
PRELIMINARY PRINT—ORDERS

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OF
THE SUPREME COURT

JUNE 9 THROUGH JUNE 26, 2023

Page Proof Pending Publication

REBECCA A. WOMELDORF

REPORTER OF DECISIONS



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ORDERS FOR JUNE 9 THROUGH
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Miscellaneous Order

No. 22A1027. GUNASEKARA *v.* BARTON ET AL. Sup. Ct. Miss. Application for stay and recall of the mandate and an injunction pending appeal, presented to JUSTICE ALITO, and by him referred to the Court, denied.

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Certiorari Dismissed

No. 22-7219. GABRIEL *v.* MELTON TRUCK LINES. 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.

Miscellaneous Orders

No. 22A975. ADIMORA-NWEKE *v.* UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS. C. A. 5th Cir. Application to file petition for writ of certiorari in excess of the page limits, addressed to JUSTICE THOMAS and referred to the Court, denied.

No. 22M112. DOE *v.* UNITED STATES. Motion for leave to file petition for writ of certiorari with supplemental appendix under seal granted.

No. 21-1086 (21A375). ALLEN, ALABAMA SECRETARY OF STATE, ET AL. *v.* MILLIGAN ET AL. D. C. N. D. Ala.; and

No. 21-1087 (21A376). ALLEN, ALABAMA SECRETARY OF STATE, ET AL. *v.* CASTER ET AL. C. A. 11th Cir. The stays heretofore entered by the Court on February 7, 2022, are vacated. See *Allen v. Milligan*, 599 U. S. 1 (2023).

No. 22-7193. TREVINO *v.* U. S. BANK N. A., AS TRUSTEE. App. Ct. Conn.; and

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No. 22–7445. *SHUNMUGAM v. REDEVELOPMENT AUTHORITY OF THE CITY OF BETHLEHEM, PENNSYLVANIA*. Commw. Ct. Pa. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until July 3, 2023, 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. 22–7578. *IN RE SEINO*;

No. 22–7593. *IN RE RUBIS*; and

No. 22–7597. *IN RE MONTE*. Petitions for writs of habeas corpus denied.

No. 22–7334. *IN RE CARGILL*. Petition for writ of mandamus denied.

Certiorari Denied

No. 22–605. *MILITARY-VETERANS ADVOCACY INC. v. McDONOUGH, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 38 F. 4th 154.

No. 22–614. *CHRISMAN ET AL. v. ESTATE OF ZAKORA ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 44 F. 4th 452.

No. 22–629. *HOLBROOK v. TENNESSEE VALLEY AUTHORITY ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 48 F. 4th 282.

No. 22–730. *ROP ET AL. v. FEDERAL HOUSING FINANCE AGENCY ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 50 F. 4th 562.

No. 22–741. *FAITH BIBLE CHAPEL INTERNATIONAL v. TUCKER*. C. A. 10th Cir. Certiorari denied. Reported below: 36 F. 4th 1021.

No. 22–773. *HARGETT, TENNESSEE SECRETARY OF STATE, ET AL. v. TENNESSEE STATE CONFERENCE OF THE NAACP ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 53 F. 4th 406.

No. 22–824. *SYNOD OF BISHOPS OF THE RUSSIAN ORTHODOX CHURCH OUTSIDE OF RUSSIA ET AL. v. BELYA*. C. A. 2d Cir. Certiorari denied. Reported below: 45 F. 4th 621.

No. 22–835. *HESTER v. GENTRY*. C. A. 11th Cir. Certiorari denied. Reported below: 42 F. 4th 1298.

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No. 22–838. INTEGRITY ADVANCE, LLC, ET AL. *v.* CONSUMER FINANCIAL PROTECTION BUREAU. C. A. 10th Cir. Certiorari denied. Reported below: 48 F. 4th 1161.

No. 22–864. OHIO *v.* D. R. Sup. Ct. Ohio. Certiorari denied. Reported below: 2022-Ohio-4493.

No. 22–908. TLA CLAIMHOLDERS GROUP *v.* LATAM AIRLINES GROUP S. A. ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 55 F. 4th 377.

No. 22–918. LOS ANGELES COUNTY DEPARTMENT OF PUBLIC SOCIAL SERVICES *v.* RAY ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 52 F. 4th 843.

No. 22–932. NORTH CAROLINA DIVISION OF SONS OF CONFEDERATE VETERANS, INC. *v.* NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ET AL. C. A. 4th Cir. Certiorari denied.

No. 22–968. ATHERTON *v.* KEY BANK, N. A. Ct. App. Wash. Certiorari denied.

No. 22–970. GRIFFITH, DBA CJ'S SPORTS BAR, ET AL. *v.* JOE HAND PROMOTIONS, INC. C. A. 6th Cir. Certiorari denied. Reported below: 49 F. 4th 1018.

No. 22–971. HENDERSON *v.* SONY PICTURES ENTERTAINMENT INC. ET AL. Ct. App. N. C. Certiorari denied.

No. 22–987. POLARIS INDUSTRIES INC. ET AL. *v.* ALBRIGHT. C. A. 9th Cir. Certiorari denied. Reported below: 49 F. 4th 1308.

