

(ORDER LIST: 565 U.S.)

TUESDAY, FEBRUARY 21, 2012

CERTIORARI -- SUMMARY DISPOSITIONS

10-7515 PINEDA-MORENO, JUAN V. UNITED STATES

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *United States v. Jones*, 565 U.S. ____ (2012).

10-8097 GAGNON, BRUCE V. UNITED STATES

10-8532 DiTOMASSO, MICHAEL V. UNITED STATES

The motions of petitioners for leave to proceed *in forma pauperis* and the petitions for writs of certiorari are granted. The judgments are vacated, and the cases are remanded to the United States Court of Appeals for the First Circuit for further consideration in light of *Reynolds v. United States*, 565 U.S. ____ (2012).

10-9385 CURRY, JONATHON P. V. UNITED STATES

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Eighth Circuit for further consideration in light of *Reynolds v. United States*, 565 U.S. ____ (2012).

10-10721 FULLER, ROSS A. V. UNITED STATES

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Second Circuit for further consideration in light of *Reynolds v. United States*, 565 U.S. ____ (2012).

11-93 CUEVAS-PEREZ, JUAN M. V. UNITED STATES

The petition for a writ of certiorari is granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Seventh Circuit for further consideration in light of *United States v. Jones*, 565 U.S. ____ (2012).

11-6241 MEFFORD, WILLIAM E. V. UNITED STATES

11-6500 LUCAS, CARL E. V. UNITED STATES

The motions of petitioners for leave to proceed *in forma pauperis* and the petitions for writs of certiorari are granted. The judgments are vacated, and the cases are remanded to the United States Court of Appeals for the Eighth Circuit for further consideration in light of *Reynolds v. United States*, 565 U.S. ____ (2012).

ORDERS IN PENDING CASES

11M63 PLITT, BRYANT W. V. YATES, WARDEN

11M64 WILLIAMS, LINDA V. DELIA, VINCENT J.

The motions to direct the Clerk to file petitions for writs of certiorari out of time are denied.

11M65 LAHRICHI, ADIL V. LUMERA CORP., ET AL.

The motion for leave to file a petition for a writ of

certiorari with the supplemental appendix under seal is denied without prejudice to filing a renewed motion together with either a redacted supplemental appendix, or an explanation as to why the supplemental appendix may not be redacted, within 30 days.

11M66 M. H. V. UNITED STATES

The motion for leave to file a petition for a writ of certiorari with the supplemental appendix under seal is granted.

11M67 LATIF, ADNAN FARHAN ABDUL V. OBAMA, PRESIDENT OF U.S., ET AL.

The motion for leave to file a petition for a writ of certiorari under seal is granted.

11M68 NOREEN, ELWOOD J. V. SHINSEKI, SEC. OF VA

The motion for leave to proceed as a veteran is denied.

11M69 LEVY, EDWARD V. COHEN, SAUL B., ET AL.

The motion to direct the Clerk to file a petition for a writ of certiorari out of time is denied.

11M70 WORTH, KEYIN T. V. MALANCA, RISTA

The motion for leave to proceed *in forma pauperis* with the declaration of indigency under seal is denied.

11M71 WAGGONER, STEPHEN M. V. KLINE, JEFFREY, ET AL.

11M72 WAGGONER, STEPHEN M. V. GOWDY, RICHARD, ET AL.

The motions to direct the Clerk to file petitions for writs of certiorari out of time under Rule 14.5 are denied.

11M73 COUNCIL, ROOSEVELT, ET UX. V. NY CITY SOCIAL SERVICE, ET AL.

11M74 HAZIZ, DEBORTH V. HOLDER, ATT'Y GEN.

11M75 TRACY, PATRICK V. FRESHWATER, PARKER J., ET AL.

The motions to direct the Clerk to file petitions for writs

of certiorari out of time are denied.

126, ORIG. KANSAS V. NEBRASKA AND COLORADO

The motion of the Special Master for allowance of fees and disbursements for the period April 4, 2011, through December 31, 2011, is granted, and the Special Master is awarded a total of \$70,884.97, to be allocated among the states as follows: Kansas \$28,353.99; Nebraska \$28,353.99; and Colorado \$14,176.99.

11-393 NAT. FED'N INDEP. BUSINESS V. SEBELIUS, SEC. OF H&HS, ET AL.

11-398 DEPT. OF H&HS, ET AL. V. FLORIDA, ET AL.

11-400 FLORIDA, ET AL. V. DEPT. OF H&HS, ET AL.

Upon consideration of the motions pertaining to the allocation of oral argument time, the following allocation of oral argument time is adopted.

On the Anti-Injunction Act issue (No. 11-398), the Court-appointed *amicus curiae* is allotted 40 minutes, the Solicitor General is allotted 30 minutes, and the respondents are allotted 20 minutes.

On the Minimum Coverage Provision issue (No. 11-398), the Solicitor General is allotted 60 minutes, respondents Florida, et al. are allotted 30 minutes, and respondents National Federation of Independent Business, et al. are allotted 30 minutes.

On the Severability issue (Nos. 11-393 and 11-400), the petitioners are allotted 30 minutes, the Solicitor General is allotted 30 minutes, and the Court-appointed *amicus curiae* is allotted 30 minutes.

On the Medicaid issue (No. 11-400), the petitioners are allotted 30 minutes, and the Solicitor General is allotted 30

minutes.

11-394 CLARKSBURG NURSING HOME & REHAB. V. MARCHIO SHARON A.

The motion of American Health Care Association for leave to file a brief as *amicus curiae* is granted. The motion of Beverly Enterprises-West Virginia, Inc., et al. for leave to file a brief as *amici curiae* is granted. The motion of Seventeenth Street Associates LLC for leave to file a brief as *amicus curiae* is granted.

11-431 RUBIN, JENNY, ET AL. V. IRAN, ET AL.

The Solicitor General is invited to file a brief in this case expressing the views of the United States. Justice Scalia and Justice Kagan took no part in the consideration or decision of this petition.

11-556 VANCE, MAETTA V. BALL STATE UNIVERSITY, ET AL.

The Solicitor General is invited to file a brief in this case expressing the views of the United States.

11-6460 WASHINGTON, ROSIE, ET VIR V. LOUISIANA, ET AL.

The motion of petitioners for reconsideration of order denying leave to proceed *in forma pauperis* is granted. The order entered November 28, 2011, is vacated.

11-6617 BUTLER, LARRY L. V. THALER, DIR., TX DCJ

11-6648 ZABRISKIE, SCOTT R. V. 7-11, INC., ET AL.

11-6706 DOWNS, GREGORY V. URIBE, WARDEN

11-6814 ABULKHAIR, ASSEM A. V. BANKS, REUBEN

11-7091 IN RE EDWARD MIERZWA

The motions of petitioners for reconsideration of orders denying leave to proceed *in forma pauperis* are denied.

11-7185 FAIREY, WILLIAM S. V. TUCKER, SEC., FL DOC, ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until March 13, 2012, 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.

11-7857 JOHNSON, PAUL V. UNITED STATES

The motion of petitioner to expedite consideration of the petition for a writ of certiorari is denied.

11-7878 THOMAS, GLENN V. TEXAS

11-7921 PAUL, RONALD I. V. SC DEPT. OF TRANSP., ET AL.

11-7975 SAVARIRAYAN, FRANCIS J. V. WHITE COUNTY COMMUNITY HOSPITAL

11-8161 RAY, ALETHA V. NASH, GLORIA, ET AL.

11-8242 ROBINSON, KANZORA V. DONAHOE, POSTMASTER GEN.

11-8430 WRIGHT, AUGUSTUS V. UNITED STATES

The motions of petitioners for leave to proceed *in forma pauperis* are denied. Petitioners are allowed until March 13, 2012, 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.

CERTIORARI GRANTED

11-345 FISHER, ABIGAIL N. V. UNIV. OF TX AT AUSTIN, ET AL.

The petition for a writ of certiorari is granted. Justice Kagan took no part in the consideration or decision of this petition.

11-626 LOZMAN, FANE V. RIVIERA BEACH, FL

The motion of The Maritime Law Association of the United States for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is granted.

CERTIORARI DENIED

11-278 CANNELLA, PATRICK V. FLORIDA

11-297 BAUMANN, TONYA M. V. FINISH LINE, INC.

11-311 E. R. G., ET AL. V. E. H. G., ET AL.

11-430 BOGAN, SHARON V. CHICAGO, IL, ET AL.

11-491 FLORIDA V. ISAAC, LEMUEL E.

11-529 DONAHEE, KYLE J. V. MICHIGAN

11-539 PENINSULA SCH. DISTRICT, ET AL. V. PAYNE, WINDY

11-543 PHILLIS, DEBORAH V. HARRISBURG SCH. DISTRICT, ET AL.

11-548 SUN TOURS, INC., ET AL. V. ITALIA FOODS, INC.

11-549 HYNIX SEMICONDUCTOR INC., ET AL. V. RAMBUS INC.

11-562 STERN, MARTIN V. STERN, MICHELLE G.

11-566 MARTINEZ, CLINT V. CALDWELL, ATT'Y GEN. OF LA

11-570 BLUE GORDON, C.V. V. QUICKSILVER JET SALES, INC.

11-577 COVELL, DAVID W., ET UX. V. BELL SPORTS, INC., ET AL.

11-584 EASTMAN CHEMICAL COMPANY V. WELLMAN, INC.

11-596 JANSSEN BIOTECH, INC., ET AL. V. ABBOTT LABORATORIES, ET AL.

11-598 DELLINGER, NATALIE R. V. SCIENCE APPLICATIONS INT'L CORP.

11-600 MONCIER, HERBERT S. V. BD. OF PROF'L RESPONSIBILITY

11-610) WILLIAMS, TERRY V. SANDEL, GREG, ET AL.

