND TRADEMARK OFFICE. C. A. Fed. Cir. Motion of Independent Inventors et al. for leave to file brief as *amici curiae* out of time denied. Certiorari denied. Reported below: 726 Fed. Appx. 772.

No. 18–553 (18A449). YACKEL *v.* SOUTH DAKOTA ET AL. Sup. Ct. S. D. Application for stay of execution of sentence of death, presented to JUSTICE GORSUCH, and by him referred to the Court, denied. Certiorari denied.

Rehearing Denied

No. 17–8407. MINCEY *v.* DAVIS, WARDEN, 584 U. S. 996. Petition for rehearing denied.

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Certiorari Denied

No. 18–6525 (18A465). ZAGORSKI *v.* MAYS, WARDEN. C. A. 6th Cir. Application for stay of execution of sentence of death, presented to JUSTICE KAGAN, and by her referred to the Court, denied. Certiorari denied. Reported below: 907 F. 3d 901.

No. 18–6530 (18A470). ZAGORSKI *v.* HASLAM, GOVERNOR OF TENNESSEE, ET AL. C. A. 6th Cir. Application for stay of execution of sentence of death, presented to JUSTICE KAGAN, and by her referred to the Court, denied. Certiorari denied. Reported below: 741 Fed. Appx. 320.

JUSTICE SOTOMAYOR, dissenting.

Three weeks ago, I expressed my concerns with the Tennessee Supreme Court's rejection of petitioner Edmund Zagorski's challenge to the lethal-injection protocol that the State previously

planned to use to execute him. *Zagorski v. Parker*, 586 U. S. 938, 939 (2018) (opinion dissenting from denial of application for stay and denial of certiorari). In the wake of that ruling, Zagorski sought instead to be executed by the electric chair. He did so not because he thought that it was a humane way to die, but because he thought that the three-drug cocktail that Tennessee had planned to use was even worse. Given what most people think of the electric chair, it is hard to imagine a more striking testament—from a person with more at stake—to the legitimate fears raised by the lethal-injection drugs that Tennessee uses. See *ibid.* (noting “mounting evidence that the sedative to be used, midazolam, will not prevent the prisoner from feeling as if he is ‘drowning, suffocating, and being burned alive from the inside out’ during a process that could last as long as 18 minutes”).

The present challenge does not concern lethal injection. That said, it might never have arisen if Zagorski had been able to prevail simply by showing that Tennessee’s lethal-injection protocol “creates a demonstrated risk of severe pain.” *Abdur’Rahman v. Parker*, 558 S. W. 3d 606, 625 (Tenn., 2018). Instead, under this Court’s decision in *Glossip v. Gross*, 576 U. S. 863 (2015), Zagorski’s prior challenge failed only because the Tennessee Supreme Court ruled that he had not proved the “availability of” a safer lethal-injection drug (pentobarbital) that was Zagorski’s “proposed alternative method of execution.” *Abdur’Rahman*, 558 S. W. 3d, at 625. His eleventh-hour decision to accept the electric chair as a marginally less excruciating alternative does not undermine, as a matter of logic, his contention that both Tennessee’s lethal-injection protocol and the electric chair are cruel and unusual in violation of the Eighth Amendment.

Given this petition’s unique posture, I note that this Court’s denial of Zagorski’s challenge says nothing about the constitutional tolerability of the electric chair, which has raised concern in other forums. See, e.g., *State v. Mata*, 275 Neb. 1, 67, 745 N. W. 2d 229, 278 (2008) (“Electrocution’s proven history of burning and charring bodies is inconsistent with both the concepts of evolving standards of decency and the dignity of man”). It says a great deal, however, about how this Court’s decision in *Glossip* continues to “immunize . . . methods of execution—no matter how cruel or how unusual—from judicial review.” *Arthur v. Dunn*, 580 U. S. 1141, 1142 (2017) (SOTOMAYOR, J., dissenting from denial

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of certiorari). Because I continue to believe that we should rethink this troubling doctrinal shift and reaffirm that “[t]he Cruel and Unusual Punishments Clause prohibits the imposition of inherently barbaric punishments under all circumstances,” *Graham v. Florida*, 560 U. S. 48, 59 (2010), I dissent.

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Miscellaneous Orders

No. 18A410. IN RE UNITED STATES ET AL. The Government seeks a stay of proceedings in the District Court pending disposition of a petition for a writ of mandamus, No. 18–505, ordering dismissal of the suit. In such circumstances, a stay is warranted if there is (1) “a fair prospect that a majority of the Court will vote to grant mandamus,” and (2) “a likelihood that irreparable harm will result from the denial of a stay.” *Hollingsworth v. Perry*, 558 U. S. 183, 190 (2010) (*per curiam*). Mandamus may issue when “(1) ‘no other adequate means [exist] to attain the relief [the party] desires,’ (2) the party’s ‘right to issuance of the writ is clear and indisputable,’ and (3) ‘the writ is appropriate under the circumstances.’” *Ibid.* (quoting *Cheney v. United States Dist. Court for D. C.*, 542 U. S. 367, 380–381 (2004)). “‘The traditional use of the writ in aid of appellate jurisdiction . . . has been to confine [the court against which mandamus is sought] to a lawful exercise of its prescribed jurisdiction.’” *Id.*, at 380 (quoting *Roche v. Evaporated Milk Assn.*, 319 U. S. 21, 26 (1943)).

The Government contends that these standards are satisfied here because the litigation is beyond the limits of Article III. The Government notes that the suit is based on an assortment of unprecedented legal theories, such as a substantive due process right to certain climate conditions, and an equal protection right to live in the same climate as enjoyed by prior generations. The Government further points out that plaintiffs ask the District Court to create a “national remedial plan” to stabilize the climate and “restore [the] Earth’s energy balance.”

The District Court denied the Government’s dispositive motions, stating that “[t]his action is of a different order than the typical environmental case. It alleges that defendants’ actions and inactions—whether or not they violate any specific statutory duty—have so profoundly damaged our home planet that they threaten plaintiffs’ fundamental constitutional rights to life and

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liberty.” *Juliana v. United States*, 217 F. Supp. 3d 1224, 1261 (Ore. 2016). The District Court declined to certify its orders for interlocutory review under 28 U.S.C. § 1292(b) (permitting such review when the district court certifies that its order “involves a controlling question of law as to which there is substantial ground for difference of opinion and that an immediate appeal . . . may materially advance the ultimate termination of the litigation”). See this Court’s order of July 30, 2018, No. 18A65 [585 U.S. 1045] (noting that the “striking” breadth of plaintiffs’ below claims “presents substantial grounds for difference of opinion”).

At this time, however, the Government’s petition for a writ of mandamus does not have a “fair prospect” of success in this Court because adequate relief may be available in the United States Court of Appeals for the Ninth Circuit. When mandamus relief is available in the court of appeals, pursuit of that option is ordinarily required. See this Court’s Rule 20.1 (petitioners seeking extraordinary writ must show “that adequate relief cannot be obtained in any other form *or from any other court*” (emphasis added)); Rule 20.3 (mandamus petition must “set out with particularity why the relief sought is not available in any other court”); see also *Ex parte Peru*, 318 U.S. 578, 585 (1943) (mandamus petition “ordinarily must be made to the intermediate appellate court”).

Although the Ninth Circuit has twice denied the Government’s request for mandamus relief, it did so without prejudice. And the court’s basis for denying relief rested, in large part, on the early stage of the litigation, the likelihood that plaintiffs’ claims would narrow as the case progressed, and the possibility of attaining relief through ordinary dispositive motions. Those reasons are, to a large extent, no longer pertinent. The 50-day trial was scheduled to begin on October 29, 2018, and being held in abeyance only because of the current administrative stay.

In light of the foregoing, the application for stay, presented to THE CHIEF JUSTICE, and by him referred to the Court, is denied without prejudice. The order heretofore entered by THE CHIEF JUSTICE is vacated. JUSTICE THOMAS and JUSTICE GORSUCH would grant the application.

No. 18A455. IN RE DEPARTMENT OF COMMERCE ET AL. D. C. S. D. N. Y. Application for stay, presented to JUSTICE GINSBURG, and by her referred to the Court, denied. JUSTICE THOMAS,

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JUSTICE ALITO, and JUSTICE GORSUCH would grant the application.

No. 17–647. *KNICK v. TOWNSHIP OF SCOTT, PENNSYLVANIA, ET AL.* C. A. 3d Cir. [Certiorari granted, 583 U. S. 1166.] Case restored to the calendar for reargument. The parties and the Solicitor General are directed to file letter briefs, not to exceed 10 pages, addressing petitioner’s alternative argument for vacatur, discussed at pages 12–15 and 40–42 of the transcript of oral argument and in footnote 14 of petitioner’s brief on the merits. Briefs are to be filed simultaneously with the Clerk and served upon opposing counsel on or before 2 p.m., Friday, November 30, 2018. Reply briefs, not to exceed four pages, are to be filed simultaneously with the Clerk and served upon opposing counsel on or before 2 p.m., Friday, December 21, 2018.

Certiorari Granted

No. 17–1606. *SMITH v. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY.* C. A. 6th Cir. Certiorari granted. Reported below: 880 F. 3d 813.

No. 17–1679. *GRAY v. WILKIE, SECRETARY OF VETERANS AFFAIRS.* C. A. Fed. Cir. Certiorari granted. Reported below: 875 F. 3d 1102.

No. 17–1717. *AMERICAN LEGION ET AL. v. AMERICAN HUMANIST ASSN. ET AL.*; and

No. 18–18. *MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION v. AMERICAN HUMANIST ASSN. ET AL.* C. A. 4th Cir. Certiorari granted, cases consolidated, and a total of one hour is allotted for oral argument. Reported below: 874 F. 3d 195.

No. 17–8995. *MONT v. UNITED STATES.* C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 723 Fed. Appx. 325.

No. 17–9572. *FLOWERS v. MISSISSIPPI.* Sup. Ct. Miss. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted limited to the following question: “Whether the Mississippi Supreme Court erred in how it applied *Batson v. Kentucky*, 476 U. S. 79 (1986), in this case.” Reported below: 240 So. 3d 1082.

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Appeal Dismissed

No. 18–290. *LAVERGNE ET AL. v. UNITED STATES HOUSE OF REPRESENTATIVES ET AL.* Appeal from D. C. D. C. dismissed for want of jurisdiction.

Certiorari Dismissed

No. 18–5863. *JOHNSON v. BUTLER LAW FIRM.* C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). Reported below: 712 Fed. Appx. 345.

No. 18–5873. *OLIC v. SPEARMAN, WARDEN.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 18–5881. *VURIMINDI v. HOOPSKIRT LOFTS CONDOMINIUM ASSN.* Commw. Ct. Pa. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

Miscellaneous Orders

No. 18A365. *KEYES v. BANKS.* Cir. Ct. Letcher County, Ky. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. 65, Orig. *TEXAS v. NEW MEXICO.* Motion of the River Master for fees and expenses granted, and the River Master is awarded a total of \$14,242.82 for the period July 1, 2017, through June 30, 2018, to be paid equally by the parties. [For earlier order herein, see, *e. g.*, 583 U. S. 810.]

No. 17–1606. *SMITH v. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY.* C. A. 6th Cir. [Certiorari granted, 586 U. S. 985.] Deepak Gupta, Esq., of Washington, D. C., is invited to brief and argue this case as *amicus curiae* in support of judgment below.

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No. 18–5820. *EVANS v. DELAWARE*. Sup. Ct. Del. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [586 U.S. 807] denied.

No. 18–6160. *CARMODY v. BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS ET AL.* C. A. 7th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until November 26, 2018, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

Certiorari Denied

No. 17–9218. *CAIN v. DAVIS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 870 F.3d 1003.

No. 18–121. *ROTHERY ET AL. v. BLANAS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 700 Fed. Appx. 782.

No. 18–125. *GRUSSGOTT v. MILWAUKEE JEWISH DAY SCHOOL, INC.* C. A. 7th Cir. Certiorari denied. Reported below: 882 F.3d 655.

No. 18–252. *REAL ESTATE ALLIANCE LTD. v. MOVE, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 721 Fed. Appx. 950.

No. 18–259. *CITY OF EAST CLEVELAND, OHIO, ET AL. v. WHEATT ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 302.

No. 18–262. *XIU JIAN SUN v. MULLKOFF*. C. A. 2d Cir. Certiorari denied.

No. 18–271. *TROST ET UX. v. TROST*. C. A. 6th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 875.

No. 18–276. *BAKER v. MICROSOFT CORP. ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 726 Fed. Appx. 800.

No. 18–278. *KOZIOL, INDIVIDUALLY, AS NATURAL PARENT OF CHILD A ET AL., AND ON BEHALF OF PARENTS SIMILARLY SITUATED v. DiFIORE, CHIEF JUDGE, NEW YORK STATE UNIFIED COURT SYSTEM, ET AL.* App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied.

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No. 18–282. *TUCKER v. ATWATER ET AL.* Ct. App. Ga. Certiorari denied. Reported below: 343 Ga. App. 301, 807 S. E. 2d 56.

No. 18–286. *PRASAD v. LIGHTBOURNE ET AL.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 18–289. *DEGENNARO v. AMERICAN BANKERS INSURANCE COMPANY OF FLORIDA ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 737 Fed. Appx. 631.

No. 18–296. *DIAZ v. SESSIONS, ATTORNEY GENERAL.* C. A. 5th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 240.

No. 18–299. *BRIGGS v. RENDLEN, JUDGE, UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF MISSOURI.* C. A. 8th Cir. Certiorari denied. Reported below: 888 F. 3d 930.

No. 18–314. *CAPELLA PHOTONICS, INC. v. CISCO SYSTEMS, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 711 Fed. Appx. 642.

No. 18–346. *ESTATE OF SMALLWOOD v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 717 Fed. Appx. 1007.

No. 18–371. *WANG v. IANCU, DIRECTOR, UNITED STATES PATENT AND TRADEMARK OFFICE.* C. A. Fed. Cir. Certiorari denied. Reported below: 737 Fed. Appx. 534.

No. 18–388. *PARKER ET AL. v. IANCU, UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND DIRECTOR, PATENT AND TRADEMARK OFFICE* (two judgments). C. A. Fed. Cir. Certiorari denied. Reported below: 731 Fed. Appx. 979 (second judgment) and 980 (first judgment).

No. 18–411. *OMIDI v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 808.

No. 18–417. *HARKONEN v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 705 Fed. Appx. 606.

No. 18–421. *CEPEDA-CORTES v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 894 F. 3d 686.

No. 18–427. *BAMDAD v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

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No. 18–430. *JONES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 893 F. 3d 66.

No. 18–5003. *MULET v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 697.

No. 18–5105. *MAKONNEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 905.

No. 18–5132. *BRYANT v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 238 So. 3d 751.

No. 18–5182. *BUTLER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 732.

No. 18–5303. *MASON v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 153 Ohio St. 3d 476, 2018-Ohio-1462, 108 N. E. 3d 56.

No. 18–5393. *MCMAHAN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 665.

No. 18–5435. *YBARRA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 660.

No. 18–5765. *RUSSELL v. REDSTONE FEDERAL CREDIT UNION ET AL.* (Reported below: 710 Fed. Appx. 830); and *RUSSELL v. INGEGNERI ET AL.* (713 Fed. Appx. 991). C. A. 11th Cir. Certiorari denied.

No. 18–5816. *NASH v. BISHOP ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 332.

No. 18–5818. *KILPATRICK v. KONDAVEETI*. C. A. 2d Cir. Certiorari denied.

No. 18–5819. *KILPATRICK v. FIELDS*. C. A. 2d Cir. Certiorari denied.

No. 18–5827. *KING v. NEALL, SECRETARY, MARYLAND DEPARTMENT OF HEALTH, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 221.

No. 18–5833. *KILPATRICK v. VOLTERRA*. C. A. 2d Cir. Certiorari denied.

No. 18–5834. *KILPATRICK v. ROBINSON*. C. A. 2d Cir. Certiorari denied.

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No. 18–5841. *RODRIGUEZ v. JONES*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. Sup. Ct. Fla. Certiorari denied.

No. 18–5862. *ROSS v. CLERK OF COURTS OF THE COURT OF COMMON PLEAS OF PHILADELPHIA, PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 726 Fed. Appx. 864.

No. 18–5864. *LEE v. PEERY*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 18–5877. *STOLTZFOOS v. WETZEL*, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 733 Fed. Appx. 34.

No. 18–5878. *JAMERSON v. JONES*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 698 Fed. Appx. 581.

No. 18–5886. *MITCHELL v. TAYLOR ET AL.* C. A. 6th Cir. Certiorari denied.

No. 18–5897. *BRADDY v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 246 So. 3d 281.

No. 18–5903. *JONES v. BERRYHILL*, ACTING COMMISSIONER OF SOCIAL SECURITY, ET AL. C. A. 2d Cir. Certiorari denied.

No. 18–5961. *MARINO v. RICKARD*, WARDEN. C. A. 4th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 794.

No. 18–5962. *MATTIS v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 244 So. 3d 1076.

No. 18–5977. *RAFI v. YALE UNIVERSITY SCHOOL OF MEDICINE ET AL.* C. A. 2d Cir. Certiorari denied.

No. 18–5981. *PASTOR v. PARTNERSHIP FOR CHILDREN’S RIGHTS*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 159 App. Div. 3d 910, 70 N. Y. S. 3d 65.

No. 18–5986. *CALDWELL v. PAYNE*, SUPERINTENDENT, EASTERN RECEPTION, DIAGNOSTIC AND CORRECTIONAL CENTER. Sup. Ct. Mo. Certiorari denied.

No. 18–6037. *ZAVALA v. RIOS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 720.

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No. 18–6040. *THORNBERRY v. DIAZ*, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION. C. A. 9th Cir. Certiorari denied.

No. 18–6051. *BENDER v. DAVIS*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 18–6074. *KURI v. KANSAS DEPARTMENT OF LABOR, EMPLOYMENT SECURITY BOARD OF REVIEW*. Ct. App. Kan. Certiorari denied. Reported below: 55 Kan. App. 2d xiii, 405 P. 3d 1247.

No. 18–6081. *CAMACHO v. KELLEY*, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION. C. A. 8th Cir. Certiorari denied. Reported below: 888 Fed. Appx. 389.

No. 18–6088. *BURRIS v. RAMEY*, SUPERINTENDENT, JEFFERSON CITY CORRECTIONAL CENTER. Sup. Ct. Mo. Certiorari denied.

No. 18–6093. *TATE v. MARYLAND*. Ct. App. Md. Certiorari denied. Reported below: 459 Md. 587, 187 A. 3d 660.

No. 18–6138. *FOX v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–6139. *FRIAS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 893 F. 3d 1268.

No. 18–6141. *TOWNE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–6149. *POLK v. LEWIS*, SUPERINTENDENT, SOUTHEAST CORRECTIONAL CENTER. Sup. Ct. Mo. Certiorari denied.

No. 18–6155. *LEMUS CERNA, AKA LEMUS ALFARO v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 894 F. 3d 593.

No. 18–6156. *MEDINA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 734 Fed. Appx. 777.

No. 18–6159. *WILLIAMS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 892 F. 3d 242.

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No. 18–6161. *LOMBARD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–6163. *JONES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–6165. *RINEHART v. OHIO*. Ct. App. Ohio, 4th App. Dist., Ross County. Certiorari denied. Reported below: 2018-Ohio-1261.

No. 18–6169. *JOHNSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–6178. *CLARK v. RAMEY, SUPERINTENDENT, JEFFERSON CITY CORRECTIONAL CENTER*. Sup. Ct. Mo. Certiorari denied.

No. 18–6180. *DERONCELE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 683.

No. 18–6184. *BARNES v. MASTERS, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 93.

No. 18–6186. *GAITAN BENITEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 894 F. 3d 593.

No. 18–6188. *LUCERO v. COLORADO DEPARTMENT OF CORRECTIONS*. Sup. Ct. Colo. Certiorari denied.

No. 18–6190. *SWENSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 894 F. 3d 677.

No. 18–6193. *WHITE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–6197. *MEDINA ORTIZ v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 18–6198. *ACOSTA-JOAQUIN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 894 F. 3d 60.

No. 18–6201. *DEANGELIS v. PLUMLEY, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 718 Fed. Appx. 290.

No. 18–6204. *FRANKLIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–6205. *GUEVARA-GUEVARA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 348.

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No. 18–6206. *HOWARD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 526.

No. 18–6208. *HEMSHER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 893 F. 3d 525.

No. 18–6209. *WERBACH v. UNIVERSITY OF ARKANSAS ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 801.

No. 18–6215. *PERAGINE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 498.

No. 18–6216. *MULENGA v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 185 A. 3d 720.

No. 18–6222. *BACON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 884 F. 3d 605.

No. 18–6225. *BUMMER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 721.

No. 18–6226. *FOREST v. LEWIS, SUPERINTENDENT, SOUTH-EAST CORRECTIONAL CENTER*. Sup. Ct. Mo. Certiorari denied.

No. 18–6229. *WAIRI v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 18–6232. *JOHNSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 734 Fed. Appx. 153.

No. 18–6240. *JOHNSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 18–6241. *JEWELL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–6242. *LOCKE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–6251. *PEBLEY v. COLORADO*. Ct. App. Colo. Certiorari denied.

No. 18–6266. *RIVERA-SOLIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 207.

No. 18–6267. *ROBERTSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 895 F. 3d 1206.

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No. 18–6268. *KING v. KILPATRICK, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 18–6271. *SCOTT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 244.

No. 18–6277. *YAWN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 881.

No. 18–6279. *KWUSHUE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 693.

No. 18–6280. *STEWART v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 254.

No. 18–6282. *DIXON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 627.

No. 17–498. *BERNINGER v. FEDERAL COMMUNICATIONS COMMISSION ET AL.*;

No. 17–499. *AT&T INC. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.*;

No. 17–500. *AMERICAN CABLE ASSN. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.*;

No. 17–501. *CTIA–THE WIRELESS ASSN. ET AL. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.*;

No. 17–502. *NCTA–THE INTERNET AND TELEVISION ASSN. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.*;

No. 17–503. *TECHFREEDOM ET AL. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.*; and

No. 17–504. *UNITED STATES TELECOM ASSN. ET AL. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* C. A. D. C. Cir. Certiorari denied. JUSTICE THOMAS, JUSTICE ALITO, and JUSTICE GORSUCH would grant the petitions, vacate the judgment, and remand with instructions to dismiss the cases as moot. See *United States v. Munsingwear, Inc.*, 340 U. S. 36 (1950). THE CHIEF JUSTICE and JUSTICE KAVANAUGH took no part in the consideration or decision of these petitions. Reported below: 825 F. 3d 674.

No. 18–275. *SMITH ET AL. v. CLINTON ET AL.* C. A. D. C. Cir. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition. Reported below: 886 F. 3d 122.

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No. 18–325. *GEHRMANN ET AL. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 731 Fed. Appx. 792.

No. 18–334. *MEDINA DEL ROSARIO ET AL. v. WELLS FARGO BANK, N. A., AS TRUSTEE, ET AL.* C. A. 9th Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 714 Fed. Appx. 722.

No. 18–5932. *JONES v. JOHNSON, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 18–6094. *GARCIA-MARTINEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 730 Fed. Appx. 665.

No. 18–6213. *BAXTER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

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Miscellaneous Orders

No. 17–961. *FRANK ET AL. v. GAOS, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED, ET AL.* C. A. 9th Cir. [Certiorari granted, 584 U. S. 958.] The parties and the Solicitor General are directed to file supplemental briefs addressing whether any named plaintiff has standing such that the federal courts have Article III jurisdiction over this dispute. Briefs, not to exceed 6,000 words, are to be filed simultaneously with the Clerk and served upon opposing counsel on or before 2 p.m., Friday, November 30, 2018. Reply briefs, not to exceed 3,000 words, are to be filed simultaneously with the Clerk and served upon opposing counsel on or before 2 p.m., Friday, December 21, 2018.

No. 18–557. *IN RE DEPARTMENT OF COMMERCE ET AL.* Respondents are directed to file a response to the petition on or before 5 p.m., Tuesday, November 13, 2018. Petitioners may file a reply brief on or before 2 p.m., Thursday, November 15, 2018.

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Amicus curiae briefs may be filed on or before 5 p.m., Tuesday, November 13, 2018.

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Miscellaneous Orders

No. 18M61. HENDRICKS *v.* BINGHAM ET AL. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 18M62. RODWELL *v.* MASSACHUSETTS. Motion for leave to file petition for writ of certiorari with supplemental appendix under seal granted.

No. 18–5955. IN RE TURNER. Petition for writ of prohibition denied.

Probable Jurisdiction Postponed

No. 18–281. VIRGINIA HOUSE OF DELEGATES ET AL. *v.* BETHUNE-HILL ET AL. Appeal from D. C. E. D. Va. Further consideration of question of jurisdiction postponed to hearing of case on the merits. In addition to the questions presented by the jurisdictional statement, the parties are directed to fully brief the following question: “Whether appellants have standing to bring this appeal.” Reported below: 326 F. Supp. 3d 128.

Certiorari Granted

No. 17–1705. PDR NETWORK, LLC, ET AL. *v.* CARLTON & HARRIS CHIROPRACTIC, INC. C. A. 4th Cir. Certiorari granted limited to the following question: “Whether the Hobbs Act required the District Court in this case to accept the FCC’s legal interpretation of the Telephone Consumer Protection Act.” Reported below: 883 F. 3d 459.

Certiorari Denied

No. 17–8719. DE VERA *v.* UNITED AIRLINES, INC. C. A. 9th Cir. Certiorari denied. Reported below: 689 Fed. Appx. 575.

No. 17–9105. DEBEIKES *v.* HAWAIIAN AIRLINES, INC., ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 725 Fed. Appx. 499.

No. 17–9295. JEANTY *v.* NEW YORK CITY DEPARTMENT OF FINANCE. C. A. 2d Cir. Certiorari denied. Reported below: 709 Fed. Appx. 89.

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No. 17-9306. *TRINH v. TRINH*. Super. Ct. Pa. Certiorari denied.

No. 17-9339. *SILVA MEDINA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18-29. *BHAWNANI ET AL. v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied.

No. 18-37. *SECURIFORCE INTERNATIONAL AMERICA, LLC v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 879 F. 3d 1354.

No. 18-50. *CARTY v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 543 S. W. 3d 149.

No. 18-73. *CARPENTER v. JORDAN*. C. A. 6th Cir. Certiorari denied. Reported below: 885 F. 3d 413.

No. 18-119. *GOTECH INTERNATIONAL TECHNOLOGY LTD. ET AL. v. NAGRAVISION SA*. C. A. 5th Cir. Certiorari denied. Reported below: 882 F. 3d 494.

No. 18-244. *WOIDE ET AL. v. FEDERAL NATIONAL MORTGAGE ASSOCIATION*. C. A. 11th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 731.

No. 18-269. *MAPUATULI ET AL. v. WHITAKER, ACTING ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 730.

No. 18-279. *KONARSKI, DBA FGPJ APARTMENTS AND DEVELOPMENT, ET AL. v. CITY OF TUCSON, ARIZONA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 609.

No. 18-305. *KIRBY v. OFFICE OF THE ATTORNEY GENERAL OF NORTH CAROLINA*. C. A. 4th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 48.

No. 18-310. *TUCKER v. LCP-MAUI, LLC*. Int. Ct. App. Haw. Certiorari denied. Reported below: 142 Haw. 149, 414 P. 3d 201.

No. 18-316. *WEESE v. MARYLAND*. C. A. 4th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 271.

No. 18-318. *KOUTENTIS v. NEW YORK CITY POLICE DEPARTMENT, LICENSING DIVISION*. App. Div., Sup. Ct. N. Y., 1st Jud.

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Dept. Certiorari denied. Reported below: 158 App. Div. 3d 542, 68 N. Y. S. 3d 722.

No. 18–320. CEH ENERGY, LLC, ET AL. *v.* KEAN MILLER, LLP, ET AL. C. A. 5th Cir. Certiorari denied.

No. 18–322. MINER *v.* ILLINOIS ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION. Sup. Ct. Ill. Certiorari denied.

No. 18–345. XIU JIAN SUN *v.* NEWMAN ET AL. C. A. 2d Cir. Certiorari denied.

No. 18–347. WEST CONGRESS STREET PARTNERS, LLC *v.* RIVERTOWN DEVELOPMENT, LLC, ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 739 Fed. Appx. 778.

No. 18–350. BROWN *v.* SOUTH CAROLINA. Sup. Ct. S. C. Certiorari denied. Reported below: 423 S. C. 519, 815 S. E. 2d 761.

No. 18–352. SOUTH CAROLINA *v.* YOUNG. Ct. App. S. C. Certiorari denied.

No. 18–353. CLARK *v.* SOUTHWEST AIRLINES Co. C. A. 5th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 442.

No. 18–372. CODDINGTON *v.* NEVADA. Sup. Ct. Nev. Certiorari denied. Reported below: 134 Nev. 925, 415 P. 3d 12.

No. 18–400. HOSKINS *v.* FUCHS. Ct. App. Tex., 2d Dist. Certiorari denied. Reported below: 517 S. W. 3d 834.

No. 18–402. PEZHMAN *v.* CHANEL ET AL. Ct. App. N. Y. Certiorari denied. Reported below: 32 N. Y. 3d 1018, 111 N. E. 3d 320.

No. 18–403. SHEAR *v.* MAZ PARTNERS, LP, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED. C. A. 1st Cir. Certiorari denied. Reported below: 894 F. 3d 419.

No. 18–429. GERMINARO ET AL. *v.* FIDELITY NATIONAL TITLE INSURANCE CO. ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 737 Fed. Appx. 96.

No. 18–435. LABMD, INC. *v.* TIVERSA, INC. C. A. 11th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 878.

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No. 18–439. *JANANGELO v. TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION*. C. A. 9th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 660.

No. 18–440. *NERO ET AL. v. MOSBY*. C. A. 4th Cir. Certiorari denied. Reported below: 890 F. 3d 106.

No. 18–449. *PHARMAVITE LLC v. BRADACH*. C. A. 9th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 251.

No. 18–454. *DINGER v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 77 M. J. 447.

No. 18–455. *EMINETH v. OREGON*. Ct. App. Ore. Certiorari denied. Reported below: 290 Ore. App. 720, 414 P. 3d 498.

No. 18–456. *PERSICO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 732 Fed. Appx. 44.

No. 18–467. *FLETCHER ET AL. v. HONEYWELL INTERNATIONAL, INC.* C. A. 6th Cir. Certiorari denied. Reported below: 892 F. 3d 217.

No. 18–509. *KINNEY v. STATE BAR OF CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 409.

No. 18–5137. *DANIEL v. BROOKLYN LAW SCHOOL*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 153 App. Div. 3d 708, 60 N. Y. S. 3d 308.

No. 18–5223. *RATCLIFF v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 725 Fed. Appx. 894.

No. 18–5487. *SOTO v. SWEETMAN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 882 F. 3d 865.

No. 18–5517. *GALLARDO v. ARIZONA*. Super. Ct. Ariz., County of Maricopa. Certiorari denied.

No. 18–5534. *CARRASQUILLA-LOMBADA ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 685 Fed. Appx. 761.

No. 18–5537. *OPENGEYM v. HEARTLAND EMPLOYMENT SERVICES, LLC*. C. A. 6th Cir. Certiorari denied.

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No. 18–5548. *TUTTLE v. ALLIED NEVADA GOLD CORP. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 725 Fed. Appx. 144.

No. 18–5888. *MORRISON v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 18–5891. *WHITNEY v. GUTERRES, SECRETARY GENERAL OF THE UNITED NATIONS, ET AL.* Sup. Ct. Ark. Certiorari denied. Reported below: 2018 Ark. 133.

No. 18–5892. *JACKSON v. OHIO.* Ct. App. Ohio, 8th App. Dist., Cuyahoga County. Certiorari denied. Reported below: 2018-Ohio-276, 105 N. E. 3d 472.

No. 18–5906. *KILPATRICK v. WEISS.* C. A. 2d Cir. Certiorari denied.

No. 18–5907. *KILPATRICK v. ELIA, COMMISSIONER, NEW YORK STATE DEPARTMENT OF EDUCATION.* C. A. 2d Cir. Certiorari denied.

No. 18–5908. *KILPATRICK v. ZUCKER, COMMISSIONER, NEW YORK STATE DEPARTMENT OF HEALTH, OFFICE OF PROFESSIONAL MEDICAL CONDUCT; and KILPATRICK v. DRESLIN, EXECUTIVE DEPUTY COMMISSIONER, NEW YORK STATE DEPARTMENT OF HEALTH, OFFICE OF PROFESSIONAL MEDICAL CONDUCT.* C. A. 2d Cir. Certiorari denied.

No. 18–5909. *SOLDRIDGE v. MAHALLY, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–5919. *MARTIN v. BROWN ET AL.; and MARTIN v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 18–5920. *ROLLAND v. CARNATION BUILDING SERVICES, INC.* C. A. 10th Cir. Certiorari denied. Reported below: 739 Fed. Appx. 920.

No. 18–5926. *WILKINS v. LANE, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT FAYETTE, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–5927. *J. A. v. NEW JERSEY.* Sup. Ct. N. J. Certiorari denied. Reported below: 233 N. J. 432, 186 A. 3d 266.

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No. 18–5931. *LASCHKEWITSCH v. LEGAL & GENERAL AMERICA, INC., DBA BANNER LIFE INSURANCE Co.* C. A. 4th Cir. Certiorari denied. Reported below: 725 Fed. Appx. 252.

No. 18–5936. *JOHNSON v. WILLIAMS, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 238.

No. 18–5938. *BAILEY v. NAGY, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 425.

No. 18–5947. *ROBERSON v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 18–5958. *WILMOT v. FLORIDA.* Dist. Ct. App. Fla., 5th Dist. Certiorari denied.

No. 18–5963. *KASSAB v. SKINNER ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 877.

No. 18–5989. *BILBO v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 18–5990. *BROCKMAN v. BALCARCEL, ACTING WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 18–5991. *BENNETT v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–5993. *BURNS v. HORTON, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 18–5995. *WEBB v. HARRISON, SHERIFF, WAKE COUNTY, NORTH CAROLINA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 225.

No. 18–5999. *BAILEY v. LOUISIANA.* Ct. App. La., 2d Cir. Certiorari denied. Reported below: 51,627 (La. App. 2 Cir. 9/27/17), 245 So. 3d 145.

No. 18–6039. *TAYLOR v. MINNESOTA.* Ct. App. Minn. Certiorari denied.

No. 18–6050. *RODRIGUEZ v. BURTON, WARDEN.* C. A. 6th Cir. Certiorari denied.

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No. 18–6056. *BLEVINS v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 244 So. 3d 1084.

No. 18–6058. *REEVES v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 18–6126. *VILLAVARDE v. SMITH, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–6181. *PATINO v. RHODE ISLAND*. Sup. Ct. R. I. Certiorari denied. Reported below: 188 A. 3d 646.

No. 18–6183. *LYNCH v. HALL, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–6196. *TUNSTALL v. WOLFE, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 251.

No. 18–6235. *LANE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–6246. *PARNELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 745.

No. 18–6248. *MERCEDES-RIJO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 18–6255. *ODEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–6256. *MOCK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 545.

No. 18–6260. *TRAVERSO v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 237 Md. App. 760.

No. 18–6270. *LYNCH v. OHIO*. Ct. App. Ohio, 8th App. Dist., Cuyahoga County. Certiorari denied. Reported below: 2018-Ohio-1078, 109 N. E. 3d 628.

No. 18–6283. *COLE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 749.

No. 18–6284. *CHURCHWELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–6285. *CHAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 728.

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No. 18–6293. *MARTINEZ-REY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 266.

No. 18–6297. *ROBLES-AVALOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 895 F. 3d 405.

No. 18–6299. *DUNNING v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 261.

No. 18–6300. *SINGLETON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 947.

No. 18–6301. *DANCY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–6302. *MELGAR-CABRERA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 892 F. 3d 1053.

No. 18–6303. *PENDLETON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 894 F. 3d 978.

No. 18–6304. *MCCOY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 895 F. 3d 358.

No. 18–6308. *HERNANDEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 894 F. 3d 496.

No. 18–6313. *WASHINGTON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 895 F. 3d 410.

No. 18–6314. *KHOUANMANY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 514.

No. 18–6317. *TURNER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 687.

No. 18–6322. *MEDINA OSORIO v. UNITED STATES* (Reported below: 734 Fed. Appx. 922); *VELASQUEZ-RIOS v. UNITED STATES* (731 Fed. Appx. 358); and *VEGA-ZAPATA v. UNITED STATES* (735 Fed. Appx. 135). C. A. 5th Cir. Certiorari denied.

No. 18–6324. *COLEMAN v. COLORADO*. Ct. App. Colo. Certiorari denied.

No. 18–6328. *HUNTER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–6348. *PENCE v. ILLINOIS*. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 2018 IL App (2d) 151102, 100 N. E. 3d 218.

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No. 18–6362. *LETT v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 17–9284. *GUARDADO v. FLORIDA*. Sup. Ct. Fla. Reported below: 238 So. 3d 162;

No. 17–9556. *PHILMORE v. FLORIDA*. Sup. Ct. Fla. Reported below: 234 So. 3d 567;

No. 18–5160. *TANZI v. FLORIDA*. Sup. Ct. Fla. Reported below: 251 So. 3d 805;

No. 18–5228. *FRANKLIN v. FLORIDA*. Sup. Ct. Fla. Reported below: 236 So. 3d 989;

No. 18–5518. *GRIM v. FLORIDA*. Sup. Ct. Fla. Reported below: 244 So. 3d 147; and

No. 18–5793. *JOHNSTON v. FLORIDA*. Sup. Ct. Fla. Reported below: 246 So. 3d 266. Certiorari denied.

JUSTICE THOMAS, concurring.

I concur for the reasons set out in *Reynolds v. Florida*, 586 U. S. 1004, 1008 (2018) (THOMAS, J., concurring in denial of certiorari).

JUSTICE SOTOMAYOR, dissenting.

I dissent for the reasons set out in *Reynolds v. Florida*, 586 U. S. 1004, 1011 (2018) (SOTOMAYOR, J., dissenting from denial of certiorari).

No. 18–153. *LOUISIANA PUBLIC SERVICE COMMISSION v. FEDERAL ENERGY REGULATORY COMMISSION ET AL.* C. A. D. C. Cir. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition. Reported below: 883 F. 3d 929.

No. 18–283. *COLEMAN ET AL. v. CAMPBELL COUNTY LIBRARY BOARD OF TRUSTEES*. Ct. App. Ky. Motion of the New England Legal Foundation for leave to file brief as *amicus curiae* granted. Certiorari denied. Reported below: 547 S. W. 3d 526.

No. 18–301. *CHIEFTAIN ROYALTY CO. v. NUTLEY ET AL.* C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 888 F. 3d 455.

No. 18–5181. *REYNOLDS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 251 So. 3d 811.

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Statement of BREYER, J.

Statement of JUSTICE BREYER respecting the denial of certiorari.

This case, along with 83 others in which the Court has denied certiorari in recent weeks, asks us to decide whether the Florida Supreme Court erred in its application of this Court's decision in *Hurst v. Florida*, 577 U. S. 92 (2016). In *Hurst*, this Court concluded that Florida's death penalty scheme violated the Constitution because it required a judge rather than a jury to find the aggravating circumstances necessary to impose a death sentence. The Florida Supreme Court now applies *Hurst* retroactively to capital defendants whose sentences became final after this Court's earlier decision in *Ring v. Arizona*, 536 U. S. 584 (2002), which similarly held that the death penalty scheme of a different State, Arizona, violated the Constitution because it required a judge rather than a jury to find the aggravating circumstances necessary to impose a death sentence. The Florida Supreme Court has declined, however, to apply *Hurst* retroactively to capital defendants whose sentences became final before *Ring*. *Hitchcock v. State*, 226 So. 3d 216, 217 (2017). As a result, capital defendants whose sentences became final before 2002 cannot prevail on a "*Hurst-is-retroactive*" claim.

Many of the Florida death penalty cases in which we have denied certiorari in recent weeks involve—directly or indirectly—three important issues regarding the death penalty as it is currently administered. *First*, these cases highlight what I have previously described as a serious flaw in the death penalty system: the unconscionably long delays that capital defendants must endure as they await execution. Henry Sireci, the petitioner in one case we recently denied, was first sentenced to death in 1976. He has lived in prison under threat of execution for nearly 42 years. Unfortunately, Sireci is far from alone in having endured lengthy delays. The Court has recently denied petitions from at least 10 other capital defendants in Florida who have lived under a death sentence for more than 30 years, and from at least 50 other capital defendants who have lived under a death sentence for more than 20 years. I have previously written that lengthy delays—made inevitable by the Constitution's procedural protections for defendants facing execution—deepen the cruelty of the death penalty and undermine its penological rationale. *Glossip v. Gross*, 576 U. S. 863, 925 (2015) (dissenting opinion); see *Dunn*

v. *Madison*, 583 U. S. 10, 15 (2017) (concurring opinion); *Smith v. Ryan*, 581 U. S. 954, 955 (2017) (statement respecting denial of certiorari); *Sireci v. Florida*, 580 U. S. 1036, 1037 (2016) (opinion dissenting from denial of certiorari). I remain of that view. However, because the petitioners in these cases did not squarely raise the delay issue, I do not vote to grant certiorari on that basis here.

Second, many of these cases raise the question whether the Constitution demands that *Hurst* be made retroactive to all cases on collateral review, not just to cases involving death sentences that became final after *Ring*. I believe the retroactivity analysis here is not significantly different from our analysis in *Schriro v. Summerlin*, 542 U. S. 348 (2004), where we held that *Ring* does not apply retroactively. Although I dissented in *Schriro*, I am bound by the majority's holding in that case. I therefore do not dissent on that ground here.

Third, several of the cases in which we deny certiorari today, including this one, indirectly raise the question whether the Eighth Amendment requires a jury rather than a judge to make the ultimate decision to sentence a defendant to death. See *Guardado v. Florida*, No. 17–9284; *Philmore v. Florida*, No. 17–9556; *Tanzi v. Florida*, No. 18–5160; *Franklin v. Florida*, No. 18–5228; *Grim v. Florida*, No. 18–5518; *Johnston v. Florida*, No. 18–5793. In these cases, the Florida Supreme Court treated *Hurst* errors as harmless in significant part because the jury in each case unanimously recommended that the defendant be sentenced to death. The problem, however, is that the defendants in these cases were sentenced to death under a scheme that required the judge to make the ultimate decision to impose the death penalty, and in which the jury was repeatedly instructed that its recommended verdict would be advisory. As I have previously written, I believe that this scheme violates the Eighth Amendment. See *Middleton v. Florida*, 583 U. S. 1162 (2018) (opinion dissenting from denial of certiorari); *Hurst*, *supra*, at 103 (opinion concurring in judgment); *Ring*, *supra*, at 619 (same). Because juries are better suited than judges to “express the conscience of the community on the ultimate question of life or death,” the Constitution demands that jurors make, and take responsibility for, the ultimate decision to impose a death sentence. *Witherspoon v. Illinois*, 391 U. S. 510, 519 (1968).

Although these cases do not squarely present the general question whether the Eighth Amendment requires jury sentencing, they do present a closely related question: whether the Florida Supreme Court's harmless-error analysis violates the Eighth Amendment because it "rest[s] a death sentence on a determination made by a sentencer who has been led to believe that the responsibility for determining the appropriateness of the defendant's death rests elsewhere." *Caldwell v. Mississippi*, 472 U.S. 320, 328–329 (1985). For the reasons set out in JUSTICE SOTOMAYOR's dissent, *post*, at 1011–1016, I believe the Court should grant certiorari on that question in an appropriate case. That said, I would not grant certiorari on that question here. In many of these cases, the Florida Supreme Court did not fully consider that question, or the defendants may not have properly raised it. That may ultimately impede, or at least complicate, our review.

Nonetheless, the three issues raised by these cases draw into focus a more basic point I made in *Schriro*: A death sentence should reflect a jury's "community-based judgment that the sentence constitutes proper retribution." 542 U.S., at 360 (dissenting opinion). It seems to me that the jurors in at least some of these cases might not have made a "community-based judgment" that a death sentence was "proper retribution" had they known at the time of sentencing (1) that the death penalty might not be administered for another 40 years or more; (2) that other defendants who were sentenced years later would be entitled to resentencing based on a later-discovered error, but that the defendants in question would not be entitled to the same remedy for roughly the same error; or (3) that the jury's death recommendation would be treated as if it were decisive, despite the judge's instruction that the jury's recommendation was merely advisory. Had jurors known about these issues at the time of sentencing, some might have hesitated before recommending a death sentence. At least a few might have recommended a life sentence instead. The result is that some defendants who have lived under threat of execution for decades might never have been sentenced to death in the first place.

The flaws in the current practice of capital punishment could often cast serious doubt on the death sentences imposed in these and other capital cases. Rather than attempting to address the flaws in piecemeal fashion, however, I remain of the view that "it

would be wiser to reconsider the root cause of the problem—the constitutionality of the death penalty itself.” *Madison, supra*, at 16 (BREYER, J., concurring).

JUSTICE THOMAS, concurring.

On the night of July 21, 1998, petitioner Michael Gordon Reynolds murdered nearly an entire family. While the father, Danny Ray Privett, relieved himself outside the family’s camping trailer, petitioner snuck up behind him and “viciously and deliberately battered [his] skull with a piece of concrete.” *Reynolds v. State*, 934 So. 2d 1128, 1157 (Fla. 2006) (*Reynolds I*). Petitioner would later explain: “[W]ith my record”—which included aggravated robbery, aggravated assault, and aggravated battery—“I couldn’t afford to leave any witnesses.” *Id.*, at 1149, 1157. So petitioner entered the trailer, where he brutally beat, stabbed, and murdered Privett’s girlfriend, Robin Razor, and their 11-year-old daughter, Christina Razor. Robin “suffered multiple stab wounds along with multiple blows to the side of her face and a broken neck resulting in injuries to her spinal cord.” *Id.*, at 1136. She desperately fought back, suffering “significant defensive wounds” and “torment wounds”—shallow slashes that occur when “the perpetrator tak[es] a depraved, measured approach to the infliction of the injury and tak[es] pleasure in his cruel activity.” *Id.*, at 1136, 1153. Eleven-year-old Christina also resisted, suffering “blunt force trauma to her head, a stab wound to the base of her neck that pierced her heart, and another stab wound to her right shoulder that pierced her lung and lacerated her pulmonary artery.” *Id.*, at 1136. Only petitioner knows whether Robin had to watch her daughter die, or whether Christina had to watch her mother die. “Regardless, in the close confines of that cramped camping trailer, Christina Razor, in great pain and fear, was forced to fight a losing battle for her life knowing that either her mother had already been killed and she was next or that after Reynolds killed her, he was sure to end her mother’s life.” *Id.*, at 1154. “For a child to experience the fear, terror and emotional strain that accompanied Christina Razor as she fought for her life, knowing full well that she was fighting a losing battle, is unimaginable, heinous, atrocious and cruel.” *Ibid.* “Christina was found not wearing any underwear,” and petitioner’s DNA was matched to both a pubic hair and Christina’s underwear, both found near her body. *Reynolds v. State*, 99 So. 3d 459, 487–488,

501 (Fla. 2012). The sole surviving family member, Danielle, “was spared only because she was spending the night with a friend.” Stutzman, Judge Gives Killer Death Sentence, Orlando Sentinel, Sept. 20, 2003, p. B7, col. 1. Danielle was devastated; “she wished she’d been home that night” to “[f]ight the attacker and tr[y] to save her sister and parents” or “di[e] alongside them.” *Ibid.*

JUSTICE BREYER worries that the jurors here “might not have made a ‘community-based judgment’ that a death sentence was ‘proper retribution’ had they known” of his concerns with the death penalty. *Ante*, at 1007 (statement respecting denial of certiorari). In light of petitioner’s actions, I have no such worry, and I write separately to alleviate JUSTICE BREYER’s concerns.*

*JUSTICE BREYER cites several other cases in which we have denied certiorari today. *Ante*, at 1006. He need not worry about the jury’s decisions in those cases either. In *Guardado v. Florida*, No. 17–9284, petitioner, in need of money to “continue his recent crack cocaine binge,” went to the home of a 75-year-old woman who had given him repeated assistance, struck her over and over with a “breaker bar,” and when “‘she would not die,’” “pulled [a] kitchen knife and stabbed her several times, then slashed her throat.” *Guardado v. State*, 965 So. 2d 108, 110–111 (Fla. 2007). In *Philmore v. Florida*, No. 17–9556, petitioner, in need of a getaway car for a planned bank robbery, asked the victim if he could use her phone, then pushed himself into her car, drove her to “an isolated area,” “ordered her to walk towards high vegetation,” and “shot her once in the head.” *Philmore v. State*, 820 So. 2d 919, 923–924 (Fla. 2002). In *Tanzi v. Florida*, No. 18–5160, petitioner carjacked his victim by “punch[ing] her in the face until he gained entry,” “forced [her] to perform oral sex,” then “told [her] that he was going to kill her,” put “duct tape over her mouth, nose, and eyes,” and “strangle[d her] until she died.” *Tanzi v. State*, 964 So. 2d 106, 110–111 (Fla. 2007). In *Franklin v. Florida*, No. 18–5228, petitioner stole a woman’s car after invading her home and bashing her on the head with a hammer (leaving her “unable to live on her own”), asked a security guard at a local store for driving directions, bragged that he was going to come back and “‘get’” the guard, and did just that, shooting the guard once in the back. *Franklin v. State*, 965 So. 2d 79, 84 (Fla. 2007). In *Grim v. Florida*, No. 18–5518, petitioner invited his neighbor over for coffee and then “repeatedly attacked [her] with a hammer, stabbed [her] multiple times,” “forcefully inserted [an object] into her vagina,” and dumped her body in Pensacola Bay. *Grim v. State*, 971 So. 2d 85, 89–90, 93 (Fla. 2007). Finally, in *Johnston v. Florida*, No. 18–5793, petitioner kidnaped his victim, “bea[t], raped, and manually strangled [her], then dragged her to a pond and left her nude, floating face down.” *Johnston v. State*, 63 So. 3d 730, 735 (Fla. 2011).

JUSTICE BREYER's first concern is "that the death penalty might not be administered for another 40 years or more" after the jury's verdict. *Ante*, at 1007. That is a reason to carry out the death penalty sooner, not to decline to impose it. In any event, petitioner evidently is not bothered by delay. Petitioner has litigated all the way through the state courts and petitioned this Court for review three separate times. He can avoid "endur[ing]" an "unconscionably long dela[y]," *ante*, at 1005, "by submitting to what the people of Florida have deemed him to deserve: execution," *Foster v. Florida*, 537 U.S. 990, 991 (2002) (THOMAS, J., concurring in denial of certiorari). "It makes 'a mockery of our system of justice for a convicted murderer, who, through his own interminable efforts of delay has secured the almost-indefinite postponement of his sentence, to then claim that the almost-indefinite postponement renders his sentence unconstitutional.'" *Thompson v. McNeil*, 556 U.S. 1114, 1117 (2009) (THOMAS, J., concurring in denial of certiorari) (quoting *Turner v. Tabe*, 58 F.3d 924, 933 (CA4 1995) (Luttig, J., concurring in judgment); alterations omitted).

It is no mystery why it often takes decades to execute a convicted murderer. The "labyrinthine restrictions on capital punishment[t] promulgated by this Court" have caused the delays that JUSTICE BREYER now bemoans. *Glossip v. Gross*, 576 U.S. 863, 898 (2015) (Scalia, J., concurring); see *Knight v. Florida*, 528 U.S. 990, 991 (1999) (THOMAS, J., concurring in denial of certiorari). As "the Drum Major in this parade" of new precedents, JUSTICE BREYER is not well positioned to complain about their inevitable consequences. *Glossip*, *supra*, at 898 (Scalia, J., concurring).

JUSTICE BREYER's second concern is that petitioner's jury might have declined to impose the death penalty if it had known that other capital defendants "would be entitled to resentencing," while petitioner himself would not be resentenced. *Ante*, at 1007. What this has to do with the original jury's judgment as to "proper retribution," *ibid.*, is beyond me. Petitioner murdered Danielle Privett's entire family. Whether he deserves to be sentenced to death has nothing to do with whether a different person who engaged in different conduct might be entitled to be resentenced on procedural grounds. Moreover, if petitioner *had* been resentenced, and was again sentenced to death, I have little doubt

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SOTOMAYOR, J., dissenting

that JUSTICE BREYER would instead be fretting that the original jury failed to consider his belief that resentencing “sharpen[s]” “[d]eath row’s inevitable anxieties and uncertainties.” *Foster, supra*, at 993 (opinion dissenting from denial of certiorari).

JUSTICE BREYER’s third concern is that petitioner was “sentenced to death under a scheme that required the judge to make the ultimate decision to impose the death penalty, and in which the jury was repeatedly instructed that its recommended verdict would be advisory.” *Ante*, at 1006. Once again, petitioner did not share JUSTICE BREYER’s concern. “After thorough consultation with his attorneys and the trial court,” petitioner waived “his right to a jury’s penalty recommendation as to the appropriate sentence” and “waived the presentation of mitigating evidence before the penalty phase jury.” *Reynolds I*, 934 So. 2d, at 1138, 1148. When the trial court did not allow petitioner to waive the jury’s involvement, petitioner appealed, arguing that “the trial court abused its discretion and committed reversible error when it refused to honor” his waiver. *Id.*, at 1147–1148.

Contrary to JUSTICE BREYER’s suggestion that the jury did not feel an adequate sense of “responsibility” for its recommendation, *ante*, at 1006, the jury was instructed that a “‘human life is at stake’” and that the trial court could reject the jury’s recommendation “‘only if the facts [are] so clear and convincing that virtually no reasonable person could differ.’” 251 So. 3d 811, 813, 828 (Fla. 2018) (*per curiam*). The jury was further instructed that its recommendation did not need to be unanimous. *Id.*, at 815. Nonetheless, the jury returned not one but two unanimous death recommendations. *Ibid.*

JUSTICE BREYER’s final (and actual) concern is with the “‘death penalty itself.’” *Ante*, at 1008. As I have elsewhere explained, “it is clear that the Eighth Amendment does not prohibit the death penalty.” *Baze v. Rees*, 553 U. S. 35, 94 (2008) (opinion concurring in judgment); see *Glossip, supra*, at 899–901, and n. 1 (THOMAS, J., concurring). The only thing “cruel and unusual” in this case was petitioner’s brutal murder of three innocent victims.

JUSTICE SOTOMAYOR, dissenting.

Today, this Court denies the petitions of seven capital defendants, each of whom was sentenced to death under a capital sentencing scheme that this Court has since declared unconstitu-

tional.¹ The Florida Supreme Court has left petitioners' death sentences undisturbed, reasoning that any sentencing error in their cases was harmless. Petitioners challenge the Florida Supreme Court's analysis because it treats the fact of unanimous jury recommendations in their cases as highly significant, or legally dispositive, even though those juries were told repeatedly that their verdicts were merely advisory. I have dissented before from this Court's failure to intervene on this issue.² Petitioners' constitutional claim is substantial and affects numerous capital defendants. The consequence of error in these cases is too severe to leave petitioners' challenges unanswered, and I therefore would grant the petitions.

I

I begin by acknowledging that petitioners have been convicted of gruesome crimes. Their victims, and the families and communities of those victims, have suffered. I am cognizant of their suffering. I am also mindful that it is this Court's duty to ensure that all defendants, even those who have committed the most heinous crimes, receive a sentence that is the result of a fair process. It is with that responsibility in mind that I analyze petitioners' challenges.

II

Like the petitioners described in my prior dissents, each petitioner here was sentenced pursuant to Florida's former sentencing scheme. That regime involved an evidentiary hearing before a jury, after which the jury would issue an advisory sentence for life or death. See *Hurst v. Florida*, 577 U.S. 92, 95–96 (2016).

¹ In addition to Reynolds' petition, this Court denies the petitions of Jesse Guardado, No. 17–9284; Lenard James Philmore, No. 17–9556; Michael Anthony Tanzi, No. 18–5160; Quawn M. Franklin, No. 18–5228; Norman Mearle Grim, No. 18–5518; and Ray Lamar Johnston, No. 18–5793. For the reasons expressed herein, I respectfully dissent from denial of certiorari in their cases as well.

² I thrice dissented because the Florida Supreme Court had failed even to address the significant constitutional question petitioners raised. See *Guardado v. Jones*, 584 U.S. 922 (2018) (opinion dissenting from denial of certiorari); *Middleton v. Florida*, 583 U.S. 1162 (2018) (same); *Truehill v. Florida*, 583 U.S. 938, 939 (2017) (same). I dissented again after the Florida Supreme Court ultimately did take up the question, and I noted the need for a definitive resolution of the issue. *Kaczmar v. Florida*, 585 U.S. 1011 (2018) (same).