No. 22–995. LIMCACO *v.* WYNN ET AL. C. A. 9th Cir. Certiorari denied.

No. 22–1018. MOESER *v.* WISCONSIN. Sup. Ct. Wis. Certiorari denied. Reported below: 2022 WI 76, 405 Wis. 2d 1, 982 N. W. 2d 45.

No. 22–1019. CORECIVIC, INC. *v.* OWINO ET AL., INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED. C. A. 9th Cir. Certiorari denied. Reported below: 60 F. 4th 437.

No. 22–1022. GRANT *v.* NEVADA BOARD OF PAROLE COMMISSIONERS ET AL. Sup. Ct. Nev. Certiorari denied. Reported below: 138 Nev. —, 521 P. 3d 784.

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No. 22–1054. *BENNETT ET AL. v. CITY OF KINGMAN, ARIZONA*. C. A. 9th Cir. Certiorari denied.

No. 22–1057. *STANDING AKIMBO, INC., ET AL. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 22–1062. *HINKLE FAMILY FUN CENTER, LLC, ET AL. v. GRISHAM ET AL.* C. A. 10th Cir. Certiorari denied.

No. 22–1081. *CHASAN v. STEVENS ET AL.* Commw. Ct. Pa. Certiorari denied. Reported below: 283 A. 3d 906.

No. 22–1096. *BARO v. LAKE COUNTY FEDERATION OF TEACHERS LOCAL 504, IFT–AFT/AFL–CIO, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 57 F. 4th 582.

No. 22–1097. *HANCOCK v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 290 A. 3d 933.

No. 22–1123. *PELTZ-STEELE v. UNIVERSITY OF MASSACHUSETTS FACULTY FEDERATION, LOCAL 1895 AMERICAN FEDERATION OF TEACHERS, AFL–CIO, ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 60 F. 4th 1.

No. 22–6409. *GASPAR CHICHANDE v. UNITED STATES*; and

No. 22–6461. *DOMINGUEZ-CAICEDO ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 40 F. 4th 938.

No. 22–6448. *THOMPSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 22–6473. *DENNIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 41 F. 4th 732.

No. 22–6475. *DOMINGUEZ-MORALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 22–6481. *COURTNEY J. v. BEAUFORT COUNTY DEPARTMENT OF SOCIAL SERVICES ET AL.* Sup. Ct. N. C. Certiorari denied. Reported below: 381 N. C. 783, 874 S. E. 2d 888.

No. 22–6730. *NARVAEZ-GOMEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 22–6751. *DYER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 54 F. 4th 155.

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No. 22–6951. *MARCYNIUK v. PAYNE*, DIRECTOR, ARKANSAS DIVISION OF CORRECTION. C. A. 8th Cir. Certiorari denied. Reported below: 39 F. 4th 988.

No. 22–6983. *BERRUN-TORRES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 22–6986. *BERNAL-CETO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 22–7181. *BARRETT v. PAE, INC.* C. A. 4th Cir. Certiorari denied.

No. 22–7222. *DANSBY v. PAYNE*, DIRECTOR, ARKANSAS DIVISION OF CORRECTION. C. A. 8th Cir. Certiorari denied. Reported below: 47 F. 4th 647.

No. 22–7230. *MITCHELL v. DIXON*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied.

No. 22–7232. *GUNN v. BERNSTEIN ET AL.*; and *GUNN v. ANNUCCI*, ACTING COMMISSIONER, NEW YORK DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION, ET AL. C. A. 2d Cir. Certiorari denied.

No. 22–7235. *CHISM v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 22–7238. *RIZK v. SANDLER ET AL.* Sup. Ct. Fla. Certiorari denied.

No. 22–7244. *RAMON CRUZ v. LUMPKIN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 22–7250. *WASHINGTON v. UNIVERSITY OF TEXAS MEDICAL BRANCH ET AL.* C. A. 5th Cir. Certiorari denied.

No. 22–7256. *WAHL v. MAYES*, ATTORNEY GENERAL OF ARIZONA, ET AL. C. A. 9th Cir. Certiorari denied.

No. 22–7257. *CUEVAS v. KOTEK*, GOVERNOR OF OREGON, ET AL. C. A. 9th Cir. Certiorari denied.

No. 22–7262. *COPPAGE v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2021 IL App (1st) 191710–U.

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No. 22–7269. *LIMPIN v. MCSEVENEY, JUDGE, UNITED STATES IMMIGRATION COURT, ET AL.*; and *LIMPIN v. GARLAND, ATTORNEY GENERAL, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 22–7285. *LLOYD v. POKORNY ET AL.* C. A. 6th Cir. Certiorari denied.

No. 22–7294. *TATUM v. LUCAS ET AL.* C. A. 7th Cir. Certiorari denied.

No. 22–7324. *FISHER v. McDONOUGH, SECRETARY OF VETERANS AFFAIRS.* C. A. Fed. Cir. Certiorari denied.

No. 22–7346. *CALHOUN v. FLORIDA.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied.

No. 22–7353. *ROBINSON v. OHIO.* Ct. App. Ohio, 8th App. Dist., Cuyahoga County. Certiorari denied.