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11-736) SANDEL, GREG, ET AL. V. WILLIAMS, TERRY

11-616 ST. LOUIS, MO, ET AL. V. NEIGHBORHOOD ENTERPRISES, INC.

11-642 NELSON, CHESTER V. LISLE, IL, ET AL.

11-643 DOE, JOHN V. MEGLESS, THOMAS, ET AL.

11-646 LEEPER, DAVID M. V. COOPER, MARY E.

11-647 WELLS FARGO BANK, ET AL. V. KY DEPT. OF REVENUE

11-651) RENIFF, PERRY L. V. HRDLICKA, RAY, ET AL.
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11-653) MCGINNESS, SHERIFF V. CRIME, JUSTICE AND AM., ET AL.

11-654 NANTES, MARIA V., ET AL. V. NEW LONDON CTY. MUTUAL, ET AL.

11-661 NGUYEN, MAI-TRANG T. V. WORKERS' COMP. APPEAL BD., ET AL.

11-664 FULTON, DAVID W. V. TUCKER, SEC., FL DOC

11-666 POLICASTRO, ANDREW V. TENAFLY BOARD OF EDUCATION

11-671 SHIMSHI, EZRA V. SELPH, VIRGINIA H.

11-675 J. C. V. A. C., ET AL.

11-682 GOECKS, CORY W. V. PEDLEY, SCOTT E.

11-687 CALLAHAN, F. PATRICIA V. 515 DC, LLC, ET AL.

11-688 CROWLEY, MARTIN G. V. UNITED STATES, ET AL.

11-689 LA DEPT. OF WILDLIFE, ET AL. V. FULMER, DESI

11-699 LOWRY, RICHARD L., ET AL. V. NORTH CAROLINA

11-701 GUSTAFSON, DARREL V. ESTATE OF LEON POITRA, ET AL.

11-703 CROWLEY, MARILYN V. PINEBROOK, INC.

11-706 CURRY, ANTHONY V. RICHMOND, KY

11-709 KLINE, MICHAEL V. KLINE, DENA R.

11-720 DIANA, MARIO J. V. OLIPHANT, WILLARD, ET AL.

11-722 BRITTON, VICTORIA L. V. CHURCH OF SCIENTOLOGY FLAG SERV.

11-723 ARNOLD, WILLIAM A. V. COLUMBUS, GA, ET AL.

11-724 BATES, DARNELL V. WARREN, WARDEN

11-728 AEROLEASE OF AMERICA, INC. V. VREELAND, JOHN K.

11-729 UTE MOUNTAIN UTE TRIBE V. PADILLA, SEC., NM TAX AND REV.

11-731 COSCIA, DONNA V. PEMBROKE, MA, ET AL.

11-732 N & D INVESTMENT CORP., ET AL. V. GALDAMES, IVONNE E., ET AL.

11-735 THOMPSON, DAVID N. V. GEORGIA

11-737 RIVERSIDE COUNTY, CA V. CA PUBLIC EMPLOY. RELATIONS BD.
11-739 DAMANEH, DANA A. V. TEXAS
11-742 TROYANOS, RICHARD W. V. COATS, SHERIFF, ET AL.
11-743 FISCHER, FRANK V. GLOBAL CONNECTOR RESEARCH
11-745 IGARASHI, TOMOKO V. SKULLS AND BONES, ET AL.
11-746 ARLINGTON, TX V. FRAME, RICHARD, ET AL.
11-751 TAO, BIN-JIANG V. CITIBANK, N.A., ET AL.
11-759 C. F. V. CORBETT, JAMES, ET AL.
11-760 REDONDO BEACH, CA V. COMITE DE JORNALEROS, ET AL.
11-761 SPECTOR, PHILLIP V. CALIFORNIA
11-765 JOVANOVIC, BOBAN V. NORTHROP GRUMMAN CORP.
11-766 KOSTRZEWSKI, KRIS V. TOLEDO CLINIC, ET AL.
11-767 MORGAN, SAMUEL V. WEBSTER UNIVERSITY, INC.
11-768 MEHDI, AJMAL V. UNITED STATES
11-769 BATES, CARNELL V. METRISH, WARDEN
11-771 DORSEY, MICHAEL B. V. DISTRICT OF COLUMBIA, ET AL.
11-772 GREENBERG TRAUIG, L.L.P. V. CONWILL, DANIEL O.
11-774 GYAMFI, KWAME V. WELLS FARGO-WACHOVIA BANK
11-776 KASTNER, SIDNEY V. CHET'S SHOES, INC.
11-778 GILLIS, THORNTON A. V. CALIFORNIA
11-779 FIRISHCHAK, OSYP V. HOLDER, ATTY GEN.
11-785 ALLEN, DAVID V. WARREN, ADM'R, NJ, ET AL.
11-790 KIRBY, RICHARD G. V. KING, ATT'Y GEN. OF NM, ET AL.
11-792 LOTHIAN CASSIDY, ET AL. V. LOTHIAN OIL INC., ET AL.
11-794 HAWTHORNE-BURDINE, DOROTHY V. PENNSYLVANIA
11-795 TOMLINSON, WAYNE, ET AL. V. EL PASO CORPORATION, ET AL.
11-802 SIZEMORE, TERRIE V. OHIO VETERINARY MEDICAL, ET AL.
11-803 VANCOOK, JOHN J. V. SEC

11-808 SHINER, MARC V. UNITED STATES
11-809 AHAMED, FOYSAL V. HOLDER, ATT'Y GEN.
11-816 GETZ, DEBORAH, ET AL. V. BOEING CO., ET AL.
11-818 HO, JAMES C. V. MOTOROLA, INC.
11-819 CICHON, JOSEPH V. ILLINOIS
11-822 CLARK, SUZANNE V. IOWA STATE UNIVERSITY, ET AL.
11-826 HUGGANS, DARWIN M. V. UNITED STATES
11-827 EDWARDS, DAVID J. V. UNITED STATES
11-828 CENTER FOR BIO-ETHICAL REFORM V. NAPOLITANO, SEC. OF HOMELAND
11-830 ARNOLD, VERA A. V. ARKANSAS
11-835 DEVONIAN PROGRAM, ET AL. V. CIR
11-849 FLENORY, DEMETRIUS E. V. UNITED STATES
11-850 FALLICA, RAYMOND J., ET AL. V. UNITED STATES
11-859 EPPS, LINDA V. FEDEX SERVICES
11-866 DOUTRE, CHARLES V. UNITED STATES
11-873 STUCKY, STEPHANIE V. HAWAII DEPT. OF ED., ET AL.
11-874 SPENCER AD HOC EQUITY V. IDEARC, INC., ET AL.
11-878 JACKSON, ARTIE V. HOBBS, DIR., AR DOC
11-899 CRAWFORD, MARK E. V. UNITED STATES
11-902 CLIFFORD, BOBBY C. V. VILSACK, SEC. OF AGRICULTURE
11-907 PORCHAY, JACKIE E. V. UNITED STATES
11-911 HULS, CLARK A. V. LLABONA, LUSAN C., ET AL.
11-5395 NICKERSON, CEDRIC V. MOONEYHAM, J., ET AL.
11-5987 FLOYD, JOHN D. V. CAIN, WARDEN
11-6306 BRANT-EPIGMELIO, ANTONIO M. V. UNITED STATES
11-6422 YUK, TAM FUK, ET AL. V. UNITED STATES
11-6501 MITCHELL, WILLIAM G. V. EPPS, COMM'R, MS DOC
11-6550 PUCKETT, LARRY M. V. EPPS, COMM'R, MS DOC

11-6566 BERNADEU, ORIEL V. TUCKER, SEC., FL DOC
 11-6587 DAY, ROGER J. V. MINNESOTA, ET AL.
 11-6639) DURHAM, HAL V. UNITED STATES
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 11-6641) COLLINS, ISRAEL V. UNITED STATES
 11-6696 IN RE GRAND JURY PROCEEDINGS
 11-6765 BOOKER, RUSSELL E., ET AL. V. UNITED STATES
 11-6811 SATCHELL, THOMAS H. V. UNITED STATES
 11-6863 REID, HATTIE M. V. WYATT, DAVID, ET AL.
 11-6932 CRABBE, WILLIAM C. V. UNITED STATES
 11-6958 MOORE, TERRANCE V. OHIO
 11-6979 HAXHIA, BLEDAR V. NEW YORK
 11-7013 VINES, SEAN V. CALIFORNIA
 11-7081 COOK, RAYNEE D. V. HUBIN, KENNETH, ET AL.
 11-7214 ENRIQUEZ, JUAN R. V. LIVINGSTON, EXEC. DIR., TX DCJ
 11-7274 PHILLIPS, MARIO L. V. NORTH CAROLINA
 11-7305 RICHARDSON, MIKE A. V. GRAY, JIM, ET AL.
 11-7512 RIPKOWSKI, BRITT A. V. THALER, DIR., TX DCJ
 11-7517 BYRD, RODERICK V. ALABAMA
 11-7536 NEWTON, CRAIG V. ALABAMA
 11-7547 WORTHINGTON, JOHN V. WA ATT'Y GENERAL'S OFFICE
 11-7556 YBARRA, ALEX V. CLARK, WARDEN
 11-7560 SAUNDERS, ANTONIO J. V. VIRGINIA
 11-7562 SMITH, KEVIN V. BYARS, DIR., SC DOC, ET AL.
 11-7567 SPEAKER, CHRISTIAN L. V. CALIFORNIA
 11-7568 RIVERA, GEORGE L. V. TUCKER, SEC., FL DOC
 11-7578 EDWARDS, TYRONE I. V. TEXAS
 11-7579 DeBOSE, LEROY V. WILLIAMS, PAMELA, ET AL.
 11-7580 CATCHINGS, CEDRIC V. MISSISSIPPI