Next, the judge independently decided whether aggravating and mitigating factors existed, weighed those factors, and entered a sentence of life or death. *Id.*, at 96. In *Hurst*, this Court held that Florida’s scheme violated the Sixth Amendment because it impermissibly allowed a judge to increase the punishment authorized for a defendant “based on her own factfinding.” *Id.*, at 99.

Petitioners sought relief from the Florida courts after *Hurst* was decided. Although the Florida Supreme Court assumed that *Hurst* errors had occurred in petitioners’ cases, it concluded that any such errors were harmless—in other words, there was “no reasonable possibility” that the errors affected petitioners’ sentences. 251 So. 3d 811, 815 (2018) (*per curiam*) (case below).

In theory, the Florida Supreme Court’s harmless-error analysis turns on an individualized review of each case. See *id.*, at 816. And, indeed, in some cases the Florida Supreme Court has considered several factors in its harmless-error analysis. See *Davis v. State*, 207 So. 3d 142, 174–175 (2016) (referring to the unanimity of the jury recommendations of death as well as the “egregious facts” of the case). In practice, however, the Florida Supreme Court’s harmless-error approach appears to reflect a myopic focus on one factor: whether the advisory jury’s recommendation for death was unanimous. Because the jurors in pre-*Hurst* cases were informed that they should recommend death only if they determined that sufficient aggravating factors existed and outweighed the mitigating factors, the Florida Supreme Court has reasoned that a jury that unanimously recommended death necessarily made the findings that *Hurst* said are constitutionally required. See *Davis*, 207 So. 3d, at 174–175. By concluding that *Hurst* violations are harmless because jury recommendations were unanimous, the Florida Supreme Court “transforms those advisory jury recommendations into binding findings of fact.” *Guardado v. Jones*, 584 U. S. 922, 925 (2018) (SOTOMAYOR, J., dissenting from denial of certiorari).

III

A

Because the Florida Supreme Court’s harmless-error analysis relies heavily on the fact that a purely advisory jury rendered a unanimous decision, it raises serious questions under this Court’s precedents.

In *Caldwell v. Mississippi*, 472 U. S. 320 (1985), this Court said it is “constitutionally impermissible to rest a death sentence on a determination made by a sentencer who has been led to believe that the responsibility for determining the appropriateness of the defendant’s death rests elsewhere.” *Id.*, at 328–329. *Caldwell* involved misleading comments by a prosecutor who emphasized that the jury’s verdict would be subject to appellate review. See *id.*, at 336. This Court concluded that the resulting sentence did not satisfy the minimum standard of reliability required by the Eighth Amendment because the prosecutor’s suggestions created “an intolerable danger” that the jury would “minimize the importance of its role.” *Id.*, at 333. *Caldwell* explained that this Court has “always premised its capital punishment decisions on the assumption that a capital sentencing jury recognizes the gravity of its task and proceeds with the appropriate awareness of its ‘truly awesome responsibility.’” *Id.*, at 341. Where a sentencing jury is encouraged to proceed without that awareness, *Caldwell* suggests that “there are specific reasons to fear substantial unreliability as well as bias in favor of death sentences.” *Id.*, at 330.

As noted above, the sentencing scheme in place in Florida when petitioners were sentenced placed the final responsibility with the trial judge. Juries were instructed accordingly. Thus although the jury in this case was instructed that the court would reject a recommendation “only if the facts [we]re so clear and convincing that virtually no reasonable person could differ” and that a “human life [wa]s at stake,” the jury also was told that its duty was to “advise the court” and that “the final decision as to what punishment shall be imposed [wa]s the responsibility of the judge.” App. D to Pet. for Cert. The jury also heard, repeatedly, that it was to “recommend” an “advisory sentence.” *Ibid.* Jury instructions varied across cases. For example, the jurors in petitioner Jesse Guardado’s case heard that “human life [wa]s at stake,” but not that the court would reject the jury’s recommendation only in limited circumstances. App. to Pet. for Cert. in *Guardado v. Florida*, O. T. 2018, No. 17–9284, pp. 92a–105a. Like the jurors in this case, the jurors in Guardado’s case were instructed that it was their responsibility to “advise the Court” as to the appropriate punishment. *Id.*, at 92a. The court further instructed jurors that the “[f]inal decision as to what punishment shall be imposed rest[ed] solely with the judge of th[e] court.”

Ibid. These jurors knew that the final decision as to whether Guardado would live or die did not rest with them. The Court's reasoning in *Caldwell* informs how much weight, if any, to give such a purely advisory recommendation for death.

B

In the case below, the Florida Supreme Court addressed the *Caldwell* issue at length. See 251 So. 3d, at 814–828.³ Two aspects of the plurality's analysis show the need for further engagement with this issue.

First, the Florida Supreme Court said that its application of the harmless-error rule does not entirely turn on jury unanimity. See *id.*, at 816 (“a unanimous recommendation is not sufficient alone” to find harmlessness). To be sure, in some cases the Florida Supreme Court has mentioned factors other than unanimity to support a finding of harmlessness. See, e.g., *Philmore v. State*, 234 So. 3d 567, 568 (2018) (noting that the defendant's confession and the aggravation in the case, as well as the jury's unanimous recommendation, supported a finding of harmlessness), cert. denied, 586 U.S. 1004 (2018). But in many other cases, the court's analysis started and ended with the unanimity of the jury's recommendation. Indeed, on the very day that the Florida Supreme Court decided this case, it treated jury unanimity as dispositive in four other capital cases.⁴ In a recent opinion, the Florida Supreme Court again stated that it “has consistently . . . den[ie]d *Hurst* relief to defendants who have received a unani-

³Of the seven justices of the Florida Supreme Court, only two justices concurred in the court's *per curiam* opinion and one justice concurred specially with an opinion. Of the remaining four justices, two dissented and two concurred only in the result.

⁴See *Tanzi v. State*, 251 So. 3d 805, 806 (2018) (citing *Davis v. State*, 207 So. 3d 142, 175 (2016), for the proposition that the unanimity of a jury's recommendation for death ensures that jurors have made the necessary findings of fact), cert. denied, 586 U.S. 1004 (2018); *Johnston v. State*, 246 So. 3d 266 (“Johnston received a unanimous jury recommendation of death and, therefore, the *Hurst* error in this case is harmless beyond a reasonable doubt”), cert. denied, 586 U.S. 1004 (2018); *Crain v. State*, 246 So. 3d 206, 210 (2018) (“[T]his Court can rely on the jury's unanimous recommendation for death to conclude that the *Hurst* error in Crain's case was harmless beyond a reasonable doubt”); *Taylor v. State*, 246 So. 3d 204, 206 (2018) (“[T]his Court has consistently relied on *Davis* to deny *Hurst* relief to defendants who have received unanimous jury recommendations of death”).

mous jury recommendation of death.” *Anderson v. State*, 257 So. 3d 355, 356 (2018) (internal quotation marks omitted). To the extent the Florida Supreme Court gives dispositive weight to the fact that an advisory jury offered a unanimous recommendation, that action implicates the Eighth Amendment concerns that *Caldwell* addressed.

Second, the state court dismissed *Caldwell* as inapplicable to cases like petitioners’ because the pre-*Hurst* jury instructions accurately described the advisory role assigned to the jury by state law at that time. 251 So. 3d, at 824–825. It is true that *Caldwell*’s holding invalidates only those sentences imposed following comments that “mislead the jury as to its role in the sentencing process.” *Romano v. Oklahoma*, 512 U. S. 1, 9 (1994) (internal quotation marks omitted; emphasis added). But whether or not *Caldwell* itself makes petitioners’ sentences unconstitutional, the reasoning in *Caldwell* surely informs the related question whether a purely advisory jury recommendation is sufficiently reliable for a court to treat it as legally dispositive for purposes of harmless-error review. *Caldwell* provides strong reasons to doubt that a jury would have reached the same decision had it been instructed that its role was not advisory. See 251 So. 3d, at 832 (Pariente, J., dissenting) (“[T]he jury [in Reynolds’ case] was repeatedly told that its sentencing recommendation between life and death was merely ‘advisory.’ . . . I would conclude that *Caldwell* further supports the conclusion that the *Hurst* error in Reynolds’ case is not harmless beyond a reasonable doubt”).

IV

“[T]his Court’s Eighth Amendment jurisprudence has taken as a given that capital sentencers would view their task as the serious one of determining whether a specific human being should die at the hands of the State.” *Caldwell*, 472 U. S., at 329. The jurors in petitioners’ cases were repeatedly instructed that their role was merely advisory, yet the Florida Supreme Court has treated their recommendations as legally binding by way of its harmless-error analysis. This approach raises substantial Eighth Amendment concerns. As I continue to believe that “the stakes in capital cases are too high to ignore such constitutional challenges,” *Truehill v. Florida*, 583 U. S. 938, 940 (2017) (opinion dissenting from denial of certiorari), I would grant review to decide whether the Florida Supreme Court’s harmless-error ap-

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proach is valid in light of *Caldwell*. This Court's refusal to address petitioners' challenges signals that it is unwilling to decide this issue. I respectfully dissent from the denial of certiorari, and I will continue to note my dissent in future cases raising the *Caldwell* question.

No. 18–5190. *GARCIA-ECHAVERRIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition. Reported below: 717 Fed. Appx. 505.

No. 18–6003. *KAVANDI v. TIME WARNER CABLE, INC., ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

No. 18–6281. *CALLINS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

JUSTICE SOTOMAYOR, with whom JUSTICE GINSBURG joins, dissenting.

I dissent for the reasons set out in *Brown v. United States*, 586 U. S. 953 (2018) (SOTOMAYOR, J., dissenting from denial of certiorari).

No. 18–6333. *STAPLES v. MAYE, WARDEN*. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 711 Fed. Appx. 866.

Rehearing Denied

No. 17–1479. *GENTRY v. THOMPSON, JUDGE, CIRCUIT COURT OF TENNESSEE, SUMNER COUNTY*, 586 U. S. 816;

No. 17–1684. *FRANCE v. PATRICK*, 586 U. S. 824;

No. 17–9333. *THYBERG v. UNITED STATES*, 586 U. S. 854;

No. 17–9398. *ROCK v. EXECUTIVE OFFICE PARK OF DURHAM ASSN., INC.*, 586 U. S. 858;

No. 17–9478. *FISHER v. MISSOURI*, 586 U. S. 862;

No. 17–9517. *DENOMA v. KASICH, GOVERNOR OF OHIO, ET AL.*, 586 U. S. 864;

No. 18–105. *SABENIANO v. CITIBANK, N. A., ET AL.*, 586 U. S. 874;

No. 18–170. *GENTRY v. TENNESSEE ET AL.*, 586 U. S. 911; and

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No. 18–5812. *IN RE DECARO*, 586 U. S. 811. Petitions for rehearing denied.

No. 17–9069. *DEGRATE v. HARRIS*, CLERK, SUPREME COURT OF THE UNITED STATES, 586 U. S. 841. Petition for rehearing denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition.

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Dismissal Under Rule 46

No. 18–162. *BALL ET AL. v. LEBLANC*, SECRETARY, LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS, ET AL. C. A. 5th Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 881 F. 3d 346.

Certiorari Denied

No. 18–6680 (18A510). *MORENO RAMOS v. DAVIS*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Certiorari denied.

No. 18–6682 (18A512). *MORENO RAMOS v. TEXAS*. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Certiorari denied.

NOVEMBER 16, 2018

Certiorari Granted

No. 18–315. *COCHISE CONSULTANCY, INC., ET AL. v. UNITED STATES EX REL. HUNT*. C. A. 11th Cir. Certiorari granted. Reported below: 887 F. 3d 1081.

No. 18–557. *IN RE DEPARTMENT OF COMMERCE ET AL.* Petition for writ of mandamus is treated as a petition for writ of certiorari, and certiorari is granted. Petitioners’ brief on the merits is to be filed on or before Monday, December 17, 2018. Respondents’ brief on the merits is to be filed on or before Thursday, January 17, 2019. Reply brief is to be filed on or before Monday, February 4, 2019. Case is set for oral argument on Tuesday, February 19, 2019.

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Miscellaneous Orders

No. 18M63. LOFTON *v.* SP PLUS CORP., FKA STANDARD PARKING CORP. ET AL.; and

No. 18M65. CARTER *v.* UNITED STATES. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 18M64. ZUKERMAN *v.* UNITED STATES. Motion for leave to file petition for writ of certiorari with supplemental appendix under seal granted.

No. 18M66. TYSON *v.* TEXAS (two cases). Motion for leave to proceed as a veteran denied.

No. 17-646. GAMBLE *v.* UNITED STATES. C. A. 11th Cir. [Certiorari granted, 585 U.S. 1029.] Motion of Texas et al. for leave to participate in oral argument as *amici curiae* and for enlargement of time for oral argument granted, and the time is allotted as follows: 40 minutes for petitioner, 30 minutes for respondent, and 10 minutes for Texas et al.

No. 17-8151. BUCKLEW *v.* PRECYTHE, DIRECTOR, MISSOURI DEPARTMENT OF CORRECTIONS, ET AL. C. A. 8th Cir. [Certiorari granted, 584 U.S. 959.] Motion of petitioner for appointment of counsel granted, and Cheryl A. Pilate, Esq., of Kansas City, Mo., is appointed to serve as counsel for petitioner in this case.

No. 17-9041. CIOTTA *v.* HOLLAND, WARDEN. C. A. 9th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [586 U.S. 803] denied.

No. 18-5002. GRAY *v.* DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [586 U.S. 805] denied.

No. 18-5017. SELDEN *v.* KOVACHEVICH, JUDGE, UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA, ET AL. C. A. 11th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [586 U.S. 805] denied.

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No. 18–5631. *JACOB v. FRAKES*, DIRECTOR, NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES. C. A. 8th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [586 U. S. 807] denied.

No. 18–6071. *NAYSHTUT v. COMERCIALIZADORA TRAVEL ADVISORY*, S. A. DE C. V., ET AL. Ct. App. Cal., 1st App. Dist., Div. 1.; and

No. 18–6384. *LANTERI v. CONNECTICUT*. C. A. 2d Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until December 10, 2018, 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. 18–6448. *IN RE QUATTROCCHI*;

No. 18–6470. *IN RE MALONE*;

No. 18–6486. *IN RE HERNANDEZ*; and

No. 18–6514. *IN RE BELL*. Petitions for writs of habeas corpus denied.

Certiorari Denied

No. 17–8988. *BOOK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 696 Fed. Appx. 231.

No. 17–9223. *HINTON v. WALKER ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 691 Fed. Appx. 733.

No. 18–78. *RAMIREZ-BARAJAS v. WHITAKER*, ACTING ATTORNEY GENERAL (Reported below: 877 F. 3d 808); and *ONDUSO v. WHITAKER*, ACTING ATTORNEY GENERAL (877 F. 3d 1073). C. A. 8th Cir. Certiorari denied.

No. 18–150. *PLUMMER ET AL. v. HOPPER*, SPECIAL ADMINISTRATOR OF THE ESTATE OF RICHARDSON. C. A. 6th Cir. Certiorari denied. Reported below: 887 F. 3d 744.

No. 18–204. *PORTFOLIO RECOVERY ASSOCIATES, LLC v. POUNDS ET AL.* C. A. 4th Cir. Certiorari denied.

No. 18–212. *BANK OF AMERICA, N. A. v. LUSNAK*. C. A. 9th Cir. Certiorari denied. Reported below: 883 F. 3d 1185.

No. 18–300. *DELANO FARMS CO. ET AL. v. CALIFORNIA TABLE GRAPE COMMISSION*. Sup. Ct. Cal. Certiorari denied. Reported below: 4 Cal. 5th 1204, 417 P. 3d 699.

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No. 18–326. *ESTATE OF GOLDBERG BY EXECUTOR GOLDBERG v. NIMOITYN ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 734 Fed. Appx. 141.

No. 18–330. *GREENE v. FROST BROWN TODD, LLC, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 18–336. *JONES ET AL. v. MARKIEWICZ-QUALKINBUSH ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 892 F. 3d 935.

No. 18–338. *SOCOLICH ET UX. v. WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 241 So. 3d 119.

No. 18–344. *SHAO v. MCMANIS FAULKNER, LLP.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 18–354. *WEISS v. NEW JERSEY.* C. A. 3d Cir. Certiorari denied.

No. 18–358. *ROE v. UNITED STATES ET AL.* C. A. 2d Cir. Certiorari denied.

No. 18–361. *ALLEYNE v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied. Reported below: 181 A. 3d 1272.

No. 18–362. *BROWN v. VIRGINIA.* C. A. 4th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 344.

No. 18–363. *URIBE-SANCHEZ v. WHITAKER, ACTING ATTORNEY GENERAL.* C. A. 5th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 363.

No. 18–367. *JACOBI v. NEW YORK TAX APPEALS TRIBUNAL ET AL.* App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 156 App. Div. 3d 1154, 68 N. Y. S. 3d 184.

No. 18–382. *RAB v. SUPERIOR COURT OF CALIFORNIA, SACRAMENTO COUNTY, ET AL.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 18–401. *HOBSON v. MATTIS, SECRETARY OF DEFENSE.* C. A. 6th Cir. Certiorari denied.

No. 18–405. *DASTMALCHIAN v. DEPARTMENT OF JUSTICE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 603.

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No. 18–413. *BOSCH v. ARIZONA DEPARTMENT OF REVENUE*. Ct. App. Ariz. Certiorari denied.

No. 18–441. *ACCORD HEALTHCARE, INC., ET AL. v. UCB, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 890 F. 3d 1313.

No. 18–463. *MORELLO v. TEXAS*. Sup. Ct. Tex. Certiorari denied. Reported below: 547 S. W. 3d 881.

No. 18–468. *SSL SERVICES, LLC v. CISCO SYSTEMS, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 721 Fed. Appx. 987.

No. 18–492. *SOUZA v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 18–522. *ISHEE v. MISSISSIPPI*. Ct. App. Miss. Certiorari denied. Reported below: 248 So. 3d 841.

No. 18–524. *GATHINGS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–532. *SIXTY-01 ASSOCIATION OF APARTMENT OWNERS v. GOUDELOCK*. C. A. 9th Cir. Certiorari denied. Reported below: 895 F. 3d 633.

No. 18–5252. *EARP v. DAVIS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 881 F. 3d 1135.

No. 18–5289. *BARBEE v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 259.

No. 18–5321. *ORTIZ-URESTI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 721 Fed. Appx. 145.

No. 18–5401. *POIRIER v. MASSACHUSETTS DEPARTMENT OF CORRECTION*. C. A. 1st Cir. Certiorari denied.

No. 18–5597. *MILLER v. MAYS, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 879 F. 3d 691.

No. 18–5948. *MURPHY v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 737 Fed. Appx. 693.

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No. 18–5985. *SPARKS v. PREMO*, SUPERINTENDENT, OREGON STATE PENITENTIARY. Ct. App. Ore. Certiorari denied. Reported below: 289 Ore. App. 159, 408 P. 3d 276.

No. 18–5988. *ALLAH v. WILSON ET AL.* C. A. 2d Cir. Certiorari denied.

No. 18–6002. *LIBRACE v. WRIGHT ET AL.* C. A. 8th Cir. Certiorari denied.

No. 18–6004. *JONES v. SUPERIOR COURT OF CONNECTICUT ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 722 Fed. Appx. 109.

No. 18–6019. *QUINTERO v. NEVADA*. Ct. App. Nev. Certiorari denied. Reported below: 134 Nev. 998.

No. 18–6021. *BURNEY v. ALDRIDGE, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 856.

No. 18–6022. *UDEIGWE v. TEXAS TECH UNIVERSITY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 788.

No. 18–6026. *BOOTH v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 861.

No. 18–6027. *BEAULIEU v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied.

No. 18–6029. *AQUILINA v. DAVIS, ADMINISTRATOR, EDNA MAHAN CORRECTIONAL FACILITY, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–6032. *D. L. v. WISCONSIN*. Ct. App. Wis. Certiorari denied.

No. 18–6038. *VILLAVICENCIO v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied.

No. 18–6043. *MANNING v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 18–6045. *BECKHAM v. MILLER, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 169.

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No. 18–6047. *SEED v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 18–6052. *KHOSHMOOD v. CATHOLIC CHARITY ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 18–6053. *KISSNER v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 18–6055. *TRIPLETT v. VANNOY, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 396.

No. 18–6059. *CARTER v. OHIO*. Ct. App. Ohio, 1st App. Dist., Hamilton County. Certiorari denied. Reported below: 2018-Ohio-645, 95 N. E. 3d 443.

No. 18–6082. *LEE v. CHEATHAM, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 984.

No. 18–6154. *EASLEY v. OREGON*. Ct. App. Ore. Certiorari denied. Reported below: 290 Ore. App. 506, 415 P. 3d 1099.

No. 18–6200. *UZOECHE v. WILSON ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 65.

No. 18–6253. *WESLING v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 169 A. 3d 1219.

No. 18–6254. *TYLER v. OCWEN LOAN SERVICING, LLC, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 221.

No. 18–6259. *TYLER v. OCWEN LOAN SERVICING, LLC, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 699 Fed. Appx. 424.

No. 18–6275. *LUPIAN-BARAJAS v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–6291. *COOK v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–6327. *HUMPHREY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 265.

No. 18–6335. *JENKINS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 730.

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No. 18–6339. *WILLAN v. PETITIONER*. Ct. App. Wis. Certiorari denied. Reported below: 2018 WI App 21, 380 Wis. 2d 510, 913 N. W. 2d 515.

No. 18–6341. *LIEBA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 480.

No. 18–6342. *LOPEZ-VAAL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 193.

No. 18–6343. *LLERENAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 86.

No. 18–6346. *DUBARRY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 568.

No. 18–6347. *BRAKE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 904 F. 3d 97.

No. 18–6349. *PALOMINO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 485.

No. 18–6350. *BRAND v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–6351. *BAKER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 899 F. 3d 123.

No. 18–6352. *ABERANT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 905.

No. 18–6355. *SCOTT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 348.

No. 18–6358. *HILTON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 948.

No. 18–6359. *GOMEZ-SAAVEDRA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 483.

No. 18–6360. *FAURISMA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 932.

No. 18–6361. *JONES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 710.

No. 18–6363. *BERNHARDT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 903 F. 3d 818.

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No. 18–6366. *BARBOSA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 896 F. 3d 60.

No. 18–6370. *HARPER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 445.

No. 18–6371. *HENDERSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 565.

No. 18–6372. *SMALL v. LINDAMOOD, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–6373. *SEMIEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 746 Fed. Appx. 303.

No. 18–6379. *NAKHLEH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 895 F. 3d 838.

No. 18–6389. *LOMAX v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 678.

No. 18–6391. *HAWKS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 868.

No. 18–6436. *CINTRON v. FERGUSON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT PHOENIX, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–6444. *WHITNEY v. KELLEY, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 17–1676. *STUART v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 268 So. 3d 607.

JUSTICE GORSUCH, with whom JUSTICE SOTOMAYOR joins, dissenting.

More and more, forensic evidence plays a decisive role in criminal trials today. But it is hardly “immune from the risk of manipulation.” *Melendez-Diaz v. Massachusetts*, 557 U. S. 305, 318 (2009). A forensic analyst “may feel pressure—or have an incentive—to alter the evidence in a manner favorable to the prosecution.” *Ibid.* Even the most well-meaning analyst may lack essential training, contaminate a sample, or err during the testing process. See *ibid.*; see also *Bullcoming v. New Mexico*, 564 U. S. 647, 654, n. 1 (2011) (documenting laboratory prob-

lems). To guard against such mischief and mistake and the risk of false convictions they invite, our criminal justice system depends on adversarial testing and cross-examination. Because cross-examination may be “the greatest legal engine ever invented for the discovery of truth,” *California v. Green*, 399 U. S. 149, 158 (1970) (internal quotation marks omitted), the Constitution promises every person accused of a crime the right to confront his accusers. Amdt. 6.

That promise was broken here. To prove Vanessa Stuart was driving under the influence, the State of Alabama introduced in evidence the results of a blood-alcohol test conducted hours after her arrest. But the State refused to bring to the stand the analyst who performed the test. Instead, the State called a *different* analyst. Using the results of the test after her arrest and the rate at which alcohol is metabolized, this analyst sought to estimate for the jury Ms. Stuart’s blood-alcohol level hours earlier when she was driving. Through these steps, the State effectively denied Ms. Stuart the chance to confront the witness who supplied a foundational piece of evidence in her conviction. The engine of cross-examination was left unengaged, and the Sixth Amendment was violated.

To be fair, the problem appears to be largely of our creation. This Court’s most recent foray in this field, *Williams v. Illinois*, 567 U. S. 50 (2012), yielded no majority and its various opinions have sown confusion in courts across the country. See, e. g., *State v. Dotson*, 450 S. W. 3d 1, 68 (Tenn. 2014) (“The Supreme Court’s fractured decision in *Williams* provides little guidance and is of uncertain precedential value”); *State v. Michaels*, 219 N. J. 1, 31, 95 A. 3d 648, 666 (2014) (“We find *Williams*’s force, as precedent, at best unclear”); *United States v. Turner*, 709 F. 3d 1187, 1189 (CA7 2013); *United States v. James*, 712 F. 3d 79, 95 (CA2 2013).

This case supplies another example of that confusion. Though the opinion of the Alabama court is terse, the State defends it by arguing that, “[u]nder the rule of the *Williams* plurality,” the prosecution was free to introduce the forensic report in this case without calling the analyst who prepared it. Brief in Opposition 6. This is so, the State says, because it didn’t offer the report for the truth of what it said about Ms. Stuart’s blood-alcohol level at the time of the test, only to provide the State’s testifying expert a basis for estimating Ms. Stuart’s blood-alcohol level when she was driving.

But while *Williams* yielded no majority opinion, at least five Justices rejected this logic—and for good reason. After all, why would any prosecutor bother to offer in evidence the nontestifying analyst’s report in this case except to prove the truth of its assertions about the level of alcohol in Ms. Stuart’s blood at the time of the test? The whole point of the exercise was to establish—*because of the report’s truth*—a basis for the jury to credit the testifying expert’s estimation of Ms. Stuart’s blood-alcohol level hours earlier. As the four dissenting Justices in *Williams* explained, “when a witness . . . repeats an out-of-court statement as the basis for a conclusion, . . . the statement’s utility is then dependent on its truth.” 567 U. S., at 126 (opinion of KAGAN, J.). With this JUSTICE THOMAS fully agreed, observing that “[t]here is no meaningful distinction between disclosing an out-of-court statement so that the factfinder may evaluate the [testifying] expert’s opinion and disclosing that statement for its truth.” *Id.*, at 106 (opinion concurring in judgment).

Faced with this difficulty, the State offers an alternative defense of its judgment in this case. Even if it did offer the forensic report for the truth of its assertion about Ms. Stuart’s blood-alcohol level at the time of her arrest, the State contends that the Sixth Amendment right to confrontation failed to attach because the report wasn’t “‘testimonial.’” Brief in Opposition 9.

But piecing together the fractured decision in *Williams* reveals this argument to be mistaken too—and this time in the view of *eight* Justices. The four-Justice *Williams* plurality took the view that a forensic report qualifies as testimonial only when it is “prepared for the primary purpose of accusing a targeted individual” who is “in custody [or] under suspicion.” 567 U. S., at 84. Meanwhile, four dissenting Justices took the broader view that even a report devised purely for investigatory purposes without a target in mind can qualify as testimonial when it is “made under circumstances which would lead an objective witness reasonably to believe that [it] would be available for use at a later trial.” *Id.*, at 121 (opinion of KAGAN, J.) (internal quotation marks omitted). But however you slice it, a routine postarrest forensic report like the one here must qualify as testimonial. For even under the plurality’s more demanding test, there’s no question that Ms. Stuart *was* in custody when the government conducted its forensic test or that the report *was* prepared for the primary purpose of securing her conviction.

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Respectfully, I believe we owe lower courts struggling to abide our holdings more clarity than we have afforded them in this area. *Williams* imposes on courts with crowded dockets the job of trying to distill holdings on two separate and important issues from four competing opinions. The errors here may be manifest, but they are understandable and they affect courts across the country in cases that regularly recur. I would grant review.

No. 18–380. VANNON, WARDEN *v.* FLOYD. C. A. 5th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 894 F. 3d 143.

No. 18–5925. LOREN *v.* CITY OF NEW YORK, NEW YORK, ET AL. C. A. 2d Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

No. 18–6387. BOWENS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 322.

JUSTICE SOTOMAYOR, with whom JUSTICE GINSBURG joins, dissenting.

I dissent for the reasons set out in *Brown v. United States*, 586 U. S. 953 (2018) (SOTOMAYOR, J., dissenting from denial of certiorari).

Rehearing Denied

No. 17–1537. MORRISON *v.* QUEST DIAGNOSTICS INC. ET AL., 586 U. S. 818;

No. 17–1571. MARRANCA *v.* LOYTSKER, 586 U. S. 819;

No. 17–1601. BARONE *v.* WELLS FARGO BANK, N. A., 586 U. S. 820;

No. 17–1608. HOLKESVIG *v.* NORTH DAKOTA, 586 U. S. 820;

No. 17–1612. HINDS *v.* UNITED STATES, 586 U. S. 821;

No. 17–1621. ANDERSON *v.* DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, 586 U. S. 821;

No. 17–1626. ASSADIAN *v.* PARSI ET AL., 586 U. S. 821;

No. 17–1647. IN RE HENDERSON ET AL., 586 U. S. 811;

No. 17–1651. BATES ET UX. *v.* VILLAGE OF PENTWATER, MICHIGAN, 586 U. S. 823;

No. 17–1690. COONEY *v.* BARRY SCHOOL OF LAW, AKA DWAYNE O. ANDREAS SCHOOL OF LAW, 586 U. S. 825;

No. 17–7988. MATHURIN *v.* UNITED STATES, 586 U. S. 827;

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- No. 17–8846. *RAMEY v. UNITED STATES*, 586 U. S. 834;
No. 17–8937. *FERGUSON-CASSIDY v. CITY OF LOS ANGELES, CALIFORNIA, ET AL.*, 586 U. S. 837;
No. 17–9078. *ARLOTTA v. BANK OF AMERICA, N. A., ET AL.*; and *ARLOTTA v. DIOCESE OF BUFFALO ET AL.*, 586 U. S. 841;
No. 17–9210. *BUTTERCASE v. NEBRASKA*, 586 U. S. 848;
No. 17–9311. *JOHNSON v. UNITED STATES*, 586 U. S. 853;
No. 17–9331. *CHASSON, AKA ALIAS, AKA HASON v. SESSIONS, ATTORNEY GENERAL*, 586 U. S. 854;
No. 17–9352. *VIOLA v. BENNETT*, 586 U. S. 855;
No. 17–9423. *WOODS v. ARIZONA*, 586 U. S. 859;
No. 17–9428. *JOHNSON v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, 586 U. S. 860;
No. 17–9444. *STEPHENS ET AL. v. CITY OF ENGLEWOOD, NEW JERSEY, ET AL.*, 586 U. S. 860;
No. 17–9476. *ELGHANNAM v. EDUCATIONAL TESTING SERVICE*, 586 U. S. 862;
No. 17–9504. *RAY v. MCCOLLUM, WARDEN*, 586 U. S. 864;
No. 17–9567. *BROWN v. DEL NORTE COUNTY, CALIFORNIA, ET AL.*, 586 U. S. 867;
No. 18–9. *WASHINGTON v. AZAR, SECRETARY OF HEALTH AND HUMAN SERVICES*, 586 U. S. 869;
No. 18–49. *PLUMB ET AL. v. U. S. BANK N. A. ET AL.*, 586 U. S. 871;
No. 18–92. *PERRY v. KRIEGMAN*, 586 U. S. 873;
No. 18–95. *WENTZELL ET AL. v. BP AMERICA, INC., ET AL.*, 586 U. S. 874;
No. 18–104. *TUERK v. DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA*, 586 U. S. 874;
No. 18–139. *FREEMAN v. NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES*, 586 U. S. 875;
No. 18–143. *BART v. UNITED STATES*, 586 U. S. 875;
No. 18–186. *SILVA-RAMIREZ v. HOSPITAL ESPANOL AUXILIO MUTUO DE PUERTO RICO, INC., ET AL.*, 586 U. S. 876;
No. 18–5009. *DRUMMOND v. SESSIONS, ATTORNEY GENERAL*, 586 U. S. 877;
No. 18–5094. *SHERRY v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, 586 U. S. 882;

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No. 18–5099. *WILLIAMS v. LOS ANGELES COUNTY DEPARTMENT OF PUBLIC SOCIAL SERVICES ET AL.*, 586 U. S. 882;
No. 18–5178. *BALTIMORE v. BUCK*, 586 U. S. 887;
No. 18–5197. *DIXIT v. DIXIT*, 586 U. S. 888;
No. 18–5235. *THOMAS v. CHANDRAN*, 586 U. S. 889;
No. 18–5309. *MCLAIN v. UNITED STATES*, 586 U. S. 893;
No. 18–5316. *VAUGHAN v. VAUGHAN ET AL.*, 586 U. S. 893;
No. 18–5327. *MAKDESSI v. FIELDS ET AL.*, 586 U. S. 894;
No. 18–5665. *CABRERA v. UNITED STATES*, 586 U. S. 905; and
No. 18–5799. *IN RE SMITHBACK*, 586 U. S. 811. Petitions for rehearing denied.

NOVEMBER 27, 2018

Dismissal Under Rule 46

No. 17–1056. *QUALITY SYSTEMS, INC., ET AL. v. CITY OF MIAMI FIRE FIGHTERS’ AND POLICE OFFICERS’ RETIREMENT TRUST ET AL.* C. A. 9th Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 865 F. 3d 1130.

DECEMBER 3, 2018

Certiorari Granted—Vacated and Remanded

No. 17–74. *MARKLE INTERESTS, L. L. C., ET AL. v. UNITED STATES FISH AND WILDLIFE SERVICE ET AL.* C. A. 5th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Weyerhaeuser Co. v. United States Fish and Wildlife Serv.*, 586 U. S. 9 (2018). Reported below: 827 F. 3d 452.

No. 17–886. *FLECK v. WETCH ET AL.* C. A. 8th Cir. Motions of Pacific Legal Foundation and Kourosh Kenneth Hamidi et al. for leave to file briefs as *amici curiae* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Janus v. State, County, and Municipal Employees*, 585 U. S. 878 (2018). Reported below: 868 F. 3d 652.

Certiorari Dismissed

No. 18–5813. *KILPATRICK v. HENKIN.* C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 18–6129. *MATELYAN v. CD BABY DISTRIBUTION CO.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma*

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pauperis denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 18–6130. *KILPATRICK v. CUOMO*, GOVERNOR OF NEW YORK. C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 18–6131. *KILPATRICK v. ARP*; and *KILPATRICK v. SCOTT*. C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 18–6191. *SANDERS v. ESQUEDA*, DANE COUNTY CLERK OF COURT. Ct. App. Wis. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 18–6195. *WATFORD v. DOE ET AL.* C. A. 7th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 18–6223. *JONASSEN v. UNITED STATES ET AL.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

Miscellaneous Orders

No. 18M67. *DENG v. UNITED STATES*;

No. 18M68. *MCGUIRK v. AIRBNB, INC., ET AL.*; and

No. 18M69. *TREASE v. FLORIDA*. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 17–290. *MERCK SHARP & DOHME CORP. v. ALBRECHT ET AL.* C. A. 3d Cir. [Certiorari granted, 585 U. S. 1029.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 17–532. *HERRERA v. WYOMING*. Dist. Ct. Wyo., Sheridan County. [Certiorari granted, 585 U. S. 1029.] Motion of the So-

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licitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 17–1307. *OBDUSKEY v. MCCARTHY & HOLTHUS LLP*. C. A. 10th Cir. [Certiorari granted, 585 U. S. 1029.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 17–1335. *CONSOLIDATION COAL CO. v. DIRECTOR, OFFICE OF WORKERS’ COMPENSATION PROGRAMS, DEPARTMENT OF LABOR, ET AL.*, 586 U. S. 814. Motion of respondent Robert Thompson for attorney’s fees and expenses granted. The Court approves the parties’ agreed upon attorney’s fees of \$14,732.50, and expenses of \$1,152.63, to be paid by Consolidation Coal Co.

No. 17–9480. *IN RE WOODS*. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [586 U. S. 812] denied.

No. 18–260. *COUNTY OF MAUI, HAWAII v. HAWAII WILDLIFE FUND ET AL.* C. A. 9th Cir.; and

No. 18–268. *KINDER MORGAN ENERGY PARTNERS, L. P., ET AL. v. UPSTATE FOREVER ET AL.* C. A. 4th Cir. The Solicitor General is invited to file briefs in these cases expressing the views of the United States on or before 4 p.m., Friday, January 4, 2019.

No. 18–5020. *IN RE BROWN*. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [586 U. S. 813] denied. JUSTICE KAGAN took no part in the consideration or decision of this motion.

No. 18–5400. *IN RE PENNINGTON-THURMAN*. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [586 U. S. 812] denied.

No. 18–5567. *CURRY v. CITY OF MANSFIELD, OHIO, ET AL.* Ct. App. Ohio, 5th App. Dist., Richland County. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [586 U. S. 916] denied.

No. 18–5568. *Curry v. CITY OF MANSFIELD, OHIO, ET AL.* Ct. App. Ohio, 5th App. Dist., Richland County. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [586 U. S. 916] denied.

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No. 18–5786. THOMAS *v.* UNITED STATES. C. A. 7th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [586 U. S. 811] denied.

No. 18–6321. NGUYEN *v.* NIELSEN, SECRETARY OF HOMELAND SECURITY. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until December 26, 2018, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

No. 18–614. IN RE HOUSTON;
No. 18–5683. IN RE BRITTON-HARR;
No. 18–6654. IN RE DEBOLT; and
No. 18–6675. IN RE ZATER. Petitions for writs of habeas corpus denied.

No. 18–6632. IN RE HOWELL. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of habeas corpus dismissed. See this Court's Rule 39.8.

No. 18–6091. IN RE WALCOTT. Petition for writ of mandamus denied.

No. 18–223. IN RE DAWSON. Petition for writ of mandamus and/or prohibition denied.

Certiorari Denied

No. 17–9134. YOUNG, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF GREEN, DECEASED *v.* CITY OF TAMPA, FLORIDA, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 986.

No. 17–9332. VINSON *v.* JACKSON, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 711 Fed. Appx. 329.

No. 18–81. TAYLOR *v.* INDIANA. Sup. Ct. Ind. Certiorari denied. Reported below: 86 N. E. 3d 157.

No. 18–89. AMERICULTURE, INC., ET AL. *v.* LOS LOBOS RENEWABLE POWER, LLC, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 885 F. 3d 659.

No. 18–113. RODGERS *v.* FLORIDA. Sup. Ct. Fla. Certiorari denied. Reported below: 242 So. 3d 276.

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No. 18–165. *DHL SUPPLY CHAIN v. DEX SYSTEMS, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 276.

No. 18–188. *TUCKER v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 889 F. 3d 881.

No. 18–246. *DOHERTY ET AL. v. ALLSTATE INDEMNITY CO.* C. A. 3d Cir. Certiorari denied. Reported below: 734 F. 3d 817.

No. 18–247. *ANIMAL LEGAL DEFENSE FUND ET AL. v. DEPARTMENT OF HOMELAND SECURITY ET AL.* D. C. S. D. Cal. Certiorari denied. Reported below: 284 F. Supp. 3d 1092.

No. 18–257. *BAUCH, INDIVIDUALLY AND AS FATHER AND NEXT FRIEND OF O. B., A MINOR, ET AL. v. RICHLAND COUNTY CHILDREN SERVICES ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 292.

No. 18–321. *TVEYES, INC. v. FOX NEWS NETWORK, LLC.* C. A. 2d Cir. Certiorari denied. Reported below: 883 F. 3d 169.

No. 18–329. *ROUNTREE v. DYSON ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 892 F. 3d 681.

No. 18–366. *GOLDEN ET VIR v. PETERSON.* App. Ct. Mass. Certiorari denied. Reported below: 92 Mass. App. 1131, 103 N. E. 3d 766.

No. 18–369. *VALDEZ v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 18–376. *PARTIN ET VIR v. MICHIGAN CHILDREN'S INSTITUTE.* Sup. Ct. Mich. Certiorari denied. Reported below: 501 Mich. 865, 901 N. W. 2d 382.

No. 18–379. *KEYES v. BANKS.* Ct. App. Ky. Certiorari denied.

No. 18–383. *DAVIS ET AL. v. JPMORGAN CHASE BANK N. A.* Sup. Ct. Conn. Certiorari denied. Reported below: 328 Conn. 921, 180 A. 3d 963.

No. 18–390. *PLETOS ET AL. v. MAKOWER ABATTE GUERRA WEGNER VOLLMER, PLLC, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 431.

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No. 18–393. *MOODY v. NATIONAL FOOTBALL LEAGUE*. C. A. 2d Cir. Certiorari denied. Reported below: 711 Fed. Appx. 65.

No. 18–399. *FINK v. KIRCHNER ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 731 Fed. Appx. 157.

No. 18–409. *LIU v. RYAN ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 724 Fed. Appx. 92.

No. 18–414. *BURNETT v. PANASONIC CORP. ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 741 Fed. Appx. 777.

No. 18–416. *HATCH v. BRENNAN, POSTMASTER GENERAL, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 868.

No. 18–419. *BOOGAARD ET AL., AS PERSONAL REPRESENTATIVES OF THE ESTATE OF BOOGAARD, DECEASED v. NATIONAL HOCKEY LEAGUE ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 891 F. 3d 289.

No. 18–424. *BROWN-WILLIAMS ET AL. v. SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY, ET AL.* Ct. App. Cal., 2d App. Dist., Div. 8. Certiorari denied.

No. 18–425. *WILLIAMS ET AL. v. SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY, ET AL.* Ct. App. Cal., 2d App. Dist., Div. 8. Certiorari denied.

No. 18–434. *MOSBY v. PARILLA*. Ct. App. N. Y. Certiorari denied. Reported below: 30 N. Y. 3d 1083, 92 N. E. 3d 1240.

No. 18–452. *WESLEY v. TOWN SQUARE MEDIA WEST CENTRAL RADIO BROADCASTING ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 595.

No. 18–464. *HATFIELD ENTERPRIZES, INC., ET AL. v. WASHINGTON STATE EMPLOYMENT SECURITY DEPARTMENT*. Ct. App. Wash. Certiorari denied. Reported below: 1 Wash. App. 2d 174, 404 P. 3d 517.

No. 18–465. *GARNETT v. REMEDI SENIORCARE OF VIRGINIA, LLC*. C. A. 4th Cir. Certiorari denied. Reported below: 892 F. 3d 140.

No. 18–466. *GULICK TRUCKING, INC. v. WASHINGTON STATE EMPLOYMENT SECURITY DEPARTMENT*. Ct. App. Wash. Certiorari denied. Reported below: 2 Wash. App. 2d 1016.

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No. 18–469. *MACMILLAN-PIPER, INC. v. WASHINGTON STATE EMPLOYMENT SECURITY DEPARTMENT*. Ct. App. Wash. Certiorari denied. Reported below: 1 Wash. App. 2d 1055.

No. 18–484. *PETTIGREW v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 18–494. *ROSS v. APPLE INC.* C. A. 11th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 733.

No. 18–497. *COULTER v. BISSOON, JUDGE, UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 731 Fed. Appx. 83.

No. 18–501. *ADBURAHHMAN ET AL. v. HYUNDAI MOTOR AMERICA, INC., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 896 F. 3d 278.

No. 18–531. *COFFMAN v. IOWA*. Sup. Ct. Iowa. Certiorari denied. Reported below: 914 N. W. 2d 240.

No. 18–535. *RESIDENTS AGAINST FLOODING ET AL. v. REINVESTMENT ZONE NUMBER SEVENTEEN, CITY OF HOUSTON, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 916.

No. 18–538. *NORA v. WISCONSIN OFFICE OF LAWYER REGULATION*. Sup. Ct. Wis. Certiorari denied. Reported below: 2018 WI 23, 380 Wis. 2d 311, 909 N. W. 2d 155.

No. 18–541. *DEOL v. DEPRETA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 232.

No. 18–542. *HAMILTON v. CLARKE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 217.

No. 18–563. *COMMANDER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 734 Fed. Appx. 824.

No. 18–568. *RIPPL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–5052. *CURETON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 887 F. 3d 318.

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No. 18–5071. *CARLOS VAZQUEZ v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied.

No. 18–5121. *MUSGROVE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 155.

No. 18–5296. *RASBERRY v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 882 F. 3d 241.

No. 18–5322. *RODRIGUEZ-APARICIO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 888 F. 3d 189.

No. 18–5468. *VILLARREAL ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 725 Fed. Appx. 515.

No. 18–5475. *GEORGE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–5621. *TORKORNOO v. HELWIG ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 198.

No. 18–5674. *SWAIN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–5692. *JORDAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–5702. *ANGEL MEJIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 731.

No. 18–5791. *WHARTON v. VAUGHN*. C. A. 3d Cir. Certiorari denied. Reported below: 722 Fed. Appx. 268.

No. 18–5796. *CROMARTIE v. SELLERS, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 18–5982. *BRITTON-HARR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–6064. *ROSE v. KIRKEGARD, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 406.

No. 18–6077. *QAZI v. NEVADA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–6085. *DANIELS v. DOWLING, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 756.

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No. 18–6089. *ASSA’AD-FALTAS v. CITY OF COLUMBIA, SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied.

No. 18–6101. *PIERRE v. FJC SECURITY SERVICES, INC.* C. A. 2d Cir. Certiorari denied. Reported below: 723 Fed. Appx. 70.

No. 18–6105. *WALLACE v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 18–6106. *MILLER v. KASHANI ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–6110. *MAHDI v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied.

No. 18–6114. *LINH THI MINH TRAN v. PHAM*. Ct. App. Ore. Certiorari denied. Reported below: 288 Ore. App. 385, 406 P. 3d 247.

No. 18–6115. *ANTONIO JIMENEZ v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 247 So. 3d 395.

No. 18–6124. *WASHINGTON v. PALMER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–6125. *WRIGHT v. CARTER ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 712 Fed. Appx. 80.

No. 18–6134. *PETERS v. BALDWIN ET AL.* C. A. 7th Cir. Certiorari denied.

No. 18–6136. *LARA-AGUILAR v. WHITAKER, ACTING ATTORNEY GENERAL*. C. A. 4th Cir. Certiorari denied. Reported below: 889 F. 3d 134.

No. 18–6140. *HARDAWAY v. CROSS STATE MOVING ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 729 Fed. Appx. 8.

No. 18–6142. *DINGLER v. GEORGIA ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 725 Fed. Appx. 923.

No. 18–6144. *PADILLA v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

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No. 18–6152. *M. E. D. v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 18–6153. *RAISBECK v. STEWART, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–6158. *TERRY v. ABRAHAM, CHIEF, DILLON COUNTY DETENTION CENTER*. C. A. 4th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 242.

No. 18–6164. *LASCHKEWITSCH v. RELIASTAR LIFE INSURANCE Co.* C. A. 4th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 155.

No. 18–6166. *RAFI v. BRIGHAM AND WOMEN’S HOSPITAL ET AL.* C. A. 1st Cir. Certiorari denied.

No. 18–6167. *CLARK v. FLORIDA*. Sup. Ct. Fla. Certiorari denied.

No. 18–6168. *SOON YOUNG KIM v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 18–6170. *HENDERSON v. VIP TAXI LLC ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–6176. *LUCERO v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 18–6179. *EMANUEL v. TERRITORY OF THE VIRGIN ISLANDS*. Sup. Ct. V. I. Certiorari denied. Reported below: 68 V. I. 666.

No. 18–6182. *MOORE v. NEVADA ET AL.* Sup. Ct. Nev. Certiorari denied. Reported below: 134 Nev. 262, 417 P. 3d 356.

No. 18–6189. *SALGADO v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 4. Certiorari denied.

No. 18–6194. *VANDIVERE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 265.

No. 18–6199. *TORRES v. PERRONE, JUDGE, JUDICIAL CIRCUIT COURT OF FLORIDA, HILLSBOROUGH COUNTY*. Sup. Ct. Fla. Certiorari denied.

No. 18–6202. *DINSIO v. APPELLATE DIVISION, SUPREME COURT OF NEW YORK, THIRD JUDICIAL DEPARTMENT*. C. A. 2d Cir. Certiorari denied.

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No. 18–6203. *HAYES v. PLUMLEY, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 772.

No. 18–6217. *MARQUIS v. DEUTSCHE BANK NATIONAL TRUST CO. ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 437.

No. 18–6219. *MAY v. CONTINENTAL TOWERS CONDOMINIUMS ASSN. ET AL.* Ct. App. Ky. Certiorari denied.

No. 18–6228. *LASCHKEWITSCH v. AMERICAN NATIONAL LIFE INSURANCE CO.* C. A. 4th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 283.

No. 18–6305. *POLSHYN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 411.

No. 18–6329. *SANDOVAL DOMINGUEZ v. SPEARMAN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 18–6337. *WILLIAMS v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 548 S. W. 3d 275.

No. 18–6338. *WILLIAMS v. SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY, ET AL.* Ct. App. Cal., 2d App. Dist., Div. 1. Certiorari denied.

No. 18–6364. *BUTH v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 480 Mass. 113, 101 N. E. 3d 925.

No. 18–6393. *QAZI v. KILLIAN, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–6395. *RAMOS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 18–6396. *SOLORIO v. MUNIZ, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 896 F. 3d 914.

No. 18–6397. *ROSARIO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 18–6398. *PITTMAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 551.

No. 18–6399. *PEREZ-TREVINO v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 891 F. 3d 359.

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No. 18–6401. *SMITH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 606.

No. 18–6404. *RAMIREZ-CRUZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 345.

No. 18–6405. *THIESZEN v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied. Reported below: 300 Neb. 112, 912 N. W. 2d 696.

No. 18–6408. *PRINCE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 749 Fed. Appx. 396.

No. 18–6415. *CHERNIAVSKY, AKA YEGIYAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 601.

No. 18–6417. *WILSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 737 Fed. Appx. 577.

No. 18–6421. *NEGRON-CRUZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 18–6422. *NORTON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 893 F. 3d 464.

No. 18–6425. *BEATTIE v. ROMERO ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 385.

No. 18–6429. *WHITE v. ECTOR COUNTY APPRAISAL DISTRICT*. Ct. App. Tex., 11th Dist. Certiorari denied.

No. 18–6430. *THOMAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–6431. *JENKINS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 636.

No. 18–6432. *KILLEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 703.

No. 18–6434. *SHULTS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 421.

No. 18–6445. *VICK v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 18–6447. *GOODWIN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

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No. 18–6451. *SPAIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 180.

No. 18–6456. *O'BRIEN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 738 Fed. Appx. 38.

No. 18–6457. *PUENTE v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–6459. *BALMES-CRUZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 515.

No. 18–6461. *LOVE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 194.

No. 18–6462. *CARLOS MENDEZ v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 18–6463. *PORTILLO v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 185 A. 3d 722.

No. 18–6468. *LUGO-SANTIAGO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 18–6472. *GIBSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–6473. *HARRISON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 383.

No. 18–6474. *HART v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 919.

No. 18–6475. *WRIGHT v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 181 A. 3d 1236.

No. 18–6483. *CHAVEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 195.

No. 18–6484. *DAVIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 714.

No. 18–6494. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–6495. *TRENT v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 884 F. 3d 985.

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No. 18–6496. *THOMAS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 897 F. 3d 807.

No. 18–6497. *WATSON v. BYRD, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 18–6504. *RUSSIAN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 737 Fed. Appx. 360.

No. 18–6505. *POWELL v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 925 F. 3d 1.

No. 18–6512. *JONES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–6515. *VANOVER ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 746 Fed. Appx. 162.

No. 18–6518. *CRUM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 261.

No. 18–6519. *ALVAREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–6524. *THOMAS, AKA O'BRIAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 262.

No. 18–6531. *EPPES v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 77 M. J. 339.

No. 18–6534. *TYLER v. WILSON, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 119.

No. 18–6546. *CASTELLANO-BENITEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 715.

No. 18–6548. *LEONE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–6549. *BRANCH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 254.

No. 18–14. *DONJUAN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 720 Fed. Appx. 486.

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No. 18–287. NEAL, SUPERINTENDENT, INDIANA STATE PRISON *v.* BAER. C. A. 7th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 879 F. 3d 769.

No. 18–385. JAKKS PACIFIC, INC. *v.* ACCASVEK LLC. C. A. D. C. Cir. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition. Reported below: 727 Fed. Appx. 704.

No. 18–426. ASHBOURNE *v.* HANSBERRY ET AL. C. A. D. C. Cir. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition. Reported below: 703 Fed. Appx. 3.

No. 18–554. WEISS *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. D. C. Cir. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition.

No. 18–562. COOMES *v.* MARYLAND INSURANCE ADMINISTRATION. Ct. App. Md. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied. Reported below: 457 Md. 659, 181 A. 3d 204.

No. 18–5422. GARRETT *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

JUSTICE SOTOMAYOR, with whom JUSTICE GINSBURG joins, dissenting.

I dissent for the reasons set out in *Brown v. United States*, 586 U. S. 953 (2018) (SOTOMAYOR, J., dissenting from denial of certiorari).

No. 18–6394. STEELE *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

No. 18–6498. MAJALCA-AGUILAR *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition.

Rehearing Denied

No. 17–1591. HOSKINS *v.* UNITED STATES ET AL., 586 U. S. 820;

No. 17–8008. LEON *v.* UNITED STATES, 586 U. S. 827;

No. 17–8043. MORGAN *v.* KANSAS ET AL., 584 U. S. 953;

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- No. 17–8352. *MARTIN v. LIVING ESSENTIALS, LLC*, 586 U. S. 828;
- No. 17–8516. *O’NEAL v. CLARKE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*, 585 U. S. 1007;
- No. 17–8710. *IN RE ARMSTRONG*, 586 U. S. 812;
- No. 17–8824. *CONNER v. METROPOLITAN LIFE INSURANCE CO. ET AL.*; and *CONNER v. UNITED STATES POSTAL SERVICE ET AL.*, 586 U. S. 833;
- No. 17–8867. *CLOPTON v. MURPHY, JUDGE, DISTRICT COURT OF GRAYSON COUNTY, TEXAS*, 586 U. S. 834;
- No. 17–8935. *CAMPBELL v. NEW YORK CITY TRANSIT AUTHORITY, ADJUDICATION BUREAU*, 586 U. S. 837;
- No. 17–9031. *MARTIN v. WENDY’S INTERNATIONAL, INC., ET AL.*, 586 U. S. 839;
- No. 17–9071. *BAILEY v. WHITE, WARDEN*, 586 U. S. 841;
- No. 17–9145. *MALLOY v. NEW YORK*, 586 U. S. 844;
- No. 17–9345. *LASCHKEWITSCH v. TRANSAMERICA LIFE INSURANCE Co.*, 586 U. S. 855;
- No. 17–9346. *WOODWARD v. KANSAS*, 586 U. S. 855;
- No. 17–9569. *BRADFIELD v. UNITED STATES*, 586 U. S. 867;
- No. 18–5011. *CARDONA v. UNITED STATES*, 586 U. S. 877;
- No. 18–5058. *DRAKE v. UNITED STATES*, 586 U. S. 880;
- No. 18–5067. *STUHR v. WHITE, SUPERINTENDENT, WASHINGTON CORRECTIONS CENTER*, 586 U. S. 880;
- No. 18–5119. *KING v. KING*, 586 U. S. 883;
- No. 18–5158. *BROWN v. UNITED STATES*, 586 U. S. 886;
- No. 18–5163. *THIER v. FLORIDA*, 586 U. S. 886;
- No. 18–5224. *COSTELON v. NEW MEXICO*, 586 U. S. 889;
- No. 18–5280. *LANIER v. UNITED STATES*, 586 U. S. 892;
- No. 18–5424. *SAKUMA v. ASSOCIATION OF APARTMENT OWNERS OF THE TROPICS OF WAIKELE ET AL.*, 586 U. S. 922;
- No. 18–5442. *WALL v. FLORIDA*, 586 U. S. 923;
- No. 18–5450. *RIVAS-RIVERA v. PENNSYLVANIA*, 586 U. S. 923;
- No. 18–5666. *DENNISON v. HOOKS, WARDEN*, 586 U. S. 926; and
- No. 18–5788. *DUTSCHKE v. UNITED STATES*, 586 U. S. 907.
- Petitions for rehearing denied.

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Miscellaneous Orders

- No. 17–1107. *CARPENTER, INTERIM WARDEN v. MURPHY*.
C. A. 10th Cir. [Certiorari granted *sub nom. Royal v. Murphy*,

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584 U. S. 992.] The parties, the Solicitor General, and the Muscogee (Creek) Nation are directed to file supplemental briefs addressing the following two questions: “(1) Whether any statute grants the State of Oklahoma jurisdiction over the prosecution of crimes committed by Indians in the area within the 1866 territorial boundaries of the Creek Nation, irrespective of the area’s reservation status. (2) Whether there are circumstances in which land qualifies as an Indian reservation but nonetheless does not meet the definition of Indian country as set forth in 18 U. S. C. § 1151(a).” Briefs, not to exceed 6,000 words, are to be filed simultaneously with the Clerk and served upon opposing counsel on or before 2 p.m., Friday, December 28, 2018. Reply briefs, not to exceed 3,000 words, are to be filed simultaneously with the Clerk and served upon opposing counsel on or before 2 p.m., Friday, January 11, 2019. JUSTICE GORSUCH took no part in the consideration or decision of this order.