No. 22–7456. *KE v. LIBERTY MUTUAL INSURANCE CO. ET AL.* C. A. 3d Cir. Certiorari denied.

No. 22–7458. *BATTLE v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 22–7481. *ALLEN v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied.

No. 22–7485. *THODY v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 22–7486. *KEITH v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied.

No. 22–7500. *SHORTMAN v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 22–7507. *WOODS, AKA RUSHDAN v. HAAR ET AL.* C. A. 9th Cir. Certiorari denied.

No. 22–7514. *BROWN v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 60 F. 4th 1179.

No. 22–7516. *BROWN v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 22–7517. *LOVE v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

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No. 22–7519. *RODRIGUEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 22–7520. *COLLINS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 59 F. 4th 286.

No. 22–7523. *CAISON v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 22–7526. *KRUPALLA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 22–7527. *GARCIA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 22–7531. *MALTBIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 22–7533. *CRAWLEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 22–7537. *ANDERSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 46 F. 4th 1000.

No. 22–7540. *COLE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 22–7541. *NUNEZ-ROMERO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 22–7543. *LITTLEJOHN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 22–7544. *LORENZANA-CORDON v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied.

No. 22–7548. *DURAN v. NEVADA DIVISION OF PAROLE AND PROBATION ET AL.* C. A. 9th Cir. Certiorari denied.

No. 22–7549. *ARREOLA CHAVEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 22–7552. *ANDERS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 22–7553. *TISDALE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 22–7554. *WINDOM v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

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No. 22–7557. *COULTER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 57 F. 4th 1168.

No. 22–7559. *SENSING ET VIR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 22–7563. *WILKES v. OHIO*. Ct. App. Ohio, 5th App. Dist., Stark County. Certiorari denied.

No. 22–7565. *IXCOPAL-HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 22–7566. *HOWARD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 22–7567. *INFANTE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 22–7569. *PAYTON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 22–7575. *EDMOND v. WILLIAMS, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 22–7582. *CUELLAR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 856 Fed. Appx. 518.

No. 22–7584. *WILLIAMS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 22–7585. *VILLARREAL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 22–7586. *RINGLAND v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 22–7587. *SPELL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 22–7588. *COLEMAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 60 F. 4th 1184.

No. 22–7608. *HORRELL v. ILLINOIS*. App. Ct. Ill., 3d Dist. Certiorari denied. Reported below: 2022 IL App (3d) 200417–U.

No. 22–652. *LAZARENKO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition. See 28 U. S. C. § 455(b)(3) and

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Code of Conduct for U. S. Judges, Canon 3C(1)(e) (prior government employment).

No. 22–880. *OHIO v. YELLEN, SECRETARY OF THE TREASURY, ET AL.* C. A. 6th Cir. Certiorari denied. JUSTICE KAVANAUGH would grant the petition for writ of certiorari. Reported below: 53 F. 4th 983.

Rehearing Denied

No. 22–767. *HARP v. KIJAKAZI, ACTING COMMISSIONER OF SOCIAL SECURITY*, 598 U. S. 1246;

No. 22–782. *PULLIAM v. UNIVERSITY OF SOUTHERN CALIFORNIA*, 598 U. S. 1246;

No. 22–6506. *SIMPSON v. DAVIS, DBA DAVIS CONSTRUCTION CO., ET AL.*, 598 U. S. 1214;

No. 22–6582. *IN RE MICKMAN*, 598 U. S. 1220;

No. 22–6944. *SULLIVAN, NKA AUER v. CULWELL*, 598 U. S. 1250;

No. 22–7028. *DICKERSON, ADMINISTRATOR OF THE ESTATE OF MATLOCK, DECEASED v. CRUZ TANCINCO ET AL.*, 598 U. S. 1261; and

No. 22–7048. *ROEDER v. SCHNURR, WARDEN*, 598 U. S. 1251. Petitions for rehearing denied.

JUNE 14, 2023

Certiorari Denied

No. 22–7764 (22A1069). *OWEN 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.

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Certiorari Granted—Vacated and Remanded

No. 21–1431. *KERR, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES v. PLANNED PARENTHOOD SOUTH ATLANTIC ET AL.* C. A. 4th Cir. Reported below: 27 F. 4th 945; and

No. 22–534. *EAGLESON, DIRECTOR, ILLINOIS DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES v. ST. ANTHONY HOSPITAL ET AL.* C. A. 7th Cir. Reported below: 40 F. 4th 492. Certiorari granted, judgments vacated, and cases remanded for further

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consideration in light of *Health and Hospital Corporation of Marion Cty. v. Talevski*, 599 U. S. 166 (2023).

No. 22–347. *DIECE-LISA INDUSTRIES, INC. v. DISNEY STORE USA, LLC, ET AL.* C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Jack Daniel’s Properties, Inc. v. VIP Products LLC*, 599 U. S. 140 (2023).

No. 22–5460. *CROFT v. UNITED STATES.* C. A. 5th Cir.; and

No. 22–6129. *OVSEPIAN v. UNITED STATES.* C. A. 9th 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 *Dubin v. United States*, 599 U. S. 110 (2023).

Certiorari Dismissed

No. 22–7266. *SPENCE v. PENNSYLVANIA.* 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: 262 A. 3d 581.