11-7583 BELL, TERRELL V. DAVIS, WARDEN
11-7585 BURNETT, STEPHEN C. V. JONES, DIR., OK DOC, ET AL.
11-7586 COATES, RAMANO M. V. MARYLAND
11-7587 KERSEY, GEORGE E. V. BECTON DICKENSON & CO., ET AL.
11-7609 TRIMUAR, MICHAEL V. TUCKER, SEC., FL DOC
11-7610 BROWN, DUANE K. V. COLLINS, TERRY J., ET AL.
11-7612 BARKLEY, RANDELL H. V. VIRGINIA
11-7618 STREBE, BRIAN D. V. CLARKE, DIR., VA DOC
11-7619 RUSSELL, WARREN V. BYARS, DIR., SC DOC, ET AL.
11-7621 TOLDEN, DELANO V. CATE, SEC., CA DOC
11-7626 PAULINO, JUAN V. BURLINGTON CTY. JAIL, ET AL.
11-7627 TERRY, GARY D. V. SOUTH CAROLINA
11-7636 BRANCH, HUBERT T. V. TEXAS
11-7637 BRYSON, RAS S. V. OCWEN FEDERAL BANK, FSB
11-7645 SMITH, DARNELL M. V. USDC CD IL
11-7646 MAYNOR, STACY L. V. TURNER, WARDEN
11-7647 SANCHEZ, ARTURO L. V. HERNDON, WARDEN
11-7651 RENTERIA, PATRICK V. SUBIA, WARDEN
11-7654 QUARTERMAN, KENNETH B. V. CULLUM, JOHN M.
11-7657 DRUERY, MARCUS R. V. THALER, DIR., TX DCJ
11-7659 BANKS, ABRAM V. LA DOC, ET AL.
11-7661 BROTHERS, HAROLD V. TUCKER, SEC., FL DOC
11-7662 BURKLEY, ALBERT V. CALIFORNIA
11-7664 PIETRI, NORBERTO V. TUCKER, SEC., FL DOC, ET AL.
11-7666 CARTER, CALVIN E. V. VIRGINIA
11-7667 K. K. V. OHIO
11-7674 MENDES, JOHN G. V. BRADY, SUPT., OLD COLONY
11-7675 GOODWIN, PAUL T. V. ROPER, SUPT., POTOSI

11-7677 MULLINGS, ANDREW V. LEE, SUPT., GREEN HAVEN
11-7678 JONSON, KEVIN V. WOODS, WARDEN
11-7687 WELLS, DEMOND A. V. JONES, WARDEN
11-7691 AKUMA, PAMELA V. CEDAR HILL INDEP. SCH. DIST.
11-7692 AKINE, CORNELIUS V. FLORIDA
11-7695 THOMPSON, SHAMGOD J. V. LEMPKE, SUPT., FIVE POINTS
11-7696 KILBURN, ANDREW W. V. SPENCER, COMM'R, MA DOC, ET AL.
11-7698 BAYLOR, REGINALD V. RENICO, WARDEN
11-7701 McCLUSKEY, PETER V. NY UNIFIED COURT SYS., ET AL.
11-7706 CARTER, RONALD D. V. BANK OF AMERICA, ET AL.
11-7717 JONES, FELICIA N. V. MAZDA NORTH AMERICAN OPERATIONS
11-7718 PLEASANT-BEY, BOAZ V. UNITED STATES
11-7719 PINKEY, CYNTHIA R. V. ZAVISLAN, WARDEN
11-7722 RIVERS, ERSKIN N. V. THALER, DIR., TX DCJ
11-7723 JACKSON, JOSEPH V. UNITED STATES
11-7724 SKINNER, GORDON T. V. OKLAHOMA, ET AL.
11-7725 ROJAS, RONALD V. CONNECTICUT
11-7726 WHITFIELD, JOHN V. NEW YORK
11-7730 MACHETTE, RICHARD D. V. PHELPS, WARDEN, ET AL.
11-7733 ROBERTS, BRIAN L. V. ILLINOIS
11-7735 WILBON, WILLIE V. LOUISIANA
11-7741 BLACKSHER, ERVEN R. V. CALIFORNIA
11-7743 BYNOE, MICHAEL B. V. PALMER, WARDEN, ET AL.
11-7744 SELSOR, MICHAEL B. V. WORKMAN, WARDEN, ET AL.
11-7754 SOUTHWARD, GREGORY E. V. WARREN, WARDEN
11-7758 CORONA, CARLOS V. ALMAGER, WARDEN, ET AL.
11-7765 McKINNEY, DAVID V. LUDWICK, WARDEN
11-7766 LANCASTER, CHARLES C. V. TEXAS

11-7767 THOMAS, SHEVON S., ET AL. V. GEORGIA
11-7768 MATTHEWS, CHARLES V. NEW YORK
11-7771 RICHARDSON, TERRENCE V. BARONE, SUPT., FOREST, ET AL.
11-7774 CHACON, ROME R. V. McDANIEL, WARDEN, ET AL.
11-7775 CAUSEY, MATTHEW J. V. McDANIEL, WARDEN, ET AL.
11-7776 CERVANTES, RUBEN V. McEWAN, WARDEN
11-7777 RIDDICK, SHARON V. MILIOTIS, MARK G., ET AL.
11-7781 BISHOP, RONALD K. V. FRANKLIN, WARDEN
11-7782 BLAIR, BRUCE W. V. CRAWFORD, JACKIE
11-7783 ALLEN, JOHNELL V. HOWES, WARDEN
11-7789 JAMES, KENNETH V. MASSACHUSETTS
11-7797 DURR, ADAM J. V. TUCKER, SEC., FL DOC, ET AL.
11-7800 MANIGAULTE, JOHN C. V. BOARD OF REGENTS OF NY, ET AL.
11-7805 MILLER, WILLIAM N. V. NOOTH, SUPT., SNAKE RIVER
11-7806 ORRANTE, ARLEEN A. V. HENRY, WARDEN
11-7807 MARLIN, EUGENE V. ROBERTS, WARDEN
11-7815 HERNANDEZ, DAVID V. TUCKER, SEC., FL DOC
11-7816 JONES, ANTHONY V. DAVIS, WARDEN
11-7817 METTLE, GUY V. METTLE, GREGG M.
11-7821 GARNER, ARTHUR G. V. MAYLE, B. A.
11-7822 GRIM, LYNN R. V. NEVADA, ET AL.
11-7824 METTLE, GUY V. METTLE, GREGG M.
11-7826 SAMAYOA, RICHARD G. V. AYERS, WARDEN
11-7829 GUPTA, ANESH V. HOLDER, ATT'Y GEN.
11-7830 FERRIS, GABRIEL V. BAUMAN, WARDEN
11-7831 WRIGHT, EDWARD G. V. MARSHALL, JOHN J.
11-7832 BOLMER, BRETT V. DeKEYSER, DIANE, ET AL.
11-7833 BUTCHER, WILLIAM R. V. PENNSYLVANIA

11-7847 TORRES, JOSE O. V. TUCKER, SEC., FL DOC
11-7848 TULLY, THOMAS V. CLARKE, DIR., VA DOC
11-7851 MCKINLEY, CHARLES V. THALER, DIR., TX DCJ
11-7852 WATSON, KEVIN C. V. THALER, DIR., TX DCJ
11-7853 WATSON, SAMIEL T. V. KELLEY FLEET SERV.
11-7855 BLYTHE, CHRISTOPHER S. V. TEXAS
11-7858 MARCELUS, JEAN R. V. KILMER, SUPT., OR
11-7863 RODRIGUEZ, JOE M. V. CALIFORNIA
11-7865 DAWES-LLOYD, DOLORES V. PUBLISH AMERICA
11-7867 THOMAS, CORRELL V. CALIFORNIA
11-7868 HILL, KRISTIN S. V. HILL, MICHAEL W.
11-7869 FOWLER, PETER V. ILLINOIS
11-7875 FLORES, JERRY L. V. TEXAS
11-7876 GLASER, DOUGLAS A. V. COLORADO
11-7880 WHITE, HOWARD L. V. NEVADA
11-7881 VIG, VIJAY K. V. SEELIGER, JUDGE, ETC.
11-7884 ATKINS, BRANDIE V. CHICAGO, IL, ET AL.
11-7885 GREENMAN, RYAN V. POLK, TERRY, ET AL.
11-7886 GREENE, MICHAEL L. V. STANCIL, RENOICE
11-7889 HELTON, KRIS E. V. TUCKER, SEC., FL DOC
11-7891 GIDDINGS, FRED V. BROWN, SUPT., WABASH VALLEY
11-7892 GARBER, ROBERT V. SUPERIOR COURT OF CA, ET AL.
11-7893 GARNER, CHARLES S. V. WARREN, WARDEN
11-7895 JACKSON, JESSICA V. LOS ANGELES UNIFIED SCH., ET AL.
11-7901 GONZALEZ, CARLOS V. BERGHUIS, WARDEN
11-7902 GZIKOWSKI, JOHN V. DEXTER, WARDEN
11-7903 HAYNES, MICHAEL D. V. SISTO, WARDEN, ET AL.
11-7904 GUZMAN, ALBERT R. V. CALIFORNIA