No. 18–6890 (18A570). *IN RE GARCIA*. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

Certiorari Denied

No. 18–6891 (18A571). *GARCIA v. TEXAS*. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Certiorari denied.

No. 18–6892 (18A572). *GARCIA v. COLLIER, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL.* C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Certiorari denied. Reported below: 744 Fed. Appx. 231.

No. 18–6893 (18A573). *GARCIA v. JONES ET AL.* C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Certiorari denied. Reported below: 910 F. 3d 188.

No. 18–6898 (18A579). *GARCIA v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him

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referred to the Court, denied. Certiorari denied. Reported below: 756 Fed. Appx. 391.

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Certiorari Denied

No. 18–6739 (18A528). *MILLER ET AL. v. PARKER*, COMMISSIONER, TENNESSEE DEPARTMENT OF CORRECTION, ET AL. Sup. Ct. Tenn. Application for stay of execution of sentence of death, presented to JUSTICE SOTOMAYOR, and by her referred to the Court, denied. Certiorari denied. Reported below: 558 S. W. 3d 606.

JUSTICE SOTOMAYOR, dissenting from denial of application for stay and denial of certiorari.

I dissent for the reasons set out in *Miller v. Parker*, 586 U. S. 1048 (2018) (SOTOMAYOR, J., dissenting from denial of application for stay and denial of certiorari).

No. 18–6906 (18A578). *MILLER v. PARKER*, COMMISSIONER, TENNESSEE DEPARTMENT OF CORRECTION, ET AL. C. A. 6th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SOTOMAYOR, and by her referred to the Court, denied. Certiorari denied. Reported below: 910 F. 3d 259.

JUSTICE SOTOMAYOR, dissenting.

Tennessee is scheduled to electrocute David Miller tonight. Miller is the second inmate in just over a month who has chosen to die by the electric chair in order to avoid the State’s current lethal injection protocol. See *Zagorski v. Haslam*, 586 U. S. 981 (2018) (SOTOMAYOR, J., dissenting from denial of application for stay and denial of certiorari). Both so chose even though electrocution can be a dreadful way to die.* They did so against the backdrop of credible scientific evidence that lethal injection as currently practiced in Tennessee may well be even worse. See *Zagorski*, 586 U. S., at 981–982; *Irick v. Tennessee*, 585 U. S. 1048, 1048–1049 (2018) (SOTOMAYOR, J., dissenting from denial of application for stay).

The decision that the Court leaves undisturbed in this case rests in part on the fiction that Miller’s choice was voluntary, and

*See *State v. Mata*, 275 Neb. 1, 66, 745 N. W. 2d 229, 278 (2008) (concluding that “electrocution will unquestionably inflict intolerable pain unnecessary to cause death in enough executions so as to present a substantial risk that any prisoner will suffer unnecessary and wanton pain”).

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in part on predictions about the efficacy of electric chairs made over a century ago. 910 F. 3d 259, 262 (CA6 2018); see *In re Kemmler*, 136 U. S. 436, 443–444 (1890). Another decision that the Court today declines to review faulted Miller for not proving an available alternative means of his own execution. See No. 18–6739, *Miller v. Parker*, 586 U. S. 1048. It did so while effectively permitting the State to turn that “perverse requirement” into a moving target. *McGehee v. Hutchinson*, 581 U. S. 933, 935 (2017) (SOTOMAYOR, J., dissenting from denial of application for stay and denial of certiorari). These cases are the unfortunate byproducts of this Court’s decision in *Glossip v. Gross*, 576 U. S. 863 (2015). Such madness should not continue. Respectfully, I dissent.

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Certiorari Granted

No. 18–266. DUTRA GROUP *v.* BATTERTON. C. A. 9th Cir. Certiorari granted. Reported below: 880 F. 3d 1089.

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Appeal Dismissed

No. 18–433. LARRY *v.* ARKANSAS ET AL. Appeal from D. C. E. D. Ark. dismissed for want of jurisdiction.

Certiorari Dismissed

No. 18–6221. VINNIE *v.* HENRY ET AL. App. Ct. Mass. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 92 Mass. App. 1128, 102 N. E. 3d 1032.

Miscellaneous Orders

No. 18M70. PEREZ SOTO *v.* SUPREME COURT OF PUERTO RICO;
No. 18M72. WOODS *v.* WARDEN, FEDERAL DETENTION CENTER PHILADELPHIA;

No. 18M73. ROSE *v.* DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION;

No. 18M74. VILUTIS *v.* NRG SOLAR ALPINE LLC; and

No. 18M75. JAMES *v.* ELDORADO CASINO SHREVEPORT JOINT VENTURE ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

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No. 18M71. IN RE CHAFE. Motion for leave to proceed as a veteran denied.

No. 17-1594. RETURN MAIL, INC. *v.* UNITED STATES POSTAL SERVICE ET AL. C. A. Fed. Cir. [Certiorari granted, 586 U. S. 959.] Motion of petitioner to dispense with printing joint appendix granted.

No. 18-5856. JEEP *v.* UNITED STATES. C. A. 8th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [586 U. S. 961] denied.

No. 18-6731. IN RE SUDBERRY. Petition for writ of habeas corpus denied.

No. 18-6537. IN RE WOOTEN; and

No. 18-6630. IN RE GULLETT. Petitions for writs of mandamus denied.

No. 18-6551. IN RE HOSKINS ET AL. Petition for writ of mandamus and/or prohibition denied.

No. 18-6511. IN RE EZEAH; and

No. 18-6561. IN RE LOPEZ. Petitions for writs of prohibition denied.

Certiorari Granted

No. 18-15. KISOR *v.* WILKIE, SECRETARY OF VETERANS AFFAIRS. C. A. Fed. Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 869 F. 3d 1360.

Certiorari Denied

No. 17-1641. THOMAS ET VIR *v.* WILLIAMS. C. A. 5th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 346.

No. 17-9169. ROBINSON *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 408.

No. 17-9238. STREETER *v.* ILLINOIS. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2017 IL App (1st) 140900-U.

No. 18-7. CHOCTAW COUNTY, MISSISSIPPI, ET AL. *v.* JAUCH. C. A. 5th Cir. Certiorari denied. Reported below: 874 F. 3d 425.

No. 18-39. BOYD *v.* WASHINGTON. Ct. App. Wash. Certiorari denied. Reported below: 1 Wash. App. 2d 501, 408 P. 3d 362.

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No. 18–93. *ZIMMERMAN v. CITY OF AUSTIN, TEXAS*. C. A. 5th Cir. Certiorari denied. Reported below: 881 F. 3d 378.

No. 18–304. *KIMBERLY-CLARK CORP. ET AL. v. DAVIDSON*. C. A. 9th Cir. Certiorari denied. Reported below: 889 F. 3d 956.

No. 18–395. *CORNING OPTICAL COMMUNICATIONS RF LLC v. PPC BROADBAND, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 714 Fed. Appx. 1022.

No. 18–412. *WATTS v. ALLEN ET AL.* Sup. Ct. Va. Certiorari denied.

No. 18–432. *PINEDA, AKA PINEDA ALARCON v. NIELSON, SECRETARY OF HOMELAND SECURITY, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 348.

No. 18–437. *MEDVEDEV v. HENRICO COUNTY*. Sup. Ct. Va. Certiorari denied.

No. 18–438. *PLACIDE v. SUPREME COURT OF WASHINGTON ET AL.* Sup. Ct. Wash. Certiorari denied. Reported below: 190 Wash. 2d 402, 414 P. 3d 1124.

No. 18–448. *ESTATE OF WEST, DECEASED v. DEPARTMENT OF VETERANS AFFAIRS*. C. A. 6th Cir. Certiorari denied. Reported below: 895 F. 3d 432.

No. 18–471. *COOPER v. BANK OF NEW YORK MELLON, TRUSTEE, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 368.

No. 18–574. *RACHAL v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 18–585. *FRANCESCHI v. YEE ET AL.* (Reported below: 887 F. 3d 927); and *DEORIO v. YEE ET AL.* (718 Fed. Appx. 548). C. A. 9th Cir. Certiorari denied.

No. 18–5313. *STEELE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 729 Fed. Appx. 47.

No. 18–5509. *MAKELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 307.

No. 18–5670. *CAMPISE v. NEW YORK COMMISSIONER OF LABOR*. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 150 App. Div. 3d 1523, 54 N. Y. S. 3d 761.

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No. 18–5843. *CHANTHUNYA v. MARYLAND ATTORNEY GRIEVANCE COMMISSION*. Ct. App. Md. Certiorari denied.

No. 18–5876. *SANFORD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–6128. *DIAMOND v. COMMISSIONER OF INTERNAL REVENUE*. C. A. D. C. Cir. Certiorari denied.

No. 18–6175. *JONES v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 241 So. 3d 65.

No. 18–6192. *RODRIGUEZ v. GORE, SHERIFF, SAN DIEGO COUNTY, CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 18–6211. *RODRIGUEZ v. SAN DIEGO COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–6218. *LINDEN v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 18–6220. *KELLY v. BISHOP, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 153.

No. 18–6224. *LATNEY v. PARKER*. C. A. 4th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 202.

No. 18–6227. *WESTER v. ILLINOIS*. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 2018 IL App (2d) 150768–U.

No. 18–6230. *SHOATE v. LEWIS, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 18–6231. *RAHIM v. SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLE, AND PARDON SERVICES*. C. A. 4th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 136.

No. 18–6234. *BARRETT v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 18–6250. *NAIRN v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–6252. *WESSON v. OHIO*. Ct. App. Ohio, 9th App. Dist., Summit County. Certiorari denied. Reported below: 2018–Ohio–834.

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No. 18–6262. *PENUNURI v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 5 Cal. 5th 126, 418 P. 3d 263.

No. 18–6288. *COOLEY v. DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, DEPARTMENT OF LABOR, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 248.

No. 18–6295. *WALCOTT v. LOUISIANA*. Ct. App. La., 1st Cir. Certiorari denied.

No. 18–6312. *MASON v. LINDSEY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–6316. *WILKS v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 154 Ohio St. 3d 359, 2018-Ohio-1562, 114 N. E. 3d 1092.

No. 18–6320. *MCGHEE v. DAVIS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 18–6325. *CONTRERAS-REBOLLAR v. OBENLAND, SUPERINTENDENT, MONROE CORRECTIONAL COMPLEX*. C. A. 9th Cir. Certiorari denied.

No. 18–6326. *COXE v. WHITE, SUPERINTENDENT, WASHINGTON STATE CORRECTIONS CENTER*. C. A. 9th Cir. Certiorari denied.

No. 18–6331. *ROBINSON v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 250 So. 3d 5.

No. 18–6345. *BRUETTE v. ZINKE, SECRETARY OF THE INTERIOR*. C. A. 7th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 878.

No. 18–6353. *BIEN v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 550 S. W. 3d 180.

No. 18–6381. *CROCKETT v. BROWN, SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY*. C. A. 7th Cir. Certiorari denied.

No. 18–6386. *ADKINS v. WHOLE FOODS MARKET GROUP, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 238.

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No. 18–6400. *WATSON v. JONES*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied.

No. 18–6406. *TAPPEN v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 248 So. 3d 70.

No. 18–6414. *LOCKE v. PARAMO*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 18–6416. *WILLIAMS v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 3. Certiorari denied.

No. 18–6453. *THOMPSON v. NIELSON*, SECRETARY OF HOMELAND SECURITY. C. A. 11th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 430.

No. 18–6464. *LAPENA v. GRIGAS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 651.

No. 18–6480. *HILL v. GAMMON*, SUPERINTENDENT, MOBERLY CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied.

No. 18–6499. *JOHNSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 899 F. 3d 191.

No. 18–6536. *WATERS v. LOCKETT*, WARDEN. C. A. D. C. Cir. Certiorari denied. Reported below: 896 F. 3d 559.

No. 18–6542. *LICEA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 713.

No. 18–6552. *WOODS v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 480 Mass. 231, 102 N. E. 3d 961.

No. 18–6553. *DIXON v. TEXAS* (four judgments). Ct. Crim. App. Tex. Certiorari denied.

No. 18–6554. *COLLINS v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 18–6557. *O'DELL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 18–6560. *WEAVER v. NICHOLSON*, WARDEN. C. A. 7th Cir. Certiorari denied. Reported below: 892 F. 3d 878.

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No. 18–6564. *HOLLIS v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 183 A. 3d 737.

No. 18–6565. *GORE v. ILLINOIS*. App. Ct. Ill., 3d Dist. Certiorari denied. Reported below: 2018 IL App (3d) 150627, 110 N. E. 3d 231.

No. 18–6566. *FLOWERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 352.

No. 18–6567. *DELPRADO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 800.

No. 18–6570. *KAPRELIAN v. TEGELS, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 18–6573. *FARRAD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 895 F. 3d 859.

No. 18–6574. *HALL v. UNITED STATES*; *HILL v. UNITED STATES*; *JACKSON v. UNITED STATES*; *PROCTOR v. UNITED STATES*; and *ANGEL ROSARIO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 18–6576. *KEVRA-SHINER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 741 Fed. Appx. 130.

No. 18–6581. *HAILEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 280.

No. 18–6582. *GLASS v. HAINSWORTH, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SOMERSET*. C. A. 3d Cir. Certiorari denied.

No. 18–6583. *FIUMANO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 721 Fed. Appx. 45.

No. 18–6584. *FLENOID v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–6585. *GAGNON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–6586. *WOOD v. DELAWARE*. Sup. Ct. Del. Certiorari denied. Reported below: 187 A. 3d 1248.

No. 18–6587. *MATTHEW v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 688.

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No. 18–6589. *YOUNG v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 726 Fed. Appx. 94.

No. 18–6591. *CHIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 785.

No. 18–6596. *DURY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 231.

No. 18–6597. *JOSEPH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 258.

No. 18–6600. *LABRADOR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 270.

No. 18–6601. *PALOMO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–6602. *NOLLEY v. McLAUGHLIN, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–6604. *JENKINS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 727 Fed. Appx. 732.

No. 18–6605. *PERRONE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 889 F. 3d 898.

No. 18–6606. *MERRICK v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 702.

No. 18–6616. *SANUTTI-SPENCER v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 183 A. 3d 1049.

No. 18–6618. *MARQUEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 898 F. 3d 1036.

No. 18–6622. *WILLIAMS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 897 F. 3d 660.

No. 18–6625. *BLAGMON v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 18–6638. *ISELL v. MERLAK, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–6698. *ALUIO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 84.

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No. 17–1340. ANDERSEN, SECRETARY, KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT *v.* PLANNED PARENTHOOD OF KANSAS AND MID-MISSOURI ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 882 F. 3d 1205.

JUSTICE THOMAS, with whom JUSTICE ALITO and JUSTICE GORSUCH join, dissenting.

I dissent for the reasons set out in *Gee v. Planned Parenthood of Gulf Coast, Inc.*, 586 U. S. 1057 (2018) (THOMAS, J., dissenting from denial of certiorari).

No. 17–1492. GEE, SECRETARY, LOUISIANA DEPARTMENT OF HEALTH AND HOSPITALS *v.* PLANNED PARENTHOOD OF GULF COAST, INC., ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 862 F. 3d 445.

JUSTICE THOMAS, with whom JUSTICE ALITO and JUSTICE GORSUCH join, dissenting.

One of this Court’s primary functions is to resolve “important matter[s]” on which the courts of appeals are “in conflict.” This Court’s Rule 10(a); *e. g.*, *Thompson v. Keohane*, 516 U. S. 99, 106 (1995). This case and *Andersen v. Planned Parenthood of Kan. and Mid-Missouri*, 586 U. S. 1057 (2018), present a conflict on a federal question with significant implications: whether Medicaid recipients have a private right of action to challenge a State’s determination of “qualified” Medicaid providers under 42 U. S. C. § 1396a(a)(23) and Rev. Stat. § 1979, 42 U. S. C. § 1983. Five Circuits have held that Medicaid recipients have such a right, and one Circuit has held that they do not.* The last three Circuits to consider the question have themselves been divided.

This question is important and recurring. Around 70 million Americans are on Medicaid, and the question presented directly affects their rights. If the majority of the courts of appeals are correct, then Medicaid patients could sue when, for example, a State removes their doctor as a Medicaid provider or inadequately reimburses their provider. *E. g.*, *Bader v. Wernert*, 178

*Compare *Planned Parenthood of Kan. v. Andersen*, 882 F. 3d 1205, 1225–1229 (CA10 2018); 862 F. 3d 445, 457–462 (CA5 2017) (case below); *Planned Parenthood of Ariz., Inc. v. Betlach*, 727 F. 3d 960, 966–968 (CA9 2013); *Planned Parenthood of Ind., Inc. v. Commissioner of Ind. State Dept. of Health*, 699 F. 3d 962, 974–977 (CA7 2012); *Harris v. Olszewski*, 442 F. 3d 456, 461–465 (CA6 2006), with *Does v. Gillespie*, 867 F. 3d 1034, 1041–1046 (CA8 2017).

F. Supp. 3d 703 (ND Ind. 2016); *Women's Hospital Foundation v. Townsend*, 2008 WL 2743284 (MD La., July 10, 2008). Because of this Court's inaction, patients in different States—even patients with the same providers—have different rights to challenge their State's provider decisions.

The question presented also affects the rights of the States, many of which are *amici* requesting our guidance. Under the current majority rule, a State faces the threat of a federal lawsuit—and its attendant costs and fees—whenever it changes providers of medical products or services for its Medicaid recipients. *E. g.*, *Harris v. Olszewski*, 442 F. 3d 456 (CA6 2006). Not only are the lawsuits themselves a financial burden on the States, but the looming potential for complex litigation inevitably will dissuade state officials from making decisions that they believe to be in the public interest. State officials are not even safe doing nothing, as the cause of action recognized by the majority rule may enable Medicaid recipients to challenge the *failure* to list particular providers, not just the removal of former providers. *E. g.*, *Kapable Kids Learning Center, Inc. v. Arkansas Dept. of Human Servs.*, 420 F. Supp. 2d 956 (ED Ark. 2005); *Martin v. Taft*, 222 F. Supp. 2d 940 (SD Ohio 2002). Moreover, allowing patients to bring these claims directly in federal court reduces the ability of States to manage Medicaid, as the suits give Medicaid providers “an end run around the administrative exhaustion requirements in [the] state's statutory scheme.” 876 F. 3d 699, 702 (CA5 2017) (Elrod, J., dissenting from denial of rehearing en banc).

Finally, the disagreement over § 1396a(a)(23) implicates fundamental questions about the appropriate framework for determining when a cause of action is available under § 1983—an important legal issue independently worthy of this Court's attention. The division in the lower courts stems, at least in part, from this Court's own lack of clarity on the issue. As one court observed, the disagreement “can be explained in part by an evolution in the law,” *Does v. Gillespie*, 867 F. 3d 1034, 1043 (CA8 2017)—a tactful way of saying that this Court made a mess of the issue. We have acknowledged as much, explaining that language in our early opinions could be “read to suggest that something less than an unambiguously conferred right” can give rise to a cause of action under § 1983, and that “[t]his confusion has led some courts” astray. *Gonzaga Univ. v. Doe*, 536 U. S. 273, 282–283 (2002). We

have “[f]uel[ed] this uncertainty” by equivocating on whether the standards for implying private rights of action have any “bearing on the standards for discerning whether a statute creates rights enforceable by § 1983.” *Id.*, at 283. Courts are not even able to identify which of our decisions are “binding”; in *Planned Parenthood of Kan. v. Andersen*, 882 F. 3d 1205 (CA10 2018), the Court of Appeals applied a decision that this Court recently said had been “‘plainly repudiate[d].’” *Id.*, at 1229, and n. 16 (quoting *Armstrong v. Exceptional Child Center, Inc.*, 575 U. S. 320, 330, n. (2015), in turn citing *Wilder v. Virginia Hospital Assn.*, 496 U. S. 498 (1990)). One can hardly blame the Tenth Circuit for misunderstanding. We created this confusion. We should clear it up.

So what explains the Court’s refusal to do its job here? I suspect it has something to do with the fact that some respondents in these cases are named “Planned Parenthood.” That makes the Court’s decision particularly troubling, as the question presented has nothing to do with abortion. It is true that these particular cases arose after several States alleged that Planned Parenthood affiliates had, among other things, engaged in “the illegal sale of fetal organs” and “fraudulent billing practices,” and thus removed Planned Parenthood as a state Medicaid provider. *Andersen*, 882 F. 3d, at 1239, n. 2 (Bacharach, J., concurring in part and dissenting in part). But these cases are not about abortion rights. They are about private rights of action under the Medicaid Act. Resolving the question presented here would not even affect Planned Parenthood’s ability to challenge the States’ decisions; it concerns only the rights of individual Medicaid patients to bring their own suits.

Some tenuous connection to a politically fraught issue does not justify abdicating our judicial duty. If anything, neutrally applying the law is all the more important when political issues are in the background. The Framers gave us lifetime tenure to promote “that independent spirit in the judges which must be essential to the faithful performance” of the courts’ role as “bulwarks of a limited Constitution,” unaffected by fleeting “mischiefs.” The Federalist No. 78, pp. 469–470 (C. Rossiter ed. 1961) (A. Hamilton). We are not “to consult popularity,” but instead to rely on “nothing . . . but the Constitution and the laws.” *Id.*, at 471.

We are responsible for the confusion among the lower courts, and it is our job to fix it. I respectfully dissent from the Court’s decision to deny certiorari.

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No. 17–9038. *BANKS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 884 F. 3d 998.

No. 18–138. *HUFFMAN v. NIELSEN, SECRETARY OF HOMELAND SECURITY*. C. A. D. C. Cir. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition. Reported below: 732 Fed. Appx. 1.

No. 18–408. *KOHN LAW GROUP, INC. v. AUTO PARTS MANUFACTURING MISSISSIPPI, INC.* C. A. 5th Cir. Motion of Federal Bar Association Southern District of New York Chapter, Network of Bar Leaders, et al. for leave to file brief as *amici curiae* granted. Certiorari denied. Reported below: 725 Fed. Appx. 305.

No. 18–436. *LIBERTY MUTUAL INSURANCE CO., DBA LIBERTY INTERNATIONAL UNDERWRITERS, ET AL. v. CARRIZO OIL & GAS, INC.* C. A. 5th Cir. Motion of American Institute of Marine Underwriters for leave to file brief as *amicus curiae* granted. Certiorari denied. Reported below: 896 F. 3d 350.

No. 18–6424. *DEITER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 890 F. 3d 1203.

No. 18–6559. *ALEXANDER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition. Reported below: 726 Fed. Appx. 262.

No. 18–6593. *MOLINA-VARELA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 726 Fed. Appx. 722.

No. 18–6599. *JORDAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

JUSTICE SOTOMAYOR, with whom JUSTICE GINSBURG joins, dissenting.

I dissent for the reasons set out in *Brown v. United States*, 586 U. S. 953 (2018) (SOTOMAYOR, J., dissenting from denial of certiorari).

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Rehearing Denied

No. 17–8780. *CAINES v. GASTELO, WARDEN*, 586 U. S. 832;
No. 17–8847. *SATTERWHITE v. FRISCH’S RESTAURANT ET AL.*,
586 U. S. 834;

No. 17–8956. *BONNER v. CUMBERLAND REGIONAL HIGH
SCHOOL DISTRICT*, 586 U. S. 837;

No. 17–8970. *BLAKENEY v. UNITED STATES*, 586 U. S. 837;

No. 17–8971. *BARTLETT v. PINEDA, JUDGE, SUPERIOR COURT
OF ARIZONA, MARICOPA COUNTY, ET AL.*, 586 U. S. 837;

No. 17–9351. *TRIPLETT v. WYOMING*, 586 U. S. 855;

No. 17–9488. *BROWN v. ILLINOIS DEPARTMENT OF HUMAN
SERVICES*, 586 U. S. 863;

No. 17–9526. *CRUZ v. BERRYHILL, ACTING COMMISSIONER OF
SOCIAL SECURITY*, 586 U. S. 865;

No. 18–38. *ERWIN v. DEPARTMENT OF THE ARMY*, 586 U. S.
871;

No. 18–5145. *BENNETT v. WOLFE ET AL.*, 586 U. S. 885;

No. 18–5157. *IN RE LUIS AREVALO*, 586 U. S. 813;

No. 18–5382. *FIEDLER v. BRINDLEY ET AL.*, 586 U. S. 897;

No. 18–5622. *WALKER v. UNITED STATES*, 586 U. S. 904;

No. 18–5808. *ANGEL RONDON v. UNITED STATES*, 586 U. S. 927;
and

No. 18–5933. *WILKERSON v. UNITED STATES*, 586 U. S. 930.
Petitions for rehearing denied.

No. 17–9374. *CARTER v. KANE ET AL.*, 586 U. S. 910. Petition
for rehearing denied. JUSTICE ALITO took no part in the consid-
eration or decision of this petition.

DECEMBER 13, 2018

Certiorari Denied

No. 18–6970 (18A606). *ANTONIO JIMENEZ v. FLORIDA*. Sup.
Ct. Fla. Application for stay of execution of sentence of death,
presented to JUSTICE THOMAS, and by him referred to the Court,
denied. Certiorari denied. Reported below: 265 So. 3d 462.

No. 18–7020 (18A628). *ANTONIO JIMENEZ v. JONES, SECRE-
TARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A.
11th Cir. Application for stay of execution of sentence of death,
presented to JUSTICE THOMAS, and by him referred to the Court,
denied. Certiorari denied. Reported below: 758 Fed. Appx. 682.

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DECEMBER 18, 2018

Dismissal Under Rule 46

No. 18–42. GLAXOSMITHKLINE LLC *v.* LOUISIANA. C. A. 3d Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 879 F. 3d 61.

DECEMBER 19, 2018

Dismissal Under Rule 46

No. 18–572. MCCALL *v.* APTIM CORP. C. A. 5th Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 888 F. 3d 129.

DECEMBER 21, 2018

Miscellaneous Order

No. 18A615. TRUMP, PRESIDENT OF THE UNITED STATES, ET AL. *v.* EAST BAY SANCTUARY COVENANT ET AL. D. C. N. D. Cal. Application for stay, presented to JUSTICE KAGAN, and by her referred to the Court, denied. JUSTICE THOMAS, JUSTICE ALITO, JUSTICE GORSUCH, and JUSTICE KAVANAUGH would grant the application for stay.

JANUARY 4, 2019

Miscellaneous Orders

No. 17–1625. RIMINI STREET, INC., ET AL. *v.* ORACLE USA, INC., ET AL. C. A. 9th Cir. [Certiorari granted, 585 U. S. 1058.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 18–96. TENNESSEE WINE AND SPIRITS RETAILERS ASSN. *v.* BLAIR, INTERIM DIRECTOR OF THE TENNESSEE ALCOHOLIC BEVERAGE COMMISSION, ET AL. C. A. 6th Cir. [Certiorari granted *sub nom.* *Tennessee Wine and Spirits Retailers Assn. v. Byrd*, 585 U. S. 1058.] Motion of Illinois et al. for leave to participate in oral argument as *amici curiae* and for divided argument granted. Joint motion of respondents for divided argument denied.

Probable Jurisdiction Postponed

No. 18–422. RUCHO ET AL. *v.* COMMON CAUSE ET AL. Appeal from D. C. M. D. N. C. Further consideration of question of

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jurisdiction postponed to hearing of case on the merits. Case will be set for argument in the March argument session. Reported below: 318 F. Supp. 3d 777.

No. 18–726. LAMONE ET AL. *v.* BENISEK ET AL. Appeal from D. C. Md. Motion of David Trone for leave to file brief as *amicus curiae* granted. Further consideration of question of jurisdiction postponed to hearing of case on the merits. Case will be set for argument in the March argument session. Reported below: 348 F. Supp. 3d 493.

Certiorari Granted

No. 18–302. IANCU, UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND DIRECTOR, PATENT AND TRADE-MARK OFFICE *v.* BRUNETTI. C. A. Fed. Cir. Certiorari granted. Reported below: 877 F. 3d 1330.

No. 18–459. EMULEX CORP. ET AL. *v.* VARJABEDIAN ET AL. C. A. 9th Cir. Certiorari granted. Reported below: 888 F. 3d 399.

No. 18–489. TAGGART *v.* LORENZEN, EXECUTOR OF THE ESTATE OF BROWN, ET AL. C. A. 9th Cir. Certiorari granted. Reported below: 888 F. 3d 438.

No. 18–431. UNITED STATES *v.* DAVIS ET AL. C. A. 5th Cir. Motions of respondents for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 903 F. 3d 483.

JANUARY 7, 2019

Certiorari Granted—Reversed in part, Vacated in Part, and Remanded. (See *Escondido v. Emmons*, 586 U. S. 38 (2019) (*per curiam*).)

Certiorari Granted—Vacated and Remanded. (See also *Shoop v. Hill*, 586 U. S. 45 (2019) (*per curiam*).)

No. 18–195. POFF *v.* UNITED STATES. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Lagos v. United States*, 584 U. S. 577 (2018). Reported below: 727 Fed. Appx. 249.

No. 18–227. WOLFE *v.* VIRGINIA. Sup. Ct. Va. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Class v. United States*, 583 U. S. 174 (2018).

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Certiorari Dismissed

No. 18–6289. *SMALL v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 253 So. 3d 1111.

No. 18–6380. *BARTLETT v. PINEDA*, JUDGE, SUPERIOR COURT OF ARIZONA, MARICOPA COUNTY, ET AL. Ct. App. Ariz. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 18–6460. *BYNUM v. DEKALB COUNTY SANITATION*. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 18–6491. *REEVES v. LASHBROOK*, WARDEN. Sup. Ct. Ill. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 18–6503. *RICHARD v. DISTRICT ATTORNEY OF WESTMORELAND COUNTY, PENNSYLVANIA, ET AL.* C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 18–6523. *BELL v. ORLANDO HEALTH, INC., DBA WINNIE PALMER HOSPITAL*. Dist. Ct. App. Fla., 5th Dist. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 18–6922. *SINGH v. WELLS FARGO BANK, N. A.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

Miscellaneous Orders

No. 18A511. *ZODHIATES v. UNITED STATES*. C. A. 2d Cir. Application for stay, addressed to JUSTICE GORSUCH and referred to the Court, denied.

No. 18M76. *FURMINGER v. UNITED STATES*. Motion to direct the Clerk to file petition for writ of certiorari out of time denied. JUSTICE BREYER took no part in the consideration or decision of this motion.

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- No. 18M77. *HIRAMANNEK v. CLARK ET AL.*;
No. 18M78. *BARBER v. SHERMAN, WARDEN*;
No. 18M79. *WEBB-EL v. KANE ET AL.*;
No. 18M80. *DRIVAS v. UNITED STATES*;
No. 18M81. *DOUGHERTY v. GILMORE, WARDEN*;
No. 18M84. *WILSON v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*;
No. 18M85. *MARSHALL v. ASH ET AL.*; and
No. 18M87. *ABDUR-RAHIM v. UNITED STATES*. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.
- No. 18M82. *BUSH v. ARIZONA*. Motion for leave to file petition for writ of certiorari with supplemental appendix under seal granted.
- No. 18M83. *DOE v. UNITED STATES*; and
No. 18M86. *WESTERNGECO LLC v. ION GEOPHYSICAL CORP.* Motions for leave to file petitions for writs of certiorari under seal with redacted copies for the public record granted.
- No. 148, Orig. *MISSOURI ET AL. v. CALIFORNIA*. Motion for leave to file bill of complaint denied. JUSTICE THOMAS would grant the motion. [For earlier order herein, see 584 U. S. 929.]
- No. 149, Orig. *INDIANA ET AL. v. MASSACHUSETTS*. Motion for leave to file bill of complaint denied. JUSTICE THOMAS would grant the motion. [For earlier order herein, see 584 U. S. 929.]
- No. 17-1672. *UNITED STATES v. HAYMOND*. C. A. 10th Cir. [Certiorari granted, 586 U. S. 960.] Motion of petitioner to dispense with printing joint appendix granted.
- No. 17-8926. *HARPER v. TEXAS ET AL.* C. A. 5th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [586 U. S. 802] denied.
- No. 17-9269. *IN RE RODGERS*. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [586 U. S. 812] denied.
- No. 17-9538. *HARPER v. CROW*. C. A. 5th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [586 U. S. 805] denied.

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No. 18–252. REAL ESTATE ALLIANCE LTD. *v.* MOVE, INC., ET AL., 586 U. S. 987. Motion of Mark Tornetta for leave to intervene to file a petition for rehearing denied.

No. 18–415. HP INC., FKA HEWLETT-PACKARD CO. *v.* BERKHEIMER. C. A. Fed. Cir.;

No. 18–575. YPF S. A. *v.* PETERSEN ENERGIA INVERSORA S. A. U. ET AL. C. A. 2d Cir.;

No. 18–581. ARGENTINE REPUBLIC *v.* PETERSEN ENERGIA INVERSORA S. A. U. ET AL. C. A. 2d Cir.; and

No. 18–600. TEXAS ADVANCED OPTOELECTRONIC SOLUTIONS, INC. *v.* RENESAS ELECTRONICS AMERICA, INC., FKA INTERSIL CORP. C. A. Fed. Cir. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 18–5863. JOHNSON *v.* BUTLER LAW FIRM. C. A. 4th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [586 U. S. 986] denied.

No. 18–6410. MCKINZY *v.* GASTON (MCKINZY). Ct. App. Mo., Western Dist.;

No. 18–6781. FARR *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 10th Cir.;

No. 18–6792. FILLMORE *v.* INDIANA BELL TELEPHONE CO., INC. C. A. 7th Cir.;

No. 18–6813. GHOSH *v.* CITY OF BERKELEY, CALIFORNIA. Ct. App. Cal., 1st App. Dist.; and

No. 18–7063. IN RE DREAD. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until January 28, 2019, 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. 18–6949. KLEIN *v.* UNITED STATES. C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until January 28, 2019, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court. JUSTICE SOTOMAYOR and JUSTICE KAGAN took no part in the consideration or decision of this motion.

No. 18–6579. IN RE MCQUARRY;

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No. 18–6784. IN RE RIVERA;
No. 18–6787. IN RE BAILEY; and
No. 18–6961. IN RE JOHNSON. Petitions for writs of habeas corpus denied.

No. 18–488. IN RE IDLETT;
No. 18–6357. IN RE SENTHILNATHAN;
No. 18–6479. IN RE GALVAN; and
No. 18–6526. IN RE YONAMINE. Petitions for writs of mandamus denied.

No. 18–6449. IN RE SULTAANA; and
No. 18–6500. IN RE RUMANEK. Petitions for writs of mandamus and/or prohibition denied.

No. 18–6478. IN RE GAITOR. Petition for writ of prohibition denied.

Certiorari Denied

No. 17–936. GILEAD SCIENCES, INC. *v.* UNITED STATES EX REL. CAMPIE ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 862 F. 3d 890.

No. 17–1149. UNITED STATES EX REL. HARMAN *v.* TRINITY INDUSTRIES, INC., ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 872 F. 3d 645.

No. 17–1285. ASSOCIATION DES ELEVEURS DE CANARDS ET D'OIES DU QUEBEC ET AL. *v.* BECERRA, ATTORNEY GENERAL OF CALIFORNIA. C. A. 9th Cir. Certiorari denied. Reported below: 870 F. 3d 1140.

No. 17–1301. HARVEY ET AL. *v.* UTE INDIAN TRIBE OF THE UINTAH AND OURAY RESERVATION ET AL. Sup. Ct. Utah. Certiorari denied. Reported below: 2017 UT 75, 416 P. 3d 401.

No. 17–1404. GORDON *v.* LAFLEER, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 654.

No. 17–1704. KERR, FOR KERR, DECEASED *v.* BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY. C. A. 6th Cir. Certiorari denied. Reported below: 874 F. 3d 926.

No. 17–7517. SMITH *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 877 F. 3d 720.

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No. 17–8160. *KHOURY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 877 F. 3d 720.

No. 17–8282. *NEBINGER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 17–9259. *COLLINS v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 7. Certiorari denied.

No. 18–16. *ELIJAH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 191.

No. 18–36. *BRICE v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 179 A. 3d 870.

No. 18–98. *COOK v. MISSISSIPPI*. Ct. App. Miss. Certiorari denied. Reported below: 242 So. 3d 865.

No. 18–110. *BURNINGHAM ET AL. v. RAINES, GUARDIAN OF THE ESTATE OF RAINES*. C. A. 8th Cir. Certiorari denied. Reported below: 883 F. 3d 1071.

No. 18–122. *SINEGAL v. POLK*. C. A. 5th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 457.

No. 18–127. *AMGEN INC. ET AL. v. SANOFI ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 872 F. 3d 1367.

No. 18–168. *NICHOLS, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED v. CHESAPEAKE OPERATING, LLC, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 718 Fed. Appx. 736.

No. 18–177. *DAWSON v. BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, COLORADO, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 624.

No. 18–185. *CONNECTICUT v. SKAKEL*. Sup. Ct. Conn. Certiorari denied. Reported below: 329 Conn. 1, 188 A. 3d 1.

No. 18–203. *CHANDLER v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 242 So. 3d 65.

No. 18–229. *CURRY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 968.

No. 18–238. *SOUTH CAROLINA v. SAMUEL*. Sup. Ct. S. C. Certiorari denied. Reported below: 422 S. C. 596, 813 S. E. 2d 487.

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No. 18–261. *CEBREROS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–273. *WILLIAMS, AKA WILLIAMSON v. WHITAKER, ACTING ATTORNEY GENERAL*. C. A. 3d Cir. Certiorari denied. Reported below: 880 F. 3d 100.

No. 18–274. *STEWART v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 651.

No. 18–288. *MEARING v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 18–308. *BETHEA v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 255 N. C. App. 749, 806 S. E. 2d 677.

No. 18–311. *EXXON MOBIL CORP. v. HEALEY, ATTORNEY GENERAL OF MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 479 Mass. 312, 94 N. E. 3d 786.

No. 18–331. *PABON ORTEGA v. LLOMPART ZENO ET AL.* C. A. 1st Cir. Certiorari denied.

No. 18–333. *OLD DOMINION ELECTRIC COOPERATIVE v. FEDERAL ENERGY REGULATORY COMMISSION*. C. A. D. C. Cir. Certiorari denied. Reported below: 892 F. 3d 1223.

No. 18–337. *COUNTY OF ORANGE, CALIFORNIA, ET AL. v. GORDON, INDIVIDUALLY AND AS SUCCESSOR IN INTEREST TO GORDON, DECEASED*. C. A. 9th Cir. Certiorari denied. Reported below: 888 F. 3d 1118.

No. 18–339. *HARPER v. LEAHY ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 738 Fed. Appx. 716.

No. 18–348. *WEISLER v. JEFFERSON PARISH SHERIFF'S OFFICE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 468.

No. 18–355. *PRISON LEGAL NEWS v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 890 F. 3d 954.

No. 18–359. *ST. BERNARD PARISH ET AL. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 887 F. 3d 1354.

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No. 18–373. *ROSE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 891 F. 3d 82.

No. 18–374. *LEMUS CASTILLO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 899 F. 3d 1208.

No. 18–375. *ALEXANDER v. BAYVIEW LOAN SERVICING, LLC*. Sup. Ct. Fla. Certiorari denied.

No. 18–378. *MERCK & Co., INC., ET AL. v. GILEAD SCIENCES, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 888 F. 3d 1231.

No. 18–386. *VASQUEZ ET AL. v. FOXX, STATE’S ATTORNEY OF COOK COUNTY, ILLINOIS*. C. A. 7th Cir. Certiorari denied. Reported below: 895 F. 3d 515.

No. 18–418. *UNITED STATES EX REL. HARPER ET AL. v. MUSKINGUM WATERSHED CONSERVANCY DISTRICT*. C. A. 6th Cir. Certiorari denied. Reported below: 739 Fed. Appx. 330.

No. 18–445. *RAMIREZ v. TEXAS*. Ct. App. Tex., 13th Dist. Certiorari denied. Reported below: 557 S. W. 3d 717.

No. 18–453. *DE HAVILLAND v. FX NETWORKS, LLC, ET AL.* Ct. App. Cal., 2d App. Dist., Div. 3. Certiorari denied. Reported below: 21 Cal. App. 5th 845, 230 Cal. Rptr. 3d 625.

No. 18–458. *PELLEGRINI v. FRESNO COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 209.

No. 18–470. *STOKES v. CORSBIE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 263.

No. 18–473. *DAVIS v. DEUTSCHE BANK NATIONAL TRUST Co. ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 737 Fed. Appx. 379.

No. 18–474. *LYON v. CANADIAN NATIONAL RAILWAY COMPANY ET AL.* C. A. 7th Cir. Certiorari denied.

No. 18–476. *COWLITZ COUNTY, WASHINGTON, ET AL. v. CROWELL ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 593.

No. 18–477. *MARTIN ET AL. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 894 F. 3d 1356.

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No. 18–478. *MALNES v. CITY OF FLAGSTAFF, ARIZONA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 764.

No. 18–479. *SCHENKEL v. XYNGULAR CORP. ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 890 F. 3d 868.

No. 18–482. *HILL v. ACCOUNTS RECEIVABLE SERVICES, LLC.* C. A. 8th Cir. Certiorari denied. Reported below: 888 F. 3d 343.

No. 18–487. *D. A. v. D. P.* Ct. App. Ind. Certiorari denied. Reported below: 96 N. E. 3d 663.

No. 18–490. *WATTS v. ALLEN.* Sup. Ct. Va. Certiorari denied.

No. 18–491. *RAY v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 18–493. *SPANO v. FLORIDA BAR.* Sup. Ct. Fla. Certiorari denied.

No. 18–495. *MORRIS & ASSOCIATES, INC. v. JOHN BEAN TECHNOLOGIES CORP.* C. A. Fed. Cir. Certiorari denied. Reported below: 887 F. 3d 1322.

No. 18–502. *KINNEY ET AL. v. ANDERSON LUMBER CO., INC.* C. A. 6th Cir. Certiorari denied.

No. 18–504. *KINNEY v. BOREN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 410.

No. 18–507. *MCDONALD v. UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE.* C. A. 6th Cir. Certiorari denied.

No. 18–508. *KINNEY v. TAKEUCHI ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 414.

No. 18–510. *KINNEY v. CLARK ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 411.

No. 18–511. *GATES v. KHOKHAR ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 884 F. 3d 1290.

No. 18–512. *SIMMONS v. SMITH, ACTING DIRECTOR OF THE NATIONAL PARK SERVICE, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 888 F. 3d 994.

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No. 18–514. *DRAKE ET AL. v. DEUTSCHE BANK NATIONAL TRUST CO.* Ct. App. Kan. Certiorari denied. Reported below: 54 Kan. App. 2d x, 404 P. 3d 372.

No. 18–515. *KINNEY v. CLARK ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 413.

No. 18–516. *KINNEY v. GUTIERREZ ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 709 Fed. Appx. 453.

No. 18–517. *KINNEY v. GUTIERREZ.* C. A. 9th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 415.

No. 18–518. *KINNEY v. CLERK, COURT OF APPEAL OF CALIFORNIA, FOURTH APPELLATE DISTRICT, DIVISION THREE, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 420.

No. 18–519. *JENNINGS v. JENNINGS.* Ct. App. Ohio, 10th App. Dist., Franklin County. Certiorari denied. Reported below: 2017-Ohio-8974.

No. 18–520. *WECONNECT, INC. v. GOPLIN.* C. A. 7th Cir. Certiorari denied. Reported below: 893 F. 3d 488.

No. 18–521. *JUAN v. JNESO DISTRICT COUNCIL 1 ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–523. *GRIFFIN v. VERIZON COMMUNICATIONS INC. ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 746 Fed. Appx. 873.

No. 18–526. *CHOIZILME v. WHITAKER, ACTING ATTORNEY GENERAL.* C. A. 11th Cir. Certiorari denied. Reported below: 886 F. 3d 1016.

No. 18–527. *STRAUB v. CITY OF SPOKANE, WASHINGTON, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 392.

No. 18–528. *KIFLE ET AL. v. AHMED.* C. A. 11th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 934.

No. 18–529. *JENN-CHING LUO v. OWEN J. ROBERTS SCHOOL DISTRICT ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 737 Fed. Appx. 111.

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No. 18–536. *TAYLOR v. TEXAS*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 18–537. *JAMES v. MONTGOMERY REGIONAL AIRPORT AUTHORITY ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 772.

No. 18–549. *VOTER VERIFIED, INC. v. ELECTION SYSTEMS & SOFTWARE LLC*. C. A. Fed. Cir. Certiorari denied. Reported below: 887 F. 3d 1376.

No. 18–550. *STOKES v. CORSBIE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 319.

No. 18–558. *GUTIERREZ v. WHITAKER, ACTING ATTORNEY GENERAL*. C. A. 6th Cir. Certiorari denied. Reported below: 887 F. 3d 770.

No. 18–559. *NEGATU v. WELLS FARGO BANK, N. A.* Ct. App. D. C. Certiorari denied. Reported below: 189 A. 3d 715.

No. 18–564. *DECOSIMO v. TENNESSEE*. Sup. Ct. Tenn. Certiorari denied. Reported below: 555 S. W. 3d 494.

No. 18–567. *SNAPP v. BURLINGTON NORTHERN SANTA FE RAILWAY Co.* C. A. 9th Cir. Certiorari denied. Reported below: 889 F. 3d 1088.

No. 18–569. *SHAO v. TSAN-KUEN WANG*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 18–570. *TUNAC, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF TUNAC, DECEASED v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 897 F. 3d 1197.

No. 18–571. *WILLIAMS v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 730 Fed. Appx. 930.

No. 18–577. *NETZER v. SHELL OIL Co. ET AL.* C. A. Fed. Cir. Certiorari denied.

No. 18–582. *YAGMAN v. COLELLO*. C. A. 9th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 463.

No. 18–583. *MAYLE v. UNITED STATES ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 891 F. 3d 680.

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No. 18–584. *HORNE v. WTVR, LLC, DBA CBS6*. C. A. 4th Cir. Certiorari denied. Reported below: 893 F. 3d 201.

No. 18–586. *KOCH v. ESTRELLA ET AL.* Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 18–590. *CAVE CONSULTING GROUP, LLC v. OPTUM-INSIGHT, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 725 Fed. Appx. 988.

No. 18–591. *DRESSLER v. RICE ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 739 Fed. Appx. 814.

No. 18–592. *FERGUSON FLORISSANT SCHOOL DISTRICT v. MISSOURI STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 894 F. 3d 924.

No. 18–594. *SNYDER v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 4. Certiorari denied.

No. 18–595. *TATTEN v. CITY AND COUNTY OF DENVER, COLORADO, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 620.

No. 18–598. *CHIEN v. CLARK ET AL.* C. A. 2d Cir. Certiorari denied.

No. 18–599. *WI-FI ONE, LLC v. BROADCOM CORP. ET AL.* (three judgments). C. A. Fed. Cir. Certiorari denied. Reported below: 887 F. 3d 1329 (first judgment); 719 Fed. Appx. 1018 (second and third judgments).

No. 18–602. *SMITH v. LAKEWOOD RANCH GYMNASTICS LLC ET AL.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 254 So. 3d 339.

No. 18–603. *SIEGEL ET AL. v. DELTA AIR LINES, INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 986.

No. 18–605. *STEIN v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 5. Certiorari denied.

No. 18–611. *TATAR v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

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No. 18–613. *GRIFFIN v. AETNA HEALTH INC. ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 169.

No. 18–616. *NEPAL v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 894 F. 3d 204.

No. 18–619. *HUSSEIN v. WHITAKER, ACTING ATTORNEY GENERAL, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 585.

No. 18–623. *WALKER v. WEATHERSPOON ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 900 F. 3d 354.

No. 18–624. *RASKO v. NEW YORK CITY ADMINISTRATION FOR CHILDREN’S SERVICES.* C. A. 2d Cir. Certiorari denied. Reported below: 734 Fed. Appx. 52.

No. 18–627. *STARRETT v. LOCKHEED MARTIN CORP. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 169.

No. 18–629. *CODY v. CALIFORNIA AIR RESOURCES BOARD ET AL.*; and

No. 18–666. *ALLIANCE FOR CALIFORNIA BUSINESS v. CALIFORNIA AIR RESOURCES BOARD.* Ct. App. Cal., 3d App. Dist. Certiorari denied. Reported below: 23 Cal. App. 5th 1050, 234 Cal. Rptr. 3d 22.

No. 18–632. *LEROUX v. NCL (BAHAMAS), LTD.* C. A. 11th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 407.

No. 18–633. *BYRD v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 18–637. *MARRO v. CAESAR’S ENTERTAINMENT OPERATING CO.* C. A. 7th Cir. Certiorari denied.

No. 18–639. *BISZCZANIK v. NATIONSTAR MORTGAGE, LLC, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 18–667. *WILLIAMS v. TEXAS.* Ct. App. Tex., 2d Dist. Certiorari denied.

No. 18–675. *WEST v. MISSOURI.* Ct. App. Mo., Eastern Dist. Certiorari denied. Reported below: 551 S. W. 3d 506.

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No. 18–683. *STARK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 767.

No. 18–685. *ROBINSON ET AL. v. AMERICAN AIRLINES, INC., ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 233.

No. 18–688. *MANN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 747 Fed. Appx. 790.

No. 18–698. *REYNOLDS v. MARYLAND*. Ct. App. Md. Certiorari denied. Reported below: 461 Md. 159, 192 A. 3d 617.

No. 18–702. *YADAV ET UX. v. NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 18–706. *KIOBEL, BY AND THROUGH HER ATTORNEY-IN-FACT, SAMKALDEN v. CRAVATH, SWAINE & MOORE LLP*. C. A. 2d Cir. Certiorari denied. Reported below: 895 F. 3d 238.

No. 18–708. *BERTRAM ET AL. v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 900 F. 3d 743.

No. 18–714. *CHHAY LIM v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 897 F. 3d 673.

No. 18–737. *AIME ET AL. v. JTH TAX, INC., DBA LIBERTY TAX SERVICE, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 744 Fed. Appx. 787.

No. 18–5008. *CANADATE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5090. *MASON v. BURTON, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 241.

No. 18–5118. *FLOYD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 872 F. 3d 760.

No. 18–5147. *WING v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 592.

No. 18–5209. *BARRETT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 718 Fed. Appx. 288.

No. 18–5251. *DAMBELLY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 714 Fed. Appx. 87.

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No. 18–5314. *SMITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 878 F. 3d 498.

No. 18–5398. *PRUTTING v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 886.

No. 18–5418. *GREEN v. COLORADO*. Sup. Ct. Colo. Certiorari denied.

No. 18–5464. *BENITEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 783.

No. 18–5504. *POSEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–5505. *MORRIS v. MAYS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–5549. *KENNER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–5594. *WASHINGTON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 890 F. 3d 891.

No. 18–5626. *WISHNEFSKY v. SALAMEH ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–5634. *KINKEL v. LANEY, SUPERINTENDENT, OREGON STATE CORRECTIONAL INSTITUTION*. Sup. Ct. Ore. Certiorari denied. Reported below: 363 Ore. 1, 417 P. 3d 401.

No. 18–5655. *FOSTER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 734 Fed. Appx. 129.

No. 18–5664. *CHEESEBORO v. LITTLE RICHIE BUS SERVICE, INC.* C. A. 2d Cir. Certiorari denied. Reported below: 722 Fed. Appx. 107.

No. 18–5691. *BAKER v. CHEATHAM, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 18–5730. *DENMARK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5762. *GARCIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 621.

No. 18–5770. *ROUSE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 853.

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No. 18–5771. *QUALLS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 592.

No. 18–5821. *FARMER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–5853. *BINNS v. CITY OF MARIETTA, GEORGIA*. C. A. 11th Cir. Certiorari denied. Reported below: 704 Fed. Appx. 797.

No. 18–5880. *CAUDILL v. CONOVER, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 881 F. 3d 454.

No. 18–5898. *CASTILLO VALERIO v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 551.

No. 18–5923. *SANCHEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 739 Fed. Appx. 938.

No. 18–5939. *ALLEN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 313.

No. 18–5945. *CHIDDO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 737 Fed. Appx. 917.

No. 18–5960. *GHARIB v. CASEY* (three judgments). C. A. 9th Cir. Certiorari denied. Reported below: 692 Fed. Appx. 950 (first judgment); 727 Fed. Appx. 455 (third judgment) and 456 (second judgment).

No. 18–5980. *JONES v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 890 F. 3d 559.

No. 18–6005. *WILLIAMS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 893 F. 3d 696.

No. 18–6013. *WYATT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–6044. *BEASLEY v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 153 Ohio St. 3d 497, 2018-Ohio-493, 108 N. E. 3d 1028.

No. 18–6070. *CORNWELL v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

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No. 18–6071. *NAYSHTUT v. COMERCIALIZADORA TRAVEL ADVISORY, S. A. DE C. V., ET AL.* Ct. App. Cal., 1st App. Dist., Div. 1. Certiorari denied.

No. 18–6137. *BURTON v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 677.

No. 18–6160. *CARMODY v. BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 893 F. 3d 397.

No. 18–6174. *LANG v. BOBBY, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 889 F. 3d 803.

No. 18–6214. *SANDERS v. DAVIS, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 873 F. 3d 778.

No. 18–6233. *SCHUERMANN v. ANQUI.* Sup. Ct. Fla. Certiorari denied.

No. 18–6236. *SWAN v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 18–6239. *REILLY v. HERRERA ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 760.

No. 18–6243. *JACKSON v. FLORIDA.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 241 So. 3d 914.

No. 18–6244. *MARTIN v. OKLAHOMA ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 612.

No. 18–6245. *KIRKLAND v. PROGRESSIVE INSURANCE CO. ET AL.* Ct. Civ. App. Ala. Certiorari denied. Reported below: 278 So. 3d 483.

No. 18–6247. *PARKER v. CAIN, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 18–6261. *VARGAS, AKA VARGAS ROMERO v. MCMAHON.* C. A. 9th Cir. Certiorari denied.

No. 18–6263. *VARGAS, AKA VARGAS ROMERO v. MCMAHON ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 813.

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No. 18–6264. *REQUENA v. ROBERTS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 893 F. 3d 1195.

No. 18–6272. *STESHENKO v. MCKAY ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 298.

No. 18–6274. *KLEIN v. CENTENNIAL RANCH AND ASPEN MOUNTAIN RANCH ASSN.* Ct. App. Colo. Certiorari denied.

No. 18–6276. *TERRELL v. BERRY, WARDEN.* C. A. 11th Cir. Certiorari denied.

No. 18–6278. *MARTIN v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 18–6287. *CRUTSINGER v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 898 F. 3d 584.

No. 18–6290. *SOLGADO v. BRAUN, WARDEN.* C. A. 8th Cir. Certiorari denied.

No. 18–6294. *WALCOTT v. TERREBONNE PARISH JAIL MEDICAL DEPARTMENT ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 361.

No. 18–6296. *JACOME v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 18–6298. *FRATTA v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 889 F. 3d 225.

No. 18–6307. *LATIMER v. MACOMBER, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 18–6311. *WALTERS v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 18–6315. *IVY v. TENNESSEE.* Ct. Crim. App. Tenn. Certiorari denied.

No. 18–6318. *WARE v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 18–6323. *HUNTER v. NORTH DAKOTA*. Sup. Ct. N. D. Certiorari denied. Reported below: 2018 ND 173, 914 N. W. 2d 527.

No. 18–6332. *STROBLE v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 254.

No. 18–6334. *WIGGINS v. TANNER, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 18–6340. *WILLIAMS v. SAFIRE ET AL.* Ct. App. Cal., 1st App. Dist., Div. 5. Certiorari denied.

No. 18–6344. *LACY v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 2018 Ark. 174, 545 S. W. 3d 746.

No. 18–6354. *JOSSIE v. CVS PHARMACY*. C. A. 11th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 912.

No. 18–6356. *REYES v. ARTUS*. C. A. 2d Cir. Certiorari denied.

No. 18–6365. *BARTLETT v. MICHIGAN ET AL.* C. A. 6th Cir. Certiorari denied.

No. 18–6367. *CARTER v. AYALA ET AL.* C. A. 6th Cir. Certiorari denied.

No. 18–6368. *CALHOUN v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 18–6382. *CHAVEZ v. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY*. C. A. 7th Cir. Certiorari denied. Reported below: 895 F. 3d 962.

No. 18–6383. *KULICK v. REIN*. C. A. 9th Cir. Certiorari denied.

No. 18–6384. *LANTERI v. CONNECTICUT*. C. A. 2d Cir. Certiorari denied. Reported below: 726 Fed. Appx. 80.