No. 22–7280. *MARTINEZ v. GRISHAM, GOVERNOR OF NEW MEXICO, 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.

No. 22–7415. *PENDLETON v. AMES, SUPERINTENDENT, MT. OLIVE CORRECTIONAL CENTER.* Sup. Ct. App. W. Va. 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. 22A978. *BOYAJIAN v. UNITED STATES.* C. A. 9th Cir. Application for stay, addressed to JUSTICE KAVANAUGH and referred to the Court, denied.

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No. 22A1002 (22–7365). *RUSSOMANNO v. SUNOVION PHARMACEUTICALS ET AL.* C. A. Fed. Cir. Application for stay, addressed to JUSTICE ALITO and referred to the Court, denied.

No. 22M113. *KULICK v. VANDERMEULEN ET AL.* Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 22M114. *SEALED APPELLANT v. COMMISSIONER OF INTERNAL REVENUE.* Motion for leave to file petition for writ of certiorari under seal with redacted copies for the public record denied.

No. 22–451. *LOPER BRIGHT ENTERPRISES ET AL. v. RAIMONDO, SECRETARY OF COMMERCE, ET AL.* C. A. D. C. Cir. [Certiorari granted, 598 U.S. 1270.] Motion of petitioners to dispense with printing joint appendix granted. JUSTICE JACKSON took no part in the consideration or decision of this motion.

No. 22–7656. *IN RE EDMONDS.* Petition for writ of habeas corpus denied.

No. 22–7299. *IN RE GRIFFITH.* Petition for writ of mandamus denied.

Certiorari Granted

No. 22–846. *DEPARTMENT OF AGRICULTURE RURAL DEVELOPMENT RURAL HOUSING SERVICE v. KIRTZ.* C. A. 3d Cir. Certiorari granted. Reported below: 46 F. 4th 159.

Certiorari Denied

No. 22–598. *BEDROSIAN v. UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 42 F. 4th 174.

No. 22–607. *NAGY, WARDEN v. BAUGH.* C. A. 6th Cir. Certiorari denied.

No. 22–636. *S. S. v. UNITED STATES ET AL.* C. A. Armed Forces. Certiorari denied. Reported below: 82 M. J. 374.

No. 22–759. *GRAMINS v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

No. 22–815. *SKAAR v. McDONOUGH, SECRETARY OF VETERANS AFFAIRS.* C. A. Fed. Cir. Certiorari denied. Reported below: 48 F. 4th 1323.

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No. 22–816. *SCHOOL OF THE OZARKS, INC., DBA COLLEGE OF THE OZARKS v. BIDEN, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 22–827. *HERRERA ET AL. v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 51 F. 4th 1226.

No. 22–844. *AKHAVAN ET AL. v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

No. 22–865. *MOBILIZE THE MESSAGE, LLC, ET AL. v. BONTA, ATTORNEY GENERAL OF CALIFORNIA.* C. A. 9th Cir. Certiorari denied. Reported below: 50 F. 4th 928.

No. 22–874. *MEISNER, OAKLAND COUNTY TREASURER, ET AL. v. HALL ET AL.; and*

No. 22–996. *HALL ET AL. v. MEISNER, OAKLAND COUNTY TREASURER, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 51 F. 4th 185.

No. 22–887. *DIAZ-TOMAS v. NORTH CAROLINA* (Reported below: 382 N. C. 640, 888 S. E. 2d 368); and *GANDARILLA NUNEZ v. NORTH CAROLINA* (382 N. C. 601, 878 S. E. 2d 797). Sup. Ct. N. C. Certiorari denied.

No. 22–890. *QUAD GRAPHICS, INC. v. NORTH CAROLINA DEPARTMENT OF REVENUE.* Sup. Ct. N. C. Certiorari denied. Reported below: 383 N. C. 356, 881 S. E. 2d 810.

No. 22–994. *WALL STREET APARTMENTS, LLC, ET AL. v. ALL STAR PROPERTY MANAGEMENT, LLC, ET AL.* Ct. App. Wash. Certiorari denied. Reported below: 21 Wash. App. 2d 1057.

No. 22–997. *LEWIS v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 22–1001. *NST GLOBAL, LLC, DBA SB TACTICAL v. SIG SAUER INC.* C. A. Fed. Cir. Certiorari denied.

No. 22–1003. *RAMIREZ v. MARTIN.* C. A. 5th Cir. Certiorari denied.

No. 22–1004. *GARRISON v. CITY OF OTTAWA, KANSAS, ET AL.* Ct. App. Kan. Certiorari denied. Reported below: 62 Kan. App. 2d 1, 514 P. 3d 1060.

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No. 22–1010. *HEGHMANN ET UX. v. HAFIANI ET AL.* C. A. 11th Cir. Certiorari denied.

No. 22–1011. *HOLT v. CITY OF CHICAGO, ILLINOIS, ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2022 IL App (1st) 220400, 214 N. E. 3d 877.

No. 22–1044. *GONZALEZ-VEGA v. GARLAND, ATTORNEY GENERAL.* C. A. 4th Cir. Certiorari denied.

No. 22–1050. *EPPLE v. ALBANY UNIFIED SCHOOL DISTRICT ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 56 F. 4th 708.

