

IN THE  
Supreme Court of the United States

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SHELL OIL PRODS. CO., L.L.C., ET AL., PETITIONERS

v.

STATE OF RHODE ISLAND, RESPONDENT

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

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**BRIEF OF RESPONDENT  
STATE OF RHODE ISLAND  
IN OPPOSITION**

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## **QUESTION PRESENTED**

Whether 28 U.S.C. 1447(d) authorizes a court of appeals to review a remanding district court's rejection of each and every ground asserted for removal, when removal was premised in part on meritless federal-officer jurisdiction (28 U.S.C. 1442) or civil-rights jurisdiction (28 U.S.C. 1443).

## ARGUMENT

Petitioners argue that this case presents the same question as *BP p.l.c. v. Mayor and City Council of Baltimore*, No. 19-1189. Respondent agrees that the same question is presented. Accordingly, respondent requests that the Petition should be held pending the decision in *Baltimore*.

If, for any reason, the Court does not dispose of the issue presented in *Baltimore*, respondent maintains that certiorari is not warranted in this case and will file a supplemental Brief in Opposition at that time.

Respectfully Submitted,

/s/ Neil F.X. Kelly

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