No. 18–6388. *BLACKMON v. EATON CORP.* C. A. 6th Cir. Certiorari denied.

No. 18–6390. *WHITE v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

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No. 18–6392. *KHOSHMOOD v. EASTERN MARKET MANAGEMENT* (two judgments). C. A. D. C. Cir. Certiorari denied. Reported below: 728 Fed. Appx. 1 (both judgments).

No. 18–6402. *ROBINSON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 18–6403. *STARNES v. JACKSON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–6407. *VUE v. HENKE ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 746 Fed. Appx. 780.

No. 18–6412. *BEY v. ELMWOOD PLACE POLICE DEPARTMENT ET AL.* C. A. 6th Cir. Certiorari denied.

No. 18–6418. *WILSON v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 251 So. 3d 904.

No. 18–6419. *WHIPPLE v. FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 18–6420. *NESSSELRODE v. DEVOS, SECRETARY OF EDUCATION*. C. A. 6th Cir. Certiorari denied.

No. 18–6426. *BRUNSON v. NORTH CAROLINA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 203.

No. 18–6427. *VALLE v. ROGERS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 718 Fed. Appx. 309.

No. 18–6428. *GONZALEZ DELACRUZ v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 18–6433. *SMITHBACK v. TEXAS*. Ct. App. Tex., 9th Dist. Certiorari denied.

No. 18–6435. *ROGERS v. VANNOY, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 18–6437. *HOLDER v. SEPANEK, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 698 Fed. Appx. 216.

No. 18–6438. *MORENO v. BUTLER*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 18–6439. *ORTEGA LARA v. MADDEN, WARDEN*. C. A. 9th Cir. Certiorari denied.

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No. 18–6440. *MEEKS v. TENNESSEE DEPARTMENT OF CORRECTION ET AL.* C. A. 6th Cir. Certiorari denied.

No. 18–6441. *McKISSICK v. DEAL, GOVERNOR OF GEORGIA, ET AL.* Sup. Ct. Ga. Certiorari denied.

No. 18–6442. *MERRITT v. ILLINOIS.* App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 2017 IL App (2d) 150219, 83 N. E. 3d 1125.

No. 18–6443. *ADAMS v. NETFLIX, INC.* C. A. 2d Cir. Certiorari denied. Reported below: 726 Fed. Appx. 76.

No. 18–6446. *FAIRLEY v. PM MANAGEMENT-SAN ANTONIO AL, L. L. C., DBA LAKESIDE ASSISTED LIVING BY TRISUN HEALTHCARE.* C. A. 5th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 343.

No. 18–6452. *BARTLETT v. STATE BAR OF CALIFORNIA ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 18–6454. *NASH v. PHILLIPS, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 18–6455. *McGEE v. BONDI, ATTORNEY GENERAL OF FLORIDA.* C. A. 11th Cir. Certiorari denied. Reported below: 704 Fed. Appx. 920.

No. 18–6458. *WILLIAMS v. TENNESSEE.* Ct. Crim. App. Tenn. Certiorari denied.

No. 18–6465. *YANEZ v. DIAZ, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION.* C. A. 9th Cir. Certiorari denied.

No. 18–6466. *ORTEGA v. DIAZ, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION.* C. A. 9th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 617.

No. 18–6467. *PULLEY v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 18–6469. *MORANT v. LEWIS, SUPERINTENDENT, SOUTHEAST CORRECTIONAL CENTER.* Sup. Ct. Mo. Certiorari denied.

No. 18–6476. *WHITE v. DETROIT EAST COMMUNITY MENTAL HEALTH ET AL.* Ct. App. Mich. Certiorari denied.

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No. 18–6477. *ACKELS v. OLSEN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 665.

No. 18–6485. *CAIN v. WASHINGTON.* Ct. App. Wash. Certiorari denied. Reported below: 2 Wash. App. 2d 1054.

No. 18–6487. *HOWELL v. NUCAR CONNECTION, INC., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 416.

No. 18–6488. *COLEMAN v. HAKALA ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 608.

No. 18–6489. *FIKROU v. MONTGOMERY COUNTY OFFICE OF CHILD SUPPORT ENFORCEMENT DIVISION ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 695 Fed. Appx. 299.

No. 18–6490. *HOPKINS v. LANGUAGE TESTING INTERNATIONAL ET AL.* C. A. 2d Cir. Certiorari denied.

No. 18–6492. *RENTAS v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 18–6493. *BURKE v. TURNER, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 18–6501. *ROBERTSON v. INTERACTIVE COLLEGE OF TECHNOLOGY ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 269.

No. 18–6506. *BOUDREAUX v. HOOPER, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 18–6507. *BROWN v. DEL NORTE COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–6508. *WILLIAMS v. VIRGINIA.* Sup. Ct. Va. Certiorari denied.

No. 18–6509. *TEDESCO v. MONROE COUNTY, PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 723 Fed. Appx. 125.

No. 18–6510. *PRUITT v. NEW YORK.* Ct. App. N. Y. Certiorari denied. Reported below: 32 N. Y. 3d 1007, 111 N. E. 3d 1121.

No. 18–6513. *CHINCHILLA v. LEWIS, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 443.

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No. 18–6516. *LINH THI MINH TRAN v. HAPPY VALLEY MUNICIPAL COURT, OREGON*. Ct. App. Ore. Certiorari denied. Reported below: 289 Ore. App. 377, 412 P. 3d 1210.

No. 18–6517. *BROWN v. ELITE MODELING AGENCY*. C. A. 11th Cir. Certiorari denied.

No. 18–6520. *ARNETT v. COVELLO, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 18–6521. *PORTO v. CITY OF LAGUNA BEACH, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 853.

No. 18–6522. *PRUNTY v. DESOTO COUNTY SCHOOL BOARD ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 648.

No. 18–6527. *JEDEDIAH C. v. WEST VIRGINIA*. Sup. Ct. App. W. Va. Certiorari denied. Reported below: 240 W. Va. 534, 814 S. E. 2d 197.

No. 18–6528. *CABBAGESTALK v. STERLING ET AL.* C. A. 4th Cir. Certiorari denied.

No. 18–6529. *KOZICH v. DEIBERT ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 644.

No. 18–6532. *MYERS v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 154 Ohio St. 3d 405, 2018-Ohio-1903, 114 N. E. 3d 1138.

No. 18–6535. *WILLIAMS v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 18–6538. *SYDNOR v. HAMPTON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–6539. *RENCOUNTRE v. BRAUN, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 18–6540. *RAYAN v. GEORGIA*. Ct. App. Ga. Certiorari denied.

No. 18–6541. *STOLLER v. WILMINGTON TRUST*. C. A. 7th Cir. Certiorari denied.

No. 18–6543. *KORESKE v. ACOSTA, SECRETARY OF LABOR*. C. A. 3d Cir. Certiorari denied. Reported below: 726 Fed. Appx. 127.

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No. 18–6544. *MCNEMAR v. TERRY*, ACTING WARDEN. C. A. 4th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 207.

No. 18–6545. *LOPEZ v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 2. Certiorari denied.

No. 18–6555. *BARNETT v. CITY OF GASTONIA*, NORTH CAROLINA. C. A. 4th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 111.

No. 18–6556. *MCALISTER v. WISCONSIN*. Sup. Ct. Wis. Certiorari denied. Reported below: 2018 WI 34, 380 Wis. 2d 684, 911 N. W. 2d 77.

No. 18–6558. *MERRICK v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 18–6562. *PIERCE v. GEORGIA*. Sup. Ct. Ga. Certiorari denied.

No. 18–6568. *POMPEE v. JONES*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 819.

No. 18–6571. *JERVIS v. BROWN*, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 18–6572. *THOMPSON v. MISSOURI BOARD OF PROBATION AND PAROLE*. C. A. 8th Cir. Certiorari denied.

No. 18–6575. *STOKES v. DAVIS*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 18–6577. *SOLANO GODOY v. CLARKE*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Certiorari denied. Reported below: 689 Fed. Appx. 164.

No. 18–6578. *FOX v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied.

No. 18–6580. *FITTS v. GOODRICH*, WARDEN, ET AL. Sup. Ct. Ga. Certiorari denied.

No. 18–6590. *MOHAMED v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 221.

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No. 18–6592. *PAVON v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 978.

No. 18–6594. *SAFFORD v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 252 So. 3d 163.

No. 18–6595. *SMITH v. FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 18–6603. *JOHNSON v. INDIANA*. Ct. App. Ind. Certiorari denied. Reported below: 102 N. E. 3d 355.

No. 18–6607. *PETERS v. BALDWIN*. C. A. 7th Cir. Certiorari denied.

No. 18–6609. *LAMPON-PAZ v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. 3d Cir. Certiorari denied. Reported below: 732 Fed. Appx. 158.

No. 18–6610. *JOHNSON v. ILLINOIS*. App. Ct. Ill., 3d Dist. Certiorari denied.

No. 18–6613. *DEJESUS v. GODINEZ ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 766.

No. 18–6614. *ROSE v. HORTON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–6619. *ROBINSON v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 247 So. 3d 1212.

No. 18–6620. *ARMENTA v. DIAZ, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 255.

No. 18–6623. *COSME v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–6627. *CURRY v. FLORIDA*. Sup. Ct. Fla. Certiorari denied.

No. 18–6628. *CLEMONS v. KASICH, GOVERNOR OF OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 153 Ohio St. 3d 1449, 2018-Ohio-3025, 103 N. E. 3d 828.

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No. 18–6629. *HARLOFF v. KOENIG, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 170.

No. 18–6637. *GRIST v. CARLIN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 18–6639. *DIZAK v. SMITH, SUPERINTENDENT, MID-STATE CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 18–6642. *IBEABUCHI v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 18–6647. *SHARMA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–6652. *LOWE v. ROY, COMMISSIONER, MINNESOTA DEPARTMENT OF CORRECTIONS*. Ct. App. Minn. Certiorari denied.

No. 18–6653. *CALDERIN v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2017 IL App (1st) 150730–U.

No. 18–6659. *RODWELL v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied.

No. 18–6660. *ARIF v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 897 F. 3d 1.

No. 18–6661. *SAMUEL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 117.

No. 18–6664. *GARZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 258.

No. 18–6665. *SMITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–6666. *SOSA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 897 F. 3d 615.

No. 18–6673. *VICK v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 18–6676. *WILMORE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–6677. *MARSHALL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 18–6678. *WHITE v. BRACY, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 18–6681. *RIOS ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 904 F. 3d 854.

No. 18–6683. *SAKOMAN v. CALIFORNIA.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 18–6687. *KENNEDY v. POLLOCK.* Sup. Ct. N. J. Certiorari denied. Reported below: 233 N. J. 604, 187 A. 3d 844.

No. 18–6689. *SANCHEZ v. PFEIFFER, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 745 Fed. Appx. 703.

No. 18–6691. *MCCURTIS v. BURKE, WARDEN.* C. A. 7th Cir. Certiorari denied.

No. 18–6692. *WATERSON v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 749 Fed. Appx. 823.

No. 18–6693. *MANGUAL-ROSADO v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 907 F. 3d 107.

No. 18–6694. *WEAKLEY v. EAGLE LOGISTICS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 894 F. 3d 1244.

No. 18–6695. *MEHMOOD v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 928.

No. 18–6697. *BELLINGER v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 731.

No. 18–6700. *DEPIETRO v. ALLSTATE INSURANCE Co. ET AL.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 18–6703. *TRIMBLE v. VANNOY, WARDEN.* C. A. 5th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 482.

No. 18–6705. *JILES v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 1005.

No. 18–6707. *PROA-DOMINGUEZ v. UNITED STATES* (Reported below: 739 Fed. Appx. 309); *LOPEZ v. UNITED STATES* (740 Fed. Appx. 422); and *CAZARES v. UNITED STATES* (740 Fed. Appx. 456). C. A. 5th Cir. Certiorari denied.

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No. 18–6711. *DELEON COLON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 899 F. 3d 1236.

No. 18–6712. *GILSTRAP v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 312.

No. 18–6714. *SUAREZ PLASENCIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 886 F. 3d 1336.

No. 18–6718. *EDWARDS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 18–6719. *WILLIAMSON v. LUTHER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SMITHFIELD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–6720. *WITCHARD v. ANTONELLI, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 54.

No. 18–6721. *CULLENS v. CURTIN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–6723. *NOEL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–6725. *BUSSELL v. KENTUCKY*. Ct. App. Ky. Certiorari denied.

No. 18–6726. *BRANTLEY v. INDIANA*. Sup. Ct. Ind. Certiorari denied. Reported below: 91 N. E. 3d 566.

No. 18–6729. *SANTIAGO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 739 Fed. Appx. 693.

No. 18–6732. *STEVENS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 943.

No. 18–6733. *SHAUGER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 18–6737. *LOPEZ-CASTILLO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 363.

No. 18–6738. *JOHNSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–6742. *MATHIS v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 258 N. C. App. 651, 813 S. E. 2d 861.

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No. 18–6746. *HAYMORE ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 421.

No. 18–6748. *GLASS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 904 F. 3d 319.

No. 18–6753. *MENDEZ v. SWARTHOUT, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 421.

No. 18–6757. *NORMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 208.

No. 18–6759. *BROWN v. HATTON, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 889 F. 3d 661.

No. 18–6760. *UPSHAW v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 739 Fed. Appx. 538.

No. 18–6761. *WILLIAMS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–6763. *ANTONIO BONILLA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 18–6764. *BORDERS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–6765. *BAGDIS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 18–6767. *GALBREATH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 348.

No. 18–6768. *PEREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–6770. *NINO-FLORES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 152.

No. 18–6775. *KEHOE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 893 F. 3d 232.

No. 18–6778. *HORN v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 18–6791. *BLAND v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 194.

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No. 18–6793. *BOOTH v. KELLEY, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied. Reported below: 882 F. 3d 759.

No. 18–6795. *BROWN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–6797. *GREENE v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 423 S. C. 263, 814 S. E. 2d 496.

No. 18–6798. *HILL v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 890 F. 3d 51.

No. 18–6800. *POWELL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 311.

No. 18–6801. *MCDUFFY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 890 F. 3d 796.

No. 18–6804. *ROACH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 896 F. 3d 1185.

No. 18–6806. *SARMIENTO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 739 Fed. Appx. 704.

No. 18–6808. *SUAREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 893 F. 3d 1330.

No. 18–6809. *CAMP v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 903 F. 3d 594.

No. 18–6810. *HICKMAN-SMITH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–6811. *RIVERA FONSECA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 985.

No. 18–6812. *FERRANTI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 18–6814. *GERALD ET AL. v. VIRGINIA*. Sup. Ct. Va. Certiorari denied. Reported below: 295 Va. 469, 813 S. E. 2d 722.

No. 18–6816. *GARCIA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

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No. 18–6817. *FOCIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 869 F. 3d 1269.

No. 18–6820. *LANGLEY v. PREMO, SUPERINTENDENT, OREGON STATE PENITENTIARY*. Ct. App. Ore. Certiorari denied. Reported below: 288 Ore. App. 168, 403 P. 3d 832.

No. 18–6821. *KELLEY v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 279 So. 3d 14.

No. 18–6824. *KEYS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 747 Fed. Appx. 198.

No. 18–6827. *WILLIAMS v. NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 162 App. Div. 3d 694, 78 N. Y. S. 3d 386.

No. 18–6828. *THOMAS v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 237 Md. App. 760.

No. 18–6829. *FUENTES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 161.

No. 18–6830. *HEREDIA-SILVA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 344.

No. 18–6833. *RAMON ZUNIGA, AKA ZUNIGA-ZARAGOZA, AKA ZUNIGA-GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 147.

No. 18–6838. *ROUNDTREE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–6839. *ROBIN v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 179 A. 3d 867.

No. 18–6841. *STEWART v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied.

No. 18–6842. *DAVIS, AKA SEALED DEFENDANT v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 715 Fed. Appx. 107.

No. 18–6844. *KERR v. WISCONSIN*. Sup. Ct. Wis. Certiorari denied. Reported below: 2018 WI 87, 383 Wis. 2d 306, 913 N. W. 2d 787.

No. 18–6846. *PENA v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 236 Md. App. 740.

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No. 18–6847. *ANTONIO HARO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 748 Fed. Appx. 727.

No. 18–6851. *GOMEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–6853. *GARCIA-LIMA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 374.

No. 18–6855. *PEREZ-MARTINEZ v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 746 Fed. Appx. 468.

No. 18–6856. *MILLS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–6858. *PRITCHETT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 128.

No. 18–6861. *WILBORN v. RYAN, WARDEN*. C. A. 1st Cir. Certiorari denied.

No. 18–6862. *THOMAS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 897 F. 3d 807.

No. 18–6863. *LEWIS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 895 F. 3d 1004.

No. 18–6864. *WHITLOW v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–6865. *NINA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 734 Fed. Appx. 27.

No. 18–6867. *SILVA-IBARRA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 858.

No. 18–6871. *CABELLO v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON*. C. A. 9th Cir. Certiorari denied.

No. 18–6873. *ARMENTA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 883 F. 3d 1005.

No. 18–6875. *THRIFT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 607.

No. 18–6879. *HOGUE v. CAIN, SUPERINTENDENT, SNAKE RIVER CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 426.

No. 18–6894. *CROSBY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 748 Fed. Appx. 752.

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No. 18–6895. *CLARK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 906 F. 3d 667.

No. 18–6896. *WINGATE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–6897. *TAVIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 697.

No. 18–6900. *WATTERS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 324.

No. 18–6910. *MUSA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 265.

No. 18–6911. *PINEDA-OROZCO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 739 Fed. Appx. 311.

No. 18–6912. *MONIE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–6917. *PORTELA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 901 F. 3d 1322.

No. 18–6918. *VELAZQUEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 462.

No. 18–6920. *RETIZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 500.

No. 18–6923. *SARRAS v. UNKNOWN PARTY*. C. A. 9th Cir. Certiorari denied.

No. 18–6924. *WALDEN v. KELLEY, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied.

No. 18–6926. *VALENTINE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–6934. *EVANS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 64.

No. 18–6935. *EWING v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 749 Fed. Appx. 317.

No. 18–6937. *MORRILL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 884.

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No. 18–6948. *GAVIDIA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 908 F. 3d 920.

No. 18–6951. *COOPER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 893 F. 3d 840.

No. 18–6952. *GARCIA LICON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–6963. *CAMRAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 263.

No. 18–6964. *WALLACE v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 18–6967. *DANILOVICH, AKA SEALED DEFENDANT, AKA DANIELS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 731 Fed. Appx. 45.

No. 18–6969. *BIVINS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 747 Fed. Appx. 765.

No. 18–6974. *MCINTOSH v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 18–6981. *SURRATT v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 259 N. C. App. 940, 814 S. E. 2d 626.

No. 18–7028. *SIMPSON v. ERKERD ET AL.* C. A. 3d Cir. Certiorari denied.

No. 17–938. *CITY OF CIBOLO, TEXAS v. GREEN VALLEY SPECIAL UTILITY DISTRICT*. C. A. 5th Cir. Motion of Guadalupe Valley Development Corporation et al. for leave to file brief as *amici curiae* granted. Certiorari denied. Reported below: 866 F. 3d 339.

No. 17–1165. *DE CSEPEL ET AL. v. REPUBLIC OF HUNGARY ET AL.* C. A. D. C. Cir. Motions of Ambassador Stuart E. Eizenstat and AJC et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of these motions and this petition. Reported below: 859 F. 3d 1094.

No. 17–1237. *OSAGE WIND, LLC, ET AL. v. OSAGE MINERALS COUNCIL*. C. A. 10th Cir. Motions of American Wind Energy Association and Osage County Farm Bureau, Inc., et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 871 F. 3d 1078.

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No. 17–1382. *LANCE v. SELLERS, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 706 Fed. Appx. 565.

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

Before deciding that petitioner Donnie Cleveland Lance should die as punishment for two murders he committed, a jury heard no evidence whatsoever to counterbalance the State’s case for the death penalty. Lance’s counsel bore responsibility for the one-sidedness of the sentencing proceedings; he inexcusably failed even to look into, much less to put on, a case for sparing Lance’s life. And we have since learned that Lance suffers from significant cognitive impairments that the jury could have weighed in assessing his moral culpability. In other words, there is a meaningful case to be made for sparing Lance’s life, but—because he lacked access to constitutionally adequate counsel—he has never had a chance to present it.

The Georgia Supreme Court concluded that this state of affairs was constitutionally tolerable because, in its view, Lance’s untold story stood no chance of persuading even a single juror to favor life without parole over a death sentence. The U. S. Court of Appeals for the Eleventh Circuit held that its conclusion was not unreasonable. I cannot agree. Our precedents clearly establish that Lance was prejudiced by his inability to inform the jury about his impairments. I therefore would grant Lance’s petition for review and summarily reverse.

I

A

The facts of Lance’s crimes—murdering his ex-wife, Sabrina “Joy” Lance, and her boyfriend, Dwight “Butch” Wood, Jr., in 1997—admittedly inspire little sympathy. Lance went to Butch’s home, kicked in the front door, shot Butch with a shotgun, then bludgeoned Joy to death with the gun. According to a fellow inmate, he later bragged about the killings. Lance also had an extensive prior history of domestic violence against Joy.¹

¹ Lance previously had kidnapped Joy, electrocuted her, beaten her, strangled her, and threatened her with various other harms. He also repeatedly had threatened to kill her if she left him or became involved with Butch. Four years earlier, Lance and a friend took a shotgun to Butch’s home and kicked in the door, but fled when a child inside spoke to them.

Due to his counsel's ineffectiveness, however, those facts were all the jurors ever learned about Lance; they heard no evidence why his life was worth sparing. Lance was represented during both the guilt and penalty phases of his trial by a solo practitioner who became convinced of Lance's innocence—and his own ability to prove it—early in the representation. He thus prepared exclusively for the guilt-or-innocence phase of the trial. Counsel did not even broach the subject of possible penalty-phase evidence with Lance or his family, because he did not want them “thinking that [he] might be thinking in terms of losing the case.” App. to Pet. for Cert. 232. So when the jury found Lance guilty and the question became whether Lance should be put to death,² Lance's counsel had no evidence whatsoever to present.

The State did. It called six witnesses, including the victims' relatives, to explain why Lance deserved to die. The State's closing argument emphasized Lance's history of violence against Joy, the brutality of her killing, and Lance's apparent lack of remorse. The State urged the jury to perceive Lance as “‘cold and calculating’” and repeatedly asked “‘what kind of person’” would do these things. 1 App. in No. 16–15008 (CA11), pt. 1, pp. 68, 75, 77. Lance's counsel, by contrast, made no opening statement and presented no mitigating evidence. By his own admission, he “‘had nothing to put on.’” App. to Pet. for Cert. 273. His closing argument merely urged the jury to consider Lance's family and to resist the temptation to exact vengeance. About Lance, counsel said only that he was “‘kind of a quiet person and a country boy’” who “‘doesn't talk a lot.’” 1 App. in No. 16–15008, pt. 1, at 85.

The jury sentenced Lance to death.

B

In 2003, Lance filed a petition for postconviction relief in state court, asserting that his trial counsel's failure to investigate or present any mitigating evidence was ineffective assistance of counsel. Essentially, he argued that there was a meaningful case to be made for sparing his life, and that his counsel had forfeited his chance to do so through inattention.

²The jury found that two aggravating circumstances supported Lance's eligibility for the death penalty: that he committed a double murder and that Joy's killing was “outrageously or wantonly vile, horrible, or inhuman.” App. to Pet. for Cert. 74; *Lance v. State*, 275 Ga. 11, 23, 560 S. E. 2d 663, 677 (2002); see also Ga. Code Ann. §§ 17–10–30(b)(2), (b)(7) (Supp. 2018).

The evidence showed that counsel could have found possible cognitive problems had he looked into Lance's personal history. That history included repeated serious head traumas caused by multiple car crashes, alcoholism, and—most seriously—Lance's once being shot in the head by unknown assailants while lying on his couch.³ In the aftermath of the shooting, Lance had "terrible headaches," "dizziness," "difficulty working," and "became even more quiet than he had before." App. to Pet. for Cert. 171–172. The court found that any reasonable defense attorney would have had Lance's mental health evaluated and, in so doing, uncovered "significant mitigating evidence for the jury to consider." *Id.*, at 174.

Four mental health professionals testified at an evidentiary hearing.⁴ They agreed on many points. First, Lance had permanent damage to his brain's frontal lobe. Second, his IQ placed him in the borderline range for intellectual disability. Third, his symptoms warranted a diagnosis of clinical dementia. The experts differed somewhat, however, over the extent and practical consequences of Lance's brain damage. Primarily, the experts seemed to disagree about the extent to which Lance's brain damage affected his impulse control.⁵

The Superior Court granted Lance's habeas petition and vacated his death sentence, holding that trial counsel's failure to

³ In addition to the history discussed by the court, Lance also ingested gasoline as a small child, was trampled by a horse as a teenager, and once was overcome by fumes while working to clean the interior of an oil tanker truck. 1 App. in No. 16–15008, pt. 2, pp. 202–203.

⁴ Lance put on Thomas Hyde, an expert in behavioral neurology; Ricardo Weinstein, an expert in neuropsychology; and David Pickar, an expert in psychiatry and clinical neuroscience. The State called Daniel Martell, an expert in neuropsychology. (A fifth expert's unsworn report was ruled inadmissible by the Georgia Supreme Court. See *Hall v. Lance*, 286 Ga. 365, 371, n. 1, 687 S. E. 2d 809, 815, n. 1 (2010).)

⁵ Hyde, Weinstein, and Pickar opined that the type and extent of damage reflected in Lance's test results would adversely affect his ability to suppress impulsive behavior. Weinstein and Hyde added that the damage could impair Lance's ability to conform his conduct to the law, and Hyde noted that the effects of Lance's impairments would be most acute in moments of emotional stress. Martell, in contrast, saw no direct evidence of impulse-control difficulties and opined that Lance's brain damage would not "prevent him" from conforming his conduct to the law. 1 App. in No. 16–15008, pt. 3, at 170.

investigate and present evidence of Lance's mental condition was deficient performance, and that his failure prejudiced Lance. The missing evidence could have prompted a different sentence, the court explained, because it went directly to the key issue before the jury: the assessment of Lance's character, culpability, and worth.

The Georgia Supreme Court, however, reversed and reinstated Lance's death sentence. *Hall v. Lance*, 286 Ga. 365, 687 S. E. 2d 809 (2010). It agreed that counsel's performance was deficient but held that Lance suffered no prejudice. As relevant here, it held that even if the jury had considered at trial all the neuropsychological evidence adduced at the postconviction hearing, there was no reasonable probability that Lance's sentence would have changed.⁶ In the Georgia Supreme Court's view, the new evidence was only "somewhat mitigating" because it showed only "subtle neurological impairments," which would necessarily have been outweighed by Lance's prior threats and violence toward the victims, the nature of the crime, and Lance's statements and demeanor in its aftermath. *Id.*, at 373, 687 S. E. 2d, at 815–816.

C

Lance sought a federal writ of habeas corpus. The U. S. District Court for the Northern District of Georgia denied the petition but granted a certificate of appealability. Under the deferential review provisions of the Antiterrorism and Effective Death Penalty Act of 1996, 28 U. S. C. § 2254(d), the U. S. Court of Appeals for the Eleventh Circuit affirmed, holding that the Georgia Supreme Court's conclusion that the absence of the postconviction mental health evidence caused Lance no prejudice "was not unreasonable." *Lance v. Warden*, 706 Fed. Appx. 565, 573 (2017).

II

To prevail on a Sixth Amendment ineffective-assistance-of-counsel claim, a defendant must show both that his counsel's performance was deficient and that his counsel's errors caused him

⁶ As an alternative ground for finding no prejudice, the Georgia Supreme Court also hypothesized that even an adequate investigation would not have uncovered the evidence that Lance presented at the postconviction hearing. That conclusion is not implicated by Lance's petition because the Court of Appeals did not address it.

prejudice. In assessing deficiency, a court asks whether defense “counsel’s representation fell below an objective standard of reasonableness.” *Strickland v. Washington*, 466 U.S. 668, 688 (1984). To establish prejudice, a defendant must show “that there is a reasonable probability that, but for counsel’s unprofessional errors, the result of the proceeding would have been different.” *Id.*, at 694. When, as here, a petitioner seeks federal habeas review of a state court’s rejection of his ineffective-assistance-of-counsel claim, he can prevail only if the decision was “contrary to, or involved an unreasonable application of,” *Strickland* and its progeny, or rested “on an unreasonable determination of the facts in light of the evidence presented in the State court proceeding.” 28 U.S.C. §2254(d).

Because the Supreme Court of Georgia mischaracterized or omitted key facts and improperly weighed the evidence, I agree with Lance that its decision was an objectively “unreasonable application of” our precedents. §2254(d)(1); see *Wiggins v. Smith*, 539 U.S. 510, 528 (2003). I would therefore grant the petition and summarily reverse.

A

With regard to *Strickland*’s performance prong, the Georgia Supreme Court determined that trial counsel’s failure to investigate possible mitigation was deficient. See *Lance*, 286 Ga., at 368, 687 S. E. 2d, at 812–813. That is plainly correct. Counsel in a death penalty case has an obligation at the very least to consider possible penalty-phase defenses. See *Wiggins*, 539 U.S., at 521–522. By his own admission, counsel here did not. Without any inquiry into what penalty-phase evidence he might be forgoing, he succumbed to tunnel vision—and as a consequence left Lance defenseless. Because nothing here “obviate[d] the need for defense counsel to conduct *some* sort of mitigation investigation,” Lance has satisfied *Strickland*’s deficient-performance requirement. *Porter v. McCollum*, 558 U.S. 30, 40 (2009) (*per curiam*); see also *Rompilla v. Beard*, 545 U.S. 374, 381 (2005); *Wiggins*, 539 U.S., at 534.

B

Turning to the prejudice prong, the Court of Appeals was wrong to conclude that Lance suffered no clearly established prejudice from his inability to make his case. Georgia law permits a death sentence only upon a unanimous jury recommendation, so

Lance needed only to show “a reasonable probability that at least one juror would have struck a different balance” between the aggravating and the mitigating factors had he or she considered the missing evidence. *Wiggins*, 539 U.S., at 537; see Ga. Code Ann. §§ 17–10–31(a), (c).⁷ The trial court, upon hearing Lance’s proffered mitigation evidence, concluded that it was “extremely important for the jury to consider” and thus that its absence was prejudicial. App. to Pet. for Cert. 174. Under any reasonable application of *Strickland* and its progeny, that conclusion was correct. See 28 U.S.C. § 2254(d); *Wiggins*, 539 U.S., at 528.

To determine whether a defendant reasonably might have been spared a death sentence but for his counsel’s deficiency, courts take into account “the totality of the available mitigation evidence—both that adduced at trial, and the evidence adduced in the habeas proceeding,” then “reweig[h] it against the evidence in aggravation.” *Williams v. Taylor*, 529 U.S. 362, 397–398 (2000). “We do not require a defendant to show that counsel’s deficient conduct more likely than not altered the outcome of his penalty proceeding, but rather that he establish a probability sufficient to undermine confidence in that outcome.” *Porter*, 558 U.S., at 44 (internal quotation marks and alteration omitted).

The jurors who sentenced Lance determined whether he would live or die “knowing hardly anything about him other than the facts of his crimes.” *Id.*, at 33. They heard nothing “that would humanize [Lance] or allow them to accurately gauge his moral culpability.” *Id.*, at 41. Yet if counsel had performed his duties, the jurors would have heard that Lance’s brain endured physical trauma throughout his life, resulting in frontal lobe damage and dementia. The jury further would have heard that Lance’s IQ placed him within the borderline range for intellectual disability. The jury also would have heard that Lance’s cognitive deficits could affect his impulse control and capacity to conform his behavior to the law, especially at moments of emotional distress. Taken together, those facts—with their accompanying explanatory potential to humanize Lance, or at least to render less incompre-

⁷In Georgia, “a sentence of death shall not be imposed unless the jury verdict includes a finding of at least one statutory aggravating circumstance and a recommendation that such sentence be imposed.” Ga. Code Ann. § 17–10–31(a). “If the jury is unable to reach a unanimous verdict as to sentence, the judge shall dismiss the jury and shall impose a sentence of either life imprisonment or imprisonment for life without parole.” § 17–10–31(c).

hensible his conduct—were significant mitigating evidence. See *id.*, at 36, 42–43 (noting the potentially mitigating effect of evidence that the defendant “suffered from brain damage that could manifest in impulsive, violent behavior” and was “substantially impaired in his ability to conform his conduct to the law”).

To be sure, the evidence before the jury—the brutality of Joy’s death, Lance’s past violence toward her, and Lance’s conduct thereafter—could have supported a death sentence. See Ga. Code Ann. §§ 17–10–30(b), 17–10–31(a). But there is a stark contrast between no mitigation evidence whatsoever and the significant neuropsychological evidence that adequate counsel could have introduced as a potential counterweight. Lance’s un-introduced case for leniency, even if not airtight, “adds up to a mitigation case that bears no relation to the few naked pleas for mercy actually put before the jury.” *Rompilla*, 545 U.S., at 393; see also *Williams*, 529 U.S., at 398. Our precedents thus clearly establish Lance’s right to a new sentencing at which a jury can, for the first time, weigh the evidence both for and against death.

The Georgia Supreme Court reached its contrary conclusion only by unreasonably disregarding or minimizing Lance’s evidence. The state court acknowledged that experts would testify that “‘significant damage’” to Lance’s frontal lobe compromised his ability “‘to conform his conduct to the requirements of the law.’” *Lance*, 286 Ga., at 370–371, 687 S. E. 2d, at 814. It failed, however, to allow for the possibility that the jury might credit that evidence. This Court previously has cautioned against prematurely resolving disputes or unreasonably discounting mitigating evidence in this context. See *Porter*, 558 U.S., at 43 (“While the State’s experts identified perceived problems with the tests [showing brain damage and cognitive defects] and the conclusions [the defense expert] drew from them, it was not reasonable to discount entirely the effect that [the defense expert’s] testimony might have had on the jury”). We should do so again here.

Further, the Georgia Supreme Court relied on characterizations of Lance’s evidence that cannot be squared with the record, which “further highlights the unreasonableness of” the Georgia Supreme Court’s decision. *Wiggins*, 539 U.S., at 528; see 28 U.S.C. § 2254(d)(2). With regard to Lance’s frontal lobe damage, the Georgia Supreme Court appears to have credited the testimony of the State’s expert over Lance’s experts’ testimony, treating as definitive Martell’s assertion that “Lance’s symptoms were so sub-

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tle that a typical court-ordered evaluation might not have given any indication of problems.” *Lance*, 286 Ga., at 372, 687 S. E. 2d, at 815; see also *id.*, at 373, 687 S. E. 2d, at 816. Yet the other experts concluded that Lance’s impairments and resulting behavioral distortions were “serious” and “significant.”⁸ *E. g.*, 1 App. in No. 16–15008, pt. 3, at 92; 2 *id.*, at 10. The Georgia Supreme Court also unreasonably dismissed the experts’ consensus that Lance was in the borderline range for intellectual disability,⁹ and never mentioned—much less discussed the significance of—Lance’s dementia diagnosis.

These errors, taken together, make clear that the Georgia Supreme Court applied our *Strickland* precedents in an objectively unreasonable manner. The mental impairment evidence reasonably could have affected at least one juror’s assessment of whether Lance deserved to die for his crimes, and Lance should have been given a chance to make the case for his life. The Georgia Supreme Court’s conclusion that it would be futile to allow him to do so was unreasonable.

III

Absent this Court’s intervention, Lance may well be executed without any adequately informed jury having decided his fate. Because the Court’s refusal to intervene permits an egregious breakdown of basic procedural safeguards to go unremedied, I respectfully dissent.

No. 17–9082. *HESTER ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 441.

⁸ Moreover, it is unclear even that Martell’s milder characterizations genuinely contradicted the other experts’ testimony. Unlike the other experts, Martell seems at least sometimes to have been characterizing Lance’s impairments “relative to his overall borderline [intellectually disabled] baseline,” 1 App. in No. 16–15008, pt. 3, at 151, not relative to the average person or to the level at which Lance might have functioned absent his head traumas. Compare 2 *id.*, at 34 (Weinstein: specific test results “vastly exceed[d] the threshold for impairment” and “indicate significant organic impairment of the frontal lobe”), with 2 *id.*, at 152 (Martell: results on the same test were “at a level expected for [Lance’s] IQ” or “showed mild impairment”).

⁹ See *Lance*, 286 Ga., at 372, 687 S. E. 2d, at 815 (describing Lance as merely “in the lower range of normal intelligence”). But see, *e. g.*, 1 App. in No. 16–15008, pt. 3, at 135 (Martell, describing Lance’s intellectual functioning as “in the borderline range,” which is “lower than low average”).

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GORSUCH, J., dissenting

JUSTICE ALITO, concurring.

The argument that the Sixth Amendment, as originally understood, requires a jury to find the facts supporting an order of restitution depends upon the proposition that the Sixth Amendment requires a jury to find the facts on which a sentence of imprisonment is based. That latter proposition is supported by decisions of this Court, see *United States v. Booker*, 543 U. S. 220, 230–232 (2005); *Apprendi v. New Jersey*, 530 U. S. 466, 478 (2000), but it represents a questionable interpretation of the original meaning of the Sixth Amendment, *Gall v. United States*, 552 U. S. 38, 64–66 (2007) (ALITO, J., dissenting). Unless the Court is willing to reconsider that interpretation, fidelity to original meaning counsels against further extension of these suspect precedents.

JUSTICE GORSUCH, with whom JUSTICE SOTOMAYOR joins, dissenting.

If you're charged with a crime, the Sixth Amendment guarantees you the right to a jury trial. From this, it follows that the prosecutor must prove to a jury all of the facts legally necessary to support your term of incarceration. *Apprendi v. New Jersey*, 530 U. S. 466 (2000). Neither is this rule limited to prison time. If a court orders you to pay a fine to the government, a jury must also find all the facts necessary to justify that punishment too. *Southern Union Co. v. United States*, 567 U. S. 343 (2012).

But what if instead the court orders you to pay restitution to victims? Must a jury find all the facts needed to justify a restitution order as well? That's the question presented in this case. After the defendants pleaded guilty to certain financial crimes, the district court held a hearing to determine their victims' losses. In the end and based on its own factual findings, the court ordered the defendants to pay \$329,767 in restitution. The Ninth Circuit affirmed, agreeing with the government that the facts supporting a restitution order can be found by a judge rather than a jury.

Respectfully, I believe this case is worthy of our review. Restitution plays an increasing role in federal criminal sentencing today. Before the passage of the Victim and Witness Protection Act of 1982, 96 Stat. 1248, and the Mandatory Victims Restitution Act of 1996, 110 Stat. 1227, restitution orders were comparatively rare. But from 2014 to 2016 alone, federal courts sentenced 33,158 defendants to pay \$33.9 billion in restitution. GAO, G. Goodwin, Federal Criminal Restitution 16 (GAO–18–203, 2018).

And between 1996 and 2016, the amount of unpaid federal criminal restitution rose from less than \$6 billion to more than \$110 billion. GAO, G. Goodwin, Federal Criminal Restitution 14 (GAO-18-115, 2017); Dept. of Justice, C. DiBattiste, U. S. Attorneys Annual Statistical Report 79-80 (1996) (Tables 12A and 12B). The effects of restitution orders, too, can be profound. Failure or inability to pay restitution can result in suspension of the right to vote, continued court supervision, or even reincarceration. Lollar, What Is Criminal Restitution? 100 Iowa L. Rev. 93, 123-129 (2014).

The ruling before us is not only important, it seems doubtful. The Ninth Circuit itself has conceded that allowing judges, rather than juries, to decide the facts necessary to support restitution orders isn't "well-harmonized" with this Court's Sixth Amendment decisions. *United States v. Green*, 722 F. 3d 1146, 1151 (2013). Judges in other circuits have made the same point in similar cases. See *United States v. Leahy*, 438 F. 3d 328, 343-344 (CA3 2006) (en banc) (McKee, J., concurring in part and dissenting in part); *United States v. Carruth*, 418 F. 3d 900, 905-906 (CA8 2005) (Bye, J., dissenting).

Nor does the government's defense of the judgment below dispel these concerns. This Court has held that the Sixth Amendment requires a jury to find any fact that triggers an increase in a defendant's "statutory maximum" sentence. *Apprendi*, 530 U. S., at 490. Seizing on this language, the government argues that the Sixth Amendment doesn't apply to restitution orders because the amount of restitution is dictated only by the extent of the victim's loss and thus has no "statutory maximum." But the government's argument misunderstands the teaching of our cases. We've used the term "statutory maximum" to refer to the harshest sentence the law allows a court to impose based on facts a jury has found or the defendant has admitted. *Blakely v. Washington*, 542 U. S. 296, 303 (2004). In that sense, the statutory maximum for restitution is usually *zero*, because a court can't award *any* restitution without finding additional facts about the victim's loss. And just as a jury must find any facts necessary to authorize a steeper prison sentence or fine, it would seem to follow that a jury must find any facts necessary to support a (nonzero) restitution order.

The government is not without a backup argument, but it appears to bear problems of its own. The government suggests

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that the Sixth Amendment doesn't apply to restitution orders because restitution isn't a criminal penalty, only a civil remedy that "compensates victims for [their] economic losses." Brief in Opposition 8 (internal quotation marks omitted). But the Sixth Amendment's jury trial right expressly applies "[i]n all criminal prosecutions," and the government concedes that "restitution is imposed as part of a defendant's criminal conviction." Brief in Opposition 8. Federal statutes, too, describe restitution as a "penalty" imposed on the defendant as part of his criminal sentence, as do our cases. 18 U. S. C. §§ 3663(a)(1)(A), 3663A(a)(1), 3572(d)(1); see *Paroline v. United States*, 572 U. S. 434, 456 (2014); *Pasquantino v. United States*, 544 U. S. 349, 365 (2005). Besides, if restitution really fell beyond the reach of the Sixth Amendment's protections in *criminal* prosecutions, we would then have to consider the Seventh Amendment and its independent protection of the right to a jury trial in *civil* cases.

If the government's arguments appear less than convincing, maybe it's because they're difficult to reconcile with the Constitution's original meaning. The Sixth Amendment was understood as preserving the "'historical role of the jury at common law.'" *Southern Union*, 567 U. S., at 353. And as long ago as the time of Henry VIII, an English statute entitling victims to the restitution of stolen goods allowed courts to order the return only of those goods mentioned in the indictment and found stolen by a jury. 1 J. Chitty, *Criminal Law* 817–820 (2d ed. 1816); 1 M. Hale, *Pleas of the Crown* 545 (1736). In America, too, courts held that in prosecutions for larceny, the jury usually had to find the value of the stolen property before restitution to the victim could be ordered. See, e. g., *Schoonover v. State*, 17 Ohio St. 294 (1867); *Jones v. State*, 13 Ala. 153 (1848); *State v. Somerville*, 21 Me. 20 (1842); *Commonwealth v. Smith*, 1 Mass. 245 (1804). See also Barta, *Guarding the Rights of the Accused and Accuser: The Jury's Role in Awarding Criminal Restitution Under the Sixth Amendment*, 51 Am. Crim. L. Rev. 463, 472–476 (2014). And it's hard to see why the right to a jury trial should mean less to the people today than it did to those at the time of the Sixth and Seventh Amendments' adoption.

Respectfully, I would grant the petition for review.

No. 18–61. STAND UP FOR CALIFORNIA! ET AL. *v.* DEPARTMENT OF THE INTERIOR ET AL. C. A. D. C. Cir. Certiorari de-

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nied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition. Reported below: 879 F. 3d 1177.

No. 18–64. LUCIO-RAYOS *v.* WHITAKER, ACTING ATTORNEY GENERAL. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 875 F. 3d 573.

No. 18–267. ELECTRONIC PRIVACY INFORMATION CENTER *v.* PRESIDENTIAL ADVISORY COMMISSION ON ELECTION INTEGRITY ET AL. C. A. D. C. Cir. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition. Reported below: 878 F. 3d 371.

No. 18–327. N. K., AN INFANT, BY HIS MOTHER AND NATURAL GUARDIAN, BRUESTLE-KUMRA *v.* ABBOTT LABORATORIES. C. A. 2d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 731 Fed. Appx. 24.

No. 18–370. HAIGHT *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition. Reported below: 892 F. 3d 1271.

No. 18–398. FCA US LLC ET AL. *v.* FLYNN ET AL. (two judgments). C. A. 7th Cir. Motion of CTIA–The Wireless Association et al. for leave to file brief as *amici curiae* granted. Motion of respondents for leave to file brief in opposition under seal with redacted copies for the public record granted. Certiorari denied.

No. 18–480. RAGHAVENDRA *v.* UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 18–513. MULCAHY *v.* ASPEN PITKIN COUNTY HOUSING AUTHORITY. Ct. App. Colo. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied.

No. 18–544. CANUTO *v.* DEPARTMENT OF DEFENSE ET AL. C. A. D. C. Cir. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition. Reported below: 723 Fed. Appx. 6.

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No. 18–6376. *ALBRA v. BOARD OF TRUSTEES OF MIAMI DADE COLLEGE ET AL.* C. A. D. C. Cir. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition.

No. 18–6502. *EPPERSON v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA.* C. A. 9th Cir. Certiorari before judgment denied.

No. 18–6717. *LEI YIN v. THERMO FISHER SCIENTIFIC.* C. A. 1st Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

No. 18–6783. *SCOTT v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition. Reported below: 890 F. 3d 1239.

No. 18–6854. *DURHAM v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 902 F. 3d 1180.

No. 18–6872. *ABDUL-SALAAM v. WETZEL, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition. Reported below: 895 F. 3d 254.

No. 18–6915. *ROBINSON v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 599.

JUSTICE SOTOMAYOR, with whom JUSTICE GINSBURG joins, dissenting.

I dissent for the reasons set out in *Brown v. United States*, 586 U. S. 953 (2018) (SOTOMAYOR, J., dissenting from denial of certiorari).

Rehearing Denied

No. 17–8502. *AMBROSE v. TRIERWEILER, WARDEN*, 584 U. S. 1037;

No. 17–8558. *LONG v. UNITED STATES*, 586 U. S. 918;

No. 17–8688. *ASSA’AD-FALTAS v. CITY OF COLUMBIA, SOUTH CAROLINA*, 586 U. S. 830;

No. 17–8842. *JACKSON v. GEORGIA*, 586 U. S. 834;

No. 17–8909. *JARAMILLO v. NEW YORK*, 586 U. S. 835;

No. 17–9004. *STURGES v. CURTIN, WARDEN*, 586 U. S. 838;

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- No. 17-9034. *TAYLOR v. JONES*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, 586 U. S. 839;
- No. 17-9292. *STYLES v. DEPARTMENT OF VETERANS AFFAIRS*, 586 U. S. 852;
- No. 17-9306. *TRINH v. TRINH*, 586 U. S. 997;
- No. 17-9363. *McFARLIN v. HARRIS*, CLERK, SUPREME COURT OF THE UNITED STATES, ET AL., 586 U. S. 856;
- No. 17-9433. *JUNOD v. UNITED STATES*, 586 U. S. 860;
- No. 17-9461. *BULOVIC v. STOP & SHOP SUPERMARKET Co., LLC, ET AL.*, 586 U. S. 861;
- No. 18-79. *KLEIN ET AL. v. O'BRIEN ET AL.*, 586 U. S. 873;
- No. 18-209. *MEHTA v. CALIFORNIA*, 586 U. S. 966;
- No. 18-220. *CARRILLO ET AL. v. U. S. BANK N. A. ET AL.*, 586 U. S. 966;
- No. 18-233. *INDIEZONE, INC., ET AL. v. ROOKE ET AL.*, 586 U. S. 966;
- No. 18-239. *RINALDO v. MAHAN ET AL.*, 586 U. S. 966;
- No. 18-271. *TROST ET UX. v. TROST*, 586 U. S. 987;
- No. 18-330. *GREENE v. FROST BROWN TODD, LLC, ET AL.*, 586 U. S. 1021;
- No. 18-382. *RAB v. SUPERIOR COURT OF CALIFORNIA, SACRAMENTO COUNTY, ET AL.*, 586 U. S. 1021;
- No. 18-401. *HOBSON v. MATTIS*, SECRETARY OF DEFENSE, 586 U. S. 1021;
- No. 18-427. *BAMDAD v. UNITED STATES*, 586 U. S. 988;
- No. 18-5075. *OKAFOR v. UNITED STATES*, 586 U. S. 881;
- No. 18-5106. *STEWART v. HOLDER ET AL.*, 586 U. S. 883;
- No. 18-5139. *RUNNELS v. BORDELON, WARDEN*, 586 U. S. 884;
- No. 18-5161. *WADDLETON v. DAVIS*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, 586 U. S. 886;
- No. 18-5325. *LASHER v. UNITED STATES*, 586 U. S. 894;
- No. 18-5366. *MARTIN v. TRIERWEILER, WARDEN*, 586 U. S. 896;
- No. 18-5388. *ROBERTS v. UNITED STATES*, 586 U. S. 897;
- No. 18-5403. *DENNIS v. OKLAHOMA*, 586 U. S. 922;
- No. 18-5413. *LEWIS v. HEDGEMON ET AL.*, 586 U. S. 922;
- No. 18-5452. *REID v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA*, 586 U. S. 899;

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No. 18–5519. *TEMPLETON v. AMSBERRY*, SUPERINTENDENT, EASTERN OREGON CORRECTIONAL INSTITUTION, ET AL., 586 U. S. 901;

No. 18–5530. *KALDAWI v. STATE OF KUWAIT ET AL.*, 586 U. S. 946;

No. 18–5599. *CHI v. UNITED STATES*, 586 U. S. 903;

No. 18–5602. *LEONARD v. FLORIDA*, 586 U. S. 947;

No. 18–5659. *CAVALIERI v. VIRGINIA*, 586 U. S. 969;

No. 18–5689. *BRIDGETTE v. ASUNCION*, WARDEN, ET AL., 586 U. S. 926;

No. 18–5719. *BARTLETT v. PINEDA*, JUDGE, SUPERIOR COURT OF ARIZONA, MARICOPA COUNTY, ET AL., 586 U. S. 970;

No. 18–5720. *BARTLETT v. PINEDA*, JUDGE, SUPERIOR COURT OF ARIZONA, MARICOPA COUNTY, ET AL., 586 U. S. 970;

No. 18–5732. *LACONTE v. UNITED STATES*, 586 U. S. 906;

No. 18–5782. *COOK v. RYAN*, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL., 586 U. S. 972;

No. 18–5793. *JOHNSTON v. FLORIDA*, 586 U. S. 1004;

No. 18–5802. *DOE v. KAWEAH DELTA HOSPITAL ET AL.*, 586 U. S. 972;

No. 18–5829. *MATELYAN v. ATLANTIC RECORDS ET AL.*, 586 U. S. 973;

No. 18–5885. *SHANNON v. UNITED STATES*, 586 U. S. 929;

No. 18–5887. *MORTON v. HAYNES*, SUPERINTENDENT, STAFFORD CREEK CORRECTIONS CENTER, 586 U. S. 974;

No. 18–5903. *JONES v. BERRYHILL*, ACTING COMMISSIONER OF SOCIAL SECURITY, ET AL., 586 U. S. 990;

No. 18–5977. *RAFI v. YALE UNIVERSITY SCHOOL OF MEDICINE ET AL.*, 586 U. S. 990;

No. 18–6017. *ROBEY v. WASHINGTON*, 586 U. S. 974;

No. 18–6074. *KURI v. KANSAS DEPARTMENT OF LABOR*, EMPLOYMENT SECURITY BOARD OF REVIEW, 586 U. S. 991; and

No. 18–6166. *RAFI v. BRIGHAM AND WOMEN’S HOSPITAL ET AL.*, 586 U. S. 1040. Petitions for rehearing denied.

JANUARY 8, 2019

Dismissal Under Rule 46

No. 18–5707. *FLOWERS v. UNITED STATES*. C. A. 8th Cir. Certiorari dismissed under this Court’s Rule 46.1.

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Miscellaneous Orders

No. 18A629 (18–281). VIRGINIA HOUSE OF DELEGATES ET AL. *v.* BETHUNE-HILL ET AL. D. C. E. D. Va. Application for stay, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied.

No. 18A669. IN RE GRAND JURY SUBPOENA. Application for stay, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. The administrative stay previously entered by THE CHIEF JUSTICE is vacated.

No. 18–422. RUCHO ET AL. *v.* COMMON CAUSE ET AL. D. C. M. D. N. C. [Probable jurisdiction postponed, 586 U. S. 1062]; and

No. 18–726. LAMONE ET AL. *v.* BENISEK ET AL. D. C. Md. [Probable jurisdiction postponed, 586 U. S. 1063.] Appellants’ briefs on the merits are to be filed on or before Friday, February 8, 2019. Appellees’ briefs on the merits are to be filed on or before Monday, March 4, 2019. Reply briefs on the merits are to be filed in accordance with Rule 25.3 of the Rules of this Court. *Amicus curiae* briefs in support of appellants or in support of neither party are to be filed on or before Tuesday, February 12, 2019. *Amicus curiae* briefs in support of appellees are to be filed on or before Friday, March 8, 2019.

JANUARY 11, 2019

Certiorari Granted

No. 17–778. QUARLES *v.* UNITED STATES. C. A. 6th Cir. Certiorari granted. Reported below: 850 F. 3d 836.

No. 18–389. PARKER DRILLING MANAGEMENT SERVICES, LTD. *v.* NEWTON. C. A. 9th Cir. Certiorari granted. Reported below: 881 F. 3d 1078 and 888 F. 3d 1085.

No. 18–457. NORTH CAROLINA DEPARTMENT OF REVENUE *v.* KIMBERLEY RICE KAESTNER 1992 FAMILY TRUST. Sup. Ct. N. C. Certiorari granted. Reported below: 371 N. C. 133, 814 S. E. 2d 43.

No. 18–481. FOOD MARKETING INSTITUTE *v.* ARGUS LEADER MEDIA, DBA ARGUS LEADER. C. A. 8th Cir. Certiorari granted. Reported below: 889 F. 3d 914.

No. 18–485. McDONOUGH *v.* SMITH, INDIVIDUALLY AND AS SPECIAL DISTRICT ATTORNEY FOR THE COUNTY OF RENSSELAER,

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NEW YORK. C. A. 2d Cir. Certiorari granted. Reported below: 898 F. 3d 259.

No. 18–525. FORT BEND COUNTY, TEXAS *v.* DAVIS. C. A. 5th Cir. Certiorari granted. Reported below: 893 F. 3d 300.

No. 17–9560. REHAIF *v.* UNITED STATES. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 888 F. 3d 1138.

No. 18–6210. MITCHELL *v.* WISCONSIN. Sup. Ct. Wis. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 2018 WI 84, 383 Wis. 2d 192, 914 N. W. 2d 151.

JANUARY 14, 2019

Certiorari Granted—Vacated and Remanded

No. 17–9467. WHITE *v.* KENTUCKY. Sup. Ct. Ky. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Moore v. Texas*, 581 U. S. 1 (2017).

JUSTICE ALITO, with whom JUSTICE THOMAS and JUSTICE GORSUCH join, dissenting.

The Court grants, vacates, and remands this case in light of *Moore v. Texas*, 581 U. S. 1 (2017). But *Moore* was handed down on March 28, 2017—almost five months before the Supreme Court of Kentucky reached a decision in this case. I would accordingly deny the petition for the reasons previously stated in my dissent in *Kaushal v. Indiana*, 585 U. S. 1028 (2018), and in Justice Scalia’s dissenting opinion in *Webster v. Cooper*, 558 U. S. 1039, 1040 (2009).

Miscellaneous Orders

No. 18M88. DEUSCHEL *v.* USC FACULTY DENTAL PRACTICE ET AL. Motion for leave to file petition for writ of certiorari with supplemental appendix under seal granted.

No. 18–266. DUTRA GROUP *v.* BATTERTON. C. A. 9th Cir. [Certiorari granted, 586 U. S. 1049.] Motion of petitioner to dispense with printing joint appendix granted.

No. 18–447. ALABAMA DEPARTMENT OF REVENUE ET AL. *v.* CSX TRANSPORTATION, INC.; and

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No. 18–612. CSX TRANSPORTATION, INC. *v.* ALABAMA DEPARTMENT OF REVENUE ET AL. C. A. 11th Cir. The Solicitor General is invited to file a brief in these cases expressing the views of the United States.

No. 18–486. TOSHIBA CORP. *v.* AUTOMOTIVE INDUSTRIES PENSION TRUST FUND ET AL. C. A. 9th Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 18–6611. PHILIPS *v.* NORTH CAROLINA ET AL. C. A. 4th Cir.;

No. 18–6780. FARR *v.* DAVIS ET AL. C. A. 10th Cir.; and

No. 18–7026. COATS *v.* UNITED STATES. C. A. 4th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until February 4, 2019, 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. 18–7097. IN RE QUINTO; and

No. 18–7135. IN RE HARRINGTON. Petitions for writs of habeas corpus denied.