11-7908 BROWN, STEVEN S. V. MORGAN, WARDEN
11-7911 BURKE, JAMES V. VERMONT
11-7914 TURNER, BILLY V. NIXON, JEREMIAH W., ET AL.
11-7916 TEAR, ROBERT W. V. THALER, DIR., TX DCJ
11-7917 BELTRAN, ISAIAS V. ILLINOIS
11-7920 CARD, JAMES A. V. TUCKER, SEC., FL DOC
11-7922 LaCROIX, LORI R. V. USDC SD IN
11-7923 SHAVERS, ROMALICE V. ILLINOIS
11-7926 BRUGGEMAN, CHRISTOPHER R. V. MOHR, DIR., OH DOC, ET AL.
11-7927 BARR-CARR, LAURA V. LaSALLE TALMAN HOME MORTGAGE
11-7931 BARKLEY, RASHAUN V. ORTIZ, ALFARO, ET AL.
11-7933 ORDWAY, LARRY V. KENTUCKY
11-7936 MUNIZ, JOSEPH V. McKEE, WARDEN
11-7938 JOHNSON, RANDY E. V. INDIANA
11-7939 CEJA, BISMARCK V. McEWEN, WARDEN
11-7942 MAKBOUL, AHMAD M. V. KNOWLES, WARDEN
11-7944 CHAPMAN, MARTRICIA V. USPS, ET AL.
11-7946 BLACKMON, HERSCHEL V. FLORIDA
11-7947 BYNUM, WADDELL V. CHARLOTTE SANITATION DEPT.
11-7948 BATISTE, AARON L. V. SMALL, WARDEN
11-7950 VELASCO HERNANDEZ, JESUS R. V. PREMO, SUPT., OR
11-7952 PRICE, DAVID M. V. KANSAS
11-7955 WISHNEFSKY, BRUCE L. V. SALAMEH, JAWAD
11-7958 SEABROOKS, ERIC V. BELL, WARDEN
11-7959 RAMIREZ, ELMER L. V. FLORIDA
11-7960 SING, DANNY L. V. NEBRASKA
11-7961 STUKES, MARK A. V. BICKELL, SUPT., HUNTINGDON
11-7962 TOLENTINO, EDWIN E. V. ILLINOIS

11-7964 WIGGINS, JACQUETTA V. VIRGINIA
11-7965 WATSON, CHARLTON A. V. MISSOURI
11-7966 JOHNSON, CURTIS V. YKK AP AMERICA INC.
11-7976 MORCELI, ABDELKAKER V. YATES, WARDEN
11-7980 TOLIVER, SWAVELL V. ILLINOIS
11-7981 HERRERA-AGUIRRE, CARLOS A. V. HOLDER, ATT'Y GEN.
11-7984 PORTILLO, SABELA V. COMM'N ON PROF'L COMPETENCE
11-7985 WILES, SHAUN W. V. BYARS, DIR., SC DOC, ET AL.
11-7986 PRICE, MARY A. V. UNITED STATES
11-7995 MOORE, BYRON D. V. THALER, DIR., TX DCJ
11-7996 MORRIS, KRISTOFFER V. SHELDON, WARDEN
11-7997 PLANES, FELIPE V. BERGHUIS, WARDEN
11-8001 WATKINS, JOY R. V. KENTUCKY
11-8002 JACOBS, SHAWN V. PENNSYLVANIA
11-8004 MERRITT, JAMES V. TUCKER, SEC., FL DOC, ET AL.
11-8006 MEANS, JERRY V. TUCKER, SEC., FL DOC, ET AL.
11-8007 SHREVE, KIMBERLY A. V. FETTER, KRISTEN L., ET AL.
11-8008 SINGH, IQBAL V. CITY OF NY HOUSING PRESERVATION
11-8009 THOMPSON, DONNA S. V. STRUGIS, KIRKLAND
11-8010 STINE, MIKEAL G. V. DAVIS, WARDEN
11-8011 REYES, JOAQUIN S. V. SUBIA, WARDEN
11-8012 CRUZ, JOSE M. V. HOLDER, ATT'Y GEN.
11-8015 BROWN, QUINTIN I. V. VIRGINIA
11-8017 KIM, CYRUS Y. V. STAHPMAN, KAYLA C., ET AL.
11-8019 MCGINNIS, ALEXANDER D. V. CALIFORNIA
11-8020 COLON, WILLIAM V. UNITED STATES
11-8021 DENNIS, ROBERT E. V. KENTUCKY
11-8022 WALKER, MICHAEL A. V. KANE, WARDEN

11-8027 SHAW, VERNON V. KIRKLAND, WARDEN
11-8029 MORGAN, DAVID J. V. ARKANSAS
11-8032 ANDERSON, LEIF V. UNITED STATES
11-8038 DIAZ-DEVIA, ALEJANDRO V. UNITED STATES
11-8039 CARTER, DANIEL A. V. GONZALEZ, ACTING WARDEN
11-8041 SIEGLER, SARA E. V. OHIO STATE UNIVERSITY
11-8043 RICHARDSON, RASHEEM V. UNITED STATES
11-8044 SHIELDS, JEFFREY V. UNITED STATES
11-8045 SANTACRUZ-DE LA O, FIDEL V. UNITED STATES
11-8046 SMITH, JAMIE V. UNITED STATES
11-8048 ROBLES, JESUS V. UNITED STATES
11-8050 WARD, CHAD E. V. MAINE
11-8054 BLYDEN, JEROME V. UNITED STATES
11-8056 MYERS, TIMOTHY, ET AL. V. UNITED STATES
11-8058 BARRAZA-LOPEZ, JUAN P. V. UNITED STATES
11-8059 BLANKS, MARQUE V. BOOKER, WARDEN
11-8060 BROWNING, JAMES H. V. UNITED STATES
11-8061 ARMSTRONG, DARRIN L. V. SMALL, WARDEN
11-8070 HERNANDEZ, JORGE V. UNITED STATES
11-8072 BAILEY, GLEN L. V. UNITED STATES
11-8073 BLAIZE, MARLON V. UNITED STATES
11-8075 LITTLE, LORRAINE V. DONAHOE, POSTMASTER GEN.
11-8077 LAZARO, WILLIAM O. V. UNITED STATES
11-8078 OSORIO-REYES, JOSE V. UNITED STATES
11-8079 MOREJON, NELSON V. UNITED STATES
11-8082 TAGGART, STEPHANIE V. UNITED STATES
11-8083 KNAPPER, BARRY V. UNITED STATES
11-8087 MCKINNEY, LAURENCE T. V. UNITED STATES

11-8088 LABOY-VEGA, HECTOR O. V. UNITED STATES
11-8092 PUGH, EUGENE K. V. UNITED STATES
11-8098 STEWART, ELIJAH V. ILLINOIS
11-8099 SHAW, JAMES V. WEBER, WARDEN
11-8104 BARRAZA, MANUEL J. V. UNITED STATES
11-8107 SHAYKIN, MARK R. V. MICHIGAN
11-8114 TUCKER, JOE V. ILLINOIS
11-8116 ALSTON, LEWIS V. UNITED STATES
11-8118 BARRY, PATRICIA V. STATE BAR OF CALIFORNIA
11-8120 LONEBEAR, RICHARD E. V. UNITED STATES
11-8124 KERR, NORMAN A. V. UNITED STATES
11-8125 RODRIGUEZ-RODRIGUEZ, JOSE V. UNITED STATES
11-8127 MELCER, KLINT A. V. UNITED STATES
11-8130 COLLAZO-CASTRO, MIGDALIA V. UNITED STATES
11-8132 THOMPSON, LARRY A. V. MILYARD, WARDEN, ET AL.
11-8136 ROSS, ANDRE D. V. UNITED STATES
11-8140 HUERTA-ORTEGA, RAMIRO V. UNITED STATES
11-8141 MORRIS, JAMES A. V. UNITED STATES
11-8144 LINNGREN, MATTHEW E. V. UNITED STATES
11-8147 WARD, YVONNE V. KANSAS
11-8155 NASH, JAWAAD V. UNITED STATES
11-8156 GEER, ROY V. UNITED STATES
11-8159 BINGHAM, T. D. V. UNITED STATES
11-8166 DELGADO, MARIA A. V. UNITED STATES
11-8167 VELLEFF, RANDY D. V. UNITED STATES
11-8169 ROBINSON, WILLIAM D. V. UNITED STATES
11-8171 RAMIREZ-GUERRA, OMAR V. UNITED STATES
11-8179 PALMA, MICHAEL F. V. HARRIS CTY. APPRAISAL DIST.

11-8181 DeGRANGE, CHRISTOPHER V. UNITED STATES
11-8182 MENDEZ, JOSE E. V. UNITED STATES
11-8185 VALLEJO, CLAUDIO V. UNITED STATES
11-8186 ACEVEDO, GILBERT V. SHARTLE, WARDEN
11-8188 MURPHY, JOHN P. V. KING, WARDEN, ET AL.
11-8189 RED STAR, ARVIN B. V. UNITED STATES
11-8190 RODRIGUEZ-BARRERA, EVERARDO V. UNITED STATES
11-8193 KLYNSMA, ALLEXANDER V. UNITED STATES
11-8198 SMITH, CHRISTOPHER V. UNITED STATES
11-8199 STALLWORTH, ARCHIE V. UNITED STATES
11-8202 CHANLEY, MARK D. V. UNITED STATES
11-8208 KASPROWICZ, LESTER V. UNITED STATES
11-8210 JAMES, BRANDON L. V. UNITED STATES
11-8211 JEEP, DAVID G. V. OBAMA, PRESIDENT OF U.S., ET AL.
11-8212 BAKER, AISHA B. V. UNITED STATES
11-8215 BOWLING, ROBERT G. V. UNITED STATES
11-8217 TAYLOR, DUWAYNE V. UNITED STATES
11-8218 ORTIZ-ORTIZ, GASTON V. UNITED STATES
11-8222 JACKSON, JUAN V. UNITED STATES
11-8223 THOMAS, EZELL V. ILLINOIS
11-8224 TUKES, ALAN C. V. UNITED STATES
11-8233 STOUT, GRANT A. V. UNITED STATES
11-8239 BLACK, WAYNER D. V. UNITED STATES
11-8240 ARGUETA-LOPEZ, JAIME A. V. UNITED STATES
11-8247 SPENTZ, JUSTIN V. UNITED STATES
11-8248 JORDAN, NATHANIEL V. UNITED STATES
11-8249 NELSON, JEAN M. V. UNITED STATES
11-8250 ROBLES, LOUIS S. V. UNITED STATES

