

Supreme Court of the United States

No. 21–1168

ROBERT MALLORY,

Petitioner

v.

NORFOLK SOUTHERN RAILWAY CO.

ON WRIT OF CERTIORARI to the Supreme Court of Pennsylvania, Eastern District.

THIS CAUSE came on to be heard on the transcript of the record from the above court and was argued by counsel.

ON CONSIDERATION WHEREOF, it is ordered and adjudged by this Court that the judgment of the above court is vacated with costs, and the case is remanded to the Supreme Court of Pennsylvania, Eastern District for further proceedings not inconsistent with the opinion of this Court.

IT IS FURTHER ORDERED that the petitioner, Robert Mallory, recover from Norfolk Southern Railway Co., One Thousand, Eighty-seven Dollars and Fifty Cents (\$1,087.50) for costs herein expended.

June 27, 2023

Printing of joint appendix:	\$787.50
Clerk's costs:	<u>\$300.00</u>
Total:	\$1,087.50



United States of America, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

No. 21–1168

ROBERT MALLORY,

Petitioner

v.

NORFOLK SOUTHERN RAILWAY CO.

To the Honorable the Justices of the Supreme Court of Pennsylvania, Eastern District.

GREETINGS:

Supreme Court of Pennsylvania, Eastern District case, ROBERT MALLORY, Appellant v. NORFOLK SOUTHERN RAILWAY CO., Appellee, No. 3 EAP 2021, was submitted to the **SUPREME COURT OF THE UNITED STATES** on writ of certiorari and the response thereto.

It is ordered and adjudged on June 27, 2023, by this Court that the judgment of the Supreme Court of Pennsylvania, Eastern District is vacated with costs, and the case is remanded to the Supreme Court of Pennsylvania, Eastern District for further proceedings not inconsistent with the opinion of this Court.

THIS CAUSE IS REMANDED to you in order that such proceedings may be had in the said cause, in conformity with the judgment of this Court above stated, as accord with right and justice, and the Constitution and Laws of the United States.

IT IS FURTHER ORDERED that the petitioner, Robert Mallory, recover from Norfolk Southern Railway Co., One Thousand, Eighty-seven Dollars and Fifty Cents (\$1,087.50) for costs herein expended.

Witness the Honorable **JOHN G. ROBERTS, JR.**, Chief Justice of the United States, the 27th day of June, in the year Two Thousand and Twenty-Three.