No. 22–1076. *ONLINE MERCHANTS GUILD v. MADUROS, DIRECTOR, CALIFORNIA DEPARTMENT OF TAX AND FREE ADMINISTRATION.* C. A. 9th Cir. Certiorari denied. Reported below: 52 F. 4th 1048.

No. 22–1086. *DREVALEVA v. DEPARTMENT OF VETERAN AFFAIRS ET AL.* C. A. 10th Cir. Certiorari denied.

No. 22–1088. *MORRIS v. TEXAS ET AL.* C. A. 5th Cir. Certiorari denied.

No. 22–1098. *DEMAREST v. TOWN OF UNDERHILL, VERMONT, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 22–1103. *BRONSON v. SECURITIES AND EXCHANGE COMMISSION.* C. A. 2d Cir. Certiorari denied.

No. 22–1108. *HALEY v. URBAN OUTFITTERS, INC.* C. A. 7th Cir. Certiorari denied.

No. 22–6593. *HEISER v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 22–6798. *PRIBLE v. LUMPKIN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 43 F. 4th 501.

No. 22–6998. *ARROYO-RAMON v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

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No. 22–7016. *ONATE-HERRERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 22–7025. *GARCIA-ARCHAGA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 22–7267. *KINDRED v. CISNEROS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 22–7268. *SLOANE v. LANGLEY ET AL.* C. A. 2d Cir. Certiorari denied.

No. 22–7271. *HADEN v. LUMPKIN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 22–7274. *GALEAS v. GIBSON ET AL.* C. A. 4th Cir. Certiorari denied.

No. 22–7281. *ROUSE v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 284 N. C. App. 473, 876 S. E. 2d 107.

No. 22–7291. *MAPES ET AL. v. CABLE ONE, DBA SPARKLIGHT*. C. A. 7th Cir. Certiorari denied.

No. 22–7297. *THOMPSON v. ALLRED UNIT*. C. A. 5th Cir. Certiorari denied.

No. 22–7302. *SKELLCHOCK v. VOLZ*. Ct. App. Colo. Certiorari denied.

No. 22–7306. *THOMAS v. BANK OF AMERICA, N. A., ET AL.* C. A. 11th Cir. Certiorari denied.

No. 22–7315. *BARREN v. NEVADA*. Ct. App. Nev. Certiorari denied. Reported below: 138 Nev. —, 520 P. 3d 367.

No. 22–7321. *SCARBOROUGH v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 22–7322. *CRAWFORD v. BAILEY, WARDEN*. C. A. 4th Cir. Certiorari denied.

No. 22–7328. *HAYNES v. LOUISIANA*. Ct. App. La., 3d Cir. Certiorari denied.

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No. 22–7331. *NAVARRO-MARTIN v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 22–7397. *KIM v. MASSACHUSETTS.* App. Ct. Mass. Certiorari denied. Reported below: 101 Mass. App. 1124, 199 N. E. 3d 887.

No. 22–7400. *MORRISON v. MASSACHUSETTS.* App. Ct. Mass. Certiorari denied. Reported below: 101 Mass. App. 1118, 195 N. E. 3d 949.

No. 22–7413. *FLEMMING v. TENNESSEE.* Ct. Crim. App. Tenn. Certiorari denied.

No. 22–7419. *LLOYD v. OHIO.* Sup. Ct. Ohio. Certiorari denied. Reported below: 2022-Ohio-4259.

No. 22–7441. *SAVAGE v. SAVAGE.* C. A. 9th Cir. Certiorari denied. Reported below: 857 Fed. Appx. 414.

No. 22–7487. *CARTER v. LOUISIANA.* Sup. Ct. La. Certiorari denied. Reported below: 2021–01021 (La. 2/7/23), 354 So. 3d 664.

No. 22–7492. *O’NEAL v. HUGHES, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 22–7562. *TETAK v. FORSHEY, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 22–7595. *NAVARETTE v. HORTON, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied.

No. 22–7599. *BARNETTE v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

No. 22–7605. *SEALED APPELLANT v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 22–7606. *WADE v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 22–7623. *MENDOZA v. MACOMBER, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION.* C. A. 9th Cir. Certiorari denied.

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No. 22–885. *SOUTH CAROLINA v. BREWER*. Sup. Ct. S. C. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 438 S. C. 37, 882 S. E. 2d 156.

Rehearing Denied

No. 22–769. *WANG v. BRANDYWYNE COMMON CONDOMINIUM*, 598 U. S. 1258;

No. 22–5891. *BURNS v. MAYS, WARDEN*, 598 U. S. 1263;

No. 22–6797. *GALLUZZO v. INTERNAL REVENUE SERVICE*, 598 U. S. 1248;

No. 22–6915. *MCCORMICK v. McDONOUGH, SECRETARY OF VETERANS AFFAIRS*, 598 U. S. 1235;

No. 22–7112. *FUHAI LI v. UNITED STATES*, 598 U. S. 1261; and

No. 22–7223. *LEE v. UNITED STATES*, 598 U. S. 1276. Petitions for rehearing denied.