11-8259 ZUCK, WILLIAM W. V. SABATKA-RINE, WARDEN, ET AL.
11-8262 HARVEY, ROSHAJA L. V. UNITED STATES
11-8264 GONZALEZ-BARRERAS, ISMAEL V. UNITED STATES
11-8266 HEATH, ARTHUR V. UNITED STATES
11-8267 HEVLE, EDGAR W. V. UNITED STATES
11-8270 HAMPTON, DANIEL G. V. UNITED STATES
11-8272 FRY, ROBERT V. UNITED STATES
11-8276 CAMPBELL, ROBERT D. V. UNITED STATES
11-8280 BENNETT, ROBERT V. UNITED STATES
11-8282 MARTIN, ANTHONY V. UNITED STATES
11-8284 LONG, WINDELL V. UNITED STATES
11-8286 SOLIS, JAIME V. UNITED STATES
11-8289 MILTON, GREGORY A. V. UNITED STATES
11-8291 MILTON, JOHN E. V. UNITED STATES
11-8298 TUBBS, THOMAS M. V. UNITED STATES
11-8299 WHITFIELD, SANDY D. V. UNITED STATES
11-8300 YEARWOOD, AYANDE V. UNITED STATES
11-8301 WILLIAMSON, JASON N. V. UNITED STATES
11-8306 McNAIR, DARYL R. V. UNITED STATES
11-8309 WILLIS, RONALD V. UNITED STATES
11-8310 ZIERKE, GARY V. UNITED STATES
11-8312 JONES, CEDRIC V. UNITED STATES
11-8313 PAIGE, MARCUS V. UNITED STATES
11-8316 ESPINOZA-BAZA, ROGELIO V. UNITED STATES
11-8317 CLOSE, CHRISTOPHER V. THOMAS, WARDEN
11-8320 PEREZ-MENDEZ, FELIPE V. UNITED STATES
11-8322 CASTILLO, RICARDO V. UNITED STATES
11-8327 EDWARDS, KENNETH D. V. UNITED STATES

11-8330 JASSO-ESTRADA, JOSE V. UNITED STATES
11-8332 JONES, JAMES C. V. UNITED STATES
11-8336 MITCHELL, BOBBY L. V. UNITED STATES
11-8338 ROBINSON, ANTONIO V. UNITED STATES
11-8339 ST. MARKS, RICHARD S. V. UNITED STATES
11-8344 BRYANT, KERRY R. V. UNITED STATES
11-8345 AGUILAR-MONTOYA, NICOLAS V. UNITED STATES
11-8346 BEAR, AMBER M. V. UNITED STATES
11-8354 TREJO, JOHNNY V. UNITED STATES
11-8357 URENA, LENNY V. UNITED STATES
11-8358 WASHINGTON, FULTON L. V. UNITED STATES
11-8364 COLEY, CASEY V. UNITED STATES
11-8368 PENA, JOSE R. V. UNITED STATES
11-8375 LAMAR, ANTHONY V. ARKANSAS
11-8385 JIMINEZ-GARCIA, ADRIAN V. UNITED STATES
11-8386 MINTER, GARY W. V. UNITED STATES
11-8389 MITCHELL, ROBERT L. V. LINDAMOOD, WARDEN
11-8395 TURNER, MARKEITH V. UNITED STATES
11-8400 ZUNIGA-MENDOZA, EFREN V. UNITED STATES
11-8402 DICKERSON, IVORY D. V. UNITED STATES
11-8403 DE LA ROSA, JULIO C. V. UNITED STATES
11-8409 CARDENAS, ALBERTO V. UNITED STATES
11-8412 EARL, JOSEPH V. UNITED STATES
11-8421 DERUISE, DWYNE B. V. UNITED STATES
11-8427 NETO, JOSE V. UNITED STATES
11-8431 WOFFORD, WADE V. UNITED STATES
11-8433 TOVAR-RIVAS, FLORENTINO V. UNITED STATES
11-8435 BORBON, JAMIE C. V. UNITED STATES

11-8437 BENABE, BOLIVAR, ET AL. V. UNITED STATES
11-8440 KUTZ, ERIC S. V. UNITED STATES
11-8441 LOWDERMILK, TERRANCE V. UNITED STATES
11-8442 McQUEEN, JOHNEL T. V. UNITED STATES
11-8452 BONESHIRT, BRYAN A. V. UNITED STATES
11-8454 TAFOYA-MONTELONGO, HOMERO V. UNITED STATES
11-8461 OSAZUWA, DANIEL V. UNITED STATES
11-8462 MOORE, RODERICK V. UNITED STATES
11-8463 McGUIRE, TERRANCE V. UNITED STATES
11-8464 PETERSON, JONATHAN B. V. UNITED STATES
11-8465 JACOB, CURUMULATHU V. CLARKE, DIR., VA DOC
11-8466 RUIZ-APOLONIO, PABLO V. UNITED STATES
11-8469 McINTYRE, DAVID V. UNITED STATES
11-8473 BRISBANE, GEORGE V. UNITED STATES
11-8483 TINDALL, MICHAEL V. UNITED STATES
11-8490 SALVA-MORALES, CANDIDO V. UNITED STATES
11-8491 SNOW, GERALD W. V. UNITED STATES

The petitions for writs of certiorari are denied.

10-1544 UNITED STATES V. HOANG, NAM VAN

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied.

11-40 UNITED STATES V. VALVERDE, MARK A.

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied. Justice Kagan took no part in the consideration or decision of this motion and this petition.

11-190 PUERTO RICO BAR ASS'N V. PUERTO RICO, ET AL.

The petition for a writ of certiorari is denied. Justice Sotomayor would grant the petition for a writ of certiorari.

11-385 UNITED STATES V. VALDEZ, SANTIAGO

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied.

11-611 UNITED STATES V. TRENT, ROGER D.

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied.

11-684 ROBERT, CHARLES V. DEPT. OF JUSTICE, ET AL.

The petition for a writ of certiorari is denied. Justice Sotomayor took no part in the consideration or decision of this petition.

11-685 HIGHWAY J CITIZENS GROUP V. RICHFIELD, WI

The motion of National Tax Limitation Committee, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

11-705 STAR NORTHWEST, INC. V. KENMORE, WA, ET AL.

The motion of Recreational Gaming Association of Washington for leave to file a brief as *amicus curiae* is denied. The petition for a writ of certiorari is denied.

11-738 EQUITABLE TRANSITIONS, INC. V. DELL, INC.

The petition for a writ of certiorari is denied. The Chief Justice took no part in the consideration or decision of this petition.

11-6205 ORTIZ-ALVEAR, JUAN M. V. WELLS, WARDEN
11-7379 CAVANAUGH, ROMAN V. UNITED STATES
11-7416 SORRELL, ELMER M. V. BLEDSOE, WARDEN

The petitions for writs of certiorari are denied. Justice Kagan took no part in the consideration or decision of these petitions.

11-7605 OPARAJI, MAURICE V. NE AUTO-MARINE TERMINAL, ET AL.
11-7632 TATE, JAMES V. TUCKER, DIR., FL SEC., ET AL.
11-7633 PERRY, TAFT J. V. UNIVERSITY OF ALABAMA
11-7665 FLORES, ERIC V. HOLDER, ATT'Y GEN.
11-7690 BLACKWELL, RODNEY K. V. USDC CD CA

The motions of petitioners for leave to proceed *in forma pauperis* are denied, and the petitions for writs of certiorari are dismissed. See Rule 39.8.

11-7702 ABULKHAIR, ASSEM A. V. PRUDENTIAL, ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8. As the 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*).

11-7770 ROBERTSON, DOUGLAS V. CAIN, WARDEN
11-7801 MAXWELL, ROBERT V. TALLEY, RONALD, ET AL.
11-7883 JARVIS, DEREK N. V. CHASANOW, CHIEF JUDGE, USDC MD

The motions of petitioners for leave to proceed *in forma*

pauperis are denied, and the petitions for writs of certiorari are dismissed. See Rule 39.8.

11-7887 HA, HUNG V. NYCHA, ET AL.

11-7888 HA, HUNG V. TSENG, JUSTINE, ET AL.

The motions of petitioner for leave to proceed *in forma pauperis* are denied, and the petitions for writs of certiorari are dismissed. See Rule 39.8. As the 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 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*).

11-7925 SOW, MOHAMED V. HOLDER, ATT'Y GEN.

The petition for a writ of certiorari is denied. Justice Kagan took no part in the consideration or decision of this petition.

11-7957 RICHARDSON, WILLIAM C. V. LOUISIANA

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8. As the 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*).

11-8005 MUSZYNSKI, MARK S. V. GROUNDS, WARDEN

The petition for a writ of certiorari is denied. Justice Breyer took no part in the consideration or decision of this petition.

11-8014 CAMPBELL, JAMES B. V. GERSTEN, JUDGE, ETC., ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8.

11-8052 VILLAVICENCIO-BURRUEL, RAUL V. UNITED STATES

11-8105 KANE, RUTH V. UNITED STATES

The petitions for writs of certiorari are denied. Justice Kagan took no part in the consideration or decision of these petitions.

11-8109 RIVERA, JOSE M. V. UNITED STATES

The petition for a writ of certiorari is denied. Justice Sotomayor took no part in the consideration or decision of this petition.