Certiorari Denied

No. 17–1423. SIMPLY WIRELESS, INC. *v.* T-MOBILE US, INC., FKA T-MOBILE USA, INC., ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 877 F. 3d 522.

No. 17–1692. AHSAN *v.* STAPLES THE OFFICE SUPERSTORE EAST, INC. C. A. 2d Cir. Certiorari denied. Reported below: 710 Fed. Appx. 31.

No. 18–149. LAIR ET AL. *v.* MANGAN, COMMISSIONER OF POLITICAL PRACTICES, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 873 F. 3d 1170.

No. 18–317. METZGAR ET AL. *v.* KBR, INC., ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 893 F. 3d 241.

No. 18–324. LEONE ET UX., AS TRUSTEES UNDER THAT CERTAIN UNRECORDED LEONE-PERKINS FAMILY TRUST DATED AUGUST 26, 1999, AS AMENDED *v.* MAUI COUNTY, HAWAII, ET AL. Sup. Ct. Haw. Certiorari denied.

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No. 18–394. *KELLEHER ET UX. v. NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 159 App. Div. 3d 822, 69 N. Y. S. 3d 832.

No. 18–573. *COLONY COVE PROPERTIES, LLC v. CITY OF CARSON, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 888 F. 3d 445.

No. 18–604. *DELFIERRO v. PENSICO TRUST CO., FBO HERMANN*. C. A. 9th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 720.

No. 18–607. *VAZEEN, AKA VAZIN v. VAZIN*. Ct. App. Tenn. Certiorari denied.

No. 18–610. *TiENERGY, LLC v. WISCONSIN CENTRAL LTD.* C. A. 7th Cir. Certiorari denied. Reported below: 894 F. 3d 851.

No. 18–620. *SIMMONS v. PENNSYLVANIA*. C. A. 3d Cir. Certiorari denied. Reported below: 731 Fed. Appx. 160.

No. 18–631. *MCCABE v. ARANDA ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 896 F. 3d 792.

No. 18–635. *BURMASTER v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 744 Fed. Appx. 699.

No. 18–638. *ANDERSON v. HERBERT ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 745 Fed. Appx. 63.

No. 18–641. *J. M., BY AND THROUGH HIS MOTHER, MANDEVILLE v. MATAYOSHI, SUPERINTENDENT, HAWAII PUBLIC SCHOOLS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 585.

No. 18–643. *DUNKLE v. DALE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 616.

No. 18–644. *COTTINGHAM v. WASHINGTON STATE BAR ASSN. ET AL.* Sup. Ct. Wash. Certiorari denied. Reported below: 191 Wash. 2d 450, 423 P. 3d 818.

No. 18–668. *BERG v. SOCIAL SECURITY ADMINISTRATION*. C. A. 7th Cir. Certiorari denied. Reported below: 900 F. 3d 864.

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No. 18–671. *SMITH v. VALENTINE, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 178.

No. 18–690. *ROSETTO ET AL. v. MURPHY ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 517.

No. 18–693. *CRAIN v. NEVADA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 591.

No. 18–711. *MARIN ET AL. v. BANK OF NEW YORK*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 257 So. 3d 128.

No. 18–715. *CARPENTER-BARKER v. OHIO DEPARTMENT OF MEDICAID ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 752 Fed. Appx. 215.

No. 18–730. *MCCORMICK ET AL. v. BROWNE ET AL.* C. A. 6th Cir. Certiorari denied.

No. 18–738. *RICHARDSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 327.

No. 18–739. *WALLACE v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 18–745. *OVERTON v. TENNESSEE DEPARTMENT OF CHILDREN’S SERVICES*. Ct. App. Tenn. Certiorari denied.

No. 18–5135. *HONISH v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 18–5763. *WOOTEN v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 2018 Ark. 198, 547 S. W. 3d 683.

No. 18–6162. *LEMEUNIER-FITZGERALD v. MAINE*. Sup. Jud. Ct. Me. Certiorari denied. Reported below: 2018 ME 85, 188 A. 3d 183.

No. 18–6309. *HARDY v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 5 Cal. 5th 56, 418 P. 3d 309.

No. 18–6471. *HAYNES v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 766.

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No. 18–6598. *ROBINSON v. BAYNES*. C. A. 6th Cir. Certiorari denied.

No. 18–6615. *RILEY v. DORETHY, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 838.

No. 18–6621. *VANG v. ROY, COMMISSIONER, MINNESOTA DEPARTMENT OF CORRECTIONS*. C. A. 8th Cir. Certiorari denied.

No. 18–6624. *MORRIS v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 18–6626. *MILLER v. FLORIDA*. C. A. 11th Cir. Certiorari denied.

No. 18–6631. *HOLLENBACK v. CLARK, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ALBION, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–6633. *FREMIN v. TANNER, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 18–6634. *LEONEL GONZALEZ v. ARMENTA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–6635. *HAMPTON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 18–6636. *GRIFFIN v. ARNOLD, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 18–6640. *HUNDLEY v. BAKER, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–6641. *FAHIE v. MCDOWELL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 18–6643. *ISKANDER v. UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–6644. *JINGYUAN FENG v. KOMENDA ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 699 Fed. Appx. 580.

No. 18–6645. *HOPSON v. STARK COUNTY, OHIO, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 18–6646. *DAVIS v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 245 So. 3d 745.

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No. 18–6648. *ESCOBEDO v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 718 Fed. Appx. 297.

No. 18–6649. *DAVIS v. BROWN & DORTCH LLC ET AL.* Ct. Sp. App. Md. Certiorari denied.

No. 18–6651. *COBB v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 246 So. 3d 1244.

No. 18–6655. *MILLER v. MACLAREN, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 737 Fed. Appx. 269.

No. 18–6656. *PRINCE v. JACKSON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–6657. *KHOSHMOOD v. DISTRICT OF COLUMBIA HOUSING AUTHORITY HEADQUARTERS*. C. A. D. C. Cir. Certiorari denied. Reported below: 727 Fed. Appx. 703.

No. 18–6658. *VETETO v. DUNN, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS, ET AL.* Ct. Civ. App. Ala. Certiorari denied. Reported below: 268 So. 3d 49.

No. 18–6663. *ESCOBAR v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2017 IL App (1st) 151963–U.

No. 18–6668. *TORY v. WHITED ET AL.* Sup. Ct. Va. Certiorari denied.

No. 18–6669. *CHESTNUT v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied.

No. 18–6670. *BARKER v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 18–6674. *RHYMES v. TEXAS*. Ct. App. Tex., 6th Dist. Certiorari denied. Reported below: 536 S. W. 3d 85.

No. 18–6685. *MERRYMAN v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 18–6686. *PEDERSON v. MINNESOTA ET AL.* C. A. 8th Cir. Certiorari denied.

No. 18–6688. *LEONARD v. FLORIDA*. Sup. Ct. Fla. Certiorari denied.

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No. 18–6690. *LAWSON v. SPEIGHT ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–6696. *TORRES ORTEGA v. BONDI, ATTORNEY GENERAL OF FLORIDA.* C. A. 11th Cir. Certiorari denied.

No. 18–6699. *DRANE v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 18–6701. *EPPERSON v. KENTUCKY.* Sup. Ct. Ky. Certiorari denied.

No. 18–6704. *ZEMKE v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 18–6709. *LANDRUM v. OHIO.* Ct. App. Ohio, 4th App. Dist., Ross County. Certiorari denied. Reported below: 2018-Ohio-1280.

No. 18–6710. *TYLER v. MAIN INDUSTRIES, INC., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 275.

No. 18–6724. *OZIER v. HARRY, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 18–6730. *RAMIREZ ET AL. v. SUPERIOR COURT OF CALIFORNIA, EL DORADO COUNTY, ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 18–6751. *MCINTOSH v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 900 F. 3d 1301.

No. 18–6754. *MCCARNS v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 900 F. 3d 1141.

No. 18–6756. *KORESKO v. ACOSTA, SECRETARY OF LABOR.* C. A. 3d Cir. Certiorari denied. Reported below: 726 Fed. Appx. 127.

No. 18–6831. *WILLOCK v. SPERFSLAGE, WARDEN.* C. A. 8th Cir. Certiorari denied.

No. 18–6860. *MCCLLOUD v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–6874. *CORNELIUS v. TOWN OF ATKINSON, NEW HAMPSHIRE.* Sup. Ct. N. H. Certiorari denied.

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No. 18–6939. *NELSON v. NORWOOD, SECRETARY, KANSAS DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 935.

No. 18–6941. *CHAPMAN v. LAMPERT, DIRECTOR, WYOMING DEPARTMENT OF CORRECTIONS, ET AL.* Sup. Ct. Wyo. Certiorari denied.

No. 18–6955. *HARRISON v. FULTON COUNTY, GEORGIA.* C. A. 11th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 579.

No. 18–6971. *COOLEY v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 748 Fed. Appx. 957.

No. 18–6980. *MARTIN v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 748 Fed. Appx. 501.

No. 18–6983. *WEISS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 18–6984. *TILLMAN v. BARNHART, WARDEN.* C. A. 5th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 361.

No. 18–6986. *CLOUD v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 727.

No. 18–6994. *MEADOR v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 748 Fed. Appx. 488.

No. 18–6995. *OWENS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 299.

No. 18–6996. *CURSHEN v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 18–7004. *RODRIGUEZ-GARCIA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 748 Fed. Appx. 597.

No. 18–7005. *AVILES SALGUERO v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 748 Fed. Appx. 109.

No. 18–7007. *SPOOR v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 904 F. 3d 141.

No. 18–7009. *DAVIS v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 748 Fed. Appx. 449.

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No. 18–7010. *MITCHELL v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 904 F. 3d 25.

No. 18–7012. *ADDISON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 18–7021. *THOMAS v. JOHNSON, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–7023. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 253.

No. 18–7029. *RUELAS-MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 737 Fed. Appx. 228.

No. 18–7032. *LOMAX v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 744 Fed. Appx. 754.

No. 18–7035. *REODICA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 747 Fed. Appx. 535.

No. 18–7037. *SMITH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–7039. *NDAULA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 18–7044. *YELLOWBEAR v. LAMPERT, DIRECTOR, WYOMING DEPARTMENT OF CORRECTIONS*. Sup. Ct. Wyo. Certiorari denied.

No. 18–7050. *PORTILLO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 478.

No. 18–7060. *SCHUMAKER v. JOYNER, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 181.

No. 18–7061. *REZA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 253.

No. 18–7065. *LOBO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 749 Fed. Appx. 31.

No. 18–7066. *JONES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 18–7067. *JOHNSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 221.

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No. 18–7074. *MATTIACCIO v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 266.

No. 18–7076. *PERSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 745 Fed. Appx. 380.

No. 18–7110. *FLINN v. PARRIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–307. *STATE NATIONAL BANK OF BIG SPRING ET AL. v. MNUCHIN, SECRETARY OF THE TREASURY, ET AL.* C. A. D. C. Cir. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition.

No. 18–391. *ARIZONA v. GOODMAN*. Sup. Ct. Ariz. Motions of Arizona Voice for Crime Victims, Inc., et al. and Michael C. Dorf et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 244 Ariz. 22, 417 P. 3d 787.

No. 18–496. *MICHAELS v. WHITAKER, ACTING ATTORNEY GENERAL, ET AL.* C. A. 9th Cir. Motion of petitioner to substitute denied. Certiorari denied. Reported below: 700 Fed. Appx. 757.

No. 18–650. *CABRERA-RANGEL v. UNITED STATES*. C. A. 5th Cir. Motion of Cato Institute for leave to file brief as *amicus curiae* granted. Certiorari denied. Reported below: 730 Fed. Appx. 227.

No. 18–6617. *RUDZAVICE v. HARMON, WARDEN*. C. A. 5th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition. Reported below: 734 Fed. Appx. 317.

No. 18–6713. *GRANT v. CARPENTER, INTERIM WARDEN*. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 886 F. 3d 874.

Rehearing Denied

No. 17–7364. *GORAYA v. FLORIDA*, 583 U. S. 1171;

No. 17–8816. *ACKERMAN ET AL. v. BANK OF NEW YORK MELLON*, 586 U. S. 833;

No. 17–9500. *SWINTON v. RACETTE, SUPERINTENDENT, GREAT MEADOWS CORRECTIONAL FACILITY*, 586 U. S. 863;

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No. 17–9540. *FARMER v. UNITED STATES*, 586 U. S. 866;
No. 18–5131. *TU MY TONG v. NEW MEXICO ET AL.*, 586 U. S. 884;
No. 18–5180. *WEN LIU v. UNIVERSITY OF MIAMI SCHOOL OF MEDICINE*, 586 U. S. 887;
No. 18–5429. *GARRY v. TRANE CO.*, 586 U. S. 922;
No. 18–5499. *SANCHEZ v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, 586 U. S. 924;
No. 18–5523. *SANCHEZ v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, 586 U. S. 925;
No. 18–5920. *ROLLAND v. CARNATION BUILDING SERVICES, INC.*, 586 U. S. 1000;
No. 18–5981. *PASTOR v. PARTNERSHIP FOR CHILDREN’S RIGHTS*, 586 U. S. 990;
No. 18–6046. *SKILLERN v. UNITED STATES*, 586 U. S. 952; and
No. 18–6050. *RODRIGUEZ v. BURTON, WARDEN*, 586 U. S. 1001.
Petitions for rehearing denied.

No. 18–5810. *CHIRINO RIVERA v. UNITED STATES*, 586 U. S. 938. Petition for rehearing denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

No. 18–5925. *LOREN v. CITY OF NEW YORK, NEW YORK, ET AL.*, 586 U. S. 1029. Petition for rehearing denied. THE CHIEF JUSTICE, JUSTICE GINSBURG, and JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

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Dismissal Under Rule 46

No. 18–636. *PURE PRESBYTERIAN CHURCH OF WASHINGTON ET AL. v. GRACE OF GOD PRESBYTERIAN CHURCH*. Sup. Ct. Va. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 296 Va. 42, 817 S. E. 2d 547.

Certiorari Dismissed

No. 18–6684. *MATELYAN v. Fox 11*. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 18–6736. *WHITNEY v. GLOVER, CLERK, CIRCUIT COURT OF LINCOLN COUNTY, ARKANSAS, ET AL.* C. A. 8th Cir. Motion

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of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 18–7048. *NANCE v. UNITED STATES*. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). Reported below: 732 Fed. Appx. 246.

Miscellaneous Orders

No. 18A625. *TRUMP, PRESIDENT OF THE UNITED STATES, ET AL. v. KARNOSKI ET AL.* D. C. W. D. Wash. Application for stay, presented to JUSTICE KAGAN, and by her referred to the Court, granted, and the District Court's December 11, 2017, order granting preliminary injunction is stayed pending disposition of the Government's appeal in the United States Court of Appeals for the Ninth Circuit and disposition of the Government's petition for writ of certiorari, if such writ is sought. If a writ of certiorari is sought and the Court denies the petition, this order shall terminate automatically. If the Court grants the petition for writ of certiorari, this order shall terminate when the Court enters its judgment. JUSTICE GINSBURG, JUSTICE BREYER, JUSTICE SOTOMAYOR, and JUSTICE KAGAN would deny the application.

No. 18A627. *TRUMP, PRESIDENT OF THE UNITED STATES, ET AL. v. STOCKMAN ET AL.* D. C. C. D. Cal. Application for stay presented to JUSTICE KAGAN, and by her referred to the Court, granted, and the District Court's December 22, 2017, order granting preliminary injunction is stayed pending disposition of the Government's appeal in the United States Court of Appeals for the Ninth Circuit and disposition of the Government's petition for writ of certiorari, if such writ is sought. If a writ of certiorari is sought and the Court denies the petition, this order shall terminate automatically. If the Court grants the petition for writ of certiorari, this order shall terminate when the Court enters its judgment. JUSTICE GINSBURG, JUSTICE BREYER, JUSTICE SOTOMAYOR, and JUSTICE KAGAN would deny the application.

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No. 18A669. IN RE GRAND JURY SUBPOENA. Applications for leave to file the application for stay, the response, and the reply under seal presented to THE CHIEF JUSTICE, and by him referred to the Court, granted.

No. 18M89. BALTAZAR GARCIA *v.* UNITED STATES. Motion for leave to file petition for writ of certiorari with supplemental appendix under seal granted.

No. 18M90. HARRIS *v.* FULLER. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 18M93. IN RE GRAND JURY SUBPOENA. Motion for leave to file petition for writ of certiorari under seal with redacted copies for the public record granted.

No. 17–1657. MISSION PRODUCT HOLDINGS, INC. *v.* TEMPNOLOGY, LLC, NKA OLD COLD LLC. C. A. 1st Cir. [Certiorari granted, 586 U. S. 960.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 17–1705. PDR NETWORK, LLC, ET AL. *v.* CARLTON & HARRIS CHIROPRACTIC, INC. C. A. 4th Cir. [Certiorari granted, 586 U. S. 996.] Motion of petitioners to dispense with printing joint appendix granted.

No. 17–1717. AMERICAN LEGION ET AL. *v.* AMERICAN HUMANIST ASSN. ET AL.; and

No. 18–18. MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION *v.* AMERICAN HUMANIST ASSN. ET AL. C. A. 4th Cir. [Certiorari granted, 586 U. S. 985.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. Joint motion of petitioners for enlargement of time for oral argument and for divided argument granted, and the time is divided as follows: 15 minutes for petitioner in No. 18–18, 10 minutes for petitioners in No. 17–1717, 10 minutes for the Acting Solicitor General as *amicus curiae*, and 35 minutes for respondents.

No. 18–6048. IN RE SPOTTSVILLE. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [586 U. S. 943] denied.

No. 18–6745. IN RE SPENCER; and

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No. 18–6868. *IN RE ROUKIS*. Petitions for writs of mandamus denied.

No. 18–6825. *IN RE SHEPHARD*. Petition for writ of mandamus and/or prohibition denied. THE CHIEF JUSTICE and JUSTICE KAVANAUGH took no part in the consideration or decision of this petition.

Certiorari Granted

No. 18–280. *NEW YORK STATE RIFLE & PISTOL ASSN., INC., ET AL. v. CITY OF NEW YORK, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari granted. Reported below: 883 F. 3d 45.

Certiorari Denied

No. 17–6891. *WOOD v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 17–6943. *JONES v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 18–475. *ZAREMBA FAMILY FARMS, INC., ET AL. v. ENCANA OIL & GAS (USA) INC.* C. A. 6th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 557.

No. 18–500. *FIRST PRESBYTERIAN CHURCH U. S. A. OF TULSA, OKLAHOMA, ET AL. v. DOE*. Sup. Ct. Okla. Certiorari denied. Reported below: 2017 OK 106, 421 P. 3d 284.

No. 18–506. *HASSELL ET AL. v. YELP, INC.* Sup. Ct. Cal. Certiorari denied. Reported below: 5 Cal. 5th 522, 420 P. 3d 776.

No. 18–561. *BERKLEY ET AL. v. FEDERAL ENERGY REGULATORY COMMISSION ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 896 F. 3d 624.

No. 18–615. *MUNRO ET AL. v. LUCY ACTIVEWEAR INC. ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 899 F. 3d 585.

No. 18–618. *GUTIERREZ ET AL. v. WELLS FARGO BANK, N. A., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 889 F. 3d 1230.

No. 18–628. *COOPER, AS ADMINISTRATOR OF THE ESTATE OF COOPER, DECEASED v. HAQ ET AL.* Sup. Ct. Ala. Certiorari denied.

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No. 18–630. *RICHARDS v. CITY OF DES MOINES POLICE DEPARTMENT ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 821.

No. 18–634. *EL-SABA v. UNIVERSITY OF SOUTH ALABAMA.* C. A. 11th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 640.

No. 18–646. *MARQUETTE TRANSPORTATION Co., L. L. C., ET AL. v. ENTERGY MISSISSIPPI, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 800.

No. 18–647. *PULTE HOMES OF NEW YORK LLC v. TOWN OF CARMEL, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 736 Fed. Appx. 291.

No. 18–655. *SPITZER v. ALJOE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 457.

No. 18–659. *MASOMI v. MADADI.* C. A. 1st Cir. Certiorari denied.

No. 18–660. *TAGGART v. WELLS FARGO BANK, N. A., ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 723 Fed. Appx. 127.

No. 18–662. *MCDONALD v. CITY OF WICHITA, KANSAS.* C. A. 10th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 529.

No. 18–665. *ALVIS v. SCHILLING.* C. A. 10th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 453.

No. 18–764. *STEINMETZ v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 900 F. 3d 595.

No. 18–793. *BREWSTER v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 718 Fed. Appx. 197.

No. 18–5694. *JAMES v. ASUNCION, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 451.

No. 18–5760. *BROWN v. MANSUKHANI, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 320.

No. 18–5965. *HARMON v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 879.

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No. 18–6062. *RUBI IBARRA v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 814.

No. 18–6097. *MARQUEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 884.

No. 18–6330. *ARNALDO RODRIGUES v. DAVIS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 918.

No. 18–6375. *WHISBY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–6378. *PEEDE v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 249 So. 3d 1181.

No. 18–6650. *DUPLESSIS-JEAN, AKA DUPLESSIS, AKA JEAN v. WHITAKER, ACTING ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied.

No. 18–6708. *WILLIAMS v. OHIO*. Ct. App. Ohio, 12th App. Dist., Butler County. Certiorari denied. Reported below: 2018-Ohio-1358.

No. 18–6722. *PORTER v. TEXAS*. Ct. App. Tex., 1st Dist. Certiorari denied. Reported below: 540 S. W. 3d 178.

No. 18–6735. *TAYLOR v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 246 So. 3d 231.

No. 18–6740. *LASHER v. BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS, PENNSYLVANIA STATE BOARD OF PHARMACY*. Commw. Ct. Pa. Certiorari denied.

No. 18–6743. *KULICK v. LEISURE VILLAGE ASSN., INC.* C. A. 9th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 439.

No. 18–6744. *SCHAEFER v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CRIMINAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 18–6749. *BARNES v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 888 F. 3d 1148.

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No. 18–6762. *THOMAS v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 18–6769. *MIDDLETON v. PASH, SUPERINTENDENT, CROSSROADS CORRECTIONAL CENTER*. Sup. Ct. Mo. Certiorari denied.

No. 18–6785. *SCOTT v. ILLINOIS*. App. Ct. Ill., 3d Dist. Certiorari denied.

No. 18–6786. *HILL v. LIZARRAGA, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 686.

No. 18–6788. *BEAN v. HAMILTON, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 324.

No. 18–6790. *OTWORTH v. TRUMP, PRESIDENT OF THE UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 728 Fed. Appx. 6.

No. 18–6832. *WEST v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 344 Ga. App. 274, 808 S. E. 2d 914.

No. 18–6843. *DAILEY v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 247 So. 3d 390.

No. 18–6880. *LENZ v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–6889. *BOOKER v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 252 So. 3d 723.

No. 18–6945. *WASHINGTON v. FRAUENHEIM, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 18–6973. *MINOR v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 18–7072. *HARPER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 737 Fed. Appx. 17.

No. 18–7077. *PULHAM v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 937.

No. 18–7078. *O'SHAUGHNESSY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

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No. 18–7079. *MORILLO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 910 F. 3d 1.

No. 18–7108. *PRYER v. GARDNER*. Sup. Ct. Miss. Certiorari denied. Reported below: 247 So. 3d 1245.

No. 18–7138. *ALVAREZ-MORENO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 465.

No. 18–7144. *RUSSELL v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 904 F. 3d 111.

No. 18–7156. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 752 Fed. Appx. 771.

No. 18–12. *KENNEDY v. BREMERTON SCHOOL DISTRICT*. C. A. 9th Cir. Certiorari denied. Reported below: 869 F. 3d 813.

Statement of JUSTICE ALITO, with whom JUSTICE THOMAS, JUSTICE GORSUCH, and JUSTICE KAVANAUGH join, respecting the denial of certiorari.

I concur in the denial of the petition for a writ of certiorari because denial of certiorari does not signify that the Court necessarily agrees with the decision (much less the opinion) below. In this case, important unresolved factual questions would make it very difficult if not impossible at this stage to decide the free speech question that the petition asks us to review.

I

Petitioner Joseph Kennedy claims that he lost his job as football coach at a public high school because he engaged in conduct that was protected by the Free Speech Clause of the First Amendment. He sought a preliminary injunction awarding two forms of relief: (1) restoration to his job and (2) an order requiring the school to allow him to pray silently on the 50-yard line after each football game. The latter request appears to depend on petitioner’s entitlement to the first—to renewed employment—since it seems that the school would not permit members of the general public to access the 50-yard line at the relevant time.

The key question, therefore, is whether petitioner showed that he was likely to prevail on his claim that the termination of his employment violated his free speech rights, and in order to answer that question it is necessary to ascertain what he was likely to be able to prove regarding the basis for the school’s action.

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Statement of ALITO, J.

Unfortunately, the answer to this second question is far from clear.

On October 23, 2015, the superintendent wrote to petitioner to explain why the district found petitioner's conduct at the then-most recent football game to be unacceptable. And in that letter, the superintendent gave two quite different reasons: first, that petitioner, in praying on the field after the game, neglected his responsibility to supervise what his players were doing at that time and, second, that petitioner's conduct would lead a reasonable observer to think that the district was endorsing religion because he had prayed while "on the field, under the game lights, in BHS-logoed attire, in front of an audience of event attendees." 869 F. 3d 813, 819 (CA9 2017). After two subsequent games, petitioner again knelt on the field and prayed, and the superintendent then wrote to petitioner, informing him that he was being placed on leave and was forbidden to participate in any capacity in the school football program. The superintendent's letter reiterated the two reasons given in his letter of October 23. And the district elaborated on both reasons in an official public statement explaining the reasons for its actions.

When the case was before the District Court, the court should have made a specific finding as to what petitioner was likely to be able to show regarding the reason or reasons for his loss of employment. If the likely reason was simply petitioner's neglect of his duties—if, for example, he was supposed to have been actively supervising the players after they had left the field but instead left them unsupervised while he prayed on his own—his free speech claim would likely fail. Under those circumstances, it would not make any difference that he was praying as opposed to engaging in some other private activity at that time. On the other hand, his free speech claim would have far greater weight if petitioner was likely to be able to establish either that he was not really on duty at the time in question or that he was on duty only in the sense that his workday had not ended and that his prayer took place at a time when it would have been permissible for him to engage briefly in other private conduct, say, calling home or making a reservation for dinner at a local restaurant.

Unfortunately, the District Court's brief, informal oral decision did not make any clear finding about what petitioner was likely to be able to prove. Instead, the judge's comments melded the two distinct justifications:

“He was still in charge. He was still on the job. He was still responsible for the conduct of his students, his team. . . . And a reasonable observer, in my judgment, would have seen him as a coach, participating, in fact leading an orchestrated session of faith” App. to Pet. for Cert. 89.

The decision of the Ninth Circuit was even more imprecise on this critical point. Instead of attempting to pinpoint what petitioner was likely to be able to prove regarding the reason or reasons for his loss of employment, the Ninth Circuit recounted all of petitioner’s prayer-related activities over the course of several years, including conduct in which he engaged as a private citizen, such as praying in the stands as a fan after he was suspended from his duties.

If this case were before us as an appeal within our mandatory jurisdiction, our clear obligation would be to vacate the decision below with instructions that the case be remanded to the District Court for proper application of the test for a preliminary injunction, including a finding on the question of the reason or reasons for petitioner’s loss of employment. But the question before us is different. It is whether we should grant discretionary review, and we generally do not grant such review to decide highly fact-specific questions. Here, although petitioner’s free speech claim may ultimately implicate important constitutional issues, we cannot reach those issues until the factual question of the likely reason for the school district’s conduct is resolved. For that reason, review of petitioner’s free speech claim is not warranted at this time.

II

While I thus concur in the denial of the present petition, the Ninth Circuit’s understanding of the free speech rights of public school teachers is troubling and may justify review in the future.

The Ninth Circuit’s opinion applies our decision in *Garcetti v. Ceballos*, 547 U.S. 410 (2006), to public school teachers and coaches in a highly tendentious way. According to the Ninth Circuit, public school teachers and coaches may be fired if they engage in any expression that the school does not like while they are on duty, and the Ninth Circuit appears to regard teachers and coaches as being on duty at all times from the moment they report for work to the moment they depart, provided that they are within the eyesight of students. Under this interpretation of *Garcetti*, if teachers are visible to a student while eating lunch, they can be ordered not to engage in any “demonstrative” conduct

of a religious nature, such as folding their hands or bowing their heads in prayer. And a school could also regulate what teachers do during a period when they are not teaching by preventing them from reading things that might be spotted by students or saying things that might be overheard.

This Court certainly has never read *Garcetti* to go that far. While *Garcetti* permits a public employer to regulate employee speech that is part of the employee's job duties, we warned that a public employer cannot convert private speech into public speech "by creating excessively broad job descriptions." *Id.*, at 424. If the Ninth Circuit continues to apply its interpretation of *Garcetti* in future cases involving public school teachers or coaches, review by this Court may be appropriate.

What is perhaps most troubling about the Ninth Circuit's opinion is language that can be understood to mean that a coach's duty to serve as a good role model requires the coach to refrain from any manifestation of religious faith—even when the coach is plainly not on duty. I hope that this is not the message that the Ninth Circuit meant to convey, but its opinion can certainly be read that way. After emphasizing that petitioner was hired to "communicate a positive message through the example set by his own conduct," the court criticized him for "his media appearances and prayer in the BHS bleachers (while wearing BHS apparel and surrounded by others)." 869 F. 3d, at 826. This conduct, in the opinion of the Ninth Circuit, "signal[ed] his intent to send a message to students and parents about appropriate behavior and what he values as a coach." *Ibid.* But when petitioner prayed in the bleachers, he had been suspended. He was attending a game like any other fan. The suggestion that even while off duty, a teacher or coach cannot engage in any outward manifestation of religious faith is remarkable.

III

While the petition now before us is based solely on the Free Speech Clause of the First Amendment, petitioner still has live claims under the Free Exercise Clause of the First Amendment and Title VII of the Civil Rights Act of 1964. See Brief in Opposition 11, n. 1. Petitioner's decision to rely primarily on his free speech claims as opposed to these alternative claims may be due to certain decisions of this Court.

In *Employment Div., Dept. of Human Resources of Ore. v. Smith*, 494 U. S. 872 (1990), the Court drastically cut back on the

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protection provided by the Free Exercise Clause, and in *Trans World Airlines, Inc. v. Hardison*, 432 U.S. 63 (1977), the Court opined that Title VII's prohibition of discrimination on the basis of religion does not require an employer to make any accommodation that imposes more than a *de minimis* burden. In this case, however, we have not been asked to revisit those decisions.

No. 18–676. TRUMP, PRESIDENT OF THE UNITED STATES, ET AL. *v.* KARNOSKI ET AL. C. A. 9th Cir. Motion of Foundation for Moral Law for leave to file brief as *amicus curiae* granted. Certiorari before judgment denied.

No. 18–677. TRUMP, PRESIDENT OF THE UNITED STATES, ET AL. *v.* DOE ET AL. C. A. D. C. Cir. Certiorari before judgment denied.

No. 18–678. TRUMP, PRESIDENT OF THE UNITED STATES, ET AL. *v.* STOCKMAN ET AL. C. A. 9th Cir. Certiorari before judgment denied.

No. 18–6882. CRAIN *v.* FLORIDA. Sup. Ct. Fla. Certiorari denied. Reported below: 246 So. 3d 206.

JUSTICE SOTOMAYOR, dissenting.

I dissent for the reasons set out in *Reynolds v. Florida*, 586 U.S. 1004, 1011 (2018) (SOTOMAYOR, J., dissenting from denial of certiorari).

Rehearing Denied

No. 17–9054. TOWBRIDGE *v.* FLORIDA, 586 U.S. 840;

No. 17–9213. WILLIAMS *v.* KENT, WARDEN, 586 U.S. 848;

No. 18–344. SHAO *v.* MCMANIS FAULKNER, LLP, 586 U.S. 1021;

No. 18–5420. HEAGY *v.* PENNSYLVANIA, 586 U.S. 922;

No. 18–5548. TUTTLE *v.* ALLIED NEVADA GOLD CORP. ET AL., 586 U.S. 1000; and

No. 18–5569. WEISNER *v.* DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, 586 U.S. 947. Petitions for rehearing denied.

JANUARY 30, 2019

Certiorari Denied

No. 18–6848 (18A540). JENNINGS *v.* TEXAS. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, pre-

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sented to JUSTICE ALITO, and by him referred to the Court, denied. Certiorari denied. Reported below: 662 S. W. 3d 379.

No. 18–7650 (18A775). JENNINGS *v.* DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Certiorari denied. Reported below: 760 Fed. Appx. 319.

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Dismissal Under Rule 46

No. 18–625. CITY OF MIAMI, FLORIDA *v.* SMART. C. A. 11th Cir. Certiorari dismissed under this Court’s Rule 46.1 Reported below: 740 Fed. Appx. 952.

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Miscellaneous Orders

No. 18A774. JUNE MEDICAL SERVICES, L. L. C., ET AL. *v.* GEE, SECRETARY, LOUISIANA DEPARTMENT OF HEALTH AND HOSPITALS. Application for stay, presented to JUSTICE ALITO, and by him referred to the Court, granted, and the mandate of the United States Court of Appeals for the Fifth Circuit in case No. 17–30397 is stayed pending the timely filing and disposition of a petition for writ of certiorari. Should the petition for writ of certiorari be denied, this stay shall terminate automatically. In the event the petition for writ of certiorari is granted, the stay shall terminate upon the sending down of the judgment of this Court. JUSTICE THOMAS, JUSTICE ALITO, JUSTICE GORSUCH, and JUSTICE KAVANAUGH would deny the application.

JUSTICE KAVANAUGH, dissenting.

I respectfully dissent from the Court’s stay order. In this case, the plaintiffs raised a pre-enforcement facial challenge to Louisiana’s new admitting-privileges requirement for doctors who perform abortions. The Fifth Circuit rejected the plaintiffs’ facial challenge based on that court’s factual prediction that the new law would not affect the availability of abortions from, as relevant here, the four doctors who currently perform abortions at Louisiana’s three abortion clinics. In particular, the Fifth Circuit determined that the four doctors likely could obtain admitting privi-

leges. The plaintiffs seek a stay of the Fifth Circuit's mandate. They argue that the Fifth Circuit's factual prediction is inaccurate because, according to the plaintiffs, three of those four doctors will not be able to obtain admitting privileges. As I explain below, even without a stay, the status quo will be effectively preserved for all parties during the State's 45-day regulatory transition period. I would deny the stay without prejudice to the plaintiffs' ability to bring a later as-applied complaint and motion for preliminary injunction at the conclusion of the 45-day regulatory transition period if the Fifth Circuit's factual prediction about the doctors' ability to obtain admitting privileges proves to be inaccurate.

Louisiana's new law requires doctors who perform abortions to have admitting privileges at a nearby hospital. The question presented to us at this time is whether the law imposes an undue burden under our decision in *Whole Woman's Health v. Hellerstedt*, 579 U.S. 582 (2016). All parties, including the State of Louisiana, agree that *Whole Woman's Health* is the governing precedent for purposes of this stay application. I therefore will analyze the stay application under that precedent.

Louisiana has three clinics that currently provide abortions. As relevant here, four doctors perform abortions at those three clinics. One of those four doctors has admitting privileges at a nearby hospital, as required by the new law. The question is whether the other three doctors—Doe 2, Doe 5, and Doe 6—can obtain the necessary admitting privileges. If they can, then the three clinics could continue providing abortions. And if so, then the new law would not impose an undue burden for purposes of *Whole Woman's Health*. By contrast, if the three doctors cannot obtain admitting privileges, then one or two of the three clinics would not be able to continue providing abortions. If so, then even the State acknowledges that the new law might be deemed to impose an undue burden for purposes of *Whole Woman's Health*.

The law has not yet taken effect, so the case comes to us in the context of a pre-enforcement facial challenge. That means that the parties have offered, in essence, competing *predictions* about whether those three doctors can obtain admitting privileges. The District Court concluded that the three doctors likely could not obtain admitting privileges. The District Court therefore enjoined the law. The Court of Appeals for the Fifth Circuit

concluded that the three doctors likely could obtain admitting privileges. The Fifth Circuit therefore lifted the injunction.

Before us, the case largely turns on the intensely factual question whether the three doctors—Doe 2, Doe 5, and Doe 6—can obtain admitting privileges. If we denied the stay, that question could be readily and quickly answered without disturbing the status quo or causing harm to the parties or the affected women, and without this Court’s further involvement at this time. That is because the State’s regulation provides that there will be a 45-day regulatory transition period before the new law is applied. The State represents, moreover, that Louisiana will not “move aggressively to enforce the challenged law” during the transition period, Objection to Emergency Application for Stay 2, and further represents that abortion providers will not “immediately be forced to cease operations,” *id.*, at 25. Louisiana’s regulation together with its express representations to this Court establish that even without admitting privileges, these three doctors (Doe 2, Doe 5, and Doe 6) could lawfully continue to perform abortions at the clinics during the 45-day transition period. Furthermore, during the 45-day transition period, both the doctors and the relevant hospitals could act expeditiously and in good faith to reach a definitive conclusion about whether those three doctors can obtain admitting privileges.

If the doctors, after good-faith efforts during the 45-day period, cannot obtain admitting privileges, then the Fifth Circuit’s factual predictions, which were made in the context of a pre-enforcement facial challenge, could turn out to be inaccurate as applied. And if that turns out to be the case, then even the State acknowledges that the law as applied might be deemed to impose an undue burden for purposes of *Whole Woman’s Health*. In that circumstance, the plaintiffs could file an as-applied complaint or motion for preliminary injunction in the District Court, and the District Court could consider under *Whole Woman’s Health* whether to enter a preliminary or permanent injunction.

On the other hand, if the doctors can obtain necessary admitting privileges during the 45-day transition period, then the doctors could continue performing abortions at the three clinics both during and after the 45-day transition period, as envisioned and predicted by the Fifth Circuit. And in that circumstance, the Louisiana law as applied would not impose an undue burden under *Whole Woman’s Health*.

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In order to resolve the factual uncertainties presented in the stay application about the three doctors' ability to obtain admitting privileges, I would deny the stay without prejudice to the plaintiffs' ability to bring a later as-applied complaint and motion for preliminary injunction at the conclusion of the 45-day regulatory transition period. The Court adopts an approach—granting the stay and presumably then granting certiorari for plenary review next Term of the plaintiffs' pre-enforcement facial challenge—that will take far longer and be no more beneficial than the approach suggested here. I respectfully dissent from the Court's stay order.

No. 18A815. DUNN, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS *v.* RAY. Application to vacate stay of execution of sentence of death, entered by the United States Court of Appeals for the Eleventh Circuit on February 6, 2019, presented to JUSTICE THOMAS, and by him referred to the Court, granted.

On November 6, 2018, the State scheduled Domineque Ray's execution date for February 7, 2019. Because Ray waited until January 28, 2019, to seek relief, we grant the State's application to vacate the stay entered by the Court of Appeals. See *Gomez v. United States Dist. Court for Northern Dist. of Cal.*, 503 U.S. 653, 654 (1992) (*per curiam*) ("A court may consider the last-minute nature of an application to stay execution in deciding whether to grant equitable relief").

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

Holman Correctional Facility, the Alabama prison where Domineque Ray will be executed tonight, regularly allows a Christian chaplain to be present in the execution chamber. But Ray is Muslim. And the prison refused his request to have an imam attend him in the last moments of his life. Yesterday, the Eleventh Circuit concluded that there was a substantial likelihood that the prison's policy violates the First Amendment's Establishment Clause, and stayed Ray's execution so it could consider his claim on its merits. Today, this Court reverses that decision as an abuse of discretion and permits Mr. Ray's execution to go forward. Given the gravity of the issue presented here, I think that decision profoundly wrong.

"The clearest command of the Establishment Clause," this Court has held, "is that one religious denomination cannot be

officially preferred over another.” *Larson v. Valente*, 456 U.S. 228, 244 (1982). But the State’s policy does just that. Under that policy, a Christian prisoner may have a minister of his own faith accompany him into the execution chamber to say his last rites. But if an inmate practices a different religion—whether Islam, Judaism, or any other—he may not die with a minister of his own faith by his side. That treatment goes against the Establishment Clause’s core principle of denominational neutrality. See, e.g., *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968) (“[Government] may not aid, foster, or promote one religion or religious theory against another”); *Zorach v. Clauson*, 343 U.S. 306, 314 (1952) (“The government must be neutral when it comes to competition between sects”).

To justify such religious discrimination, the State must show that its policy is narrowly tailored to a compelling interest. I have no doubt that prison security is an interest of that kind. But the State has offered no evidence to show that its wholesale prohibition on outside spiritual advisers is necessary to achieve that goal. Why couldn’t Ray’s imam receive whatever training in execution protocol the Christian chaplain received? The State has no answer. Why wouldn’t it be sufficient for the imam to pledge, under penalty of contempt, that he will not interfere with the State’s ability to perform the execution? The State doesn’t say. The only evidence the State has offered is a conclusory affidavit stating that its policy “is the least restrictive means of furthering” its interest in safety and security. Brief for Applicant, Exh. A, p. 2. That is not enough to support a denominational preference.

I also see no reason to reject the Eleventh Circuit’s finding that Ray brought his claim in a timely manner. The warden denied Ray’s request to have his imam by his side on January 23, 2019. And Ray filed his complaint five days later, on January 28. The State contends that Ray should have known to bring his claim earlier, when his execution date was set on November 6. But the relevant statute would not have placed Ray on notice that the prison would deny his request. To the contrary, that statute provides that both the chaplain of the prison and the inmate’s spiritual adviser of choice “may be present at an execution.” Ala. Code § 15–18–83(a) (2018). It makes no distinction between persons who may be present within the execution chamber and those who may enter only the viewing room. And the

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prison refused to give Ray a copy of its own practices and procedures (which would have made that distinction clear). So there is no reason Ray should have known, prior to January 23, that his imam would be granted less access than the Christian chaplain to the execution chamber.

This Court is ordinarily reluctant to interfere with the substantial discretion Courts of Appeals have to issue stays when needed. See, *e. g.*, *Dugger v. Johnson*, 485 U. S. 945, 947 (1988) (O'Connor, J., joined by Rehnquist, C. J., dissenting). Here, Ray has put forward a powerful claim that his religious rights will be violated at the moment the State puts him to death. The Eleventh Circuit wanted to hear that claim in full. Instead, this Court short-circuits that ordinary process—and itself rejects the claim with little briefing and no argument—just so the State can meet its preferred execution date. I respectfully dissent.

Certiorari Denied

No. 18–7796 (18A813). *RAY v. ALABAMA*. Sup. Ct. Ala. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied.

FEBRUARY 15, 2019

Certiorari Granted

No. 18–966. *DEPARTMENT OF COMMERCE ET AL. v. NEW YORK ET AL.* C. A. 2d Cir. Certiorari before judgment granted. Case will be set for argument in the second week of the April argument session.

FEBRUARY 19, 2019

Dismissal Under Rule 46

No. 18–626. *GLEN ST. ANDREW LIVING COMMUNITY, LLC, ET AL. v. WETZEL*. C. A. 7th Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 901 F. 3d 856.

Certiorari Granted—Reversed and Remanded. (See *Moore v. Texas*, 586 U. S. 133 (2019) (*per curiam*).)

Certiorari Dismissed

No. 18–7073. *LUH v. FULTON STATE HOSPITAL ET AL.* C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pau-*

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

No. 18–7090. *MORALES v. FLORIDA*. Sup. Ct. Fla. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. JUSTICE KAGAN took no part in the consideration or decision of this motion and this petition.

No. 18–7501. *GWANJUN KIM v. GRAND VALLEY STATE UNIVERSITY ET AL.* C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

Miscellaneous Orders

No. 17A612. *SCHNEIDER v. BANK OF AMERICA, N. A., ET AL.* Application for injunctive relief, addressed to JUSTICE GINSBURG and referred to the Court, denied.

No. 18A554. *HARIHAR v. U. S. BANK N. A. ET AL.* C. A. 1st Cir. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. 18A692. *GOLZ v. CARSON, SECRETARY OF HOUSING AND URBAN DEVELOPMENT.* D. C. Colo. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. D–3014. *IN RE DISBARMENT OF WERTKIN.* Disbarment entered. [For earlier order herein, see 584 U. S. 912.]

No. D–3028. *IN RE DISBARMENT OF SACKS.* Disbarment entered. [For earlier order herein, see 584 U. S. 929.]

No. D–3029. *IN RE DISBARMENT OF SPEIGHTS.* Disbarment entered. [For earlier order herein, see 586 U. S. 961.]

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No. D-3031. *IN RE DISBARMENT OF ROBERTS*. Disbarment entered. [For earlier order herein, see 586 U. S. 961.]

No. D-3032. *IN RE DISBARMENT OF POWELL*. Disbarment entered. [For earlier order herein, see 586 U. S. 962.]

No. D-3033. *IN RE DISBARMENT OF CASALE*. Disbarment entered. [For earlier order herein, see 586 U. S. 962.]

No. D-3034. *IN RE DISBARMENT OF JONAS*. Disbarment entered. [For earlier order herein, see 586 U. S. 962.]

No. D-3037. *IN RE DISBARMENT OF COOPER*. Disbarment entered. [For earlier order herein, see 586 U. S. 962.]

No. D-3038. *IN RE DISBARMENT OF HICKS*. Disbarment entered. [For earlier order herein, see 586 U. S. 962.]

No. D-3039. *IN RE DISBARMENT OF MARCIN*. Disbarment entered. [For earlier order herein, see 586 U. S. 963.]

No. D-3040. *IN RE DISBARMENT OF MANDELBAUM*. Disbarment entered. [For earlier order herein, see 586 U. S. 963.]

No. 18M91. *ROMAIN v. O'CONNOR ET AL.* Motion to direct the Clerk to file petition for writ of certiorari out of time under this Court's Rule 14.5 denied.

No. 18M92. *SMITH v. UNITED STATES*;

No. 18M95. *MORALES v. UNITED STATES*;

No. 18M96. *GOLDEN v. PFISTER, WARDEN*;

No. 18M97. *MATTHEWS v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*;

No. 18M99. *WONG v. LUBETKIN, CHAPTER 7 TRUSTEE, ET AL.*; and

No. 18M102. *THOMPSON v. UEHARA*. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 18M94. *IN RE HUDNALL*. Motion for leave to proceed as a veteran granted.

No. 18M98. *A. R. v. FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES ET AL.* Motion for leave to file petition for writ of certiorari under seal granted.

No. 18M100. *RPX CORP. v. APPLICATIONS IN INTERNET TIME, LLC*; and

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No. 18M101. RODRIGUEZ *v.* NEW JERSEY. Motions for leave to file petitions for writs of certiorari with supplemental appendixes under seal granted.

No. 17–1594. RETURN MAIL, INC. *v.* UNITED STATES POSTAL SERVICE ET AL. C. A. Fed. Cir. [Certiorari granted, 586 U. S. 959.] Motion of Electronic Frontier Foundation for leave to file brief as *amicus curiae* granted.

No. 17–9107. GRIGSBY *v.* UNITED STATES. C. A. 10th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [586 U. S. 803] denied.

No. 18–281. VIRGINIA HOUSE OF DELEGATES ET AL. *v.* BETHUNE-HILL ET AL. D. C. E. D. Va. [Probable jurisdiction postponed, 586 U. S. 996.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted in part, and the time is divided as follows: 25 minutes for appellants, 10 minutes for the Solicitor General as *amicus curiae*, 10 minutes for appellee Virginia State Board of Elections et al., and 15 minutes for appellee Golden Bethune-Hill et al.

No. 18–431. UNITED STATES *v.* DAVIS ET AL. C. A. 5th Cir. [Certiorari granted, 586 U. S. 1063.] Motion of petitioner to dispense with printing joint appendix granted.

No. 18–948. IN RE GRAND JURY SUBPOENA. Motion of Reporters Committee for Freedom of the Press to intervene denied. Motion of respondent for leave to file redacted copies of the application for stay, response, and reply granted.

No. 18–6823. WILLIAMS *v.* COUNTY OF LOS ANGELES, CALIFORNIA, ET AL. C. A. 9th Cir.;

No. 18–6857. MUNT *v.* SCHNELL, COMMISSIONER, MINNESOTA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 8th Cir.;

No. 18–6907. KULICK *v.* LEISURE VILLAGE ASSN., INC. C. A. 9th Cir.;

No. 18–7013. IN RE ZIMMERMANN; and

No. 18–7241. KERRIGAN *v.* QBE INSURANCE CORP. C. A. 9th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until March 12, 2019, 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.

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No. 18–7247. IN RE BOLZE;
No. 18–7392. IN RE RUDNICK;
No. 18–7461. IN RE LEE;
No. 18–7507. IN RE CARTER; and
No. 18–7528. IN RE DOYLE. Petitions for writs of habeas corpus denied.

No. 18–7260. IN RE DANIELS. Petition for writ of habeas corpus denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

No. 18–7526. IN RE HEFFERNAN. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of habeas corpus dismissed. See this Court's Rule 39.8.

No. 18–768. IN RE KELLOGG ET AL.; and
No. 18–6962. IN RE KOSTICH. Petitions for writs of mandamus denied.

No. 18–7001. IN RE KENNEDY; and
No. 18–7205. IN RE ARMSTRONG. Motions of petitioners for leave to proceed *in forma pauperis* denied, and petitions for writs of mandamus dismissed. See this Court's Rule 39.8.

No. 18–7255. IN RE BARNES. Petition for writ of mandamus and/or prohibition denied.

No. 18–7207. IN RE JOHNSTON. Petition for writ of prohibition denied.

Certiorari Granted

No. 18–260. COUNTY OF MAUI, HAWAII *v.* HAWAII WILDLIFE FUND ET AL. C. A. 9th Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 886 F. 3d 737.

Certiorari Denied

No. 17–1386. WILSON *v.* BRIDGES, INDIVIDUALLY AND AS THE SURVIVING SPOUSE OF BRIDGES, DECEASED, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 718 Fed. Appx. 636.

No. 18–99. BARNES *v.* GERHART ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 316.

No. 18–265. PATTERSON *v.* CLARKE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. Sup. Ct. Va. Certiorari denied.

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No. 18–295. *ALIMANESTIANU ET AL. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 888 F. 3d 1374.

No. 18–306. *LARRABEE v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 78 M. J. 107.

No. 18–377. *MONTANANS FOR COMMUNITY DEVELOPMENT v. MANGAN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 280.

No. 18–392. *RICHARDSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 822.

No. 18–410. *YATES v. UNITED STATES*; and

No. 18–6336. *WALKER v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 167 A. 3d 1191.

No. 18–423. *BARRELLA v. VILLAGE OF FREEPORT, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 714 Fed. Appx. 78.

No. 18–444. *MONTANA v. TIPTON*. Sup. Ct. Mont. Certiorari denied. Reported below: 392 Mont. 59, 421 P. 3d 780.

No. 18–546. *FROSH, ATTORNEY GENERAL OF MARYLAND, ET AL. v. ASSOCIATION FOR ACCESSIBLE MEDICINES*. C. A. 4th Cir. Certiorari denied. Reported below: 887 F. 3d 664.

No. 18–560. *PEAJE INVESTMENTS LLC v. FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 899 F. 3d 1.

No. 18–580. *NU IMAGE, INC. v. INTERNATIONAL ALLIANCE OF THEATRICAL STAGE EMPLOYEES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 893 F. 3d 636.

No. 18–597. *LEE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 589.

No. 18–622. *WHOLE WOMAN’S HEALTH ET AL. v. TEXAS CATHOLIC CONFERENCE OF BISHOPS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 896 F. 3d 362.

No. 18–652. *EL OMARI v. RAS AL KHAIMAH FREE TRADE ZONE AUTHORITY ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 735 Fed. Appx. 30.

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No. 18–669. *GATES v. REED ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 885 F. 3d 874.

No. 18–681. *NWOKE v. CONSULATE OF NIGERIA.* C. A. 7th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 478.

No. 18–686. *KING ET AL. v. CALIBER HOME LOANS, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 47.

No. 18–687. *FRETT v. TERRITORY OF THE VIRGIN ISLANDS.* Sup. Ct. V. I. Certiorari denied. Reported below: 66 V. I. 399.

No. 18–691. *SNELLING v. SEGBERS ET AL.* Ct. App. Mo., Eastern Dist. Certiorari denied. Reported below: 548 S. W. 3d 372.

No. 18–692. *MYLAN PHARMACEUTICALS INC. ET AL. v. UCB, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 890 F. 3d 1313.

No. 18–695. *CHUNG ET AL. v. SILVA, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF HALECK, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 883.

No. 18–697. *CARRUTHERS v. MAYS, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 889 F. 3d 273.

No. 18–700. *SAUNDERS-GOMEZ v. RUTLEDGE MAINTENANCE CORP.* Sup. Ct. Del. Certiorari denied. Reported below: 189 A. 3d 1288.

No. 18–701. *TANKSLEY v. DANIELS ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 902 F. 3d 165.

No. 18–703. *UNIVERSITY OF SOUTHERN CALIFORNIA ET AL. v. MUNRO ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 896 F. 3d 1088.

No. 18–705. *GRIFFEN, JUDGE, SIXTH JUDICIAL CIRCUIT, PULASKI COUNTY, ARKANSAS v. KEMP, CHIEF JUSTICE, ARKANSAS SUPREME COURT, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 894 F. 3d 900.

No. 18–707. *BECTON v. SOCIAL SECURITY ADMINISTRATION ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 180.

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No. 18–712. *ARTRIP v. BALL CORP. ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 735 Fed. Appx. 708.

No. 18–713. *WRIGHT v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 892 F. 3d 963.

No. 18–718. *YOUNG v. OVERLY ET AL.* C. A. 6th Cir. Certiorari denied.

No. 18–720. *DUHE ET AL. v. CITY OF LITTLE ROCK, ARKANSAS, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 902 F. 3d 858.

No. 18–721. *BLOOM v. AFTERMATH PUBLIC ADJUSTERS, INC., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 902 F. 3d 516.

No. 18–723. *RODRIGUEZ v. BANK OF AMERICA, N. A.* Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 246 So. 3d 541.

No. 18–724. *CITY OF SANDPOINT, IDAHO, ET AL. v. MADDOX, ON BEHALF OF MINOR CHILDREN D. M. ET AL., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 609.

No. 18–727. *MANLEY v. ARIZONA.* Ct. App. Ariz. Certiorari denied.

No. 18–731. *VEGA DURON, A MINOR, ET AL. v. JOHNSON ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 898 F. 3d 644.

No. 18–732. *COULTER v. TATANANNI ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 737 Fed. Appx. 613.

No. 18–734. *SZMANIA v. E-LOAN, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 647.

No. 18–736. *LAWSON ET UX. v. BELL SPORTS USA.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 18–741. *ODERMATT v. WAY ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 694 Fed. Appx. 842.

No. 18–743. *WHITE OAK REALTY, LLC, ET AL. v. ARMY CORPS OF ENGINEERS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 746 Fed. Appx. 294.

No. 18–744. *UNGER v. BERGH, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 55.

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No. 18–748. *WILSON v. OFFICE OF THE COMMISSIONER OF THE REVENUE OF STAFFORD COUNTY ET AL.* Sup. Ct. Va. Certiorari denied.

No. 18–749. *CROSSETT v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 18–751. *METROPOLITAN INTERPRETERS & TRANSLATORS INC. v. BATES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 268.

No. 18–752. *TAUPIER v. CONNECTICUT.* Sup. Ct. Conn. Certiorari denied. Reported below: 330 Conn. 149, 193 A. 3d 1.

No. 18–753. *COUTURIER v. PRESIDING JUDGE, SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–754. *RAMIREZ v. WALMART.* Sup. Ct. N. D. Certiorari denied. Reported below: 2018 ND 179, 915 N. W. 2d 674.

No. 18–757. *CHUANG v. CALIFORNIA.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 18–758. *IVY ET AL. v. MORAN.* C. A. 6th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 820.

No. 18–765. *BRADY v. NEW YORK ET AL.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 158 App. Div. 3d 457, 67 N. Y. S. 3d 837.

No. 18–767. *ANCIENT COIN COLLECTORS GUILD v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 899 F. 3d 295.

No. 18–769. *MINNESOTA LIVING ASSISTANCE, INC., DBA BAYWOOD HOME CARE v. PETERSON ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 899 F. 3d 548.

No. 18–770. *WEBTRENDS, INC. v. IANCU, DIRECTOR, PATENT AND TRADEMARK OFFICE.* C. A. Fed. Cir. Certiorari denied. Reported below: 725 Fed. Appx. 1010.

No. 18–771. *VAIGASI v. SOLOW MANAGEMENT CORP. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 750 Fed. Appx. 37.

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No. 18–775. *CHIEN v. LECLAIRRYAN ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 63.