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Certiorari Granted—Vacated and Remanded

No. 22–683. *GUILLEN-PEREZ v. GARLAND, ATTORNEY GENERAL*. C. A. 5th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Santos-Zacaria v. Garland*, 598 U. S. 411 (2023).

No. 22–856. *GARCIA MARIN v. GARLAND, ATTORNEY GENERAL*. C. A. 7th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of the position asserted by the Solicitor General in her brief for the United States filed on May 23, 2023. Reported below: 41 F. 4th 947.

Vacated and Remanded After Certiorari Granted

No. 22–425. *CARNAHAN, ADMINISTRATOR OF THE GENERAL SERVICES ADMINISTRATION v. MALONEY ET AL.* C. A. D. C. Cir. [Certiorari granted, 598 U. S. 1280.] Judgment vacated, and case remanded with instructions to dismiss the case. JUSTICE JACKSON dissents from the vacatur of the order of the Court of Appeals and would instead dismiss the writ of certiorari as improvidently granted.

Certiorari Dismissed

No. 21–1596 (21A814). *ARDOIN, LOUISIANA SECRETARY OF STATE, ET AL. v. ROBINSON ET AL.* C. A. 5th Cir. [Certiorari granted, 597 U. S. 915.] Writ of certiorari before judgment dis-

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missed as improvidently granted. The stay heretofore entered by the Court on June 28, 2022, is vacated. This will allow the matter to proceed before the Court of Appeals for the Fifth Circuit for review in the ordinary course and in advance of the 2024 congressional elections in Louisiana. See this Court's Rule 11.

No. 22-7372. THOMAS BEY *v.* UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA. 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 non-criminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

Miscellaneous Orders

No. 22M115. ATIYEH *v.* VARA, UNITED STATES TRUSTEE;

No. 22M116. GAVILLAN MARTINEZ *v.* DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS; and

No. 22M117. LAMB *v.* DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 22-6966. IN RE SPENCER. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [598 U. S. 1270] denied.

No. 22-6996. SEARCY *v.* ORCHARD NATIONAL TITLE. C. A. 5th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [598 U. S. 1279] denied.

No. 22-7019. IN RE WINDING. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [598 U. S. 1243] denied.

No. 22-7120. BRESSI *v.* PENNSYLVANIA PAROLE BOARD ET AL. C. A. 3d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [598 U. S. 1278] denied.

No. 22-7154. IN RE WINDING. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [598 U. S. 1258] denied.

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No. 22–7314. KULICK *v.* MOYNIHAN ET AL. C. A. 9th Cir.;
No. 22–7394. WEBB *v.* DEPARTMENT OF THE ARMY ET AL.
C. A. D. C. Cir.;

No. 22–7478. CRAWFORD *v.* CORRIGAN ET AL. C. A. 4th Cir.;
and

No. 22–7645. O’BRIEN *v.* PRETI, FLAHERTY, BELIVEAU &
PACHIOS, LLP, ET AL. C. A. 1st Cir. Motions of petitioners for
leave to proceed *in forma pauperis* denied. Petitioners are al-
lowed until July 17, 2023, 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. 22–7667. IN RE SHAW. Petition for writ of habeas cor-
pus denied.

No. 22–7358. IN RE THOMAS;

No. 22–7384. IN RE JACKSON;

No. 22–7470. IN RE KNOWLES; and

No. 22–7473. IN RE PATEL. Petitions for writs of mandamus
denied.

Certiorari Granted

No. 22–800. MOORE ET UX. *v.* UNITED STATES. C. A. 9th Cir.
Certiorari granted. Reported below: 36 F. 4th 930.

No. 22–888. RUDISILL *v.* McDONOUGH, SECRETARY OF VETER-
ANS AFFAIRS. C. A. Fed. Cir. Certiorari granted. Reported
below: 55 F. 4th 879.

Certiorari Denied

No. 22–115. BUCKNER, AS TRUSTEE OF THE UNITED MINE
WORKERS OF AMERICA 1992 BENEFIT PLAN, ET AL. *v.* UNITED
STATES PIPE & FOUNDRY Co. ET AL. C. A. 11th Cir. Certiorari
denied. Reported below: 32 F. 4th 1324.

No. 22–121. ML GENIUS HOLDINGS LLC *v.* GOOGLE LLC
ET AL. C. A. 2d Cir. Certiorari denied.

No. 22–203. APPLE INC. ET AL. *v.* CALIFORNIA INSTITUTE OF
TECHNOLOGY. C. A. Fed. Cir. Certiorari denied. Reported
below: 25 F. 4th 976.

No. 22–238. CHARTER DAY SCHOOL, INC., ET AL. *v.* PELTIER,
AS GUARDIAN OF A. P., A MINOR CHILD, ET AL. C. A. 4th Cir.
Certiorari denied. Reported below: 37 F. 4th 104.

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No. 22–710. *PIERON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 22–735. *ANDERSON ET AL. v. CALDER, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF PAUGH*. C. A. 10th Cir. Certiorari denied. Reported below: 47 F. 4th 1139.

No. 22–737. *TRUSKEY v. VILSACK, SECRETARY OF AGRICULTURE*. C. A. 6th Cir. Certiorari denied.