11-8110 SCOTT, RAKEISHA V. HORNBEAK, WARDEN

The motion of petitioner to defer consideration of the petition for a writ of certiorari is denied. The petition for a writ of certiorari is denied.

11-8113 GADSDEN, DAMONE V. UNITED STATES

11-8154 HOWELL, LEONARD B. V. UNITED STATES

The petitions for writs of certiorari are denied. Justice Sotomayor took no part in the consideration or decision of these petitions.

11-8237 BLACKMER, PAUL V. DEPT. OF JUSTICE

The motion of petitioner for leave to proceed *in forma*

pauperis is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8.

11-8238 BARNETT, TRACY A. V. UNITED STATES

The petition for a writ of certiorari is denied. Justice Kagan took no part in the consideration or decision of this petition.

11-8283 MADUKA, EMMANUEL O. V. UNITED STATES

The petition for a writ of certiorari is denied. Justice Sotomayor and Justice Kagan took no part in the consideration or decision of this petition.

11-8294 ELLIOTT, DAMON V. APKER, WARDEN

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8. As the petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). Justice Kagan took no part in the consideration or decision of this motion and this petition.

11-8297 McDANIELS, KEVIN W. V. UNITED STATES

The petition for a writ of certiorari is denied. Justice Kagan took no part in the consideration or decision of this petition.

11-8365 PLUGH, GORDON V. UNITED STATES

The petition for a writ of certiorari is denied. Justice Sotomayor and Justice Kagan took no part in the consideration or

decision of this petition.

11-8378 ANYANWU, EMMANUEL E. V. UNITED STATES

The petition for a writ of certiorari is denied. Justice Breyer took no part in the consideration or decision of this petition.

11-8426 DENNIS, JAQUELINE V. UNITED STATES

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8.

11-8428 MCKINNON, REDMOND A. V. UNITED STATES

The petition for a writ of certiorari is denied. Justice Sotomayor took no part in the consideration or decision of this petition.

HABEAS CORPUS DENIED

11-8160 IN RE EDWARD D. BROWN

11-8187 IN RE FRED R. ATHERTON

11-8225 IN RE CASEY K. TABATABAEE

11-8230 IN RE LEROY SINGLETON

11-8517 IN RE RANDY OSTRANDER

11-8553 IN RE DAVID BOURGEOIS

The petitions for writs of habeas corpus are denied.

MANDAMUS DENIED

11-695 IN RE DAVID L. PEARL

11-896 IN RE MARCUM LLP

11-7994 IN RE GREG SHRADER

11-8071 IN RE JACKSON B. BAUGUS

The petitions for writs of mandamus are denied.

11-781 IN RE BENNY M. GOVER

The petition for a writ of mandamus is denied. The Chief Justice took no part in the consideration or decision of this petition.

11-7713 IN RE STEVEN S. BROWN

The petition for a writ of mandamus and/or prohibition is denied.

PROHIBITION DENIED

11-733 IN RE JANICE HAAGENSEN

The petition for a writ of prohibition is denied.

REHEARINGS DENIED

10-1529 KELLY, SHANNON V. WV BD. OF LAW EXAMINERS, ET AL.

10-10833 ESSETT, ANTHONY D. V. UNITED STATES

11-74 HARDY, WARDEN V. CROSS, IRVING L.

11-283 FOX, JOHN V. WARDY, JOE, ET AL.

11-358 SAWYER, AVA M. V. WORCESTER, DEAN S., ET AL.

11-490 DIXON, JOSEPH V. HENNEPIN CTY. HUMAN SVCS. DEPT.

11-575 CARSON, JOSEPH P. V. U.S. OFFICE OF SPECIAL COUNSEL

11-5315 HINES, MARK V. TENNESSEE

11-5384 JACOBSON, ERIC C., ET AL. V. SCHWARZENEGGER, ARNOLD, ET AL.

11-5606 KALFOUNTZOS, NIKIFOROS V. U.S. RAILROAD RETIREMENT BOARD

11-5718 HIRSCH, MARION V. ENOCH PRATT FREE LIBRARY

11-5937 SCHIED, DAVID V. WARD, RONALD, ET AL.

11-5945 IN RE DAVID SCHIED

11-6015 SCHIED, DAVID V. SNYDER, SCOTT, ET AL.

11-6187 MATOS, RAY A. V. TUCKER, SEC., FL DOC

11-6336 BRADLEY, ANNE M. V. CONNECTICUT

11-6386 McDOWELL, GABRIEL V. MISSISSIPPI, ET AL.

11-6395 HOLLINS, JOHNNIE A. V. FULTON COUNTY, GA, ET AL.
11-6402 FORNESS, RODNEY J. V. ASTRUE, COMM'R, SOCIAL SEC.
11-6577 LANCASTER, RONALD D. V. BIGELOW, WARDEN, ET AL.
11-6591 ROLON, ANGEL V. BEACON COMPANIES, ET AL.
11-6592 KING, RICHARD M. V. TEXAS
11-6620 DOSSETT, MIKE E. V. THALER, DIR., TX DCJ
11-6679 CASH, BEVERLY A. V. LOUISIANA
11-6681 CLARK, MICHAEL A. V. UNITED STATES
11-6703 CASTON-GOODJOHN, MARY V. SHINSEKI, SEC. OF VA
11-6708 NAJAFIAN, FATEMEH V. CAPITAL ONE N.A., ET AL.
11-6724 ROSEN, SOL V. NORTH SHORE TOWERS APARTMENTS
11-6771 MOYA-FELICIANO, JORGE V. TUCKER, SEC., FL DOC, ET AL.
11-6775 DYDZAK, DANIEL D. V. USCA 9
11-6801 MASON, CHARLES V. GODINEZ, DIR., IL DOC, ET AL.
11-6848 BRADDOCK, DERRICK L. V. RAPELJE, WARDEN
11-6869 CARLSON, DAVID R. V. DOOLEY, WARDEN
11-6889 IN RE BALJIT SINGH
11-6911 BUCK, DARRYL V. UNITED STATES
11-6989 ISRAEL, RAUL V. UNITED STATES
11-7026 JOHNSON, DERRICK A. V. UNITED STATES
11-7094 MARTIN, COREY D. V. WISCONSIN
11-7163 HARRIS, CHARLES L. V. UNITED STATES
11-7275 PURPURA, NICHOLAS E., ET AL. V. SEBELIUS, SEC. OF H&HS, ET AL.
11-7291 CEGLEDI, CARLOS V. UNITED STATES
11-7873 GIRARD, DAVID A. V. UNITED STATES

The petitions for rehearing are denied.

11-6165 HANEY, MONTE L. V. ADAMS, WARDEN

The petition for rehearing is denied. Justice Breyer took

no part in the consideration or decision of this petition.

11-7034 NIBLOCK, JAMES V. USDC ED VA, ET AL.

11-7162 FORD, TONY L. V. UNITED STATES

The petitions for rehearing are denied. Justice Kagan took no part in the consideration or decision of these petitions.

10-11243 CLARK, NANCY ROSE P. V. RICHMOND DEPT. OF SOCIAL SERV.

The motion for leave to file a petition for rehearing is denied.

Per Curiam

SUPREME COURT OF THE UNITED STATES

JOHN E. WETZEL, SECRETARY, PENNSYLVANIA
DEPARTMENT OF CORRECTIONS, ET AL. *v.*
JAMES LAMBERT

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED
STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 11–38. Decided February 21, 2012

PER CURIAM.

James Lambert was convicted and sentenced to death in 1984 for the murder of two patrons during a robbery of Prince’s Lounge in Philadelphia, Pennsylvania. One of the Commonwealth’s primary witnesses at Lambert’s trial was Bernard Jackson, who admitted to being involved in the robbery and identified Bruce Reese and Lambert as his accomplices. Almost 20 years later, Lambert brought a claim for postconviction relief in Pennsylvania state court, alleging that the Commonwealth had failed to disclose, *inter alia*, a “police activity sheet” in violation of *Brady v. Maryland*, 373 U. S. 83 (1963). This document, dated October 25, 1982, noted that a photo display containing a picture of an individual named Lawrence Woodlock was shown to two witnesses to the Prince’s Lounge robbery, but that “[n]o identification was made.” Exh. 1, App. to Brief in Opposition. The document further noted that “Mr. WOODLOCK is named as co-defendant” by Jackson, who was in custody at the time on several charges and had admitted to involvement in at least 13 armed robberies of bars. *Ibid.* The activity sheet did not indicate whether Jackson’s reference was to the Prince’s Lounge crime or one of the others. The sheet bore the names of the law enforcement officers involved in the investigation of the Prince’s Lounge robbery. It also bore the names of the robbery’s murder victims, as well as the police case numbers for those murders. The Commonwealth has identified

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no evidence that Woodlock was ever investigated for any other robbery, or that his photo was shown to a witness in any other robbery.