No. 18–777. *BUENO-MUELA v. WHITAKER, ACTING ATTORNEY GENERAL* (Reported below: 893 F. 3d 1073); and *LEMUS MARTINEZ v. WHITAKER, ACTING ATTORNEY GENERAL* (893 F. 3d 1067). C. A. 8th Cir. Certiorari denied.

No. 18–778. *ST. LOUIS HEART CENTER, INC. v. NOMAX, INC.* C. A. 8th Cir. Certiorari denied. Reported below: 899 F. 3d 500.

No. 18–780. *KERR v. MARSHALL UNIVERSITY BOARD OF GOVERNORS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 827.

No. 18–787. *RHOE v. MONTGOMERY COUNTY OFFICE OF CHILD SUPPORT ENFORCEMENT.* Ct. Sp. App. Md. Certiorari denied. Reported below: 237 Md. App. 756 and 758.

No. 18–789. *HYLTON v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 4th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 300.

No. 18–791. *MOESCH v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 18–794. *SHEA v. WINNEBAGO COUNTY SHERIFF’S OFFICE ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 746 Fed. Appx. 541.

No. 18–795. *BUSH v. DEPARTMENT OF AGRICULTURE, RISK MANAGEMENT AGENCY, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 607.

No. 18–796. *ALEXANDER v. TRUMP, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 753 Fed. Appx. 201.

No. 18–797. *BURMASTER v. HERMAN ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 737 Fed. Appx. 790.

No. 18–799. *DAVIS v. BHATT.* Ct. App. Ga. Certiorari denied.

No. 18–804. *DRY, AS ADMINISTRATOR AD LITEM FOR THE ESTATE OF DRY v. STEELE ET AL.* Ct. App. Tenn. Certiorari denied.

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No. 18–806. *HOHMAN ET AL. v. UNITED STATES ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 894 F. 3d 776.

No. 18–808. *WEBSTER v. SHANAHAN, ACTING SECRETARY OF DEFENSE.* C. A. 4th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 214.

No. 18–818. *THOMPSON v. ROVELLA, CHIEF OF POLICE, CITY OF HARTFORD, CONNECTICUT, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 734 Fed. Appx. 787.

No. 18–820. *WEINACKER v. NATIONAL LOAN ACQUISITIONS CO.* C. A. 11th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 390.

No. 18–823. *ZUP, LLC v. NASH MANUFACTURING, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 896 F. 3d 1365.

No. 18–825. *SHUMPERT, INDIVIDUALLY AND AS ADMINISTRATOR OF THE ESTATE OF SHUMPERT, ET AL. v. CITY OF TUPELO, MISSISSIPPI, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 905 F. 3d 310.

No. 18–826. *SHELTON v. PATTERSON.* Commw. Ct. Pa. Certiorari denied. Reported below: 175 A. 3d 442.

No. 18–828. *GHIRINGHELLI ET AL. v. ASSURANCE GROUP, INC.* C. A. 6th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 970.

No. 18–833. *STOKES v. COMMISSION FOR LAWYER DISCIPLINE.* C. A. 5th Cir. Certiorari denied.

No. 18–839. *COLON v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2018 IL App (1st) 160120, 117 N. E. 3d 278.

No. 18–841. *HOFFMAN v. FLORIDA.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 248 So. 3d 1107.

No. 18–846. *ANDERTON v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 901 F. 3d 278.

No. 18–850. *ALTSTATT v. FRUENDT, EXECUTIVE DIRECTOR, OKLAHOMA DEPARTMENT OF REHABILITATION SERVICES, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 904 F. 3d 1167.

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No. 18–851. *MARSHALL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 747 Fed. Appx. 139.

No. 18–856. *ANTONIN v. BALTIMORE POLICE DEPARTMENT*. Ct. Sp. App. Md. Certiorari denied. Reported below: 237 Md. App. 348, 185 A. 3d 811.

No. 18–857. *BOYD v. MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 751 Fed. Appx. 444.

No. 18–858. *MCCULLARS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 877 F. 3d 255.

No. 18–860. *PARRISH v. BOARD OF PROFESSIONAL RESPONSIBILITY*. Sup. Ct. Tenn. Certiorari denied. Reported below: 556 S. W. 3d 153.

No. 18–861. *WESTERNGECO LLC v. ION GEOPHYSICAL CORP.* C. A. Fed. Cir. Certiorari denied. Reported below: 889 F. 3d 1308.

No. 18–863. *EDMOND v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 899 F. 3d 446.

No. 18–864. *TATUM ET UX. v. DALLAS MORNING NEWS, INC., ET AL.* Sup. Ct. Tex. Certiorari denied. Reported below: 554 S. W. 3d 614.

No. 18–872. *DOLACINSKI ET AL. v. BANK OF AMERICA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 252 So. 3d 1188.

No. 18–874. *HOUSTON AUTO M. IMPORTS GREENWAY, LTD., DBA MERCEDES-BENZ OF HOUSTON GREENWAY v. ZASTROW ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 496.

No. 18–878. *STEVENS ET AL. v. CORELOGIC, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 899 F. 3d 666.

No. 18–884. *JEFFREY v. WEST VIRGINIA*. Sup. Ct. App. W. Va. Certiorari denied.

No. 18–888. *BENT v. STRANGE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 357.

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No. 18–902. *POUPART v. HOOPER, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 53.

No. 18–903. *PERRY ET AL. v. COLES COUNTY, ILLINOIS*. C. A. 7th Cir. Certiorari denied. Reported below: 906 F. 3d 583.

No. 18–931. *HESSE v. HOWELL*. Ct. App. Tex., 7th Dist. Certiorari denied.

No. 18–6009. *MYRTHIL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 480.

No. 18–6011. *HAMIDULLIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 888 F. 3d 62.

No. 18–6061. *ORTIZ-MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–6096. *JACKSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–6147. *NETTLES v. HORTON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–6157. *SEALED APPELLEE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 887 F. 3d 707.

No. 18–6185. *BECKMAN v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 230 So. 3d 77.

No. 18–6187. *MARTINEZ-LOPEZ v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 747 Fed. Appx. 326.

No. 18–6212. *BURGESS v. ENGLISH, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 18–6258. *LAZAR v. CAPOZZA, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT FAYETTE, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 731 Fed. Appx. 119.

No. 18–6269. *LLOYD v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 570.

No. 18–6273. *DAVIS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 728 Fed. Appx. 165.

No. 18–6292. *ROBINSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

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No. 18–6374. *WELSH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 879 F. 3d 530.

No. 18–6385. *BEEHAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 871 F. 3d 1215.

No. 18–6409. *MORROW v. FORD, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 886 F. 3d 1138.

No. 18–6563. *GONZALEZ-NEGRON v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 892 F. 3d 485.

No. 18–6588. *WARREN v. THOMAS, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 894 F. 3d 609.

No. 18–6608. *O’NEIL v. WARDEN, FEDERAL CORRECTIONAL COMPLEX COLEMAN*. C. A. 11th Cir. Certiorari denied.

No. 18–6679. *GRAHAM v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2018 IL App (1st) 152413, 109 N. E. 3d 281.

No. 18–6716. *WALKER, AKA RICHMOND v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 18–6741. *MAMOU v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 820.

No. 18–6766. *GULBRANDSON v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied.

No. 18–6773. *KNOX v. PLOWDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 263.

No. 18–6776. *OWEN v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 247 So. 3d 394.

No. 18–6779. *HEFFINGTON v. PULEO ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 753 Fed. Appx. 572.

No. 18–6794. *BRADSHAW v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 457.

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No. 18–6796. *MUCKLE v. WELLS FARGO BANK ET AL.* C. A. 1st Cir. Certiorari denied.

No. 18–6799. *NASH v. WACHOVIA BANK ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–6802. *KITLAS v. HAWS, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 158.

No. 18–6803. *MCNEIL v. GRIM ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 736 Fed. Appx. 33.

No. 18–6805. *RODRIGUEZ v. PARAMO, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 18–6815. *IBENYENWA v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 18–6835. *SANCHEZ v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 172.

No. 18–6836. *RIVAS v. SPEARMAN, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 163.

No. 18–6837. *SWINTON v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–6840. *ROSKY v. BAKER, WARDEN, ET AL.* Ct. App. Nev. Certiorari denied. Reported below: 134 Nev. 1004.

No. 18–6849. *JAMES v. MASSACHUSETTS.* Sup. Jud. Ct. Mass. Certiorari denied.

No. 18–6850. *ESPARZA v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 18–6866. *SPERBER v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied. Reported below: 177 A. 3d 212.

No. 18–6876. *JOSHLIN v. NEVEN, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 477.

No. 18–6877. *SHERE v. FLORIDA.* Sup. Ct. Fla. Certiorari denied.

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No. 18–6878. *DALEY v. MARYLAND ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 172.

No. 18–6881. *ALSTON v. MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY.* Ct. App. Miss. Certiorari denied. Reported below: 247 So. 3d 303.

No. 18–6883. *CATERBONE v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 18–6884. *TRYON v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied. Reported below: 2018 OK CR 20, 423 P. 3d 617.

No. 18–6885. *MARQUEZ v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 18–6886. *JOHNSON v. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY.* C. A. 4th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 107.

No. 18–6887. *WILSON v. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY.* C. A. 7th Cir. Certiorari denied. Reported below: 737 Fed. Appx. 286.

No. 18–6888. *CLAY v. PAPIK.* C. A. 9th Cir. Certiorari denied. Reported below: 704 Fed. Appx. 709.

No. 18–6899. *URANGA v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 893 F. 3d 282.

No. 18–6902. *MANSFIELD v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 248 So. 3d 59.

No. 18–6903. *McLAURIN v. NEW YORK.* App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 160 App. Div. 3d 1438, 76 N. Y. S. 3d 691.

No. 18–6909. *LUCERO v. HOLLAND, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 902 F. 3d 979.

No. 18–6921. *STEVENSON v. RICHMAN, JUDGE, SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY, ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 18–6925. *TARVER v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 249 So. 3d 641.

No. 18–6928. *JOHNSON v. WYLIE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 733 Fed. Appx. 31.

No. 18–6929. *JOHNSON v. QUEEN ELIZABETH*. C. A. 3d Cir. Certiorari denied. Reported below: 733 Fed. Appx. 28.

No. 18–6930. *JOHNSON v. ROTHSCHILD*. C. A. 3d Cir. Certiorari denied. Reported below: 731 Fed. Appx. 87.

No. 18–6931. *JOHNSON v. ROTHSCHILD*. C. A. 3d Cir. Certiorari denied. Reported below: 741 Fed. Appx. 52.

No. 18–6932. *JOHNSON v. GERMAN AEROSPACE CENTER*. C. A. 3d Cir. Certiorari denied. Reported below: 739 Fed. Appx. 182.

No. 18–6933. *JOHNSON v. OFFICE OF CHILDREN, YOUTH AND FAMILIES*. C. A. 3d Cir. Certiorari denied. Reported below: 740 Fed. Appx. 17.

No. 18–6938. *PHILLIPS v. WASHBURN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–6940. *ANDREWS v. MONTGOMERY, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 697.

No. 18–6942. *ZAPATA v. PECO ENERGY Co.* C. A. 3d Cir. Certiorari denied. Reported below: 712 Fed. Appx. 216.

No. 18–6944. *VIZCAINO-RAMOS v. LINDAMOOD, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–6946. *TREVINO v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 18–6947. *GILLARD v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2018 IL App (1st) 171121–U.

No. 18–6950. *MCBRIDE v. TEXAS*. Ct. App. Tex., 1st Dist. Certiorari denied.

No. 18–6953. *JAIME JIMENEZ v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

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No. 18–6954. *WELLS v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 18–6956. *WALTON v. FLORIDA ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 246 So. 3d 246.

No. 18–6957. *SULTAANA v. HARRIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–6958. *VELAYO v. TALAMAYAN ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 614.

No. 18–6959. *KINGHAM v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 18–6960. *MACK v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 18–6965. *LEI YIN v. BIOGEN, INC., FKA BIOGEN-IDEC*. C. A. 1st Cir. Certiorari denied.

No. 18–6966. *WAGONER v. NEW YORK*. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied.

No. 18–6968. *QUINONES LEYVA v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA*. C. A. 4th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 139.

No. 18–6975. *VAN NORTRICK v. LOUISIANA*. Ct. App. La., 2d Cir. Certiorari denied. Reported below: 51,604 (La. App. 2 Cir. 1/10/18), 244 So. 3d 810.

No. 18–6976. *EWALAN v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 3 Wash. App. 2d 1041.

No. 18–6977. *MITCHELL v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 18–6978. *MASCARENA v. MONTANA*. Sup. Ct. Mont. Certiorari denied. Reported below: 392 Mont. 553, 416 P. 3d 180.

No. 18–6987. *SANDERS v. KELLEY, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION, ET AL.* C. A. 8th Cir. Certiorari denied.

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No. 18–6988. *SANDERS v. URIBE, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 747 Fed. Appx. 527.

No. 18–6991. *RAMBO v. KANSAS*. C. A. 10th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 246.

No. 18–6997. *T. H. -H. v. ALLEGHENY COUNTY OFFICE OF CHILDREN, YOUTH AND FAMILIES, ET AL.* Sup. Ct. Pa. Certiorari denied. Reported below: 648 Pa. 236, 192 A. 3d 1080.

No. 18–6998. *CLEVELAND v. SOUTH CAROLINA*. Ct. App. S. C. Certiorari denied.

No. 18–6999. *MCQUEEN v. FISHER*. C. A. 6th Cir. Certiorari denied.

No. 18–7003. *RAMIREZ v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–7006. *REID v. WARDEN ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–7008. *WHITE v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–7011. *MYZER v. BUSH ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 750 Fed. Appx. 644.

No. 18–7014. *COLLINS v. EPSTEIN ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 734 Fed. Appx. 145.

No. 18–7015. *WEST v. SPENCER, SECRETARY OF THE NAVY*. C. A. 9th Cir. Certiorari denied.

No. 18–7016. *WASHINGTON v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 18–7017. *BLACK v. LINDSAY*. Ct. App. D. C. Certiorari denied. Reported below: 189 A. 3d 712.

No. 18–7018. *SANTOS LAGAITE v. FOLEY ET AL.* C. A. 5th Cir. Certiorari denied.

No. 18–7019. *JONES v. BYRNE, WARDEN*. Ct. App. Nev. Certiorari denied. Reported below: 134 Nev. 965.

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No. 18–7024. *VILLAFANA v. CLARKE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Va. Certiorari denied.

No. 18–7025. *BURT v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 18–7027. *KURI v. ADDICTIVE BEHAVIORAL CHANGE HEALTH GROUP ET AL.* Ct. App. Kan. Certiorari denied. Reported below: 55 Kan. App. 2d xiii, 408 P. 3d 1003.

No. 18–7030. *S. R. v. WEST VIRGINIA DEPARTMENT OF HEALTH AND HUMAN RESOURCES ET AL.* Sup. Ct. App. W. Va. Certiorari denied.

No. 18–7031. *LEWIS v. QUIROS ET AL.* C. A. 2d Cir. Certiorari denied.

No. 18–7034. *SADIK v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 181 A. 3d 1255.

No. 18–7040. *PERRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 337.

No. 18–7041. *DONALDSON v. MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES ET AL.* Ct. App. Mich. Certiorari denied.

No. 18–7042. *WARTERFIELD v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 18–7043. *TUTON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 893 F. 3d 562.

No. 18–7045. *GILKERS v. VANNOY, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 904 F. 3d 336.

No. 18–7046. *CASTILLO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 742 Fed. Appx. 610.

No. 18–7047. *CASANOVA v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 18–7049. *MUNT v. LARSON ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 108.

No. 18–7051. *TAYLOR v. CVS CAREMARK CORP.* C. A. 4th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 704.

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No. 18–7052. *WILKERSON v. WOODS*. Ct. Sp. App. Md. Certiorari denied.

No. 18–7053. *VARNER v. CHRISTIANSEN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–7054. *WHITE v. MATTHEWS ET AL.* Sup. Ct. Mich. Certiorari denied. Reported below: 503 Mich. 863, 917 N. W. 2d 59.

No. 18–7055. *WHITE v. SOUTHEAST MICHIGAN SURGICAL HOSPITAL ET AL.* Sup. Ct. Mich. Certiorari denied. Reported below: 503 Mich. 862, 917 N. W. 2d 67.

No. 18–7056. *JOHNSON v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 18–7057. *ROYSTON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–7058. *JOAQUIN RAMIREZ v. CITY OF NEW YORK, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 18–7059. *ROSKY v. BYRNE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–7062. *CLEMENTS v. FLORIDA DEPARTMENT OF CORRECTIONS ET AL.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 255 So. 3d 818.

No. 18–7064. *MACKENZIE v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–7068. *FIGUEROA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–7069. *LUDOVICI v. MARSH, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT BENNER TOWNSHIP, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–7070. *JACKSON v. GMAC MORTGAGE CORP.* C. A. 11th Cir. Certiorari denied.

No. 18–7071. *BREWER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 509.

No. 18–7075. *MARTINEZ v. TEXAS*. Ct. App. Tex., 8th Dist. Certiorari denied.

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No. 18–7080. *DANMOLA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 514.

No. 18–7081. *WILLIAMS v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 18–7082. *ROSAS CUELLAR v. UNITED STATES* (Reported below: 738 Fed. Appx. 320); and *LARIOS-VILLATORO v. UNITED STATES* (741 Fed. Appx. 269). C. A. 5th Cir. Certiorari denied.

No. 18–7083. *WALTER-EZE, AKA OKAM v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 869 F. 3d 891.

No. 18–7084. *YOUNG v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 754 Fed. Appx. 331.

No. 18–7085. *McGHEE v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 18–7087. *LOPEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 752 Fed. Appx. 614.

No. 18–7088. *MORA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 271.

No. 18–7089. *MILLINER v. LITTERAL, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–7092. *CAIN v. ATELIER ESTHETIQUE INSTITUTE OF ESTHETICS, INC.* C. A. 2d Cir. Certiorari denied. Reported below: 733 Fed. Appx. 8.

No. 18–7093. *CLARK v. ALLEN & OVERY, LLP*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 159 App. Div. 3d 478, 73 N. Y. S. 3d 144.

No. 18–7095. *ROBINSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 744 Fed. Appx. 277.

No. 18–7100. *SIMMONS v. CAPRA, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 18–7101. *GHOBRAL v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 5 Cal. 5th 250, 420 P. 3d 179.

No. 18–7102. *HULING v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 702.

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No. 18–7103. *GARCIA-MONTEJO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 94.

No. 18–7104. *IRIZARRY-ROSARIO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 903 F. 3d 151.

No. 18–7106. *PLASCENCIA-OROZCO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–7107. *ODUMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 175.

No. 18–7109. *MILLER v. OHIO*. Ct. App. Ohio, 7th App. Dist., Mahoning County. Certiorari denied. Reported below: 2018-Ohio-3430, 118 N. E. 3d 1094.

No. 18–7111. *GUERRA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–7114. *WILLIAMS v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 1. Certiorari denied.

No. 18–7116. *JONES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 906 F. 3d 1325.

No. 18–7117. *MAYBERRY v. DITTMAN, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 904 F. 3d 525.

No. 18–7119. *GRIGSBY v. LOUISIANA*. Ct. App. La., 1st Cir. Certiorari denied.

No. 18–7120. *ZUNIGA HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–7121. *HIGGS, AKA BEACHUM v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 18–7122. *GOLA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 698 Fed. Appx. 602.

No. 18–7124. *HERNANDEZ v. TEXAS*. Ct. App. Tex., 6th Dist. Certiorari denied.

No. 18–7125. *ABUL HOSN v. DEPARTMENT OF STATE ET AL.* C. A. 6th Cir. Certiorari denied.

No. 18–7126. *ABDULLAH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 905 F. 3d 739.

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No. 18–7127. *FRENCH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 836.

No. 18–7128. *BEBO v. MEDEIROS, SUPERINTENDENT, MASSACHUSETTS CORRECTIONAL INSTITUTION AT NORFOLK*. C. A. 1st Cir. Certiorari denied. Reported below: 906 F. 3d 129.

No. 18–7129. *CHRISTIAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 737 Fed. Appx. 165.

No. 18–7131. *LOTT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–7133. *BURKS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 746 Fed. Appx. 191.

No. 18–7134. *LOWE v. TENNESSEE*. Sup. Ct. Tenn. Certiorari denied. Reported below: 552 S. W. 3d 842.

No. 18–7141. *REY GONZALEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 224.

No. 18–7142. *TALLEY v. PRIDE MOBILITY PRODUCTS CORP. ET AL.* Ct. App. N. C. Certiorari denied. Reported below: 259 N. C. App. 734, 816 S. E. 2d 533.

No. 18–7143. *EIDSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 725 Fed. Appx. 453.

No. 18–7145. *SADOWSKI v. GROUNDS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 311.

No. 18–7147. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 943.

No. 18–7150. *HOSTETLER v. KENTUCKY*. Ct. App. Ky. Certiorari denied.

No. 18–7153. *J. E., AKA J. E. C. v. OREGON DEPARTMENT OF HUMAN SERVICES*. Ct. App. Ore. Certiorari denied. Reported below: 285 Ore. App. 652, 402 P. 3d 783.

No. 18–7154. *VISCONTI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 750 Fed. Appx. 543.

No. 18–7158. *KNOX v. CLARKE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Va. Certiorari denied.

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No. 18–7161. *MARTIN v. WHITAKER, ACTING ATTORNEY GENERAL*. C. A. 3d Cir. Certiorari denied. Reported below: 729 Fed. Appx. 210.

No. 18–7162. *JAMA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 896 F. 3d 295.

No. 18–7163. *MAYFIELD ET AL. v. HARVEY COUNTY SHERIFF'S DEPARTMENT ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 685.

No. 18–7167. *KIRSH v. LOUISIANA*. Ct. App. La., 1st Cir. Certiorari denied. Reported below: 2017–0231 (La. App. 1 Cir. 11/1/17), 234 So. 3d 941.

No. 18–7169. *WRIGHT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 902 F. 3d 868.

No. 18–7176. *GARCIA-ORTIZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 904 F. 3d 102.

No. 18–7177. *GONZALES v. SANTORO, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 468.

No. 18–7178. *TRAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–7180. *URQUIA-MELENDZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 739 Fed. Appx. 280.

No. 18–7181. *WHITE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 739 Fed. Appx. 255.

No. 18–7183. *MARTIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 739 Fed. Appx. 446.

No. 18–7184. *CHAMBERS, AKA SEALED DEFENDANT v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 751 Fed. Appx. 44.

No. 18–7185. *DIAZ-MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 830.

No. 18–7186. *WEIDNER v. TAYLOR, SUPERINTENDENT, EASTERN OREGON CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 782.

No. 18–7189. *MANLOVE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 755 Fed. Appx. 630.

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No. 18–7191. *PENDERGRAFT ET AL. v. NETWORK OF NEIGHBORS, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 745 Fed. Appx. 517.

No. 18–7192. *PHILLIPS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 754 Fed. Appx. 891.

No. 18–7193. *COLLINS v. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY.* C. A. 7th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 21.

No. 18–7194. *COLBERT v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist., Div. 2. Certiorari denied.

No. 18–7195. *GOMEZ v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2018 IL App (1st) 150605, 105 N. E. 3d 901.

No. 18–7196. *MCELROY v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 612.

No. 18–7197. *LEWIS v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 247.

No. 18–7198. *CRUZ v. HALLENBECK, SUPERINTENDENT, HALE CREEK CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 18–7199. *FAUNTLEROY v. VIRGINIA.* Sup. Ct. Va. Certiorari denied.

No. 18–7200. *RILEY v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 175.

No. 18–7206. *KEGLER v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 572.

No. 18–7209. *OBERACKER v. NOBLE, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 18–7210. *PRAILLOW v. MARYLAND.* Ct. Sp. App. Md. Certiorari denied. Reported below: 237 Md. App. 757.

No. 18–7212. *DAILEY v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 18–7214. *MCLAUGHLIN v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 739 Fed. Appx. 270.

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No. 18–7215. *UCES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 745 Fed. Appx. 115.

No. 18–7216. *DUHAMEL v. MILLER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–7222. *JIAU v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 18–7227. *JONES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 747 Fed. Appx. 771.

No. 18–7228. *BROWN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 959.

No. 18–7229. *BLACKMAN v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 909 F. 3d 772.

No. 18–7230. *ASHLEY v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–7231. *AVERY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 747 Fed. Appx. 482.

No. 18–7236. *STOUTAMIRE v. LA ROSE, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–7238. *EDWARDS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 526.

No. 18–7239. *CANNON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 18–7240. *KING v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 323.

No. 18–7243. *ROJAS-CISNEROS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–7245. *RODRIGUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 638.

No. 18–7249. *DOE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 987 F. 3d 1216.

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No. 18–7251. *JORDAN v. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 742 Fed. Appx. 514.

No. 18–7253. *FORTE v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 207.

No. 18–7254. *THOMAS v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 750 Fed. Appx. 120.

No. 18–7256. *DE CASTRO v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 905 F. 3d 676.

No. 18–7263. *PATMON v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 750 Fed. Appx. 902.

No. 18–7267. *GREENE v. SEMPLER, COMMISSIONER, CONNECTICUT DEPARTMENT OF CORRECTION.* Sup. Ct. Conn. Certiorari denied. Reported below: 330 Conn. 1, 190 A. 3d 851.

No. 18–7268. *BERRY v. MCGINLEY, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT COAL TOWNSHIP, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–7269. *ALLISON v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 18–7270. *BRYANT v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2018 IL App (1st) 143578–U.

No. 18–7272. *PABLO ARREOLA v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 723 Fed. Appx. 48.

No. 18–7274. *SPEARS, AKA AZIZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 18–7275. *POWERS v. BLOCK ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 750 Fed. Appx. 480.

No. 18–7278. *WILLIAMS v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist., Div. 6. Certiorari denied.

No. 18–7282. *BRADLEY v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 897 F. 3d 779.

No. 18–7284. *BARLOW v. GARMAN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW, ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 18–7287. *LAPRADE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 733 Fed. Appx. 592.

No. 18–7289. *BOMMERITO v. DIAZ, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–7292. *WHITLEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–7293. *WALKER v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 286 So. 3d 18.

No. 18–7294. *ANTONIO ZAMBRANO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 752 Fed. Appx. 775.

No. 18–7296. *CISNEROS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 555.

No. 18–7297. *HOWARD v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist., Div. 5. Certiorari denied.

No. 18–7300. *MILLIS v. KALLIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–7303. *RIVERA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 901 F. 3d 896.

No. 18–7304. *RODRIGUEZ-MANTOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 748 Fed. Appx. 591.

No. 18–7305. *HILTS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 757 Fed. Appx. 56.

No. 18–7306. *STEELE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–7307. *RAYO-ESPINOZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 739 Fed. Appx. 295.

No. 18–7308. *RODRIGUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 638.

No. 18–7309. *BALFOUR v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–7310. *THOMAS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

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No. 18–7313. *TEMPLETON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 750 Fed. Appx. 685.

No. 18–7317. *DAVIS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 728 Fed. Appx. 125.

No. 18–7320. *FORD v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 725 Fed. Appx. 785.

No. 18–7323. *WILLIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–7325. *ZINKAND v. HERNANDEZ, SUPERINTENDENT, AVERY-MITCHELL CORRECTIONAL INSTITUTION, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 128.

No. 18–7327. *JOHNSON v. VANNOY, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 18–7329. *SELFA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 856.

No. 18–7330. *GARRETT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 898 F. 3d 811.

No. 18–7333. *MOFFETT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–7340. *DILLON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 310.

No. 18–7341. *BURTON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 361.

No. 18–7344. *DICKINSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 18–7345. *GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–7348. *GARCIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 868.

No. 18–7350. *FLORES-BOTELLO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 674 Fed. Appx. 409.

No. 18–7351. *GEDDES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

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No. 18–7352. *ELLIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 739 Fed. Appx. 598.

No. 18–7355. *HAYNES v. OREGON BOARD OF PAROLE AND POST-PRISON SUPERVISION ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–7356. *GOSSETT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 705 Fed. Appx. 337.

No. 18–7357. *FORD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–7360. *MATHIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–7361. *GIBBONS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–7365. *DEVORE v. KELLY, SUPERINTENDENT, OREGON STATE PENITENTIARY*. Sup. Ct. Ore. Certiorari denied.

No. 18–7367. *HUGGANS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–7371. *JOHNSON v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist., Div. 2. Certiorari denied.

No. 18–7372. *CUEVAS v. KELLY, SUPERINTENDENT, OREGON STATE PRISON*. C. A. 9th Cir. Certiorari denied.

No. 18–7374. *MEJIA v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 906 F. 3d 307.

No. 18–7375. *NICOLAISON v. COUNTY OF HENNEPIN, MINNESOTA*. C. A. 8th Cir. Certiorari denied.

No. 18–7377. *HARRIS v. EASTERLING, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–7387. *LENIHAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–7388. *ROMO v. ORMOND, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–7390. *STANCIK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

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No. 18–7391. *ROMERO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 906 F. 3d 196.

No. 18–7393. *ROMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 739 Fed. Appx. 304.

No. 18–7400. *SLEUGH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 896 F. 3d 1007.

No. 18–7417. *ROBINSON v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2018 IL App (1st) 152703–U.

No. 18–7418. *SEALS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 231.

No. 18–7419. *BECERRA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 213.

No. 18–7420. *ALIRES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 739 Fed. Appx. 510.

No. 18–7424. *VAIL v. LOUISIANA*. Ct. App. La., 3d Cir. Certiorari denied. Reported below: 2017–354 (La. App. 3 Cir. 12/28/17), 236 So. 3d 644.

No. 18–7434. *GRAHAM v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–7463. *KOYLE v. SAND CANYON CORP. ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 549.

No. 18–7466. *BENNETT v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–7467. *LAPointe v. ILLINOIS*. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 2018 IL App (2d) 160903, 127 N. E. 3d 131.

No. 18–7469. *VALENZUELA ARZATE v. ROBERTSON, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 18–7484. *NAPHAENG v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 906 F. 3d 173.

No. 18–7496. *ALLAN v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. Reported below: 329 Conn. 815, 190 A. 3d 874.

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No. 18–7506. *TURNER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 897 F. 3d 1084.

No. 18–7512. *JACKSON v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2018 IL App (1st) 150487, 105 N. E. 3d 996.

No. 18–7515. *NEWTON v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 2018 IL 122958, 120 N. E. 3d 948.

No. 18–7518. *HOLT v. TERRIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–7555. *GRAY v. DORETHY, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 17–1542. *McKEE v. COSBY*. C. A. 1st Cir. Certiorari denied. Reported below: 874 F. 3d 54.

JUSTICE THOMAS, concurring.

In December 2014, petitioner Kathrine McKee publicly accused actor and comedian Bill Cosby of forcibly raping her some 40 years earlier. McKee contends that Cosby’s attorney responded on his behalf by writing and leaking a defamatory letter. According to McKee, the letter deliberately distorts her personal background to “damage her reputation for truthfulness and honesty, and further to embarrass, harass, humiliate, intimidate, and shame” her. App. to Pet. for Cert. 93a. She alleges that excerpts of the letter were disseminated via the Internet and published by news outlets around the world.

McKee filed suit in federal court for defamation under state law, but her case was dismissed. Applying *New York Times Co. v. Sullivan*, 376 U. S. 254 (1964), and its progeny, the Court of Appeals concluded that, by disclosing her accusation to a reporter, McKee had “‘thrust’ herself to the ‘forefront’” of the public controversy over “sexual assault allegations implicating Cosby” and was therefore a “limited purpose public figure.” 874 F. 3d 54, 61–62 (CA1 2017) (citing *Gertz v. Robert Welch, Inc.*, 418 U. S. 323, 345 (1974)). Under this Court’s First Amendment precedents, public figures are barred from recovering damages for defamation unless they can show that the statement at issue was made with “‘actual malice’—that is, with knowledge that it was false or with reckless disregard of whether it was false or not.” *New York Times*, *supra*, at 280. Like many plaintiffs subject to this “al-

most impossible” standard, McKee was unable to make that showing. See *Dun & Bradstreet, Inc. v. Greenmoss Builders, Inc.*, 472 U.S. 749, 771 (1985) (White, J., concurring in judgment).

McKee asks us to review her classification as a limited-purpose public figure. I agree with the Court’s decision not to take up that factbound question. I write to explain why, in an appropriate case, we should reconsider the precedents that require courts to ask it in the first place.

New York Times and the Court’s decisions extending it were policy-driven decisions masquerading as constitutional law. Instead of simply applying the First Amendment as it was understood by the people who ratified it, the Court fashioned its own “federal rule[s]” by balancing the “competing values at stake in defamation suits.” *Gertz, supra*, at 334, 348 (quoting *New York Times, supra*, at 279).

We should not continue to reflexively apply this policy-driven approach to the Constitution. Instead, we should carefully examine the original meaning of the First and Fourteenth Amendments. If the Constitution does not require public figures to satisfy an actual-malice standard in state-law defamation suits, then neither should we.

I

From the founding of the Nation until 1964, the law of defamation was “almost exclusively the business of state courts and legislatures.” *Gertz, supra*, at 369–370 (White, J., dissenting). But beginning with *New York Times*, the Court “federalized major aspects of libel law by declaring unconstitutional in important respects the prevailing defamation law in all or most of the 50 States.” *Gertz, supra*, at 370. These decisions made little effort to ground their holdings in the original meaning of the Constitution.

A

New York Times involved a full-page advertisement soliciting support for the civil-rights movement and the legal defense of Dr. Martin Luther King, Jr. 376 U.S., at 256–257. The advertisement asserted that the movement was facing an “‘unprecedented wave of terror by those who would deny and negate’” the protections of the Constitution. *Id.*, at 256. As an example, the advertisement claimed that “‘truckloads of police’” in Montgomery, Alabama, “‘armed with shotguns and tear-gas,’” had surrounded

a college campus following a student demonstration. *Id.*, at 257. It further claimed that “[w]hen the entire student body protested to state authorities by refusing to re-register, their dining hall was padlocked in an attempt to starve them into submission.” *Ibid.* The advertisement also stated that “‘the Southern violators’” had “‘answered Dr. King’s peaceful protests with intimidation and violence,’” “‘bombed his home almost killing his wife and child,’” “‘assaulted his person,’” “‘arrested him seven times,’” and “‘charged him with “perjury.”’” *Id.*, at 257–258.

The Times made no independent effort to confirm the truth of these claims, and they contained numerous inaccuracies. *Id.*, at 261.¹ The Times eventually retracted the advertisement. *Ibid.*

L. B. Sullivan served as Montgomery’s commissioner of public affairs when the advertisement was published. *Id.*, at 256. Although none of the “Southern violators” was identified in the advertisement, Sullivan filed a libel suit alleging that the statements implicating Montgomery police officers were made “‘of and concerning’” him because his responsibilities included supervising the police department. *Id.*, at 256, 262. A jury awarded Sullivan \$500,000, and the Supreme Court of Alabama affirmed. *Id.*, at 256.

This Court reversed. *Id.*, at 264. It held that the evidence in the record was “incapable of supporting the jury’s finding” that the false statements were made about Sullivan, who was not mentioned “by name or official position” in the advertisement. *Id.*, at 288. The advertisement was an “impersonal attack on governmental operations” and could not by “legal alchemy” be transformed into “a libel of an official responsible for those operations.” *Id.*, at 292. This holding was sufficient to resolve the case.

But the Court also addressed “the extent to which the constitutional protections for speech and press limit a State’s power to award damages in a libel action brought by a public official against critics of his official conduct.” *Id.*, at 256. The Court took it upon itself “to define the proper accommodation between” two

¹ For example, the police did not “at any time” surround the campus when deployed near it; the dining hall “was not padlocked on any occasion”; the student protesters had not “refus[ed] to register” but rather “boycott[ed] classes on a single day”; “Dr. King had not been arrested seven times, but only four”; and the police “were not only not implicated in the bombings, but had made every effort to apprehend those who were.” *New York Times*, 376 U. S., at 259.

competing interests—"the law of defamation and the freedoms of speech and press protected by the First Amendment." *Gertz, supra*, at 325 (majority opinion). It consulted a variety of materials to assist it in its analysis: "general proposition[s]" about the value of free speech and the inevitability of false statements, *New York Times*, 376 U.S., at 269–272, and n. 13; judicial decisions involving criminal contempt and official immunity, *id.*, at 272–273, 282–283; public responses to the Sedition Act of 1798, *id.*, at 273–277; comparisons of civil libel damages to criminal fines, *id.*, at 277–278; policy arguments against "self-censorship," *id.*, at 278–279; the "consensus of scholarly opinion," *id.*, at 280, n. 20; and state defamation laws, *id.*, at 280–282. These materials led the Court to promulgate a "federal rule" that "prohibits a public official from recovering damages for a defamatory falsehood relating to his official conduct unless he proves that the statement was made with 'actual malice'—that is, with knowledge that it was false or with reckless disregard of whether it was false or not." *Id.*, at 279–280. Although the Court held that its newly minted actual-malice rule was "required by the First and Fourteenth Amendments," *id.*, at 283, it made no attempt to base that rule on the original understanding of those provisions.

B

New York Times was "the first major step in what proved to be a seemingly irreversible process of constitutionalizing the entire law of libel and slander." *Dun & Bradstreet*, 472 U.S., at 766 (White, J., concurring in judgment). The Court promptly expanded the actual-malice rule to all defamed "'public figures,'" *Curtis Publishing Co. v. Butts*, 388 U.S. 130, 134 (1967), which it defined to include private persons who "thrust themselves to the forefront of particular public controversies in order to influence the resolution of the issues involved," *Gertz*, 418 U.S., at 345. The Court also extended the actual-malice rule to criminal libel prosecutions, *Garrison v. Louisiana*, 379 U.S. 64 (1964), and even restricted the situations in which private figures could recover for defamation against media defendants, *Gertz, supra*, at 347, 349; *Philadelphia Newspapers, Inc. v. Hepps*, 475 U.S. 767 (1986).

None of these decisions made a sustained effort to ground their holdings in the Constitution's original meaning. As the Court itself acknowledged, "the rule enunciated in the *New York Times* case" is "largely a judge-made rule of law," the "content" of which

is “given meaning through the evolutionary process of common-law adjudication.” *Bose Corp. v. Consumers Union of United States, Inc.*, 466 U. S. 485, 501–502 (1984). Only Justice White grappled with the historical record, and he concluded that “there are wholly insufficient grounds for scuttling the libel laws of the States in such wholesale fashion, to say nothing of deprecating the reputation interest of ordinary citizens and rendering them powerless to protect themselves.” *Gertz, supra*, at 370 (dissenting opinion).

II

The constitutional libel rules adopted by this Court in *New York Times* and its progeny broke sharply from the common law of libel, and there are sound reasons to question whether the First and Fourteenth Amendments displaced this body of common law.

A

The common law of libel at the time the First and Fourteenth Amendments were ratified did not require public figures to satisfy any kind of heightened liability standard as a condition of recovering damages. Typically, a defamed individual needed only to prove “a false written publication that subjected him to hatred, contempt, or ridicule.” *Dun & Bradstreet, supra*, at 765 (White, J., concurring in judgment); see 4 W. Blackstone, Commentaries *150 (Blackstone); H. Folkard, Starkie on Slander and Libel *156 (4th Eng. ed., H. Wood ed. 1877) (Starkie). Malice was presumed in the absence of an applicable privilege, right, or duty. *Id.*, at *293–*294. General injury to reputation was also presumed, special damages could be recovered, and punitive damages were available if actual malice was established. *Dun & Bradstreet, supra*, at 765 (White, J., concurring in judgment); see Starkie *151, *322–*323; M. Newell, Defamation, Libel and Slander 842–843 (1890) (Newell). Truth was a defense to a civil libel claim. See Starkie *170, *528–*530; 4 Blackstone *150–*151. But where the publication was false, even if the defendant could show that no reputational injury occurred, the prevailing rule was that at least nominal damages were to be awarded. *Dun & Bradstreet, supra*, at 765 (White, J., concurring in judgment) (citing Restatement of Torts §569, Comment *b*, p. 166 (1938)); see Starkie *492; Newell 839.

Libel was also a “common-law crime, and thus criminal in the colonies.” *Beauharnais v. Illinois*, 343 U. S. 250, 254 (1952);

see 4 Blackstone *150–*153. The same principles generally applied, except that truth traditionally was not a defense to libel prosecutions—the crime was intended to punish provocations to a breach of the peace, not the falsity of the statement. See *id.*, at *150–*151; Starkie *712–*713. Laws authorizing the criminal prosecution of libel were both widespread and well established at the time of the founding. See *Roth v. United States*, 354 U.S. 476, 482, and n. 11 (1957); Newell 28–29 (describing colonial statutes dating back to 1645 and 1701). And they remained so when the Fourteenth Amendment was adopted, although many States by then allowed truth or good motives to serve as a defense to a libel prosecution. *Beauharnais*, *supra*, at 254–255, and n. 4.

Far from increasing a public figure’s burden in a defamation action, the common law deemed libels against public figures to be, if anything, *more* serious and injurious than ordinary libels. See 3 Blackstone *124 (“Words also tending to scandalize a magistrate, or person in a public trust, are reputed more highly injurious than when spoken of a private man”); 4 *id.*, at *150 (defining libels as “malicious defamations of any person, *and especially a magistrate*, made public by either printing, writing, signs, or pictures, in order to provoke him to wrath, or expose him to public hatred, contempt, and ridicule” (emphasis added)). Libel of a public official was deemed an offense “‘most dangerous to the people, and deserv[ing of] punishment, because the people may be deceived and reject the best citizens to their great injury, and it may be to the loss of their liberties.’” Newell 533 (quoting *Commonwealth v. Clap*, 4 Mass. 163, 169–170 (1808)); accord, *White v. Nicholls*, 3 How. 266, 290 (1845).²

² In England, “[w]ords spoken in derogation of a peer, a judge, or other great officer of the realm” were called *scandalum magnatum* and were “held to be still *more* heinous”; such words could support a claim that “would not be actionable in the case of a common person.” 3 Blackstone *123 (emphasis added); Starkie *142–*143. This action, recognized by English statutes dating back to 1275, had fallen into disuse by the 19th century and was not employed in the United States. See *id.*, at *142, n. 1 (“In this country, no distinction as to persons is recognized, and in practice, a person holding a high office is regarded as a target at whom any person may let fly his poisonous words”). Nevertheless, the action of *scandalum magnatum* confirms that the law of defamation historically did not impose a heightened burden on public figures as plaintiffs.

The common law did afford defendants a privilege to comment on public questions and matters of public interest. Starkie *237–*238. This privilege extended to the “public conduct of a public man,” which was a “matter of public interest” that could “be discussed with the fullest freedom” and “made the subject of hostile criticism.” *Id.*, at *242. Under this privilege, “criticism may reasonably be applied to a public man in a public capacity which might not be applied to a private individual.” *Ibid.* And the privilege extended to the man’s character “‘so far as it may respect his fitness and qualifications for the office,’” which was in the interest of the people to know. *White, supra*, at 290 (quoting *Clap, supra*, at 169).

But the purposes underlying this privilege also defined its limits. Thus, the privilege applied only when the facts stated were true. Starkie *238, n. 4; *White, supra*, at 290. And the privilege did not afford the publisher an opportunity to defame the officer’s private character. Starkie *238; see *id.*, at *242 (“The question for the jury is, whether the writer has transgressed the bounds within which comments upon the character of a public man ought to be confined . . . ”); *ibid.* (distinguishing between criticism of public conduct and the “imputation of motives by which that conduct may be supposed to be actuated”). “One may in good faith publish the truth concerning a public officer, but if he states that which is false and aspersive, he is liable therefor however good his motives may be; and the same is true whether the party defamed be an officer or a candidate for an office, elective or appointive.” Newell 533 (footnote omitted).

B

These common-law protections for the “core private righ[t]” of a person’s “‘uninterrupted enjoyment of . . . his reputation’” formed the backdrop against which the First and Fourteenth Amendments were ratified. Nelson, *Adjudication in the Political Branches*, 107 Colum. L. Rev. 559, 567 (2007) (quoting 1 Blackstone *129). Before our decision in *New York Times*, we consistently recognized that the First Amendment did not displace the common law of libel. As Justice Story explained:

“The liberty of speech, or of the press, has nothing to do with this subject. They are not endangered by the punishment of libellous publications. The liberty of speech and the liberty of the press do not authorize malicious and injurious defama-

tion.” *Dexter v. Spear*, 7 F. Cas. 624 (No. 3,867) (CC RI 1825).

The Court consistently listed libel among the “well-defined and narrowly limited classes of speech, the prevention and punishment of which have never been thought to raise any Constitutional problem.” *Chaplinsky v. New Hampshire*, 315 U.S. 568, 571–572 (1942); see, e.g., *Beauharnais*, *supra*, at 254–256, and nn. 4–5, 266 (libelous utterances are “not . . . within the area of constitutionally protected speech”); *Near v. Minnesota ex rel. Olson*, 283 U.S. 697, 715 (1931) (“[T]he common law rules that subject the libeler to responsibility for the public offense, as well as for the private injury, are not abolished by the protection extended in our constitutions”).

New York Times marked a fundamental change in the relationship between the First Amendment and state libel law. Although the Court did not repudiate its earlier statements that libel is constitutionally unprotected, it nevertheless was unable to “accept the generality of this historic view.” *Gertz*, 418 U.S., at 386 (White, J., dissenting). The Court instead observed that it had never upheld the use of libel law “to impose sanctions upon expression critical of the official conduct of public officials.” *New York Times*, 376 U.S., at 268. In the Court’s view, it was “writing upon a clean slate,” *id.*, at 299 (Goldberg, J., concurring in result), and thus free to work a “substantial abridgement” of the common law of libel based on its balancing of competing interests, *Gertz*, *supra*, at 343 (majority opinion).

C

There are sound reasons to question whether either the First or Fourteenth Amendment, as originally understood, encompasses an actual-malice standard for public figures or otherwise displaces vast swaths of state defamation law.

The First Amendment provides that “Congress shall make no law . . . abridging the freedom of speech, or of the press.” See *Schneider v. State (Town of Irvington)*, 308 U.S. 147, 160 (1939) (applying these protections against the States through the Fourteenth Amendment).³ Justice White’s dissenting opinion in *Gertz*

³ By its terms, the First Amendment addresses only “law[s]” “ma[d]e” by “Congress.” For present purposes, I set aside the question whether the speech and press rights incorporated against the States restrict common-law rights of action that are not codified by state legislatures.

provides a helpful starting point in interpreting these terms. Justice White had joined the majority opinion in *New York Times*. But after canvassing historical practice under similar state constitutions, treatises, scholarly commentary, the ratification debates, and our precedent, he concluded that “[s]cant, if any, evidence exists that the First Amendment was intended to abolish the common law of libel, at least to the extent of depriving ordinary citizens of meaningful redress against their defamers.” *Gertz*, 418 U. S., at 381; see *id.*, at 380–388. Justice White later expressed “doubts about the soundness of the Court’s approach” in *New York Times* “and about some of the assumptions underlying it.” *Dun & Bradstreet*, 472 U. S., at 767 (concluding that the Court “struck an improvident balance in the *New York Times* case”).

Historical practice further suggests that protections for free speech and a free press—whether embodied in state constitutions, the First Amendment, or the Fourteenth Amendment—did not abrogate the common law of libel. See generally Chase, *Criticism of Public Officers and Candidates for Office*, 23 Am. L. Rev. 346 (1889) (surveying American defamation decisions). Public officers and public figures continued to be able to bring civil libel suits for unprivileged statements without showing proof of actual malice as a condition for liability. See, e.g., *Root v. King*, 7 Cow. 613, 628 (N. Y. 1827) (lieutenant governor); *White*, 3 How., at 291 (customs collector); *Hamilton v. Eno*, 81 N. Y. 116, 126 (1880) (assistant health inspector) (citing *Lewis v. Few*, 5 Johns. 1 (N. Y. 1809) (Governor)); *Royce v. Maloney*, 58 Vt. 437, 447–448, 5 A. 395, 400 (1886) (chief judge and chancellor); *Wheaton v. Beecher*, 66 Mich. 307, 309–310, 33 N. W. 503, 505–506 (1887) (candidate for city comptroller); *Prosser v. Callis*, 117 Ind. 105, 108–109, 19 N. E. 735, 737 (1889) (county auditor). The States continued to criminalize libel, including of public figures. E.g., *People v. Croswell*, 3 Johns. Cas. 337, 377–378, 393–394 (N. Y. 1804) (opinion of Kent, J.), and *id.*, at 403–404, 410 (opinion of Lewis, J.) (President Jefferson); *Clap*, 4 Mass., at 169–170 (auctioneer); see also *Commonwealth v. Blanding*, 20 Mass. 304, 311–314 (1825) (elaborating on legal standard); *Beauharnais*, 343 U. S., at 254–255 (noting that many States in the first decades after the founding began to allow truth or good motives to serve as a defense, but “nowhere was there any suggestion that the crime of libel be abolished”). As of 1952, “every American jurisdiction . . . punish[ed] libels directed

at individuals.” *Id.*, at 255, and n. 5. And “Congresses, during the period while [the Fourteenth] Amendment was being considered or was but freshly adopted, approved Constitutions of ‘Reconstructed’ States that expressly mentioned state libel laws, and also approved similar Constitutions for States erected out of the federal domain.” *Id.*, at 293–294, and nn. 7–8 (Jackson, J., dissenting). Criticism of the public actions of public figures remained privileged, allowing latitude for public discourse and disagreement on matters of public concern.

As against this body of historical evidence, *New York Times* pointed only to opposition surrounding the Sedition Act of 1798, which prohibited “any false, scandalous and malicious writing” against “the government of the United States, or either house of the Congress . . . , or the President.” §2, 1 Stat. 596; see *New York Times*, 376 U.S., at 273–277. Most prominently, the opinion discusses a report written by James Madison in support of the Virginia Resolutions of 1798, which protested the Act. *Id.*, at 274–275. The opinion highlights Madison’s view that the press in every State had “‘exerted a freedom in canvassing the merits and measures of public men, of every description, which has not been confined to the strict limits of the common law.’” *Id.*, at 275 (quoting 4 Debates on the Constitution 570 (J. Elliot ed. 1876) (Elliot’s Debates)). It also emphasizes Madison’s point that “[s]ome degree of abuse is inseparable from the proper use of every thing; and in no instance is this more true than in that of the press.” 376 U.S., at 271 (quoting 4 Elliot’s Debates 571). After discussing other opposition to the Act, the Court concluded that “the attack upon its validity has carried the day in the court of history.” 376 U.S., at 276; see *id.*, at 273–277.

The Court gleaned from this evidence a “broad consensus” that the First Amendment protects “criticism of government and public officials.” *Id.*, at 276. And the Court further inferred that because the Act allowed truth to be offered as a defense and applied to defamatory statements, a libel law prohibiting only false defamation could still fail First Amendment scrutiny. *Id.*, at 273–274. But constitutional opposition to the Sedition Act—a federal law directly criminalizing criticism of the Government—does not necessarily support a constitutional actual-malice rule in all civil libel actions brought by public figures. Madison did not contend that the Constitution abrogated the common law applica-

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ble to these private actions. Instead, he seemed to contemplate that “those who administer [the Federal Government]” retain “a remedy, for their injured reputations, under the same laws, and in the same tribunals, which protect their lives, their liberties, and their properties.” 4 Elliot’s Debates 573. Moreover, a central assumption of Madison’s view was the historical absence of a national common law “pervading and operating through” each Colony “as one society.” *Id.*, at 561. Yet the Court elevated just such a rule to constitutional status in *New York Times*.

It is certainly true that defamation law did not remain static after the founding. For example, many States acted “by judicial decision, statute or constitution” during the early 19th century to allow truth or good motives to serve as a defense to a libel prosecution. *Beauharnais*, *supra*, at 254–255, and n. 4. Eventually, changing views led to the “virtual disappearance” of criminal libel prosecutions involving individuals. *Garrison*, 379 U. S., at 69. But these changes appear to have reflected changing policy judgments, not a sense that existing law violated the original meaning of the First or Fourteenth Amendment.

In short, there appears to be little historical evidence suggesting that the *New York Times* actual-malice rule flows from the original understanding of the First or Fourteenth Amendment.

III

Like Justice White, I assume that *New York Times* and our other constitutional decisions displacing state defamation law have been popular in some circles, “but this is not the road to salvation for a court of law.” *Gertz*, 418 U. S., at 370 (dissenting opinion). We did not begin meddling in this area until 1964, nearly 175 years after the First Amendment was ratified. The States are perfectly capable of striking an acceptable balance between encouraging robust public discourse and providing a meaningful remedy for reputational harm. We should reconsider our jurisprudence in this area.

No. 18–404. COLORADO INDEPENDENT *v.* DISTRICT COURT FOR THE 18TH JUDICIAL DISTRICT OF COLORADO ET AL. Sup. Ct. Colo. Motion of respondent Sir Mario Owens for leave to proceed *in forma pauperis* granted. Motion of respondent District Court of Colorado for leave to file supplemental appendix under seal granted. Certiorari denied. Reported below: 420 P. 3d 257.

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No. 18–406. *SCHOCK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 891 F. 3d 334.

Statement of JUSTICE SOTOMAYOR respecting the denial of certiorari.

Petitioner Aaron Schock, a former Congressman from Illinois, asks us to decide whether he may immediately appeal, as a collateral order, the denial of his motion to dismiss part of a criminal indictment against him for running afoul of the Constitution’s Rulemaking Clause. See Art. I, §5. He argues that certain charges against him would require the District Court for the Central District of Illinois to interpret internal rules adopted by the House of Representatives to govern its own Members, and thus would violate separation-of-powers doctrine. The Court of Appeals for the Seventh Circuit held that denials of such Rulemaking Clause challenges are not collateral orders subject to immediate appeal, 891 F. 3d 334 (2018), in disagreement with at least one other Court of Appeals, see *United States v. Rostenkowski*, 59 F. 3d 1291, 1297 (CA DC 1995). Although this question does not arise frequently—presumably because criminal charges against Members of Congress are rare—the sensitive separation-of-powers questions that such prosecutions raise ought to be handled uniformly.

It is not clear, however, that this case cleanly presents the question whether such orders are, as a general matter, immediately appealable. The District Court here denied the motion to dismiss on Rulemaking Clause grounds only provisionally, stating that it would revisit the matter “if at any time it becomes apparent that the prosecution will rely upon evidence that requires the interpretation of House Rules.” 2017 WL 4780614, *7, and n. 6 (CD Ill., Oct. 23, 2017). Indeed, the District Court dismissed the only count of the indictment that did, in its view, necessarily turn on an interpretation of the House Rules. *Id.*, at *8–*11. As a result, the District Court’s order may have been insufficiently “conclusive” to support collateral-order appellate jurisdiction, whether or not such jurisdiction would otherwise have been proper. See *Swint v. Chambers County Comm’n*, 514 U.S. 35, 42 (1995). The Court of Appeals did not address that alternative ground for affirmance, the presence of which might complicate our review.

I therefore concur in the Court’s decision to deny certiorari. I do so on the understanding, however, that Schock remains free to

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reassert his Rulemaking Clause challenge in the District Court should subsequent developments warrant.*

No. 18–446. *CITY OF TAUNTON, MASSACHUSETTS v. ENVIRONMENTAL PROTECTION AGENCY*. C. A. 1st Cir. Motion of City of Dover, New Hampshire, for leave to file brief as *amicus curiae* out of time denied. Certiorari denied. Reported below: 895 F. 3d 120.

No. 18–462. *GUNDERSON ET VIR v. INDIANA ET AL.* Sup. Ct. Ind. Motions of Minnesota Association of Realtors and Cato Institute et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 90 N. E. 3d 1171.

No. 18–548. *ADORERS OF THE BLOOD OF CHRIST, UNITED STATES PROVINCE, ET AL. v. FEDERAL ENERGY REGULATORY COMMISSION ET AL.* C. A. 3d Cir. Motion of The Rutherford Institute for leave to file brief as *amicus curiae* granted. Certiorari denied. Reported below: 897 F. 3d 187.

No. 18–717. *PMCM TV, LLC v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* C. A. D. C. Cir. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied. *THE CHIEF JUSTICE* and *JUSTICE KAVANAUGH* took no part in the consideration or decision of this motion and this petition. Reported below: 731 Fed. Appx. 1.

No. 18–747. *RITTER v. BRADY, CHAPTER 7 TRUSTEE*. C. A. 9th Cir. Motions of the Honorable Eugene Wedoff et al. and Professor Margaret Howard for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 730 Fed. Appx. 529.

No. 18–6901. *HALL v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 246 So. 3d 210.

JUSTICE SOTOMAYOR, dissenting.

I dissent for the reasons set out in *Reynolds v. Florida*, 586 U. S. 1004, 1011 (2018) (*SOTOMAYOR, J.*, dissenting from denial of certiorari).

*In its briefing to the Court of Appeals, the Government argued that the House regulations were, in fact, “necessary” and “important” to prove other charges still pending. Brief for Appellee in No. 17–3277 (CA7), p. 55. Those representations may be pertinent to the District Court’s further consideration of Schock’s arguments.