No. 22–840. *K. M., INDIVIDUALLY AND ON BEHALF OF M. M. ET AL., ET AL. v. ADAMS, MAYOR OF THE CITY OF NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 22–849. *FOY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 50 F. 4th 616.

No. 22–896. *OHIO STATE UNIVERSITY v. SNYDER-HILL ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 48 F. 4th 686.

No. 22–897. *OHIO STATE UNIVERSITY v. GONZALES ET AL.* (Reported below: 60 F. 4th 359); *DOE ET AL. v. OHIO STATE UNIVERSITY*; *DOE v. OHIO STATE UNIVERSITY*; and *DOE v. OHIO STATE UNIVERSITY*. C. A. 6th Cir. Certiorari denied.

No. 22–904. *DOE ET AL. v. CHIQUITA BRANDS INTERNATIONAL, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 48 F. 4th 1202.

No. 22–927. *NIKE, INC. v. ADIDAS AG ET AL.* C. A. Fed. Cir. Certiorari denied.

No. 22–933. *HENDERSON, AS NEXT FRIEND AND GUARDIAN OF HENDERSON v. HARRIS COUNTY, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 51 F. 4th 125.

No. 22–935. *TRANSERVICE LOGISTICS, INC., ET AL. v. CENTRAL STATES, SOUTHEAST AND SOUTHWEST AREAS PENSION FUND ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 56 F. 4th 516.

No. 22–1012. *AUSTEN v. HERMAN*. App. Ct. Md. Certiorari denied.

No. 22–1017. *MIKEL v. NICHOLS ET AL.* C. A. 6th Cir. Certiorari denied.

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No. 22–1021. *WATFORD v. ORMOND, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 22–1024. *ADKINS v. WHOLE FOODS MARKET GROUP, INC.* C. A. 4th Cir. Certiorari denied.

No. 22–1029. *JORDAN v. UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT*. C. A. 10th Cir. Certiorari denied.

No. 22–1030. *LEWIS v. UNITED AUTOMOBILE INSURANCE CO. ET AL.* C. A. 9th Cir. Certiorari denied.

No. 22–1031. *WESTFALL v. LUNA ET AL.* C. A. 5th Cir. Certiorari denied.

No. 22–1032. *VINKOV v. BROTHERHOOD MUTUAL INSURANCE CO.* C. A. 9th Cir. Certiorari denied.

No. 22–1034. *LACKAWANNA RECYCLING CENTER, INC. v. BURRELL ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 60 F. 4th 25.

No. 22–1035. *KASBEKAR ET AL. v. IVY STATION COMMUNITY ASSN., INC., ET AL.* C. A. 11th Cir. Certiorari denied.

No. 22–1039. *IN RE PFEFFER*. App. Ct. Md. Certiorari denied.

No. 22–1040. *CARLSON ET AL. v. CRONIN ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 2022 IL App (1st) 200724–U.

No. 22–1049. *BO PENG v. F. M. TARBELL CO.* Ct. App. Cal., 2d App. Dist., Div. 2. Certiorari denied.

No. 22–1060. *MIZELL v. CITIZENS BANK ET AL.* C. A. 11th Cir. Certiorari denied.

No. 22–1063. *TENNESSEE v. BOOKER*. Sup. Ct. Tenn. Certiorari denied. Reported below: 656 S. W. 3d 49.

No. 22–1073. *TEAM RESOURCES INC. ET AL. v. SECURITIES AND EXCHANGE COMMISSION*. C. A. 5th Cir. Certiorari denied.

No. 22–1075. *HINKLE v. NEAL, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 51 F. 4th 234.

No. 22–1080. *CITY OF STOCKTON, CALIFORNIA, ET AL. v. DUARTE*. C. A. 9th Cir. Certiorari denied. Reported below: 60 F. 4th 566.

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No. 22–1085. *GCIU-EMPLOYER RETIREMENT FUND ET AL. v. MNG ENTERPRISES, INC., DBA DIGITAL FIRST MEDIA*. C. A. 9th Cir. Certiorari denied. Reported below: 51 F. 4th 1092.

No. 22–1109. *ROUNDS v. HEALEY, GOVERNOR OF MASSACHUSETTS, ET AL.* App. Ct. Mass. Certiorari denied. Reported below: 102 Mass. App. 1101, 199 N. E. 3d 891.

No. 22–1120. *PARISI v. ANDERSON, UNITED STATES TRUSTEE FOR REGION 16*. C. A. 9th Cir. Certiorari denied.

No. 22–1124. *NADAL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 22–1142. *AL-AMIN v. GEORGIA*. Sup. Ct. Ga. Certiorari denied.

No. 22–1155. *WILCOX v. MAINE*. Sup. Jud. Ct. Me. Certiorari denied. Reported below: 2023 ME 10, 288 A. 3d 1200.

No. 22–6580. *CAMPBELL v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 2022-Ohio-3626.

No. 22–6710. *WEKESA v. UNITED STATES ATTORNEY ET AL.* C. A. 5th Cir. Certiorari denied.

No. 22–6782. *WILBERN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 22–6822. *DUNLAP v. IDAHO*. Sup. Ct. Idaho. Certiorari denied. Reported below: 170 Idaho 716, 516 P. 3d 987.