Lambert claimed that the activity sheet was exculpatory, because it suggested that someone other than or in addition to him, Jackson, and Reese was involved in the Prince's Lounge crime. *Commonwealth v. Lambert*, 584 Pa. 461, 472, 884 A.2d 848, 855 (2005). Lambert also argued that he could have used the activity sheet to impeach Jackson's testimony at trial, because the statement attributed to Jackson suggested that Jackson had identified Woodlock as a participant prior to identifying Lambert. *Ibid.*

The Commonwealth countered that the asserted "statement" by Jackson reflected in the activity sheet was in fact nothing more than an "ambiguously worded notation." *Ibid.* The Commonwealth argued that this notation simply indicated that Jackson had named Woodlock as a "co-defendant" in some incident, without specifying whether Woodlock was said to be involved in the Prince's Lounge robbery or one of the dozen other robberies in which Jackson had admitted participating. In this regard, the Commonwealth noted that Woodlock's name was not mentioned anywhere else in the police records, trial proceedings, or Jackson's statements about the Prince's Lounge robbery. As the Commonwealth has put it, "it seems likely that Jackson identified [Woodlock] as a participant in one of his many *other* robberies, and police simply confirmed that Woodlock had nothing to do with *this* case." Reply to Brief in Opposition 2. The Commonwealth "further note[d]" that the document would not have advanced any impeachment of Jackson, because he had already been extensively impeached at trial. *Lambert*, 584 Pa., at 472, 884 A.2d, at 855. Thus, according to the Commonwealth, the "ambiguous reference to Woodlock" would not have discredited Jackson any further. *Ibid.*

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The Pennsylvania Supreme Court agreed with the Commonwealth and unanimously rejected Lambert's *Brady* claim, holding that the disputed document was not material. *Id.*, at 472–473, 848 A. 2d, at 855–856. The court concluded that there was no reasonable probability that the result of Lambert's trial would have been different had the document been disclosed. *Ibid.* See *Strickler v. Greene*, 527 U. S. 263, 281 (1999). Calling Lambert's claim that the reference to Woodlock "automatically" meant someone else was involved in the Prince's Lounge robbery "purely speculative at best," the court noted that "the police must not have had reason to consider Woodlock a potential codefendant in this case as his name is not mentioned anywhere else in the police investigation files." 584 Pa., at 473, 884 A. 2d, at 855. "Moreover," the court continued, the document "would not have materially furthered the impeachment of Jackson at trial as he was already extensively impeached by both [Lambert] and Reese." *Ibid.*

Lambert filed a petition for a writ of habeas corpus in the Eastern District of Pennsylvania under 28 U. S. C. §2254, claiming, *inter alia*, that the Commonwealth's failure to disclose the document violated his rights under *Brady*. The District Court denied the writ, holding that the state courts' determination that the notations "were not exculpatory or impeaching" was "reasonable." *Lambert v. Beard*, Civ. Action No. 02–9034 (July 24, 2007), App. to Pet. for Cert. 34, 36. The court explained that "[t]he various notations and statements which [Lambert] claims the Commonwealth should have disclosed are entirely ambiguous, and would have required the state courts to speculate to conclude they were favorable for Lambert and material to his guilt or punishment." *Id.*, at 36.

On appeal, however, the Court of Appeals for the Third Circuit reversed and granted the writ. 633 F. 3d 126

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(2011). The Third Circuit concluded that it was “patently unreasonable” for the Pennsylvania Supreme Court to presume that whenever a witness is impeached in one manner, any other impeachment evidence would be immaterial. *Id.*, at 134. According to the Third Circuit, the notation that Jackson had identified Woodlock as a “co-defendant” would have “opened an entirely new line of impeachment” because the prosecutor at trial had relied on the fact that Jackson had consistently named Lambert as the third participant in the robbery. *Id.*, at 135. The Commonwealth petitioned for certiorari.

The Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA) precludes a federal court from granting a writ of habeas corpus to a state prisoner unless the state court’s adjudication of his claim “resulted in a decision that was contrary to, or involved an unreasonable application of, clearly established Federal law, as determined by the Supreme Court of the United States.” 28 U. S. C. §2254(d)(1). “Under §2254(d), a habeas court must determine what arguments or theories supported . . . the state court’s decision; and then it must ask whether it is possible fairminded jurists could disagree that those arguments or theories are inconsistent with the holding in a prior decision of this Court.” *Harrington v. Richter*, 562 U. S. ___, ___ (2011) (slip op., at 12).

In this case, however, the Third Circuit overlooked the determination of the state courts that the notations were, as the District Court put it, “not exculpatory or impeaching” but instead “entirely ambiguous.” App. to Pet. for Cert. 34, 36. Instead, the Third Circuit focused solely on the alternative ground that any impeachment value that might have been obtained from the notations would have been cumulative. If the conclusion in the state courts about the content of the document was reasonable—not necessarily correct, but reasonable—whatever those courts had to say about cumulative impeachment evidence would

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be beside the point. The failure of the Third Circuit even to address the “ambiguous” nature of the notations, and the “speculat[ive]” nature of Lambert’s reading of them, is especially surprising, given that this was the basis of the District Court ruling. *Id.*, at 36.*

The Court of Appeals ordered that Lambert, convicted of capital murder nearly 30 years ago, be set free unless the Commonwealth retried him within 120 days. It did so because of a police activity sheet noting that Jackson had identified Woodlock as a “co-defendant,” and bearing other information associating the sheet with the Prince’s Lounge robbery. The Court of Appeals, however, failed to address the state court ruling that the reference to Woodlock was ambiguous and any connection to the Prince’s Lounge robbery speculative. That ruling—on which we do not now opine—may well be reasonable, given that (1) the activity sheet did not explicitly link Woodlock to the Prince’s Lounge robbery, (2) Jackson had committed a dozen other such robberies, (3) Jackson was being held on several

*The dissent emphasizes that the activity sheet was prepared for the investigation into the Prince’s Lounge crime. *Post*, at 1 (opinion of BREYER, J.). No one disputes that. The ambiguity at issue concerns whether Jackson’s *statement* referred to that crime, or one of his many others. The dissent also finds “no suggestion” that the state courts believed Jackson’s reference to Woodlock “contained the argued ambiguity.” *Post*, at 3. The Pennsylvania Supreme Court, however, recognized the Commonwealth’s argument that Jackson could have named Woodlock as a codefendant in some other robbery, and concluded that “the Commonwealth accurately notes that the police must not have had reason to consider Woodlock a potential codefendant in this case as his name is not mentioned anywhere else in the police investigation files.” *Commonwealth v. Lambert*, 584 Pa. 461, 473, 884 A. 2d 848, 855 (2005). The only state court ruling the Third Circuit addressed—the conclusion that any impeachment evidence would have been cumulative—was one the state court introduced with “[m]oreover,” confirming that it was an alternative basis for its decision. *Ibid.* And the District Court certainly understood the state court decisions to have considered the reference ambiguous. See App. to Pet. for Cert. 36.

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charges when the activity sheet was prepared, (4) Woodlock's name appeared nowhere else in the Prince's Lounge files, and (5) the two witnesses from the Prince's Lounge robbery who were shown Woodlock's photo did *not* identify him as involved in that crime.

Any retrial here would take place *three decades* after the crime, posing the most daunting difficulties for the prosecution. That burden should not be imposed unless *each* ground supporting the state court decision is examined and found to be unreasonable under AEDPA.

The petition for certiorari and respondent's motion to proceed *in forma pauperis* are granted. The judgment of the Court of Appeals for the Third Circuit is vacated, and the case is remanded for proceedings consistent with this opinion.

It is so ordered.

BREYER, J., dissenting

SUPREME COURT OF THE UNITED STATES

JOHN E. WETZEL, SECRETARY, PENNSYLVANIA
DEPARTMENT OF CORRECTIONS, ET AL. *v.*
JAMES LAMBERT

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED
STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 11–38. Decided February 21, 2012

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

The Court grants the Commonwealth of Pennsylvania’s petition for certiorari and sends this case back to the Court of Appeals for the Third Circuit, primarily because the Court believes that the “Circuit overlooked the determination of the state courts that the [police] notations were . . . ‘entirely ambiguous.’” *Ante*, at 4 (quoting App. to Pet. for Cert. 34, 36). I cannot agree.

For one thing, I cannot accept that the “notations” at issue are “entirely ambiguous.” I attach a copy of the relevant police notation. See Appendix, *infra*. The notation clearly refers to this case, not to some other case. It sets forth the file number of this investigation, the investigators of this crime, the victims of this murder, and the potential witnesses of these events. It does not refer specifically to any other robbery. The notation says that “[a] [p]hoto display was shown to . . . [witnesses in this case],” and it specifies that the “[p]hoto display contained a Lawrence WOODLOCK.” In this context, the words must refer to a display that included persons potentially involved in this robbery. That being so, the most natural reading of the statement, “Mr. WOODLOCK is named as co-defendant by Bernard JACKSON,” is that it too refers to this murder and not to some other crime. *Ibid*.

For another thing, the Circuit did not “*overloo[k]*” the determination of the state courts that the notations were

BREYER, J., dissenting

. . . ‘ambiguous.’” *Ante*, at 4 (quoting the Federal District Court, App. to Pet. for Cert. 34, 36 (emphasis added)). There were no such state court “determination[s].” *Ante*, at 4. Rather, the state trial court wrote that the notation was not material for *Brady* purposes only because “Jackson was comprehensively impeached” at trial and “it is not reasonable to believe that *Jackson’s further inconsistency found only in a police activity sheet* and not in any of his statements to police would have caused the jury to discredit him.” Record 228 (emphasis added). As the italicized words make clear, if the trial court expressed any view about ambiguity, it thought that the police notation was *not* ambiguous.

The Pennsylvania Supreme Court did point out that the Commonwealth *argued* that the document was “‘ambiguously worded.’” *Commonwealth v. Lambert*, 584 Pa. 461, 472, 884 A. 2d 848, 855 (2005). But the court did not adopt this rationale. Rather, it found the document not material with respect to impeachment because “[a]ny additional impeachment of Jackson arising from a police notation would have been cumulative.” *Id.*, at 473, 884 A. 2d, at 856. The Third Circuit disagreed with the state courts in respect to this last-mentioned holding. But this Court does not take issue with the Third Circuit on this point. The Court points out, instead, that the Pennsylvania Supreme Court used the word “‘speculative.’” *Ante*, at 3. But in context it is clear that the court used that word to refer to Lambert’s claim that the notation showed that he was innocent. With respect to that claim (not at issue here), the court wrote: “[Lambert’s] claim that Jackson’s reference to Woodlock automatically means that someone other than himself committed the shootings and robbery is purely speculative at best.” 584 Pa., at 473, 884 A. 2d, at 855. And it supported the “speculative” nature of the innocence claim by pointing out that Woodlock’s name “is not mentioned anywhere else in the police investigation

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files.” *Ibid.* There is no suggestion that the notation contained the argued ambiguity.