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No. 18–6982. *WALDEN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 18–6990. *STURDZA v. UNITED ARAB EMIRATES*. C. A. D. C. Cir. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition.

No. 18–7002. *DIAZ v. WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY*. C. A. D. C. Cir. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition. Reported below: 726 Fed. Appx. 1.

No. 18–7086. *HERNANDEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition. Reported below: 743 Fed. Appx. 156.

No. 18–7112. *HILL v. ASSOCIATES FOR RENEWAL IN EDUCATION, INC.* C. A. D. C. Cir. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition. Reported below: 897 F. 3d 232.

No. 18–7132. *BRIGHT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

JUSTICE SOTOMAYOR, with whom JUSTICE GINSBURG joins, dissenting.

I dissent for the reasons set out in *Brown v. United States*, 586 U. S. 953 (2018) (SOTOMAYOR, J., dissenting from denial of certiorari).

No. 18–7148. *RAY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 899 F. 3d 852.

No. 18–7264. *MILLER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 891 F. 3d 1220.

No. 18–7266. *BROWN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 731 Fed. Appx. 827.

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No. 18–7286. *MASTERS v. KENTUCKY*. Ct. App. Ky. Motion of Student Press Law Center et al. for leave to file brief as *amici curiae* granted. Certiorari denied. Reported below: 551 S. W. 3d 458.

No. 18–7346. *FORD, AKA GREEN, AKA WRAY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

No. 18–7421. *ALLEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

JUSTICE SOTOMAYOR, with whom JUSTICE GINSBURG joins, dissenting.

I dissent for the reasons set out in *Brown v. United States*, 586 U. S. 953 (2018) (SOTOMAYOR, J., dissenting from denial of certiorari).

No. 18–7432. *BARBER v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition. Reported below: 731 Fed. Appx. 5.

Rehearing Denied

- No. 16–8635. *DEAN v. UNITED STATES*, 581 U. S. 983;
No. 17–1641. *THOMAS ET VIR v. WILLIAMS*, 586 U. S. 1050;
No. 17–7345. *GREEN v. MCGILL-JOHNSTON ET AL.*, 583 U. S. 1185;
No. 17–8355. *ISMAY v. UNITED STATES*, 584 U. S. 985;
No. 17–8719. *DE VERA v. UNITED AIRLINES, INC.*, 586 U. S. 996;
No. 17–8845. *EASON v. CLARKE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*, 586 U. S. 834;
No. 17–8959. *GIBSON v. UNITED STATES*, 585 U. S. 1009;
No. 17–9085. *WESTINE v. UNITED STATES*, 586 U. S. 841;
No. 17–9118. *WILLIAMS v. CALIFORNIA*, 586 U. S. 843;
No. 17–9138. *HILL v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, 586 U. S. 844;
No. 17–9319. *GIVENS v. ALLEN, WARDEN*, 586 U. S. 854;
No. 17–9383. *MITCHELL v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, 586 U. S. 857;

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- No. 18–331. *PABON ORTEGA v. LLOMPART ZENO ET AL.*, 586 U. S. 1069;
- No. 18–393. *MOODY v. NATIONAL FOOTBALL LEAGUE*, 586 U. S. 1036;
- No. 18–399. *FINK v. KIRCHNER ET AL.*, 586 U. S. 1036;
- No. 18–413. *BOSCH v. ARIZONA DEPARTMENT OF REVENUE*, 586 U. S. 1022;
- No. 18–538. *NORA v. WISCONSIN OFFICE OF LAWYER REGULATION*, 586 U. S. 1037;
- No. 18–541. *DEOL v. DEPRETA ET AL.*, 586 U. S. 1037;
- No. 18–569. *SHAO v. TSAN-KUEN WANG*, 586 U. S. 1073;
- No. 18–577. *NETZER v. SHELL OIL CO. ET AL.*, 586 U. S. 1073;
- No. 18–5200. *KRUSKAL v. MELTZER ET AL.*, 586 U. S. 888;
- No. 18–5425. *JOAQUIN RAMIREZ v. APONTE ET AL.*, 586 U. S. 922;
- No. 18–5537. *OPENGEYM v. HEARTLAND EMPLOYMENT SERVICES, LLC*, 586 U. S. 999;
- No. 18–5584. *THOMPSON v. COPELAND ET AL.*, 586 U. S. 947;
- No. 18–5591. *MASON v. POLSTER, JUDGE, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO, ET AL.*, 586 U. S. 947;
- No. 18–5621. *TORKORNOO v. HELWIG ET AL.*, 586 U. S. 1038;
- No. 18–5628. *TACQUARD v. ARIZONA*, 586 U. S. 948;
- No. 18–5718. *CAMPBELL v. VIRGINIA*, 586 U. S. 970;
- No. 18–5722. *LUGO v. CALIFORNIA*, 586 U. S. 970;
- No. 18–5742. *ROBERTS v. FLORIDA*, 586 U. S. 971;
- No. 18–5765. *RUSSELL v. REDSTONE FEDERAL CREDIT UNION ET AL.*; and *RUSSELL v. INGEGNERI ET AL.*, 586 U. S. 989.
- No. 18–5888. *MORRISON v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, 586 U. S. 1000;
- No. 18–5931. *LASCHKEWITSCH v. LEGAL & GENERAL AMERICA, INC., DBA BANNER LIFE INSURANCE CO.*, 586 U. S. 1001;
- No. 18–6020. *RODGERS v. MILLER, WARDEN*, 586 U. S. 951;
- No. 18–6055. *TRIPLETT v. VANNOY, WARDEN*, 586 U. S. 1024;
- No. 18–6093. *TATE v. MARYLAND*, 586 U. S. 991;
- No. 18–6106. *MILLER v. KASHANI ET AL.*, 586 U. S. 1039;
- No. 18–6134. *PETERS v. BALDWIN ET AL.*, 586 U. S. 1039;
- No. 18–6164. *LASCHKEWITSCH v. RELIAStar LIFE INSURANCE CO.*, 586 U. S. 1040;

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No. 18–6168. *SOON YOUNG KIM v. CALIFORNIA*, 586 U. S. 1040;
No. 18–6228. *LASCHKEWITSCH v. AMERICAN NATIONAL LIFE INSURANCE CO.*, 586 U. S. 1041;

No. 18–6288. *COOLEY v. DIRECTOR, OFFICE OF WORKERS’ COMPENSATION PROGRAMS, DEPARTMENT OF LABOR, ET AL.*, 586 U. S. 1053;

No. 18–6386. *ADKINS v. WHOLE FOODS MARKET GROUP, INC.*, 586 U. S. 1053;

No. 18–6486. *IN RE HERNANDEZ*, 586 U. S. 1020;

No. 18–6526. *IN RE YONAMINE*, 586 U. S. 1067;

No. 18–6630. *IN RE GULLETT*, 586 U. S. 1050;

No. 18–6652. *LOWE v. ROY, COMMISSIONER, MINNESOTA DEPARTMENT OF CORRECTIONS*, 586 U. S. 1088; and

No. 18–6743. *KULICK v. LEISURE VILLAGE ASSN., INC.*, 586 U. S. 1128. Petitions for rehearing denied.

No. 18–5538. *GIESWEIN v. UNITED STATES*, 586 U. S. 911. Petition for rehearing denied. JUSTICE KAGAN and JUSTICE GORSUCH took no part in the consideration or decision of this petition.

No. 18–6003. *KAVANDI v. TIME WARNER CABLE, INC., ET AL.*, 586 U. S. 1017. Petition for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

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Miscellaneous Order

No. 18–966. *DEPARTMENT OF COMMERCE ET AL. v. NEW YORK ET AL.* C. A. 2d Cir. [Certiorari granted, 586 U. S. 1140.] Petitioners’ brief on the merits, and any *amicus curiae* briefs in support of petitioners or in support of neither party, are to be filed on or before Wednesday, March 6, 2019. Respondents’ briefs on the merits, and any *amicus curiae* briefs in support of respondents, are to be filed on or before Monday, April 1, 2019. Reply brief on the merits is to be filed in accordance with this Court’s Rule 25.3.

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Certiorari Granted—Vacated and Remanded. (See also *Yovino v. Rizo*, 586 U. S. 181 (2019) (*per curiam*).)

No. 17–5018. *KLIKNO v. UNITED STATES.* C. A. 7th Cir.;

No. 17–8740. *VAN SACH v. UNITED STATES.* C. A. 7th Cir.;

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No. 17–9399. *SHIELDS v. UNITED STATES*. C. A. 7th Cir. Reported below: 885 F. 3d 1020;

No. 18–6177. *LIPSCOMB v. UNITED STATES*. C. A. 7th Cir. Reported below: 721 Fed. Appx. 518; and

No. 18–6369. *BROWNING v. UNITED STATES*. C. A. 7th Cir. Reported below: 723 Fed. Appx. 343. Motions of petitioners for leave to proceed *in forma pauperis* granted. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *Stokeling v. United States*, 586 U. S. 73 (2019).

No. 17–8401. *FRANKLIN v. UNITED STATES*. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of the position asserted by the Solicitor General in his brief for the United States filed on July 6, 2018.

No. 18–5213. *BAKER v. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY*. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Washington v. Commissioner of Social Security*, 906 F. 3d 1353 (CA11 2018). Reported below: 729 Fed. Appx. 870.

Certiorari Dismissed

No. 18–7608. *WHITNEY v. CHANCELLOR*. Sup. Ct. Ark. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 2018 Ark. 259.

Miscellaneous Orders

No. 18M103. *HOM v. UNITED STATES*. Motion to direct the Clerk to file petition for writ of certiorari out of time under this Court’s Rule 14.5 denied.

No. 18M104. *GRIGSBY v. BALTAZAR, WARDEN*. Motion for leave to proceed as a veteran denied. JUSTICE GORSUCH took no part in the consideration or decision of this motion.

No. 17–1606. *SMITH v. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY*. C. A. 6th Cir. [Certiorari granted, 586 U. S. 985.] Motion for divided argument filed by the Solicitor General granted, and the time is divided as follows: 15 minutes for peti-

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tioner, 15 minutes for the Solicitor General, and 30 minutes for Court-appointed *amicus curiae* in support of the judgment below.

No. 18–315. COCHISE CONSULTANCY, INC., ET AL. *v.* UNITED STATES EX REL. HUNT. C. A. 11th Cir. [Certiorari granted, 586 U. S. 1018.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 18–7681. IN RE AGUINAGA. Petition for writ of habeas corpus denied.

Certiorari Granted

No. 18–328. ROTKISKE *v.* KLEMM ET AL. C. A. 3d Cir. Certiorari granted. Reported below: 890 F. 3d 422.

Certiorari Denied

No. 17–5239. RAZZ *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 679 Fed. Appx. 950.

No. 17–5543. DAVIS *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 17–5745. PHELPS *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 17–5772. CONDE *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 686 Fed. Appx. 755.

No. 17–6026. WILLIAMS *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 700 Fed. Appx. 895.

No. 17–6054. EVERETTE *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 694 Fed. Appx. 760.

No. 17–6140. JONES *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 17–6276. MIDDLETON *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 17–6357. REEVES *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 17–6374. RIVERA *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

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No. 17–6540. *SHOTWELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 989.

No. 17–6664. *MAYS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17–6829. *HARDY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17–6887. *WRIGHT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 868.

No. 17–6991. *BAXTER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 572.

No. 17–7140. *PACE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 698 Fed. Appx. 577.

No. 17–7391. *REPRESS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 713 Fed. Appx. 826.

No. 17–7563. *COTTMAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17–7716. *GARCIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17–7747. *BEVERLY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17–7762. *JACKSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 704 Fed. Appx. 911.

No. 17–7952. *WRIGHT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17–8272. *BANNISTER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17–8289. *WRIGHT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17–8431. *CASAMAYOR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 890.

No. 17–8544. *ROBINETT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 886 F. 3d 689.

No. 17–8663. *HALL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 877 F. 3d 800.

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No. 17–8676. *KING v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 721 Fed. Appx. 913.

No. 17–8678. *JACKSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 954.

No. 17–8745. *WILLIAMS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 712 Fed. Appx. 50.

No. 17–8766. *DESHAZIOR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 882 F. 3d 1352.

No. 17–8860. *DAVIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 948.

No. 17–8951. *LEWIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 619.

No. 17–9097. *LEWIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 17–9128. *JOYNER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 882 F. 3d 1369.

No. 17–9151. *GODBEE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 711 Fed. Appx. 588.

No. 17–9353. *WALKER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 968.

No. 17–9378. *DIEMER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 654.

No. 17–9589. *HARRIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 704 Fed. Appx. 919.

No. 18–192. *J. B. R. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–323. *EVANS, INDIVIDUALLY AND AS WIFE AND NEXT OF KIN OF EVANS, DECEASED v. UNITED STATES ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 554.

No. 18–340. *IN-N-OUT BURGER, INC. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 5th Cir. Certiorari denied. Reported below: 894 F. 3d 707.

No. 18–566. *MENENDEZ v. GARBER*. C. A. 6th Cir. Certiorari denied. Reported below: 888 F. 3d 839.

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No. 18-578. *PENDER ET AL. v. BANK OF AMERICA CORP. ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 359.

No. 18-642. *ZUKERMAN v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 897 F. 3d 423.

No. 18-651. *MONTGOMERY v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 746 Fed. Appx. 381.

No. 18-674. *MURPHY v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 901 F. 3d 578.

No. 18-680. *HUSS, WARDEN v. ROBINSON.* C. A. 6th Cir. Certiorari denied. Reported below: 901 F. 3d 710.

No. 18-742. *WASHINGTON v. ALABAMA.* Ct. Crim. App. Ala. Certiorari denied.

No. 18-773. *SULLIVAN v. CITY OF FREDERICK, MARYLAND, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 198.

No. 18-779. *POWER INTEGRATIONS INC. v. FAIRCHILD SEMICONDUCTOR INTERNATIONAL, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 904 F. 3d 965.

No. 18-783. *BARONE v. WELLS FARGO BANK, N. A.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 244 So. 3d 277.

No. 18-784. *BUGG v. HONEY ET AL.* Ct. App. Mo., Western Dist. Certiorari denied. Reported below: 542 S. W. 3d 367.

No. 18-785. *ALSTON v. ADMINISTRATIVE OFFICE OF THE COURTS, DELAWARE JUDICIARY, ET AL.* Sup. Ct. Del. Certiorari denied. Reported below: 181 A. 3d 614.

No. 18-786. *BLAIR v. MCCLINTON ET AL.* Ct. App. Tex., 1st Dist. Certiorari denied.

No. 18-792. *SATTERLEE v. MILLER-DEGASE, ASSESSOR OF DOUGLAS COUNTY, MISSOURI, ET AL.* Ct. App. Mo., Southern Dist. Certiorari denied.

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No. 18–800. *SHAO v. MCMANIS FAULKNER, LLP*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 18–802. *DEHOOG ET AL. v. ANHEUSER-BUSCH INBEV SA/NV ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 899 F. 3d 758.

No. 18–812. *TEAMSTERS LOCAL 210 AFFILIATED HEALTH AND INSURANCE FUND v. SILVERMAN, AS TRUSTEE OF THE UNION MUTUAL MEDICAL FUND, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 725 Fed. Appx. 79.

No. 18–816. *DAVIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–822. *COHEN v. GRIEVANCE ADMINISTRATOR, ATTORNEY GRIEVANCE COMMISSION OF MICHIGAN*. Sup. Ct. Mich. Certiorari denied. Reported below: 503 Mich. 875, 917 N. W. 2d 666.

No. 18–829. *DAVIS v. ANDERSON, JUDGE, UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT, ET AL.* C. A. 7th Cir. Certiorari denied.

No. 18–836. *MIRANDA LUNA v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 252 So. 3d 1196.

No. 18–844. *CHAVEZ-JUAREZ v. BARR, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 509.

No. 18–849. *HTC CORP. v. 3G LICENSING, S. A., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 889 F. 3d 1349.

No. 18–871. *JARMUTH v. INTERNATIONAL CLUB HOMEOWNERS ASSN., INC.* C. A. 4th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 155.

No. 18–875. *HILL ET AL. v. PBL MULTI-STRATEGY FUND, L. P.* C. A. 5th Cir. Certiorari denied. Reported below: 744 Fed. Appx. 192.

No. 18–892. *KIRSCH v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 903 F. 3d 213.

No. 18–904. *KING LAW GROUP, PLLC, ET AL. v. M2 TECHNOLOGY, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 748 Fed. Appx. 588.

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No. 18–914. *BOVE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 888 F. 3d 606.

No. 18–919. *DAVIES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 746 Fed. Appx. 86.

No. 18–924. *BULLOCK v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 258 N. C. App. 72, 811 S. E. 2d 713.

No. 18–945. *TLSL, INC. v. SNEAD, AS ADMINISTRATOR AD LITEM OF THE ESTATE OF ESTRADA, ET AL.* Sup. Ct. Ala. Certiorari denied. Reported below: 288 So. 3d 418.

No. 18–960. *NATIONWIDE BIWEEKLY ADMINISTRATION, INC. v. BMO HARRIS BANK, N. A.* C. A. 9th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 564.

No. 18–961. *SWARTZ v. UNITED STATES PATENT AND TRADE-MARK OFFICE ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 743 Fed. Appx. 426.

No. 18–991. *HUEBNER v. MIDLAND CREDIT MANAGEMENT ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 897 F. 3d 42.

No. 18–993. *YOUNG ADULT INSTITUTE, INC., DBA YAI NATIONAL INSTITUTE FOR PEOPLE WITH DISABILITIES, ET AL. v. LEVY ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 744 Fed. Appx. 12.

No. 18–1002. *DAVIS ET AL. v. VALSAMIS, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 752 Fed. Appx. 688.

No. 18–5092. *ANDERSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 833.

No. 18–5232. *PETTIS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 888 F. 3d 962.

No. 18–5288. *SERRANO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 659.

No. 18–5384. *RIVERA-RUPERTO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 846 F. 3d 417 and 852 F. 3d 1.

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No. 18–5612. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–5838. *SWOPES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 886 F. 3d 668.

No. 18–5940. *PEREZ v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 885 F. 3d 984.

No. 18–6025. *BORRERO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 719 Fed. Appx. 990.

No. 18–6092. *ABLES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 394.

No. 18–6257. *MCCRANIE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 889 F. 3d 677.

No. 18–6410. *MCKINZY v. GASTON (MCKINZY)*. Ct. App. Mo., Western Dist. Certiorari denied. Reported below: 555 S. W. 3d 479.

No. 18–6411. *REED v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 4 Cal. 5th 989, 416 P. 3d 68.

No. 18–6715. *EDSTROM v. MINNESOTA*. Sup. Ct. Minn. Certiorari denied. Reported below: 916 N. W. 2d 512.

No. 18–6727. *STOJETZ v. SHOOP, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 892 F. 3d 175.

No. 18–6752. *MCGUIRE v. OHIO*. Ct. App. Ohio, 8th App. Dist., Cuyahoga County. Certiorari denied. Reported below: 2018-Ohio-1390.

No. 18–6772. *GRANT v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 18–6781. *FARR v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 10th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 969.

No. 18–6813. *GHOSH v. CITY OF BERKELEY, CALIFORNIA*. Ct. App. Cal., 1st App. Dist., Div. 5. Certiorari denied.

No. 18–6818. *RANGEL v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 5 Cal. 5th 442, 420 P. 3d 902.

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No. 18–7026. *COATS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 257.

No. 18–7099. *RATUSHNY v. KAUFFMAN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 739 Fed. Appx. 104.

No. 18–7118. *LYNCH v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 254 So. 3d 312.

No. 18–7136. *HANNA v. LEBLANC, SECRETARY, LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 265.

No. 18–7137. *MADRIGAL v. OHIO*. Ct. App. Ohio, 6th App. Dist., Lucas County. Certiorari denied.

No. 18–7146. *SAGE v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 1 Wash. App. 2d 685, 407 P. 3d 359.

No. 18–7149. *DANIELAK v. BREWER, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 747 Fed. Appx. 339.

No. 18–7151. *MULHERN v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 179 A. 3d 576.

No. 18–7155. *PROVENCIO v. LIZARRAGA, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 18–7157. *MAYFIELD v. MARTIN, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 747 Fed. Appx. 722.

No. 18–7159. *LAMAR v. O'DELL, COLORADO PAROLE BOARD MEMBER*. C. A. 10th Cir. Certiorari denied. Reported below: 750 Fed. Appx. 714.

No. 18–7160. *ARANOFF v. ARANOFF*. Ct. App. N. Y. Certiorari denied. Reported below: 32 N. Y. 3d 1052, 113 N. E. 3d 463.

No. 18–7164. *KNUTH v. ARP, JUDGE, DISTRICT COURT FOR THE FIRST JUDICIAL DISTRICT OF COLORADO, ET AL.* Ct. App. Colo. Certiorari denied.

No. 18–7165. *JONES v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

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No. 18–7168. *WILLIAMS v. SOTO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 18–7170. *YANCEY v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 286 So. 3d 34.

No. 18–7171. *YOUNG v. VOONG ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 509.

No. 18–7172. *KEEN v. WASHINGTON*. Ct. App. Wash. Certiorari denied.

No. 18–7173. *LOFGREN v. HARDIN*. Ct. App. Wash. Certiorari denied. Reported below: 3 Wash. App. 2d 1024.

No. 18–7174. *EVERSON v. NEW YORK* (two judgments). App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 158 App. Div. 3d 1119, 70 N. Y. S. 3d 301 (first judgment); 158 App. Div. 3d 1123, 67 N. Y. S. 3d 877 (second judgment).

No. 18–7175. *LIPSEY v. COURT OF APPEAL OF CALIFORNIA, SECOND APPELLATE DISTRICT*. C. A. 9th Cir. Certiorari denied.

No. 18–7179. *TAYLOR v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied. Reported below: 300 Neb. 629, 915 N. W. 2d 568.

No. 18–7182. *GATES v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 18–7202. *RIOS SOTO v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 18–7234. *EDWARDS ET AL. v. GENE SALTER PROPERTIES ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 739 Fed. Appx. 357.

No. 18–7237. *SAUNDERS v. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY*. C. A. 4th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 733.

No. 18–7244. *LICEA MORALES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 713.

No. 18–7250. *JONES v. SAMSON RESOURCES CORP. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 734 Fed. Appx. 177.

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No. 18–7276. FRANCISCO VEGA ET AL. *v.* KAPUSTA, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 253 So. 3d 1072.

No. 18–7298. MOORE *v.* FLORIDA. Dist. Ct. App. Fla., 2d Dist. Certiorari denied.

No. 18–7311. WILKINS, AKA BROWN *v.* GONZALEZ ET AL. C. A. 9th Cir. Certiorari denied.

No. 18–7337. MARTIN *v.* TERRY, ACTING WARDEN. Sup. Ct. App. W. Va. Certiorari denied.

No. 18–7354. JOHNSON *v.* BRADLEY, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 18–7368. HOWARD *v.* MCCREADY ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 219.

No. 18–7385. CHENG LE *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 902 F. 3d 104.

No. 18–7394. BROWN *v.* TANNER, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 18–7395. WILFRED H. *v.* WEST VIRGINIA. Sup. Ct. App. W. Va. Certiorari denied.

No. 18–7397. BREEDEN *v.* KELLEY, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION. Sup. Ct. Ark. Certiorari denied. Reported below: 2018 Ark. 299, 557 S. W. 3d 264.

No. 18–7404. LAAKE *v.* TURNING STONE RESORT CASINO. C. A. 2d Cir. Certiorari denied. Reported below: 740 Fed. Appx. 744.

No. 18–7410. KOTT *v.* VANNOY, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 18–7412. KENNEDY *v.* LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS. Sup. Ct. La. Certiorari denied. Reported below: 2018–1489 (La. 12/17/18), 258 So. 3d 596.

No. 18–7427. DAUD *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 899 F. 3d 608.

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No. 18–7430. *FARAH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 899 F. 3d 608.

No. 18–7436. *AASE v. SCHNELL, COMMISSIONER, MINNESOTA DEPARTMENT OF CORRECTIONS*. C. A. 8th Cir. Certiorari denied.

No. 18–7440. *WHITMAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 887 F. 3d 1240.

No. 18–7443. *THORNTON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 737 Fed. Appx. 991.

No. 18–7445. *GEORGE v. KENT, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 18–7447. *LEMON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 444.

No. 18–7452. *GARCIA-CARILLO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 767.

No. 18–7454. *ST. VALLIER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 750 Fed. Appx. 135.

No. 18–7456. *SEBERT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 899 F. 3d 639.

No. 18–7462. *JOHNSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–7468. *JONES v. PALMER, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 127.

No. 18–7473. *ALBRIGHT v. KANSAS*. Sup. Ct. Kan. Certiorari denied.

No. 18–7498. *HALL v. TERRIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–7522. *KENNEDY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 649.

No. 18–7523. *JAMES v. KRUEGER, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 18–7537. *SALDIERNA v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 371 N. C. 407, 817 S. E. 2d 174.

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No. 18–7550. REYES-RUIZ *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 747 Fed. Appx. 496.

No. 18–7556. HORTON *v.* DUCART, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 18–7562. ISAAH *v.* JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied.

No. 18–7565. FULLER *v.* EPPINGER, WARDEN. Sup. Ct. Ohio. Certiorari denied. Reported below: 153 Ohio St. 3d 269, 2018-Ohio-2629, 104 N. E. 3d 762.

No. 18–7578. HOWARD *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 18–7579. PRICE *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 906 F. 3d 685.

No. 18–7585. GAY *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 746 Fed. Appx. 886.

No. 18–7587. HUDSON *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 18–7588. ODOM *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 317.

No. 18–7593. SANCHEZ *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 18–7598. MORRIS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 737 Fed. Appx. 221.

No. 18–7600. HOLT *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 751 Fed. Appx. 820.

No. 18–7602. DEMERSON *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 228.

No. 18–7605. DIAZ *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 18–7607. WHITE *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied.

No. 18–7609. ALSTON *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 899 F. 3d 135.

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No. 18–7615. *BACON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 900 F. 3d 1234.

No. 18–7619. *MORRIS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 753 Fed. Appx. 607.

No. 18–7623. *GOOLSBY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–7638. *WILLIAMS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 736 Fed. Appx. 267.

No. 18–7644. *BENITEZ v. KEY, SUPERINTENDENT, AIRWAY HEIGHTS CORRECTIONS CENTER*. C. A. 9th Cir. Certiorari denied.

No. 18–7654. *FAUSNAUGHT v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 18–7662. *LEWIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 296.

No. 18–7664. *GREER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–7666. *DE JESUS VASQUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 753 Fed. Appx. 800.

No. 18–7667. *TAYLOR v. VANNOY, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 18–7713. *GRIMSLEY v. MCGINLEY, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT COAL TOWNSHIP, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 17–6271. *JAMES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

No. 17–6577. *ORR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition. Reported below: 685 Fed. Appx. 263.

No. 17–8739. *DORVILUS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

No. 17–9469. *ANGEL GARCIA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. JUSTICE KAGAN took no part in the con-

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sideration or decision of this petition. Reported below: 877 F. 3d 944.

No. 18–551. *PHILIP MORRIS USA INC. v. JORDAN*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition. Reported below: 243 So. 3d 929.

No. 18–552. *PHILIP MORRIS USA INC. v. BROWN, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF BROWN*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition. Reported below: 243 So. 3d 521.

No. 18–621. *R. J. REYNOLDS TOBACCO CO. ET AL. v. PARDUE, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF FARICY*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition. Reported below: 247 So. 3d 415.

No. 18–649. *R. J. REYNOLDS TOBACCO CO. ET AL. v. SEARCY, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF LASARD*. C. A. 11th Cir. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition. Reported below: 902 F. 3d 1342.

No. 18–653. *PHILIP MORRIS USA INC. v. MCKEEVER, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF MCKEEVER*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition. Reported below: 207 So. 3d 907.

No. 18–654. *PHILIP MORRIS USA INC. ET AL. v. BOATRIGHT ET UX*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition. Reported below: 217 So. 3d 166.

No. 18–798. *BLAUCH v. COLORADO*. Dist. Ct. Colo., Adams County. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied.

No. 18–897. *R. J. REYNOLDS TOBACCO CO. v. NALLY, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF NALLY, DECEASED*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition. Reported below: 253 So. 3d 576.

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No. 18–898. *R. J. REYNOLDS TOBACCO CO. v. JOHNSTON, PERSONAL REPRESENTATIVE OF JOHNSTON*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition. Reported below: 253 So. 3d 576.

No. 18–900. *ZODHIATES v. UNITED STATES*. C. A. 2d Cir. Motion of Foundation for Moral Law for leave to file brief as *amicus curiae* granted. Certiorari denied. Reported below: 901 F. 3d 137.

No. 18–7448. *FOXX v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 253.

JUSTICE SOTOMAYOR, with whom JUSTICE GINSBURG joins, dissenting.

I dissent for the reasons set out in *Brown v. United States*, 586 U. S. 953 (2018) (SOTOMAYOR, J., dissenting from denial of certiorari).

No. 18–7453. *STERLING v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 752 Fed. Appx. 848.

JUSTICE SOTOMAYOR, with whom JUSTICE GINSBURG joins, dissenting.

I dissent for the reasons set out in *Brown v. United States*, 586 U. S. 953 (2018) (SOTOMAYOR, J., dissenting from denial of certiorari).

No. 18–7495. *BOYD v. QUINTANA, WARDEN*. C. A. 6th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

No. 18–7614. *JACOBY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition. Reported below: 750 Fed. Appx. 689.

No. 18–7656. *GARCIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

Rehearing Denied

No. 17–8786. *DEVEAUX v. CALDWELL, WARDEN*, 586 U. S. 832;

No. 17–8963. *HERBERT v. CVS PHARMACY ET AL.*, 586 U. S. 837;

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- No. 17–9058. CARTER *v.* BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY, 586 U. S. 840;
No. 17–9108. HURD *v.* LIZARRAGA, WARDEN, 586 U. S. 842;
No. 17–9144. HONISH *v.* UNITED STATES, 586 U. S. 844;
No. 17–9322. HAFFER *v.* NEW HAMPSHIRE, 586 U. S. 854;
No. 17–9563. INGRAM *v.* DIAZ, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, 586 U. S. 867;
No. 18–223. IN RE DAWSON, 586 U. S. 1034;
No. 18–375. ALEXANDER *v.* BAYVIEW LOAN SERVICING, LLC, 586 U. S. 1070;
No. 18–458. PELLEGRINI *v.* FRESNO COUNTY, CALIFORNIA, ET AL., 586 U. S. 1070;
No. 18–598. CHIEN *v.* CLARK ET AL., 586 U. S. 1074;
No. 18–683. STARK *v.* UNITED STATES, 586 U. S. 1076;
No. 18–5128. IN RE FAIRCHILD-LITTLEFIELD, 586 U. S. 811;
No. 18–5886. MITCHELL *v.* TAYLOR ET AL., 586 U. S. 990;
No. 18–6160. CARMODY *v.* BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS ET AL., 586 U. S. 1079;
No. 18–6230. SHOATE *v.* LEWIS, WARDEN, 586 U. S. 1052;
No. 18–6294. WALCOTT *v.* TERREBONNE PARISH JAIL MEDICAL DEPARTMENT ET AL., 586 U. S. 1080;
No. 18–6298. FRATTA *v.* DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, 586 U. S. 1080;
No. 18–6326. COXE *v.* WHITE, SUPERINTENDENT, WASHINGTON STATE CORRECTIONS CENTER, 586 U. S. 1053;
No. 18–6354. JOSSIE *v.* CVS PHARMACY, 586 U. S. 1081;
No. 18–6383. KULICK *v.* REIN, 586 U. S. 1081;
No. 18–6507. BROWN *v.* DEL NORTE COUNTY, CALIFORNIA, ET AL., 586 U. S. 1084;
No. 18–6647. SHARMA *v.* UNITED STATES, 586 U. S. 1088; and
No. 18–6654. IN RE DEBOLT, 586 U. S. 1034. Petitions for rehearing denied.

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Dismissal Under Rule 46

- No. 18–995. CRUNCH SAN DIEGO, LLC *v.* MARKS. C. A. 9th Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 904 F. 3d 1041.

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Certiorari Denied

No. 18–8070 (18A845). COBLE *v.* TEXAS. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Certiorari denied.

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Certiorari Granted—Vacated and Remanded

No. 17–9044. FABIAN-BALTAZAR *v.* UNITED STATES. C. A. 9th 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 *Garza v. Idaho*, 586 U. S. 232 (2019). Reported below: 707 Fed. Appx. 477.

Certiorari Dismissed

No. 18–7225. GILLESPIE *v.* REVERSE MORTGAGE SOLUTIONS, INC. Sup. Ct. Fla. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

No. 18–7544. WILLIAMS *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist., Div. 6. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 18–7545. WILLIAMS *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist., Div. 6. 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–3030. IN RE DISBARMENT OF REINER. Disbarment entered. [For earlier order herein, see 586 U. S. 961.]

No. 18M105. CALDWELL *v.* ROBERTS, WARDEN;

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No. 18M107. COX ET AL. *v.* UNITED STATES ET AL.;
No. 18M108. DYSON *v.* BRENNAN, POSTMASTER GENERAL;
No. 18M109. KATZ *v.* NATIONAL BOARD OF MEDICAL EXAMIN-
ERS ET AL.;
No. 18M110. JENNIFER A. *v.* GREGORY M. ET AL.; and
No. 18M111. LEBRON *v.* UNITED STATES. Motions to direct
the Clerk to file petitions for writs of certiorari out of time denied.

No. 18M106. SHAMPINE *v.* LEE ET AL. Motion to direct the
Clerk to file petition for writ of certiorari out of time under this
Court's Rule 14.5 denied.

No. 17-1705. PDR NETWORK, LLC, ET AL. *v.* CARLTON &
HARRIS CHIROPRACTIC, INC. C. A. 4th Cir. [Certiorari granted,
586 U. S. 996.] Motion of the Solicitor General for leave to partic-
ipate in oral argument as *amicus curiae* and for divided argu-
ment granted.

No. 18-7856. IN RE ALEXANDER; and
No. 18-7890. IN RE JOAQUIN RAMIREZ. Petitions for writs of
habeas corpus denied.

Certiorari Granted

No. 18-801. IANCU, UNDER SECRETARY OF COMMERCE FOR
INTELLECTUAL PROPERTY AND DIRECTOR, PATENT AND TRADE-
MARK OFFICE *v.* NANTKWEST, INC. C. A. Fed. Cir. Certiorari
granted. Reported below: 898 F. 3d 1177.

Certiorari Denied

No. 18-384. PAPIERFABRIK AUGUST KOEHLER SE *v.* UNITED
STATES ET AL. C. A. Fed. Cir. Certiorari denied. Reported
below: 710 Fed. Appx. 889.

No. 18-450. UTAH REPUBLICAN PARTY *v.* COX, LIEUTENANT
GOVERNOR OF UTAH, ET AL. C. A. 10th Cir. Certiorari denied.
Reported below: 892 F. 3d 1066.

No. 18-534. WELL LUCK Co., INC. *v.* UNITED STATES. C. A.
Fed. Cir. Certiorari denied. Reported below: 887 F. 3d 1106.

No. 18-555. MARQUETTE COUNTY ROAD COMMISSION *v.* ENVI-
RONMENTAL PROTECTION AGENCY ET AL. C. A. 6th Cir. Certio-
rari denied. Reported below: 726 Fed. Appx. 461.

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No. 18–648. *SEARCEY ET AL. v. DEAN ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 893 F. 3d 504.

No. 18–746. *COUNTY OF LOS ANGELES, CALIFORNIA, ET AL. v. MENDEZ ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 897 F. 3d 1067.

No. 18–815. *T. B., BY AND THROUGH HIS PARENTS, T. B. ET UX. v. PRINCE GEORGE’S COUNTY BOARD OF EDUCATION ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 897 F. 3d 566.

No. 18–819. *VASCONCELLOS v. HAMLIN.* App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 2018 IL App (2d) 160715–U.

No. 18–840. *BANKS v. GORE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 766.

No. 18–862. *DAUGHERTY ET AL. v. SHEER ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 891 F. 3d 386.

No. 18–883. *LEDESMA-CONCHAS v. BARR, ATTORNEY GENERAL.* C. A. 9th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 744.

No. 18–885. *KENNEDY ET AL. v. SCHNEIDER ELECTRIC, FKA SQUARE D Co.* C. A. 7th Cir. Certiorari denied. Reported below: 893 F. 3d 414.

No. 18–920. *VELTRE v. FIFTH THIRD BANK.* C. A. 3d Cir. Certiorari denied. Reported below: 732 Fed. Appx. 171.

No. 18–927. *MEKOWULU v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 18–967. *MICHEO-ACEVEDO v. STERICYCLE OF PUERTO RICO, INC.* C. A. 1st Cir. Certiorari denied. Reported below: 897 F. 3d 360.

No. 18–977. *ANDERSON v. WALRATH, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 294.

No. 18–1005. *ZELL v. KLINGELHAFFER ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 751 Fed. Appx. 641.

No. 18–1009. *UNITED STATES EX REL. CODY v. MANTech INTERNATIONAL CORP.* C. A. 4th Cir. Certiorari denied. Reported below: 746 Fed. Appx. 166.

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No. 18–1011. *RODRIGUEZ LOPEZ v. READYONE INDUSTRIES, INC.* Ct. App. Tex., 8th Dist. Certiorari denied. Reported below: 551 S. W. 3d 305.

No. 18–1018. *BENNETT ET AL. v. JEFFERSON COUNTY, ALABAMA.* C. A. 11th Cir. Certiorari denied. Reported below: 899 F. 3d 1240.

No. 18–1021. *HAWKINS v. INCH, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 18–6207. *PAIZ GUEVARA v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 894 F. 3d 593.

No. 18–6306. *HEBERT v. ROGERS, WARDEN.* C. A. 5th Cir. Certiorari denied. Reported below: 890 F. 3d 213.

No. 18–6482. *ANCHUNDIA-ESPINOZA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 897 F. 3d 629.

No. 18–6569. *MURRAY v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 18–6780. *FARR v. DAVIS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 961.

No. 18–6807. *SLUSSER v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 895 F. 3d 437.

No. 18–6845. *MITCHELL v. MAHALLY, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 902 F. 3d 156.

No. 18–6869. *MCNEILL v. NORTH CAROLINA.* Sup. Ct. N. C. Certiorari denied. Reported below: 371 N. C. 198, 813 S. E. 2d 797.

No. 18–6916. *POWELL v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied. Reported below: 5 Cal. 5th 921, 422 P. 3d 973.

No. 18–7190. *WICKS v. RADNOTHY ET AL.* Sup. Ct. Fla. Certiorari denied.

No. 18–7211. *MONTE v. KESSLING ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 745 Fed. Appx. 471.

No. 18–7213. *DIXIT v. BRASHER, JUDGE, SUPERIOR COURT OF GEORGIA, ATLANTA JUDICIAL CIRCUIT.* Ct. App. Ga. Certiorari denied.

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No. 18–7218. *BERHE v. OLESEHA*. Ct. App. D. C. Certiorari denied.

No. 18–7220. *FAROOQI v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 18–7221. *GILBERT v. WASHINGTON DEPARTMENT OF CORRECTIONS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 673.

No. 18–7223. *HALL v. PARAMO, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 519.

No. 18–7295. *BARNES v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 254 So. 3d 397.

No. 18–7316. *HOWELL v. NUCAR CONNECTION, INC., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 784.

No. 18–7319. *GREENE v. ALABAMA DEPARTMENT OF REVENUE ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 746 Fed. Appx. 929.

No. 18–7339. *REYES v. DUGGAN ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 723 Fed. Appx. 3.

No. 18–7347. *FREER v. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 710 Fed. Appx. 41.

No. 18–7362. *DANIELS v. FLORIDA*. C. A. 11th Cir. Certiorari denied.

No. 18–7402. *SHAPIRO v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied.

No. 18–7405. *BEASON v. INDIANA*. Ct. App. Ind. Certiorari denied. Reported below: 102 N. E. 3d 346.

No. 18–7415. *SCOTT v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 8. Certiorari denied.

No. 18–7479. *HAYCRAFT v. INDIANA*. Ct. App. Ind. Certiorari denied.

No. 18–7505. *PINA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 413.

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No. 18–7511. *ORTIZ-FAGOT v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 18–7541. *RANGEL v. TIPPECANOE COUNTY, INDIANA, ET AL.* C. A. 7th Cir. Certiorari denied.

No. 18–7557. *HYPPOLITE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 329.

No. 18–7560. *FREEMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 333.

No. 18–7561. *GUZMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 240.

No. 18–7563. *FOSTER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–7566. *GORIS, AKA GORIZ, AKA ABREU v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 709 Fed. Appx. 107.

No. 18–7567. *COLLINS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 18–7611. *EVERETT v. DELAWARE*. Sup. Ct. Del. Certiorari denied. Reported below: 186 A. 3d 1224.

No. 18–7612. *BOWENS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 907 F. 3d 347.

No. 18–7621. *BURNS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 243.

No. 18–7627. *HOUBE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 704 Fed. Appx. 276.

No. 18–7632. *GRANT v. KELLY, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. Sup. Ct. Ark. Certiorari denied. Reported below: 2018 Ark. 204, 548 S. W. 3d 814.

No. 18–7642. *LASSEND v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 898 F. 3d 115.

No. 18–7645. *SANCHEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 440.

No. 18–7646. *SAWYER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 907 F. 3d 121.

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No. 18–7649. *BAZAR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 747 Fed. Appx. 454.

No. 18–7660. *HARRIS v. DEAL, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 18–7663. *FORD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 888 F. 3d 922.

No. 18–7668. *PALADIN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 18–7669. *MORENO-ALVAREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 255.

No. 18–7675. *HAYES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 18–7678. *HERNANDEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 124.

No. 18–7679. *CURRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 744 Fed. Appx. 784.

No. 18–7682. *DEMERS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 740 Fed. Appx. 750.

No. 18–7692. *HORN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 262.

No. 18–7699. *RUIZ-RUIZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 253.

No. 18–7700. *RAY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 452.

No. 18–7707. *ANGUIANO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 699.

No. 18–7711. *FITZGERALD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 754 Fed. Appx. 351.

No. 18–7712. *MIMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–7715. *FLORES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 505.

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No. 18–7716. *INGRAM v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 714 Fed. Appx. 982.

No. 18–7717. *FERGUSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 314.

No. 18–7737. *SIMMONS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 18–7740. *RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–7742. *SERNA v. COUNTY OF HENNEPIN, MINNESOTA*. C. A. 8th Cir. Certiorari denied.

No. 18–7745. *EVANS v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. Reported below: 329 Conn. 770, 189 A. 3d 1184.

No. 18–7750. *MORROBEL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 754 Fed. Appx. 867.

No. 18–7759. *BUCKNER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 750 Fed. Appx. 905.

No. 18–7766. *REEDER v. REYNOLDS, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 81.

No. 18–7773. *ESPINOZA-MENDOZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 263.

No. 18–7794. *KROTT v. MAY, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 649.

No. 18–364. *MORRIS COUNTY BOARD OF CHOSEN FREEHOLDERS ET AL. v. FREEDOM FROM RELIGION FOUNDATION ET AL.*; and

No. 18–365. *PRESBYTERIAN CHURCH IN MORRISTOWN ET AL. v. FREEDOM FROM RELIGION FOUNDATION ET AL.* Sup. Ct. N. J. Certiorari denied. Reported below: 232 N. J. 543, 181 A. 3d 992.

Statement of JUSTICE KAVANAUGH, with whom JUSTICE ALITO and JUSTICE GORSUCH join, respecting the denial of certiorari.

Morris County, New Jersey, distributes historic preservation funds to help preserve local buildings such as libraries, schoolhouses, performing arts centers, and museums. As part of that program, Morris County also distributes funds to help preserve

religious buildings such as synagogues, temples, churches, and mosques. But it turns out that New Jersey law, as recently interpreted by the New Jersey Supreme Court, prohibits Morris County from awarding grants to preserve religious buildings.

The petitioners here argue that the State's exclusion of religious buildings—because they are religious—from Morris County's historic preservation program constitutes unconstitutional discrimination against religion in violation of the First and Fourteenth Amendments to the United States Constitution. The New Jersey Supreme Court concluded that the State's discrimination did not violate the First and Fourteenth Amendments.

In my view, the decision of the New Jersey Supreme Court is in serious tension with this Court's religious equality precedents.

As this Court has repeatedly held, governmental discrimination against religion—in particular, discrimination against religious persons, religious organizations, and religious speech—violates the Free Exercise Clause and the Equal Protection Clause. In the words of Justice Brennan, the “government may not use religion as a basis of classification for the imposition of duties, penalties, privileges or benefits.” *McDaniel v. Paty*, 435 U. S. 618, 639 (1978) (opinion concurring in judgment). Under the Constitution, the government may not discriminate against religion generally or against particular religious denominations. See *Larson v. Valente*, 456 U. S. 228, 244 (1982).

The principle of religious equality eloquently articulated by Justice Brennan in *McDaniel* is now firmly rooted in this Court's jurisprudence. As Justice Kennedy later wrote for the Court, a law may not discriminate against “some or all religious beliefs,” and “a law targeting religious beliefs as such is never permissible.” *Church of Lukumi Babalu Aye, Inc. v. Hialeah*, 508 U. S. 520, 532, 533 (1993). Put another way, the government may not “impose special disabilities on the basis of . . . religious status.” *Employment Div., Dept. of Human Resources of Ore. v. Smith*, 494 U. S. 872, 877 (1990).

We have applied that bedrock principle of religious equality in numerous cases. See, e.g., *Trinity Lutheran Church of Columbia, Inc. v. Comer*, 582 U. S. 449 (2017); *Good News Club v. Milford Central School*, 533 U. S. 98 (2001); *Rosenberger v. Rector and Visitors of Univ. of Va.*, 515 U. S. 819 (1995); *Lamb's Chapel v. Center Moriches Union Free School Dist.*, 508 U. S. 384 (1993); *McDaniel*, 435 U. S. 618.

For example, in *McDaniel*, a Tennessee statute disqualified ministers from serving as delegates to Tennessee's constitutional convention. The Court ruled the statute unconstitutional, explaining that the Constitution does not allow the government to discriminate against religious persons by prohibiting their service in a public office. See *id.*, at 629.

In *Good News*, a school district in New York allowed residents to use the local public high school for social, civic, and recreational events. But the school district prohibited a religious organization from using the school, simply because the organization was religious. This Court held that the school district's exclusion of the religious organization was unconstitutional discrimination against religion. See 533 U. S., at 109.

That same principle of religious equality applies to governmental benefits or grants programs in which religious organizations or people seek benefits or grants on the same terms as secular organizations or people—at least, our precedents say, so long as the government does not fund the training of clergy, for example. See *Trinity Lutheran*, 582 U. S., at 464–465; *Locke v. Davey*, 540 U. S. 712, 721, 725 (2004).

In *Trinity Lutheran*, Missouri barred a religious school from obtaining a state funding grant for the school's playground. By contrast, Missouri allowed secular private schools to obtain state funding grants for their schools' playgrounds. This Court held that Missouri's law was unconstitutional. The Court stated that the Constitution “protects religious observers against unequal treatment.” 582 U. S., at 458 (alterations omitted). In the Court's description, Missouri's law reflected an unconstitutional policy of “No churches need apply.” *Id.*, at 465. The Court minced no words: Discriminating against religious schools because the schools are religious “is odious to our Constitution.” *Id.*, at 467.

In this case, New Jersey's “No religious organizations need apply” for historic preservation grants appears similar to, for example, Missouri's “No religious schools need apply” for school playground grants and New York's “No religious clubs need apply” for use of school facilities and Tennessee's “No ministers need apply” for state office.

To be clear, this is not a case like *Lee v. Weisman*, 505 U. S. 577 (1992); *Marsh v. Chambers*, 463 U. S. 783 (1983); or *County of Allegheny v. American Civil Liberties Union, Greater Pitts-*

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burgh Chapter, 492 U. S. 573 (1989), where the government itself is engaging in religious speech, such as a government-sponsored prayer or a government-sponsored religious display. Nor is this a case like *Burwell v. Hobby Lobby Stores, Inc.*, 573 U. S. 682 (2014), or *Smith*, 494 U. S. 872, where a religious group or person is asking for an accommodation or exemption from a generally applicable law. Under the Court's precedents, both of those categories of cases can pose difficult questions. This kind of case, by contrast, should not be as difficult: Barring religious organizations because they are religious from a general historic preservation grants program is pure discrimination against religion.

* * *

At some point, this Court will need to decide whether governments that distribute historic preservation funds may deny funds to religious organizations simply because the organizations are religious. But at this point and in this case, it is appropriate to deny certiorari, for two main reasons. First, the factual details of the Morris County program are not entirely clear. In particular, it is not evident precisely what kinds of buildings can be funded under the Morris County program. That factual uncertainty about the scope of the program could hamper our analysis of petitioners' religious discrimination claim. Second, this Court decided *Trinity Lutheran* only recently, and there is not yet a robust post-*Trinity Lutheran* body of case law in the lower courts on the question whether governments may exclude religious organizations from general historic preservation grants programs.

For those reasons, denial of certiorari is appropriate. As always, a denial of certiorari does not imply agreement or disagreement with the decision of the relevant federal court of appeals or state supreme court. In my view, prohibiting historic preservation grants to religious organizations simply because the organizations are religious would raise serious questions under this Court's precedents and the Constitution's fundamental guarantee of equality.

No. 18–684. STEVENS-RUCKER, ADMINISTRATOR OF THE ESTATE OF WHITE, DECEASED *v.* FRENZ ET AL. C. A. 6th Cir. Motion of The Rutherford Institute for leave to file brief as *amicus curiae* granted. Certiorari denied. Reported below: 739 Fed. Appx. 834.

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No. 18–704. ABBOTT ET AL. *v.* PASTIDES ET AL. C. A. 4th Cir. Motions of First Amendment Clinics at Duke Law et al. and American Civil Liberties Union of South Carolina et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 900 F. 3d 160.

No. 18–7538. RUSSO *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 902 F. 3d 880.

JUSTICE SOTOMAYOR, with whom JUSTICE GINSBURG joins, dissenting.

I dissent for the reasons set out in *Brown v. United States*, 586 U. S. 953 (2018) (SOTOMAYOR, J., dissenting from denial of certiorari).

No. 18–7616. TOVAR PUPO *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition. Reported below: 715 Fed. Appx. 11.

No. 18–7674. GORBIEY *v.* MCCALL, WARDEN. C. A. 4th Cir. Certiorari denied. THE CHIEF JUSTICE and JUSTICE KAGAN took no part in the consideration or decision of this petition. Reported below: 722 Fed. Appx. 327.

Rehearing Denied

No. 17–8059. BEAVERS, AKA STOKES, AKA WEST *v.* UNITED STATES, 586 U. S. 827;

No. 17–8685. BELL *v.* INOVA HEALTH CARE, DBA INOVA FAIRFAX HOSPITAL (two judgments), 585 U. S. 1022;

No. 18–5057. BAGBY *v.* HYATTE, WARDEN, 586 U. S. 880;

No. 18–5120. NELSON *v.* BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY, 586 U. S. 883;

No. 18–5355. SANDERS *v.* DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, 586 U. S. 896;

No. 18–5896. BAKER *v.* UNITED STATES, 586 U. S. 929;

No. 18–5989. BILBO *v.* DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, 586 U. S. 1001;

No. 18–6038. VILLAVICENCIO *v.* JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, 586 U. S. 1023;

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No. 18–6239. *REILLY v. HERRERA ET AL.*, 586 U. S. 1079;
No. 18–6365. *BARTLETT v. MICHIGAN ET AL.*, 586 U. S. 1081;
No. 18–6509. *TEDESCO v. MONROE COUNTY, PENNSYLVANIA, ET AL.*, 586 U. S. 1084;
No. 18–6517. *BROWN v. ELITE MODELING AGENCY*, 586 U. S. 1085;
No. 18–6575. *STOKES v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, 586 U. S. 1086;
No. 18–6661. *SAMUEL v. UNITED STATES*, 586 U. S. 1088;
No. 18–6676. *WILMORE v. UNITED STATES*, 586 U. S. 1088;
No. 18–6841. *STEWART v. NORTH CAROLINA*, 586 U. S. 1093;
and
No. 18–6941. *CHAPMAN v. LAMPERT, DIRECTOR, WYOMING DEPARTMENT OF CORRECTIONS, ET AL.*, 586 U. S. 1120. Petitions for rehearing denied.

No. 18–5578. *AKEL v. UNITED STATES*, 586 U. S. 911. Petition for rehearing denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

No. 18–5704. *AUSTIN v. DISTRICT ATTORNEY OF PHILADELPHIA COUNTY, PENNSYLVANIA, ET AL.*, 586 U. S. 938. Petition for rehearing denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 18–6291. *COOK v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.*, 586 U. S. 1024. Motion for leave to file petition for rehearing denied.

No. 18–6376. *ALBRA v. BOARD OF TRUSTEES OF MIAMI DADE COLLEGE ET AL.*, 586 U. S. 1109. Petition for rehearing denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition.

MARCH 5, 2019

Dismissal Under Rule 46

No. 18–788. *R. J. REYNOLDS TOBACCO Co. v. ODOM, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF THURSTON*. Sup. Ct. Fla. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 254 So. 3d 268.

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Miscellaneous Orders

No. 18–422. *RUCHO ET AL. v. COMMON CAUSE ET AL.* D. C. M. D. N. C. [Probable jurisdiction postponed, 586 U.S. 1062.] Joint motion of appellees for enlargement of time for oral argument and for divided argument granted in part, and the time is divided as follows: 35 minutes for appellants, 20 minutes for appellee Common Cause et al., and 15 minutes for appellee League of Women Voters of North Carolina et al.

No. 18–966. *DEPARTMENT OF COMMERCE ET AL. v. NEW YORK ET AL.* C. A. 2d Cir. [Certiorari granted, 586 U.S. 1140.] The parties are directed to brief and argue the following additional question: “Whether the Secretary of Commerce’s decision to add a citizenship question to the Decennial Census violated the Enumeration Clause of the U.S. Constitution, Art. I, § 2, cl. 3.” Respondents are allowed an additional 2,000 words in aggregate to address this question in their briefs on the merits. Petitioners are allowed an additional 1,000 words to address this question in their reply brief on the merits.

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Certiorari Granted—Vacated and Remanded

No. 18–6612. *PINKNEY v. UNITED STATES.* C. A. 7th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Stokeling v. United States*, 586 U.S. 73 (2019). Reported below: 734 Fed. Appx. 986.

Certiorari Dismissed

No. 18–7697. *YATES v. IOWA.* Dist. Ct. North Lee County, Iowa. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 18–7705. *YATES v. IOWA.* Ct. App. Iowa. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 924 N. W. 2d 532.

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Miscellaneous Orders

No. 18M112. ALFETLAWI *v.* KLEE, WARDEN;

No. 18M115. WEBB-EL *v.* HURWITZ, DIRECTOR, FEDERAL BUREAU OF PRISONS, ET AL.; and

No. 18M116. PRICE *v.* VANNOY, WARDEN. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 18M113. IN RE TWELVE GRAND JURY SUBPOENAS; and

No. 18M114. RUNNELS *v.* DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. Motions for leave to file petitions for writs of certiorari under seal with redacted copies for the public record granted.

No. 18–349. PATTERSON *v.* WALGREEN Co. C. A. 11th Cir.; and

No. 18–817. HIKMA PHARMACEUTICALS USA INC. ET AL. *v.* VANDA PHARMACEUTICALS INC. C. A. Fed. Cir. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 18–6321. NGUYEN *v.* NIELSEN, SECRETARY OF HOMELAND SECURITY. C. A. 9th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [586 U. S. 1034] denied.

No. 18–6907. KULICK *v.* LEISURE VILLAGE ASSN., INC. C. A. 9th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [586 U. S. 1143] denied.

No. 18–7369. GHOSH *v.* CITY OF BERKELEY, CALIFORNIA, ET AL. Ct. App. Cal., 1st App. Dist.; and

No. 18–7695. WILLIAMS *v.* WILKIE, SECRETARY OF VETERANS AFFAIRS. C. A. Fed. Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until April 8, 2019, 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. 18–1064. IN RE WILLIAMS;

No. 18–7063. IN RE DREAD;

No. 18–8080. IN RE JOHNSON;

No. 18–8098. IN RE HANSON; and

No. 18–8110. IN RE ANDERSON. Petitions for writs of habeas corpus denied.

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No. 18–8006. IN RE EVANS. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of habeas corpus dismissed. See this Court’s Rule 39.8.

No. 18–7754. IN RE CABELLO; and

No. 18–7949. IN RE WATSON. Petitions for writs of mandamus denied.

No. 18–7777. IN RE BRICE. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*).

No. 18–6927. IN RE URBINA. Petition for writ of prohibition denied.