Finally, the Circuit questioned the strength of the case against Lambert. See *Lambert v. Beard*, 633 F.3d 126, 135–136 (CA3 2011). It pointed out that the case against Lambert was largely based on Jackson’s testimony, explaining that “without Jackson’s statements to the police, the Commonwealth could not have indicted Lambert on these charges.” *Id.*, at 131. Yet Jackson had made “four prior inconsistent statements to the police about who did what and who said what on the night in question,” and he had admitted that his goal in testifying was “to save himself from a death sentence.” *Ibid.* The Circuit could not “help but observe that the evidence is very strong that Reese, not Lambert, was the shooter, even assuming that Lambert (and not Jackson, as two of the barmaids testified) was in the Prince’s Lounge that night.” *Id.*, at 135. The Circuit stated: “One wonders how the Commonwealth could have based this case of first-degree murder on a Bernard Jackson.” *Id.*, at 131. These statements suggest that the Commonwealth’s case against Lambert was unusually weak. If the Commonwealth was wrong, an innocent man has spent almost 30 years in prison under sentence of death for a crime he did not commit.

We do not normally consider questions of the type presented here, namely fact-specific questions about whether a lower court properly applied the well-established legal principles that it sets forth in its opinion. See *Kyles v. Whitley*, 514 U. S. 419, 460 (1995) (SCALIA, J., dissenting) (An “intensely fact-specific case in which the court below unquestionably applied the correct rule of law and did not unquestionably err” is “precisely the type of case in which we are *most* inclined to deny certiorari”). And, for the reasons I have stated, I believe the Court is ill advised to grant certiorari in this case.

I would deny the Commonwealth’s petition for a writ of certiorari.

Appendix to opinion of BREYER, J.

APPENDIX

ACTIVITY SHEET # 2 Platoon Monday, 10/25/82 SA 4E Tour Sgt. Strohm/Lt. Hansen
H-82-268 Deceased: James HURPLEY Assigned/Kelhower
H-82-269 James Graves

A Photo display was shown to the below listed person, Photo display contained a Lawrence WOODLOCK 27 N/M res. 5333 Walnut St. PEN # 477095. Mr. WOODLOCK is named as co-defendant by Bernard JACKSON. No identification was made.

Sarah CLARK 5511 Garbrook Ave. Marie GREEN 5227 Pine St.

A Survey was made of the area 55RD. & Walnut St. to find Lawrence WOODLOCK Neg. results.

Per Curiam

SUPREME COURT OF THE UNITED STATES

MARMET HEALTH CARE CENTER, INC., ET AL.
11–391 *v.*
CLAYTON BROWN ET AL.

CLARKSBURG NURSING HOME & REHABILITATION
CENTER, LLC, DBA CLARKSBURG CONTINUOUS
CARE CENTER, ET AL.

11–394 *v.*
SHARON A. MARCHIO, EXECUTRIX OF THE ESTATE OF
PAULINE VIRGINIA WILLETT

ON PETITIONS FOR WRITS OF CERTIORARI TO THE SUPREME
COURT OF APPEALS OF WEST VIRGINIA

Nos. 11–391 and 11–394. Decided February 21, 2012

PER CURIAM.

State and federal courts must enforce the Federal Arbitration Act (FAA), 9 U. S. C. §1 *et seq.*, with respect to all arbitration agreements covered by that statute. Here, the Supreme Court of Appeals of West Virginia, by misreading and disregarding the precedents of this Court interpreting the FAA, did not follow controlling federal law implementing that basic principle. The state court held unenforceable all predispute arbitration agreements that apply to claims alleging personal injury or wrongful death against nursing homes.

The decision of the state court found the FAA’s coverage to be more limited than mandated by this Court’s previous cases. The decision of the State Supreme Court of Appeals must be vacated. When this Court has fulfilled its duty to interpret federal law, a state court may not contradict or fail to implement the rule so established. See U. S. Const., Art. VI, cl. 2.

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I

This litigation involves three negligence suits against nursing homes in West Virginia. The suits were brought by Clayton Brown, Jeffrey Taylor, and Sharon Marchio. In each case, a family member of a patient requiring extensive nursing care had signed an agreement with a nursing home on behalf of the patient. The relevant parts of the agreements in Brown’s case and Taylor’s case were identical. The contracts included a clause requiring the parties to arbitrate all disputes, other than claims to collect late payments owed by the patient. The contracts included a provision holding the party filing the arbitration responsible for paying a filing fee in accordance with the Rules of the American Arbitration Association fee schedules. The agreement in Marchio’s case also included a clause requiring arbitration but made no exceptions to the arbitration requirement and did not mention filing fees.

In each of the three cases, a family member of a patient who had died sued the nursing home in state court, alleging that negligence caused injuries or harm resulting in death. A state trial court dismissed the suits by Brown and Taylor based on the agreements to arbitrate. The Supreme Court of Appeals of West Virginia consolidated those cases with Marchio’s, which was before the court on other issues.

In a decision concerning all three cases, the state court held that “as a matter of public policy under West Virginia law, an arbitration clause in a nursing home admission agreement adopted prior to an occurrence of negligence that results in a personal injury or wrongful death, shall not be enforced to compel arbitration of a dispute concerning the negligence.” *Brown v. Genesis Healthcare Corp.*, No. 35494 (W. Va., June 29, 2011), App. to Pet. for Cert. in No. 11–391, pp. 85a–86a (hereinafter Pet. App.). The state court considered whether the state public policy was

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pre-empted by the FAA. The state court found unpersuasive this Court’s interpretation of the FAA, calling it “tendentious,” *id.*, at 51a, and “created from whole cloth,” *id.*, at 53a. It later concluded that “Congress did not intend for the FAA to be, in any way, applicable to personal injury or wrongful death suits that only collaterally derive from a written agreement that evidences a transaction affecting interstate commerce, particularly where the agreement involves a service that is a practical necessity for members of the public,” *id.*, at 84a. The court thus concluded that the FAA does not pre-empt the state public policy against predispute arbitration agreements that apply to claims of personal injury or wrongful death against nursing homes.

The West Virginia court’s interpretation of the FAA was both incorrect and inconsistent with clear instruction in the precedents of this Court. The FAA provides that a “written provision in . . . a contract evidencing a transaction involving commerce to settle by arbitration a controversy thereafter arising out of such contract or transaction . . . shall be valid, irrevocable, and enforceable, save upon such grounds as exist at law or in equity for the revocation of any contract.” 9 U. S. C. §2. The statute’s text includes no exception for personal-injury or wrongful-death claims. It “requires courts to enforce the bargain of the parties to arbitrate.” *Dean Witter Reynolds Inc. v. Byrd*, 470 U. S. 213, 217 (1985). It “reflects an emphatic federal policy in favor of arbitral dispute resolution.” *KPMG LLP v. Cocchi*, 565 U. S. ____, ____ (2011) (*per curiam*) (slip op., at 3) (quoting *Mitsubishi Motors Corp. v. Soler Chrysler-Plymouth, Inc.*, 473 U. S. 614, 631 (1985); internal quotation marks omitted).

As this Court reaffirmed last Term, “[w]hen state law prohibits outright the arbitration of a particular type of claim, the analysis is straightforward: The conflicting rule is displaced by the FAA.” *AT&T Mobility LLC v. Concep-*

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cion, 563 U. S. ___, ___ (2011) (slip op., at 6–7). That rule resolves these cases. West Virginia’s prohibition against predispute agreements to arbitrate personal-injury or wrongful-death claims against nursing homes is a categorical rule prohibiting arbitration of a particular type of claim, and that rule is contrary to the terms and coverage of the FAA. See *ibid.* See also, e.g., *Preston v. Ferrer*, 552 U. S. 346, 356 (2008) (FAA pre-empts state law granting state commissioner exclusive jurisdiction to decide issue the parties agreed to arbitrate); *Mastrobuono v. Shearson Lehman Hutton, Inc.*, 514 U. S. 52, 56 (1995) (FAA pre-empts state law requiring judicial resolution of claims involving punitive damages); *Perry v. Thomas*, 482 U. S. 483, 491 (1987) (FAA pre-empts state-law requirement that litigants be provided a judicial forum for wage disputes); *Southland Corp. v. Keating*, 465 U. S. 1, 10 (1984) (FAA pre-empts state financial investment statute’s prohibition of arbitration of claims brought under that statute).

II

The West Virginia court proposed an “alternativ[e]” holding that the particular arbitration clauses in Brown’s case and Taylor’s case were unconscionable. Pet. App. 89a–91a, 94a. See also *id.*, at 98a (not addressing the question whether the arbitration agreement in Marchio’s case is unenforceable for reasons other than public policy). It is unclear, however, to what degree the state court’s alternative holding was influenced by the invalid, categorical rule discussed above, the rule against predispute arbitration agreements. For example, in its discussion of the alternative holding, the state court found the arbitration clauses unconscionable in part because a predispute arbitration agreement that applies to claims of personal injury or wrongful death against nursing homes “clearly violates public policy.” *Id.*, at 91a.

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On remand, the West Virginia court must consider whether, absent that general public policy, the arbitration clauses in Brown's case and Taylor's case are unenforceable under state common law principles that are not specific to arbitration and pre-empted by the FAA.

* * *

The petition for certiorari is granted. The judgment of the Supreme Court of Appeals of West Virginia is vacated, and the cases are remanded for proceedings not inconsistent with this opinion.

It is so ordered.