Certiorari Granted

No. 18–217. MATHENA, WARDEN *v.* MALVO. C. A. 4th Cir. Certiorari granted. Reported below: 893 F.3d 265.

No. 17–834. KANSAS *v.* GARCIA (Reported below: 306 Kan. 1113, 401 P.3d 588); KANSAS *v.* MORALES (306 Kan. 1100, 401 P.3d 155); and KANSAS *v.* OCHOA-LARA (306 Kan. 1107, 401 P.3d 159). Sup. Ct. Kan. Certiorari granted limited to Question 1 presented by the petition and the following question: “Whether the Immigration Reform and Control Act impliedly pre-empts Kansas’ prosecution of respondents.”

No. 18–5924. RAMOS *v.* LOUISIANA. Ct. App. La., 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 2016–1199 (La. App. 4 Cir. 11/2/17), 231 So.3d 44.

No. 18–6135. KAHLER *v.* KANSAS. Sup. Ct. Kan. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 307 Kan. 374, 410 P.3d 105.

Certiorari Denied

No. 18–234. CHAIDEZ CAMPOS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 888 F.3d 724.

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No. 18–292. *LEWIS v. ENGLISH, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 749.

No. 18–442. *BENTON v. UNITED STATES*;

No. 18–601. *TATE v. UNITED STATES*; and

No. 18–606. *KESARI v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 890 F. 3d 697.

No. 18–461. *HINOJOSA ET AL. v. HORN ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 896 F. 3d 305.

No. 18–472. *BEHR DAYTON THERMAL PRODUCTS LLC ET AL. v. MARTIN ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 896 F. 3d 405.

No. 18–499. *GRIFFIOEN ET AL. v. CEDAR RAPIDS AND IOWA CITY RAILWAYS CO. ET AL.* Sup. Ct. Iowa. Certiorari denied. Reported below: 914 N. W. 2d 273.

No. 18–503. *N. E. L. ET AL. v. DOUGLAS COUNTY, COLORADO, ET AL.* (Reported below: 740 Fed. Appx. 920), certiorari denied; and *N. E. L. ET AL. v. GILDNER ET AL.*, certiorari before judgment denied. C. A. 10th Cir.

No. 18–530. *CONGREGATION JESHUAT ISRAEL v. CONGREGATION SHEARITH ISRAEL*. C. A. 1st Cir. Certiorari denied. Reported below: 866 F. 3d 53.

No. 18–539. *HAWES v. REILLY*. Sup. Ct. R. I. Certiorari denied. Reported below: 184 A. 3d 661.

No. 18–576. *WRIGHT v. WATSON ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 739 Fed. Appx. 981.

No. 18–596. *NEBA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 901 F. 3d 260.

No. 18–617. *SPIRIT AIRLINES, INC. v. MAIZES ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 899 F. 3d 1230.

No. 18–656. *HALL, DIRECTOR, KENTUCKY DEPARTMENT OF CORRECTIONS, DIVISION OF PROBATION AND PAROLE v. AYERS*. C. A. 6th Cir. Certiorari denied. Reported below: 900 F. 3d 829.

No. 18–689. *MOYA ET AL. v. GARCIA, SHERIFF, SANTA FE COUNTY, NEW MEXICO, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 895 F. 3d 1229.

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No. 18–699. *BROOKDALE SENIOR LIVING COMMUNITIES, INC., ET AL. v. UNITED STATES EX REL. PRATHER*. C. A. 6th Cir. Certiorari denied. Reported below: 892 F. 3d 822.

No. 18–716. *PETROLEO BRASILEIRO S. A. v. EIG ENERGY FUND XIV, L. P., ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 894 F. 3d 339.

No. 18–760. *SAUNDERS v. IVEY, SHERIFF, BREVARD COUNTY, FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 559.

No. 18–763. *FATTAH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 914 F. 3d 112.

No. 18–805. *STROHMEYER v. SURFACE TRANSPORTATION BOARD ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–834. *SHEIKH ET AL. v. SAN JOAQUIN GENERAL HOSPITAL*. C. A. 9th Cir. Certiorari denied.

No. 18–835. *LOZANO v. SUPERIOR COURT OF MASSACHUSETTS, SUFFOLK COUNTY, ET AL.* C. A. 1st Cir. Certiorari denied.

No. 18–845. *SEIDEL v. CENTURY SURETY Co.* C. A. 5th Cir. Certiorari denied. Reported below: 893 F. 3d 328.

No. 18–848. *BISBEE v. RYAN, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–859. *PEEL v. H. E. BUTT GROCERY Co.* Ct. App. Tex., 14th Dist. Certiorari denied.

No. 18–865. *VELLA v. BARR, ATTORNEY GENERAL*. C. A. 3d Cir. Certiorari denied. Reported below: 742 Fed. Appx. 623.

No. 18–867. *JACKSON ET AL. v. JACKSON*. C. A. 11th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 905.

No. 18–869. *LECUONA v. LECUONA*. Ct. App. Tex., 3d Dist. Certiorari denied.

No. 18–870. *IBRAGIMOV v. WISCONSIN*. Ct. App. Wis. Certiorari denied.

No. 18–876. *ALMOND ET AL. v. SINGING RIVER HEALTH SYSTEM ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 846.

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No. 18–880. *SURESHOT GOLF VENTURES, INC. v. TOPGOLF INTERNATIONAL, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 754 Fed. Appx. 235.

No. 18–886. *JONES v. HAWAII RESIDENCY PROGRAMS, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 423.

No. 18–887. *CALIFORNIA TRUCKING ASSN. v. SU.* C. A. 9th Cir. Certiorari denied. Reported below: 903 F. 3d 953.

No. 18–889. *SMITH ET AL. v. WEBER.* Sup. Ct. Ill. Certiorari denied.

No. 18–890. *D’ADDARIO ET AL. v. D’ADDARIO.* C. A. 2d Cir. Certiorari denied. Reported below: 901 F. 3d 80.

No. 18–901. *SIMMONS v. TEXAS.* Ct. App. Tex., 1st Dist. Certiorari denied.

No. 18–905. *MASTROGIOVANNI SCHORSCH & MERSKY, P. C., ET AL. v. MANDEL.* C. A. 5th Cir. Certiorari denied. Reported below: 747 Fed. Appx. 955.

No. 18–906. *KINNEY v. CANTIL-SAKAUYE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 562.

No. 18–907. *KINNEY v. THREE ARCH BAY COMMUNITY SERVICES DISTRICT ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 553.

No. 18–908. *KINNEY v. ROTHSCHILD ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 555.

No. 18–909. *DAVIS v. FIAT CHRYSLER AUTOMOBILES U.S., LLC.* C. A. 6th Cir. Certiorari denied. Reported below: 747 Fed. Appx. 309.

No. 18–912. *AMERICARE MEDSERVICES, INC. v. CITY OF ANAHEIM, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 473.

No. 18–915. *CHRISTIAN v. PAYNE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 748 Fed. Appx. 504.

No. 18–917. *BENT v. TALKIN, MARSHAL, SUPREME COURT OF THE UNITED STATES, ET AL.* C. A. D. C. Cir. Certiorari denied.

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No. 18–922. *FISCH v. TEXAS*. Ct. App. Tex., 1st Dist. Certiorari denied. Reported below: 537 S. W. 3d 207.

No. 18–925. *A–1 PREMIUM ACCEPTANCE, INC. v. HUNTER*. Sup. Ct. Mo. Certiorari denied. Reported below: 557 S. W. 3d 923.

No. 18–934. *PROSTERMAN ET AL. v. AMERICAN AIRLINES INC. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 747 Fed. Appx. 458.

No. 18–939. *ORTEGA-MORALES v. BARR, ATTORNEY GENERAL*. C. A. 11th Cir. Certiorari denied. Reported below: 752 Fed. Appx. 839.

No. 18–947. *BARTH v. TOWNSHIP OF BERNARDS, NEW JERSEY, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–950. *FREEMAN v. AMERICAN K–9 DETECTION SERVICES, LLC, ET AL.* Sup. Ct. Tex. Certiorari denied. Reported below: 556 S. W. 3d 246.

No. 18–951. *T&T ROCK DISTRIBUTION, LLC v. VELASCO*. Ct. App. Tex., 10th Dist. Certiorari denied.

No. 18–955. *FERNANDEZ v. SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA*. C. A. 11th Cir. Certiorari denied. Reported below: 898 F. 3d 1324.

No. 18–985. *BMP FAMILY L. P. ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 764.

No. 18–986. *HUCKABY ET AL. v. HALLEY, AS NEXT FRIEND OF J. H., A MINOR CHILD*. C. A. 10th Cir. Certiorari denied. Reported below: 902 F. 3d 1136.

No. 18–988. *RPD HOLDINGS, L. L. C. v. TECH PHARMACY SERVICES, DBA ADVANCED PHARMACY SERVICES*. C. A. 5th Cir. Certiorari denied. Reported below: 907 F. 3d 845.

No. 18–994. *WILLIAMS v. INCH, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–997. *WILLIAMS ET AL. v. NATIONAL GALLERY, LONDON, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 749 Fed. Appx. 13.

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No. 18–1001. *SIBLEY v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 18–1003. *SLONE ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. Reported below: 896 F. 3d 1083.

No. 18–1016. *BEAM v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 18–1029. *GHOSH v. DISH NETWORK L. L. C.* C. A. 10th Cir. Certiorari denied. Reported below: 752 Fed. Appx. 589.

No. 18–1075. *RPX CORP. v. APPLICATIONS IN INTERNET TIME, LLC*. C. A. Fed. Cir. Certiorari denied. Reported below: 897 F. 3d 1336.

No. 18–5773. *DELANCY v. PASTRANA, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 18–5781. *DUSENBERY v. HOLT, WARDEN*. C. A. 3d Cir. Certiorari denied. Reported below: 720 Fed. Appx. 102.

No. 18–5969. *FUENTES-CANALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 902 F. 3d 468.

No. 18–6237. *SMITH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 710.

No. 18–6265. *SILVA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 889 F. 3d 704.

No. 18–6310. *LAWSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 663.

No. 18–6319. *REID v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 888 F. 3d 256.

No. 18–6377. *WOODSIDE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 895 F. 3d 894.

No. 18–6481. *FONTANEZ v. COAKLEY, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 698 Fed. Appx. 150.

No. 18–6533. *LEWALLYN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 737 Fed. Appx. 471.

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No. 18–6550. *THOMAS v. VANNOY, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 898 F. 3d 561.

No. 18–6667. *ELBEBLAWY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 899 F. 3d 925.

No. 18–6671. *MALONE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 889 F. 3d 310.

No. 18–6771. *GARDNER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 734 Fed. Appx. 311.

No. 18–6904. *ROBERSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 87.

No. 18–6913. *SOWELL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 18–6914. *ROJAS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 748 Fed. Appx. 777.

No. 18–6979. *JACKSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 152.

No. 18–6989. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 749 Fed. Appx. 827.

No. 18–7000. *BUENO JIMENEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 756 Fed. Appx. 933.

No. 18–7022. *ZATER v. ATKINSON, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 178.

No. 18–7224. *ACUNA VALENZUELA v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 245 Ariz. 197, 426 P. 3d 1176.

No. 18–7242. *SANDERS v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 245 Ariz. 113, 425 P. 3d 1056.

No. 18–7246. *SIMS v. KING ET AL.* C. A. 8th Cir. Certiorari denied.

No. 18–7248. *ANTHONY v. BOYD, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 903.

No. 18–7252. *WIESE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 896 F. 3d 720.

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No. 18–7257. *DIAKITE v. ASUNCION, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 18–7258. *THOMASON v. JACKSON ET AL.* Sup. Ct. Ala. Certiorari denied.

No. 18–7259. *ALLEN v. SMITH, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HOUTZDALE*. Sup. Ct. Pa. Certiorari denied.

No. 18–7261. *CUMBEE v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 726 Fed. Appx. 238.

No. 18–7265. *ARMSTRONG v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 18–7271. *JOHNSON v. MCDOWELL, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 588.

No. 18–7273. *BLAKE v. FISH ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 206.

No. 18–7279. *THOMAS v. DISTRICT ATTORNEY OF LANCASTER COUNTY, PENNSYLVANIA*. C. A. 3d Cir. Certiorari denied.

No. 18–7280. *WAPPLER v. IVEY ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–7281. *WORKMAN v. VANDERMOSTEN ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 379.

No. 18–7283. *BARTLETT v. KALAMAZOO COUNTY COMMUNITY MENTAL HEALTH BOARD ET AL.* C. A. 6th Cir. Certiorari denied.

No. 18–7285. *BURCH v. ATLANTA CITY COURT ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 914.

No. 18–7288. *HARRISON v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 18–7290. *AJVAZI v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

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No. 18–7291. THOMPSON *v.* DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 18–7299. PARKER *v.* TEXAS. Ct. Crim. App. Tex. Certiorari denied.

No. 18–7301. J. C. *v.* TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 18–7302. BARTLETT *v.* GORSALITZ ET AL. C. A. 6th Cir. Certiorari denied.

No. 18–7312. TRAN *v.* KANSAS. Ct. App. Kan. Certiorari denied. Reported below: 54 Kan. App. 2d xxx, 399 P. 3d 290.

No. 18–7314. THOMAS *v.* FLORIDA. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 252 So. 3d 164.

No. 18–7315. ARMISTEAD *v.* BOWEN ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 69.

No. 18–7318. GOMEZ *v.* CALIFORNIA. Ct. App. Cal., 1st App. Dist., Div. 4. Certiorari denied.

No. 18–7321. YOUNG *v.* CHAPDELAINE, WARDEN; YOUNG *v.* CHAPDELAINE, WARDEN; and YOUNG *v.* CHAPDELAINE, WARDEN, ET AL. C. A. 2d Cir. Certiorari denied.

No. 18–7322. YERTON *v.* BRYANT, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 737 Fed. Appx. 902.

No. 18–7324. GIL *v.* FLORIDA. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 239 So. 3d 69.

No. 18–7328. SHEELY ET UX. *v.* BANK OF AMERICA, N. A., ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 603.

No. 18–7332. DELLINGER *v.* TENNESSEE. Ct. Crim. App. Tenn. Certiorari denied.

No. 18–7334. PEREZ *v.* ILLINOIS. App. Ct. Ill., 3d Dist. Certiorari denied. Reported below: 2018 IL App (3d) 160114–U.

No. 18–7335. MCKAY *v.* CLARKE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 127.

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No. 18–7336. *HILL v. MICHIGAN*. C. A. 6th Cir. Certiorari denied.

No. 18–7338. *JONES v. OFFICE OF ADMINISTRATIVE HEARINGS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 757 Fed. Appx. 692.

No. 18–7342. *GROSS v. DANNATT*. Ct. App. Tex., 13th Dist. Certiorari denied.

No. 18–7343. *ISRAEL, ON BEHALF OF MINOR CHILDREN A. I. ET AL. v. CITY OF NORTH MIAMI, FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–7349. *HICKS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 18–7353. *JACKSON v. OHIO*. Ct. App. Ohio, 11th App. Dist., Trumbull County. Certiorari denied. Reported below: 2018-Ohio-2146.

No. 18–7357. *FRAZIER v. CRUMP ET AL.* C. A. 6th Cir. Certiorari denied.

No. 18–7359. *GREENWOOD v. TENNESSEE BOARD OF PAROLE*. Ct. App. Tenn. Certiorari denied. Reported below: 547 S. W. 3d 207.

No. 18–7363. *KROHE v. STEINHARDT*. C. A. 9th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 452.

No. 18–7364. *CHAMBERS v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 18–7366. *GRAY v. SORRELS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 744 Fed. Appx. 563.

No. 18–7370. *GIPSON v. TAMPKINS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 18–7373. *PATTON v. TEXAS*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 18–7380. *GLOVER v. WISCONSIN*. Ct. App. Wis. Certiorari denied.

No. 18–7381. *HERNANDEZ v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

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No. 18–7382. *HERBIN v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 18–7383. *FELDMAN v. ADOPTION STAR AGENCY ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 915.

No. 18–7384. *DEUSCHEL v. USC FACULTY DENTAL PRACTICE ET AL.* Ct. App. Cal., 2d App. Dist., Div. 5. Certiorari denied.

No. 18–7386. *ARMANDO, AKA SARRES MENDOZA v. WHITFIELD ET AL.* C. A. 5th Cir. Certiorari denied.

No. 18–7389. *SMITH v. JACKSON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–7396. *FISHBACK v. PARRIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–7398. *KRUSKAL v. SPRUNT*. Ct. App. N. M. Certiorari denied.

No. 18–7399. *CARTER v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 185 A. 3d 1129.

No. 18–7401. *SHAPIRO v. UNITED STATES* (two judgments). C. A. 7th Cir. Certiorari denied.

No. 18–7403. *BLACKWELL v. DOOLEY ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 709 Fed. Appx. 424.

No. 18–7406. *BOATMAN v. DIAZ, ACTING SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied.

No. 18–7407. *BLANKUMSEE v. CIRCUIT COURT OF MARYLAND, WASHINGTON COUNTY, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 744 Fed. Appx. 844.

No. 18–7409. *LEONARD v. FLORIDA ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–7411. *JACOB v. COTTON, CHAIRPERSON, NEBRASKA BOARD OF PAROLE, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 509.

No. 18–7413. *SMITH v. CORCORAN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 656.

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No. 18–7416. *SOLIS v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 886.

No. 18–7422. *WILLIAMS v. VANNOY, WARDEN*. Sup. Ct. La. Certiorari denied. Reported below: 2018–1540 (La. 10/15/18), 253 So. 3d 1295.

No. 18–7423. *WASHINGTON v. BOUGHTON, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 884 F. 3d 692.

No. 18–7425. *COOPER v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2015 IL App (1st) 130884–U.

No. 18–7428. *JONES v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 256 So. 3d 801.

No. 18–7429. *LOPEZ v. MONTGOMERY, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 211.

No. 18–7433. *ARDANEH v. MASSACHUSETTS ET AL.* C. A. 1st Cir. Certiorari denied.

No. 18–7435. *BIGGINS v. DANBERG ET AL.* C. A. 3d Cir. Certiorari denied.

No. 18–7437. *ANIMASHAUN v. SCHMIDT ET AL.* C. A. 2d Cir. Certiorari denied.

No. 18–7438. *VILLA v. KOWALSKI*. App. Ct. Ill., 2d Dist. Certiorari denied.

No. 18–7442. *UNDERWOOD v. CARPENTER, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 894 F. 3d 1154.

No. 18–7446. *HOPKINS v. WARDEN, VENTRESS CORRECTIONAL FACILITY*. C. A. 11th Cir. Certiorari denied.

No. 18–7450. *MILLER v. TEXAS ET AL.* C. A. 5th Cir. Certiorari denied.

No. 18–7457. *CASE v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 5 Cal. 5th 1, 418 P. 3d 360.

No. 18–7458. *TAYLOR v. MILLER ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 392.

No. 18–7459. *GREENE v. HUFFMAN ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 119.

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No. 18–7460. *HORVATT v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 18–7464. *GARY v. FLORIDA.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 241 So. 3d 100.

No. 18–7465. *BOYKIN v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2018 IL App (1st) 151347–U.

No. 18–7480. *WILEY v. CARTLEDGE, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 319.

No. 18–7483. *FRANK v. FLORIDA.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 237 So. 3d 985.

No. 18–7492. *FEREBEE v. CLARKE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* Sup. Ct. Va. Certiorari denied.

No. 18–7508. *BROOKS v. PINNACLE FINANCIAL CORP. ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–7517. *JOHNSON v. McDERMOTT, WARDEN.* C. A. 7th Cir. Certiorari denied.

No. 18–7519. *DUNCAN v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 33.

No. 18–7521. *KING v. VANNOY, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 18–7525. *HARRIS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 886 F. 3d 1120.

No. 18–7535. *CHALFANT v. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY.* C. A. 3d Cir. Certiorari denied. Reported below: 737 Fed. Appx. 625.

No. 18–7558. *HAWKINS v. FLORIDA.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 246 So. 3d 354.

No. 18–7559. *DALEY v. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY.* C. A. 4th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 963.

No. 18–7570. *HARDEMAN v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

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No. 18–7577. *CASTRO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 755 Fed. Appx. 371.

No. 18–7586. *FREY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 752 Fed. Appx. 878.

No. 18–7592. *HUBBARD v. BROWN ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–7601. *CHHIM v. GOLDEN NUGGETT LAKE CHARLES, L. L. C.* C. A. 5th Cir. Certiorari denied. Reported below: 730 Fed. Appx. 255.

No. 18–7606. *DAVIS v. FLORENCE ET AL.* C. A. 2d Cir. Certiorari denied.

No. 18–7617. *HINTON v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 18–7626. *HAYNES v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2017 IL App (1st) 150590–U.

No. 18–7628. *BEVAN v. FLORIDA*. Sup. Ct. Fla. Certiorari denied.

No. 18–7634. *FOX v. TURNER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–7635. *HALL v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 266 So. 3d 759.

No. 18–7672. *MOODY v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 238 Md. App. 733.

No. 18–7684. *BROWN v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 18–7689. *JAMES v. KAPUSTA, INTERIM SECRETARY, FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 260 So. 3d 241.

No. 18–7698. *INGRAM v. INCH, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 798.

No. 18–7702. *REESE v. ZATECKY, SUPERINTENDENT, PENDLETON CORRECTIONAL FACILITY*. C. A. 7th Cir. Certiorari denied.

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No. 18–7706. *ALI v. INTERACTIVE BROKERS LLC*. C. A. 9th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 450.

No. 18–7714. *GRANDISON v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 234 Md. App. 564, 174 A. 3d 388.

No. 18–7720. *WEBBER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 511.

No. 18–7722. *ESCOBEDO-CORONADO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 36.

No. 18–7723. *DEMPSEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–7726. *WILLIAMS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 898 F. 3d 323.

No. 18–7727. *HATT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 710 Fed. Appx. 585.

No. 18–7734. *CANNON v. IOWA DISTRICT COURT, DES MOINES COUNTY*. Sup. Ct. Iowa. Certiorari denied.

No. 18–7735. *DAVIS v. ANDREWS, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 782.

No. 18–7736. *DAVIS v. NEW YORK*. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 153 App. Div. 3d 1673, 60 N. Y. S. 3d 907.

No. 18–7738. *FARRISH v. NAVY FEDERAL CREDIT UNION*. C. A. 4th Cir. Certiorari denied. Reported below: 711 Fed. Appx. 189.

No. 18–7741. *SILLS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–7746. *DAVIS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 909 F. 3d 9.

No. 18–7748. *FREEMAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–7751. *BOLTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

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No. 18–7755. *GARCIA v. WILKIE, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 908 F. 3d 728.

No. 18–7758. *CUMMINS v. LOLLAR*. Ct. App. Tex., 7th Dist. Certiorari denied.

No. 18–7760. *GISH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–7762. *FAUCONIER v. CLARKE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 709 Fed. Appx. 174.

No. 18–7763. *ADAMS v. DEPARTMENT OF DEFENSE*. C. A. 4th Cir. Certiorari denied. Reported below: 709 Fed. Appx. 200.

No. 18–7764. *FRENCH v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2017 IL App (1st) 141815, 72 N. E. 3d 1214.

No. 18–7765. *MASSEY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 895 F. 3d 248.

No. 18–7768. *STRAUSS v. KENTUCKY BOARD OF MEDICAL LICENSURE*. Sup. Ct. Ky. Certiorari denied. Reported below: 558 S. W. 3d 443.

No. 18–7776. *OLVERA-CRUZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 16.

No. 18–7778. *ZEMLYANSKY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 908 F. 3d 1.

No. 18–7779. *KIRKLAND v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 909 F. 3d 1049.

No. 18–7781. *LOPEZ v. NOBLE, WARDEN*. Sup. Ct. Ohio. Certiorari denied. Reported below: 154 Ohio St. 3d 192, 2018-Ohio-4061, 112 N. E. 3d 905.

No. 18–7783. *CANNADY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–7784. *DAVID v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–7788. *ROBINSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 861.

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No. 18–7790. *SIMPSON v. COOPER*, JUDGE, COURT OF COMMON PLEAS, HAMILTON COUNTY, OHIO. Sup. Ct. Ohio. Certiorari denied. Reported below: 154 Ohio St. 3d 320, 2018-Ohio-4068, 114 N. E. 3d 172.

No. 18–7792. *DONATO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 18–7795. *LANIEUX v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 2018–1410 (La. 11/5/18), 255 So. 3d 1038.

No. 18–7799. *CUTULLE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–7800. *ANTONIO AGUILAR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 522.

No. 18–7801. *TANNEHILL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–7802. *HOPSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 754 Fed. Appx. 153.

No. 18–7804. *WATSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–7812. *WILCOX v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 18–7814. *BROWN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–7817. *CEBALLOS v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist., Div. 2. Certiorari denied.

No. 18–7818. *CASTANEDA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 906 F. 3d 691.

No. 18–7821. *MIXON v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 18–7823. *NORWOOD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 387.

No. 18–7824. *KILLINGBECK v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

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No. 18–7830. *JOHNSON v. KANSAS*. Ct. App. Kan. Certiorari denied. Reported below: 54 Kan. App. 2d xxiii, 404 P. 3d 362.

No. 18–7836. *MOORE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–7838. *MOORE v. UNITED STATES* (two judgments). C. A. 9th Cir. Certiorari denied.

No. 18–7839. *BYERS v. WHITE, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 254.

No. 18–7841. *ADETILOYE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–7842. *BURTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–7843. *GIBSON v. BOE, SUPERINTENDENT, CLALLAM BAY CORRECTIONS CENTER*. C. A. 9th Cir. Certiorari denied.

No. 18–7844. *HARTLEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 112.

No. 18–7846. *HOUGH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–7848. *FISHER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 690 Fed. Appx. 108.

No. 18–7849. *PACHECO ESTUDILLO v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–7858. *MAJID v. NOBLE, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 751 Fed. Appx. 735.

No. 18–7859. *MONSEGUE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–7861. *GRAVES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 908 F. 3d 137.

No. 18–7862. *BEATTY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 754 Fed. Appx. 166.

No. 18–7863. *BURRIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 183.

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No. 18–7871. *VENNINGS v. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY*. C. A. 4th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 419.

No. 18–7874. *BOOZE v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 18–7878. *CANNON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 785.

No. 18–7880. *CLARKE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 972.

No. 18–7882. *GATES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 755 Fed. Appx. 649.

No. 18–7883. *CARTER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–7884. *VILLALVA-PATRICIO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 289.

No. 18–7886. *OCEAN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 904 F. 3d 25.

No. 18–7898. *REID EL BEY v. NORTH CAROLINA ET AL.* Gen. Ct. Justice, Super. Ct. Div., Wilson County, N. C. Certiorari denied.

No. 18–7900. *BLANCO-RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 755 Fed. Appx. 339.

No. 18–7903. *ARRINGTON v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 18–7905. *HALL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 731 Fed. Appx. 218.

No. 18–7910. *FUENTES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 906 F. 3d 322.

No. 18–7911. *KUN v. STATE BAR OF CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 18–7913. *THOMAS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 750 Fed. Appx. 129.

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No. 18–7914. *THARPS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 141.

No. 18–7915. *WARNER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 701 Fed. Appx. 288.

No. 18–7916. *WREN v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 18–7918. *HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 715 Fed. Appx. 433.

No. 18–7920. *HABECK v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 953.

No. 18–7921. *LOOMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–7922. *LAFLEUR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 983.

No. 18–7927. *ANDERSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 507.

No. 18–7930. *BUTTON v. INCH, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 702 Fed. Appx. 936.

No. 18–7947. *GARDEN v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied. Reported below: 93 Mass App. 1108, 103 N. E. 3d 1237.

No. 18–7954. *BLANTON v. CLARKE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 328.

No. 18–7960. *MARSHALL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 754 Fed. Appx. 157.

No. 18–7968. *RAGLAND v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 371 N. C. 572, 818 S. E. 2d 638.

No. 18–7969. *SMITH v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 18–7983. *LAURSON v. COLORADO*. Ct. App. Colo. Certiorari denied.

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No. 18–7993. *BEDFORD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 914 F. 3d 422.

No. 18–8033. *MONTALVO BORGOS v. MEDEIROS*, SUPERINTENDENT, MASSACHUSETTS CORRECTIONAL INSTITUTION AT NORFOLK. C. A. 1st Cir. Certiorari denied.

No. 18–8100. *FRANKLIN v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 18–285. *MISSOURI v. DOUGLASS ET AL.* Sup. Ct. Mo. Motion of respondents for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 544 S. W. 3d 182.

No. 18–420. *UNITED STATES v. WHEELER*. C. A. 4th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 886 F. 3d 415.

No. 18–451. *ALOHA BED & BREAKFAST v. CERVELLI ET AL.* Int. Ct. App. Haw. Motions of Foundation for Moral Law and Ethics & Religious Liberty Commission of the Southern Baptist Convention for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 142 Haw. 177, 415 P. 3d 919.

No. 18–545. *FIRST ADVANTAGE BACKGROUND SERVICES CORP. v. SUPERIOR COURT OF CALIFORNIA, SAN MATEO COUNTY, ET AL.* Ct. App. Cal., 1st App. Dist., Div. 4. Motion of Washington Legal Foundation et al. for leave to file brief as *amici curiae* granted. Certiorari denied.

No. 18–661. *ZANK v. LOPEZ MORENO*. C. A. 6th Cir. Motion of Reunite International Child Abduction Centre for leave to file brief as *amicus curiae* granted. Certiorari denied. Reported below: 895 F. 3d 917.

No. 18–910. *CITY OF SAN DIEGO, CALIFORNIA v. PUBLIC EMPLOYMENT RELATIONS BOARD*. Sup. Ct. Cal. Motion of Pacific Legal Foundation for leave to file brief as *amicus curiae* granted. Certiorari denied. Reported below: 5 Cal. 5th 898, 422 P. 3d 552.

No. 18–6819. *THARPE v. FORD, WARDEN*. C. A. 11th Cir. Certiorari denied.

Statement of JUSTICE SOTOMAYOR respecting the denial of certiorari.

Petitioner Keith Tharpe is a Georgia inmate on death row. For years, Tharpe, who is black, has asked state and federal courts

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to consider his claim that a white member of the jury that sentenced him to death was biased against him because of his race. Tharpe has presented a signed affidavit from the juror in question, who stated, among other things, that “‘there are two types of black people: 1. Black folks and 2. Niggers,’” and that Tharpe, “‘who wasn’t in the “good” black folks category in [his] book, should get the electric chair for what he did.’” *Tharpe v. Sellers*, 583 U. S. 33, 34 (2018) (*per curiam*). Nevertheless, Tharpe has never received a hearing on the merits of his racial-bias claim.

The petition that the Court denies today does not turn on the merits of that claim, and I concur in the denial of Tharpe’s petition. I write because I am profoundly troubled by the underlying facts of this case.

I

More than seven years after he was sentenced to death, Tharpe’s attorneys uncovered evidence that a white member of his jury, Barney Gattie, harbored racist views at the time of the trial. In a sworn statement, Gattie made “repugnant comments . . . rife with racial slurs . . . and even an explicit statement that [his] decision to sentence Tharpe to death was[,] at leas[t] in part, based on race.” *Tharpe v. Warden*, 898 F. 3d 1342, 1348 (CA11 2018) (Wilson, J., concurring). Tharpe sought postconviction relief in state court, arguing that racial bias tainted the jury’s deliberations in his case.

To this day, Tharpe’s racial-bias claim has never been adjudicated on its merits. The Georgia state court and the Federal District Court denied Tharpe’s requests for postconviction relief on procedural grounds. Tharpe moved to reopen the federal proceedings in light of “‘extraordinary circumstances,’” *Gonzalez v. Crosby*, 545 U. S. 524, 536 (2005), but the District Court denied that motion. Tharpe requested a certificate of appealability (COA) from the United States Court of Appeals for the Eleventh Circuit, but the court denied his request after concluding that he had not made an adequate showing that Gattie’s racial bias affected the jury’s verdict. *Tharpe*, 583 U. S., at 34. This Court disagreed, explaining that Tharpe had “present[ed] a strong factual basis for the argument that Tharpe’s race affected Gattie’s vote for a death verdict.” *Id.*, at 34–35. We remanded for further consideration.

On remand, the Court of Appeals again denied Tharpe’s request for a COA. It held that the District Court did not arguably

abuse its discretion in denying Tharpe's motion to reopen because two different threshold obstacles barred Tharpe's claim. First, the court held that Tharpe's juror-bias claim could not go forward because the claim relied on a later decided case, *Pena-Rodriguez v. Colorado*, 580 U.S. 206 (2017), which the court concluded does not apply retroactively. 898 F. 3d, at 1345–1346. Second, the court decided that Tharpe had not established cause for his procedural default in state court—*i. e.*, he had not given a sufficient justification for failing to raise the juror-bias claim in a motion for a new trial or in his direct appeal. Specifically, the court rejected as unsubstantiated Tharpe's allegation that counsel's ineffectiveness was to blame for his not having raised the racial-bias claim sooner. *Id.*, at 1347. Tharpe seeks this Court's review.

II

Tharpe's petition for a writ of certiorari asks us to decide only whether the Court of Appeals' procedural rulings were correct, not whether his juror-bias claim has merit. Tharpe "faces a high bar in showing that jurists of reason could disagree whether the District Court abused its discretion in denying his motion" to reopen. *Tharpe*, 583 U.S., at 35. And for Tharpe's claim to proceed, he must overcome both of the Court of Appeals' independent reasons for denying him a COA. In other words, even setting aside whether *Pena-Rodriguez* is retroactive, he would have to establish that he arguably showed sufficient cause to excuse his procedural default.

I see little likelihood that we would reverse the Court of Appeals' factbound conclusion that Tharpe did not make that showing. Before this Court, Tharpe argues that he could not have raised his racial-bias claim in a motion for new trial or on direct appeal because he did not know—indeed, could not have known—of the predicate facts of the claim at that time. Pet. for Cert. 35. If preserved, that argument would have force. But Tharpe did not make this argument before the District Court until a footnote in his reply brief in the Federal Rule of Civil Procedure 60(b)(6) proceedings, see Reply to Brief in Opposition 12–13 (listing the reply brief as the earliest point at which this argument was made), and the District Court did not address it, see App. D to Pet. for Cert. Given this preservation issue and the deference due to the District Court, the Court of Appeals reasonably focused on the ineffective-assistance argument that Tharpe did pre-

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vously present to the District Court in deciding that Tharpe had not made the requisite showing of cause. See 898 F. 3d, at 1347.

I therefore concur in the Court's decision to deny Tharpe's petition for certiorari. As this may be the end of the road for Tharpe's juror-bias claim, however, we should not look away from the magnitude of the potential injustice that procedural barriers are shielding from judicial review.

Tharpe has uncovered truly striking evidence of juror bias. Gattie, the juror at issue, signed an affidavit reflecting his "view that 'there are two types of black people: 1. Black folks and 2. Niggers'; that Tharpe, 'who wasn't in the "good" black folks category in [his] book, should get the electric chair for what he did'; that '[s]ome of the jurors voted for death because they felt that Tharpe should be an example to other blacks who kill blacks, but that wasn't [his] reason'; and that, '[a]fter studying the Bible, [he] ha[d] wondered if black people even have souls.'" *Tharpe*, 583 U. S., at 34 (quoting App. B to Pet. for Cert. 15–16).

These racist sentiments, expressed by a juror entrusted with a vote over Tharpe's fate, suggest an appalling risk that racial bias swayed Tharpe's sentencing. The danger of race determining any criminal punishment is intolerable and endangers public confidence in the law. See *Buck v. Davis*, 580 U. S. 100, 124 (2017). That risk is especially grave here, where it may have yielded a punishment that is unique in its "complete finality." *Turner v. Murray*, 476 U. S. 28, 35 (1986). When Tharpe went on trial for his crimes, the Constitution promised him the "fundamental 'protection of life and liberty against race or color prejudice.'" *McCleskey v. Kemp*, 481 U. S. 279, 310 (1987) (quoting *Strauder v. West Virginia*, 100 U. S. 303, 309 (1880)). There is strong evidence that this promise went unfulfilled.

It may be tempting to dismiss Tharpe's case as an outlier, but racial bias is "a familiar and recurring evil." *Pena-Rodriguez*, 580 U. S., at 224. That evil often presents itself far more subtly than it has here. Yet Gattie's sentiments—and the fact that they went unexposed for so long, evading review on the merits—amount to an arresting demonstration that racism can and does seep into the jury system. The work of "purg[ing] racial prejudice from the administration of justice," *id.*, at 221, is far from done.

No. 18–7408. *LEONARD v. GEORGE WASHINGTON UNIVERSITY HOSPITAL ET AL.* C. A. D. C. Cir. Certiorari denied. JUSTICE

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KAVANAUGH took no part in the consideration or decision of this petition.

No. 18–7441. *WHEELER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

No. 18–7687. *LEE v. MUNIZ, WARDEN*. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition.

No. 18–7769. *HILL v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

No. 18–7840. *TELFAIR v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

Rehearing Denied

No. 17–5617. *MORELAND v. LYNCHBURG DEPARTMENT OF SOCIAL SERVICES*, 583 U. S. 935;

No. 17–8213. *BREWER v. UNITED STATES*, 584 U. S. 955;

No. 17–8593. *BROOKS v. RAEMISCH, EXECUTIVE DIRECTOR, COLORADO DEPARTMENT OF CORRECTIONS, ET AL.*, 585 U. S. 1021;

No. 17–8818. *BAKER v. UNITED STATES*, 584 U. S. 1019;

No. 17–8962. *DE MIN GU v. FEDERAL BUREAU OF INVESTIGATION ET AL.*, 586 U. S. 837;

No. 17–9392. *GRANT v. WHITE ET AL.*, 586 U. S. 857;

No. 17–9477. *GRANT v. ALPEROVICH ET AL.*, 586 U. S. 862;

No. 18–497. *COULTER v. BISSEON, JUDGE, UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA, ET AL.*, 586 U. S. 1037;

No. 18–586. *KOCH v. ESTRELLA ET AL.*, 586 U. S. 1074;

No. 18–611. *TATAR v. UNITED STATES*, 586 U. S. 1074;

No. 18–659. *MASOMI v. MADADI*, 586 U. S. 1127;

No. 18–702. *YADAV ET UX. v. NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION*, 586 U. S. 1076;

No. 18–6245. *KIRKLAND v. PROGRESSIVE INSURANCE CO. ET AL.*, 586 U. S. 1079;

No. 18–6272. *STESHENKO v. MCKAY ET AL.*, 586 U. S. 1080;

No. 18–6388. *BLACKMON v. EATON CORP.*, 586 U. S. 1081;

No. 18–6688. *LEONARD v. FLORIDA*, 586 U. S. 1118; and

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No. 18–7065. *LOBO v. UNITED STATES*, 586 U. S. 1121. Petitions for rehearing denied.

No. 17–8011. *BLOUNT v. UNITED STATES*, 584 U. S. 941. Petition for rehearing denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition.

No. 18–5428. *BARRAQUIAS v. WILKIE, SECRETARY OF VETERANS AFFAIRS*, 586 U. S. 911. Petition for rehearing denied. JUSTICE KAGAN took no part in the consideration or decision of this petition.

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Certiorari Dismissed

No. 18–7709. *LASCHKEWITSCH, AS ADMINISTRATOR FOR THE ESTATE OF LASCHKEWITSCH v. LINCOLN LIFE & ANNUITY DISTRIBUTORS, INC., DBA LINCOLN FINANCIAL GROUP*. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 729 Fed. Appx. 261.

Miscellaneous Orders

No. 18A738. *DRESSLER v. CIRCUIT COURT OF WISCONSIN, RACINE COUNTY*. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. 18M117. *REED v. FLORISSANT COUNTY, MISSOURI, ET AL.*;

No. 18M118. *LOCKHART v. GEORGIA*; and

No. 18M119. *WANG v. CALIFORNIA*. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 18M120. *BUENO-SIERRA v. UNITED STATES*. Motion to direct the Clerk to file petition for writ of certiorari out of time denied. JUSTICE KAGAN took no part in the consideration or decision of this motion.

No. 18–7499. *BIDA v. JOHNSON*. C. A. 3d Cir.;

No. 18–7542. *HARDEN v. ST. CLAIR COUNTY, MICHIGAN, ET AL.* C. A. 6th Cir.; and

No. 18–7584. *MARBERRY v. STATE BAR OF CALIFORNIA*. Sup. Ct. Cal. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until April 15, 2019, within which to pay the docketing fees required by Rule 38(a)

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and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

No. 18–8246. IN RE JACKSON. Petition for writ of habeas corpus denied.

No. 18–8243. IN RE LEFFEBRE. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of habeas corpus dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

No. 18–973. IN RE CHATFIELD ET AL.;

No. 18–8015. IN RE AGBONIFO; and

No. 18–8099. IN RE BRYANT. Petitions for writs of mandamus denied.

Certiorari Denied

No. 17–1351. GREER v. GREEN TREE SERVICING LLC ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 708 Fed. Appx. 371.

No. 18–225. ZAPPOS.COM, INC. v. STEVENS ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 888 F. 3d 1020.

No. 18–498. MARICOPA COUNTY, ARIZONA v. UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 889 F. 3d 648.

No. 18–533. TRAVIS v. EXEL, INC., DBA DHL SUPPLY CHAIN (USA), ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 884 F. 3d 1326.

No. 18–640. ACKLIN v. ALABAMA. Ct. Crim. App. Ala. Certiorari denied. Reported below: 266 So. 3d 89.

No. 18–657. GRIMSRUD v. DEPARTMENT OF TRANSPORTATION. C. A. Fed. Cir. Certiorari denied. Reported below: 718 Fed. Appx. 987.

No. 18–728. RENTMEESTER v. NIKE, INC. C. A. 9th Cir. Certiorari denied. Reported below: 883 F. 3d 1111.

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No. 18–729. *MAXWELL & MORGAN, P. C., ET AL. v. MCNAIR*. C. A. 9th Cir. Certiorari denied. Reported below: 893 F. 3d 680.

No. 18–774. *ANDERSON NEWS, L. L. C., ET AL. v. AMERICAN MEDIA, INC., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 899 F. 3d 87.

No. 18–831. *PRESLEY ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 895 F. 3d 1284.

No. 18–930. *BRANDON v. BRANDON*. Ct. App. Cal., 2d App. Dist., Div. 5. Certiorari denied.

No. 18–933. *PATEL v. PATEL ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 727 Fed. Appx. 52.

No. 18–943. *FAIRFIELD COUNTY, OHIO, ET AL. v. MORGAN ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 903 F. 3d 553.

No. 18–946. *ARROYO v. TORRES-SANCHEZ ET AL.* C. A. 1st Cir. Certiorari denied.

No. 18–958. *MITRANO v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 723 Fed. Appx. 518.

No. 18–971. *HOBSON v. MATTIS, FORMER SECRETARY OF DEFENSE*. C. A. 6th Cir. Certiorari denied.

No. 18–980. *TORKORNOO v. MARYLAND ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 123.

No. 18–998. *WAITE, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF WAITE v. UNION CARBIDE CORP. ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 901 F. 3d 1307.

No. 18–1006. *ADAMS v. TEXAS*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 18–1007. *ABULKHAIR v. GOOGLE LLC ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 738 Fed. Appx. 754.

No. 18–1025. *LEON v. NEW YORK CITY DEPARTMENT OF EDUCATION ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 740 Fed. Appx. 759.

No. 18–1047. *WADE v. FLORIDA DEPARTMENT OF JUVENILE JUSTICE*. C. A. 11th Cir. Certiorari denied. Reported below: 745 Fed. Appx. 894.

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No. 18–1082. *GUZALL v. CITY OF ROMULUS, MICHIGAN, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 574.

No. 18–1090. *BECKMAN v. MATCH.COM, LLC.* C. A. 9th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 142.

No. 18–1119. *RICHMAN GROUP OF FLORIDA, INC. v. PINELLAS COUNTY, FLORIDA.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 253 So. 3d 662.

No. 18–6413. *JACKSON v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 975.

No. 18–6706. *DAVIS v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 900 F. 3d 733.

No. 18–6728. *QUINTANA v. COLORADO.* Ct. App. Colo. Certiorari denied.

No. 18–6789. *MCLEAN v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 891 F. 3d 1308.

No. 18–6822. *BROWN v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 737 Fed. Appx. 741.

No. 18–6834. *JOHNSON v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 746 Fed. Appx. 375.

No. 18–7098. *SCOTT v. TELLEZ, ACTING WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 18–7113. *HYLOR v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 896 F. 3d 1219.

No. 18–7140. *HULL v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 313.

No. 18–7152. *BONET v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 737 Fed. Appx. 988.

No. 18–7376. *PETERS v. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY.* C. A. 7th Cir. Certiorari denied.

No. 18–7455. *ISRAEL SANCHEZ v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

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No. 18–7472. *YODER v. GOOD WILL STEAM FIRE ENGINE COMPANY NO. 1 ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 740 Fed. Appx. 27.

No. 18–7474. *GONZALEZ v. FERGUSON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 655 Fed. Appx. 96.

No. 18–7475. *ALDONA B. v. NICHOLAS S.* Sup. Ct. App. W. Va. Certiorari denied.

No. 18–7476. *ZIRUS v. KELLER ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 44.

No. 18–7477. *WILLIAMS v. MINOR, WARDEN.* C. A. 8th Cir. Certiorari denied.

No. 18–7478. *BLAIR v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 18–7481. *WORKMAN v. PERRY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 365.

No. 18–7487. *HOKENSTROM v. NEW HAMPSHIRE DEPARTMENT OF CORRECTIONS ET AL.* C. A. 1st Cir. Certiorari denied.

No. 18–7491. *CROW v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 18–7493. *JACKSON v. EQUIFAX WORKFORCE SOLUTIONS, DBA LABOR READY SOUTHWEST, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 116.

No. 18–7494. *BOZELL v. SKIPPER, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 18–7497. *WELLBORN v. JACKSON, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 18–7502. *PAYNE v. ILLINOIS.* App. Ct. Ill., 3d Dist. Certiorari denied. Reported below: 2018 IL App (3d) 160105, 116 N. E. 3d 965.

No. 18–7503. *AMBROSE v. MISSISSIPPI.* Sup. Ct. Miss. Certiorari denied. Reported below: 254 So. 3d 77.

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No. 18–7504. *HAMILTON v. ALLBAUGH, DIRECTOR, OKLAHOMA DEPARTMENT OF CORRECTIONS*. C. A. 10th Cir. Certiorari denied. Reported below: 709 Fed. Appx. 525.

No. 18–7509. *MIXON v. NEVADA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–7510. *PEREZ v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied.

No. 18–7513. *COBAS v. LINDSEY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–7514. *PALMER v. KAISER FOUNDATION HOSPITALS TECHNOLOGY RISK OFFICE*. C. A. 10th Cir. Certiorari denied. Reported below: 753 Fed. Appx. 590.

No. 18–7516. *MORA v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 5 Cal. 5th 442, 420 P. 3d 902.

No. 18–7520. *LEE v. PIRKO ET AL.* C. A. 9th Cir. Certiorari denied.

No. 18–7524. *HARRISON ET AL. v. HUGGINS ET AL.* Sup. Ct. Ill. Certiorari denied.

No. 18–7529. *DENNISON v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 18–7531. *GALBRAITH v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 391.

No. 18–7532. *GREEN v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 256 So. 3d 872.

No. 18–7533. *CANADA v. MILES, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 18–7534. *HUDSON v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2017 IL App (1st) 143125–U.

No. 18–7539. *ROSSI v. THE CROWN*. C. A. D. C. Cir. Certiorari denied.

No. 18–7547. *MULDER v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 134 Nev. 986, 422 P. 3d 1231.

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No. 18–7551. *GOMEZ v. BERGHUIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–7552. *HAYES v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 18–7553. *HOPKINS v. DOOLEY, WARDEN, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 18–7554. *FERM v. OFFICE OF THE ATTORNEY GENERAL OF NEVADA*. Ct. App. Nev. Certiorari denied. Reported below: 134 Nev. 936.

No. 18–7564. *HOWARD v. JONES, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 250 So. 3d 618.

No. 18–7571. *CERVANTES VALENCIA v. DAVEY, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 18–7574. *HAINES-MARCHEL v. WASHINGTON STATE LIQUOR AND CANNABIS BOARD*. Ct. App. Wash. Certiorari denied. Reported below: 1 Wash. App. 2d 712, 406 P. 3d 1199.

No. 18–7580. *NEAL v. WAYNE COUNTY TREASURER*. Ct. App. Mich. Certiorari denied.

No. 18–7582. *CANETE v. KEETON, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 18–7589. *JUDY v. WILLIAMS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 357.

No. 18–7661. *JONES v. INCH, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 906 F. 3d 1339.

No. 18–7728. *HAYNESWORTH v. SOUTH CAROLINA DEPARTMENT OF MENTAL HEALTH ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 733 Fed. Appx. 122.

No. 18–7732. *CURRY v. SUPREME COURT OF THE UNITED STATES ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 707 Fed. Appx. 210.

No. 18–7756. *CHAMBERS v. SARCONE*. C. A. 8th Cir. Certiorari denied.

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No. 18–7770. *BRADLEY v. GEORGIA*. Sup. Ct. Ga. Certiorari denied.

No. 18–7780. *LEMOINE v. VANNOY, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 18–7787. *GOLDER v. CHAPDELAINE, WARDEN, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 18–7805. *BOHANNAN v. GRIFFIN*. C. A. 5th Cir. Certiorari denied. Reported below: 709 Fed. Appx. 283.

No. 18–7808. *WILSON v. LEGRAND, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 750 Fed. Appx. 566.

No. 18–7829. *MARK v. RABEAU*. C. A. 9th Cir. Certiorari denied.

No. 18–7847. *HOWLETT v. RICHARDSON, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 461.

No. 18–7869. *DEORIO v. FLOURNOY, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 18–7875. *CANNON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 721 Fed. Appx. 227.

No. 18–7876. *CALLAHAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–7877. *DECKER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–7881. *ELLISON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 732 Fed. Appx. 207.

No. 18–7887. *ROBERTS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 429.

No. 18–7895. *ANDERSON v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 18–7896. *MONTANEZ-QUINONES v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 911 F. 3d 59.

No. 18–7904. *ALCEQUIECZ v. RYAN, WARDEN*. C. A. 1st Cir. Certiorari denied.

No. 18–7923. *JONES v. LEBLANC, SECRETARY, LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS, ET AL.* C. A. 5th Cir. Certiorari denied.

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No. 18–7928. *CARRASCO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–7931. *HENLEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–7938. *QUINTANA-TORRES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 749 Fed. Appx. 734.

No. 18–7941. *LITTLE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 735 Fed. Appx. 87.

No. 18–7943. *WATSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 18–7946. *HAWKINS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 18–7948. *CARAPIA HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 28.

No. 18–7950. *WALKER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–7951. *MCCLURE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 741 Fed. Appx. 155.

No. 18–7952. *PARTMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 738 Fed. Appx. 197.

No. 18–7958. *LOHMEIER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 18–7964. *SANTOS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 18–7965. *STEWART v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 902 F. 3d 664.

No. 18–7966. *SMITH v. TERRIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 18–7971. *CHIVOSKI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 299.

No. 18–7973. *VILLA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 740 Fed. Appx. 586.

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No. 18–7974. CRUZ-RIVERA, AKA LLORENS *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 904 F. 3d 63.

No. 18–7975. WOLF *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 18–7977. MOWERY *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 863.

No. 18–7978. AMERSON *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied.

No. 18–7979. WATKINS *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied.

No. 18–7981. MURILLO, AKA SANTOS MURILLO *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 744 Fed. Appx. 378.

No. 18–7984. ERVIN *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 729 Fed. Appx. 268.

No. 18–7986. CHACON *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 901 F. 3d 1322.

No. 18–7989. GUERRERO *v.* ENGLISH, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 207.

No. 18–7994. KING *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 736 Fed. Appx. 56.

No. 18–7995. MARTIN *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 751 Fed. Appx. 873.

No. 18–7997. ALLEN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 859.

No. 18–8010. BARRIE *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 720 Fed. Appx. 158.

No. 18–8011. KERR *v.* BARR, ATTORNEY GENERAL. C. A. 8th Cir. Certiorari denied.

No. 18–8012. BLACKBURN *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 18–8019. AUSTIN *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied.

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No. 18–8025. *ST. HUBERT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 909 F. 3d 335.

No. 18–8026. *RAMIREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–8028. *REEL v. VANNOY, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 18–8031. *BOLDEN v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 168 A. 3d 294.

No. 18–8034. *BREWER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 18–8036. *BOYLE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 18–8038. *BURKE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 712 Fed. Appx. 441.

No. 18–8040. *BANNISTER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–8041. *JOHNSON v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 18–8042. *BLAYLOCK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–8043. *ALANIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–8044. *BROOKS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 756 Fed. Appx. 52.

No. 18–8047. *POPE v. FRANKE*. C. A. 9th Cir. Certiorari denied.

No. 18–8048. *OWENS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 750 Fed. Appx. 415.

No. 18–8049. *MONTERO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 892.

No. 18–8051. *VALENCIA TORRES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 493.

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No. 18–8053. *ALLEN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 717 Fed. Appx. 340.

No. 18–8054. *YOUNG v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 751 Fed. Appx. 381.

No. 18–8056. *GLICK v. PREMO, SUPERINTENDENT, OREGON STATE PENITENTIARY*. C. A. 9th Cir. Certiorari denied.

No. 18–8058. *ELIAS SANCHEZ v. BEARD, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 334.

No. 18–8059. *SIMMONS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 742 Fed. Appx. 879.

No. 18–8065. *MAXWELL v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 255.

No. 18–8066. *MAGANA v. CREDIO ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 744 Fed. Appx. 390.

No. 18–8067. *LEW v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist., Div. 1. Certiorari denied.

No. 18–8068. *HILL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 18–8075. *ORIAKHI v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 728 Fed. Appx. 386.

No. 18–8079. *BENTLEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 756 Fed. Appx. 957.

No. 18–8083. *MAGNIFICENT-EL, AKA PHILLIPS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 743 Fed. Appx. 726.

No. 18–8091. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 753 Fed. Appx. 167.

No. 18–8094. *GROS v. KENT, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 18–8096. *HALL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 716 Fed. Appx. 223.

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No. 18–8101. *FOLTZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 724 Fed. Appx. 237.

No. 18–8104. *FRAZIER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 18–8106. *CRUMP v. DELAWARE*. Sup. Ct. Del. Certiorari denied. Reported below: 194 A. 3d 16.

No. 18–8111. *BLACK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–8112. *BROWN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 18–8113. *ARNAUD v. VANNOY, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 18–8114. *BOYD v. DRIVER ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 722 Fed. Appx. 367.

No. 18–8115. *BARRIOS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 18–8116. *MICHEL v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 257 So. 3d 3.

No. 18–8130. *SEGOVIANO-BRISENO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 746 Fed. Appx. 399.

No. 18–8254. *PHILLIPS v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 18–948. *IN RE GRAND JURY SUBPOENA*. C. A. D. C. Cir. Motion of respondent for leave to file a supplemental brief under seal granted. Motion of petitioner for leave to file a supplemental reply brief under seal with redacted copies for the public record granted in part; the supplemental reply brief will be filed under seal. Certiorari denied. Reported below: 749 Fed. Appx. 1.

No. 18–990. *RAGHAVENDRA v. BOOTH ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

Rehearing Denied

No. 17–7818. *IN RE WEST*, 583 U. S. 1178;

No. 17–9227. *GERAY v. MUNIZ, WARDEN*, 586 U. S. 849;

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No. 18–6051. *BENDER v. DAVIS*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, 586 U. S. 991;

No. 18–6218. *LINDEN v. DAVIS*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, 586 U. S. 1052;

No. 18–6478. *IN RE GAITOR*, 586 U. S. 1067;

No. 18–6540. *RAYAN v. GEORGIA*, 586 U. S. 1085;

No. 18–6607. *PETERS v. BALDWIN*, 586 U. S. 1087;

No. 18–6710. *TYLER v. MAIN INDUSTRIES, INC., ET AL.*, 586 U. S. 1119;

No. 18–6740. *LASHER v. BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS, PENNSYLVANIA STATE BOARD OF PHARMACY*, 586 U. S. 1128;

No. 18–6945. *WASHINGTON v. FRAUENHEIM, WARDEN*, 586 U. S. 1129;

No. 18–6996. *CURSHEN v. UNITED STATES*, 586 U. S. 1120;

No. 18–7027. *KURI v. ADDICTIVE BEHAVIORAL CHANGE HEALTH GROUP ET AL.*, 586 U. S. 1159; and

No. 18–7066. *JONES v. UNITED STATES*, 586 U. S. 1121. Petitions for rehearing denied.

No. 91–8199. *DEAL v. UNITED STATES*, 508 U. S. 129. Motion for leave to file petition for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this motion.

No. 18–6717. *LEI YIN v. THERMO FISHER SCIENTIFIC*, 586 U. S. 1109. Petition for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.