No. 22–6823. *CONDE-HERRERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 22–6826. *MARTIN-ANDRES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 22–6852. *GABRION v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 43 F. 4th 569.

No. 22–6853. *SEEKINS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 22–7065. *ABU KHATALLAH v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 41 F. 4th 608.

No. 22–7075. *HICKS v. ALABAMA*. Sup. Ct. Ala. Certiorari denied.

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No. 22–7082. *JORDAN v. ATLANTA PUBLIC SCHOOLS*. C. A. 11th Cir. Certiorari denied.

No. 22–7104. *CONTEH v. DEPARTMENT OF COMMERCE*. C. A. Fed. Cir. Certiorari denied.

No. 22–7197. *BRANDON v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. Reported below: 345 Conn. 702, 287 A. 3d 71.

No. 22–7304. *ROSA v. LAWRENCE HOUSING AUTHORITY ET AL.* C. A. 1st Cir. Certiorari denied.

No. 22–7305. *JOHNSON ET AL. v. PAYNE, DIRECTOR, ARKANSAS DIVISION OF CORRECTION, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 44 F. 4th 1116.

No. 22–7317. *ROSA V. v. ALI H.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 22–7323. *GOSSAGE v. OFFICE OF PERSONNEL MANAGEMENT ET AL.* C. A. 9th Cir. Certiorari denied.

No. 22–7327. *HOLMES v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 22–7340. *GAINES v. EATON ET AL.* C. A. 4th Cir. Certiorari denied.

No. 22–7341. *PHILLIPS v. COWIE ET AL.* C. A. 5th Cir. Certiorari denied.

No. 22–7343. *OLIVER v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 22–7347. *ELKINS v. MILLER*. Ct. App. N. M. Certiorari denied.

No. 22–7348. *SUAREZ v. BREWER, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 22–7355. *MEYERS v. ILLINOIS*. App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 2022 IL App (4th) 210627–U.

No. 22–7356. *MOOSE v. LUMPKIN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

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No. 22–7357. *COLLIER v. TESSIER-LAVIGNE ET AL.* C. A. Fed. Cir. Certiorari denied.

No. 22–7360. *MCCARTHY-STAPLES v. BRICKHOUSE ET AL.* C. A. 4th Cir. Certiorari denied.

No. 22–7364. *ROSS v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 22–7365. *RUSSOMANNO v. SUNOVION PHARMACEUTICALS ET AL.* C. A. Fed. Cir. Certiorari denied.

No. 22–7369. *MAYS v. ILLINOIS.* App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 2023 IL App (4th) 210612, 217 N. E. 3d 482.

No. 22–7375. *KULICK v. UNITED STATES BANKRUPTCY COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 22–7376. *PACHECO v. EL HABTI, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 62 F. 4th 1233.

No. 22–7383. *LANDIS v. EBBERT ET AL.* C. A. 3d Cir. Certiorari denied.

No. 22–7409. *SCHULTE v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

No. 22–7425. *CONERLY ET AL. v. KAISER PERMANENTE ET AL.* C. A. 9th Cir. Certiorari denied.

No. 22–7427. *BLANK v. UNITED STATES ET AL.* C. A. 5th Cir. Certiorari denied.

No. 22–7453. *FINLEY v. KIJAKAZI, ACTING COMMISSIONER OF SOCIAL SECURITY.* C. A. 5th Cir. Certiorari denied.

No. 22–7467. *ELLIS v. KIJAKAZI, ACTING COMMISSIONER OF SOCIAL SECURITY.* C. A. 4th Cir. Certiorari denied.

No. 22–7472. *PATEL v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied.

No. 22–7476. *D’ANTONIO v. BOROUGH OF ALLENDALE, NEW JERSEY, ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 22–7490. *PHILLIPS v. UNITED STATES COURT OF FEDERAL CLAIMS*. C. A. Fed. Cir. Certiorari denied.

No. 22–7502. *GILBERT-BROWN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 22–7512. *KINDLEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 22–7525. *BARONE v. LAWYER’S FUND FOR CLIENT PROTECTION ET AL.* C. A. 2d Cir. Certiorari denied.

No. 22–7529. *RIVERA v. NEW YORK*. Ct. App. N. Y. Certiorari denied. Reported below: 39 N. Y. 3d 1062, 203 N. E. 3d 632.

No. 22–7570. *ARRINGTON v. MINNESOTA*. Ct. App. Minn. Certiorari denied.

No. 22–7581. *BEITER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 22–7598. *JONES v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 22–7602. *SNYDER v. IDAHO*. Ct. App. Idaho. Certiorari denied.

No. 22–7609. *KING v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 22–7613. *FAROOQ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 58 F. 4th 687.

No. 22–7616. *MENDOZA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 22–7617. *BATTLE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 22–7618. *JACKSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 22–7620. *COOGLE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 22–7621. *ELKINS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

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No. 22–7626. *CHECCHI v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 22–7627. *GRUSHKO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 50 F. 4th 1.

No. 22–7628. *GORHAM v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 22–7631. *McGEE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 22–7635. *JACKSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 22–7637. *BEITER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 22–7646. *PELKER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 22–7649. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 56 F. 4th 366.

No. 22–7655. *BRADLEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 22–7659. *JOHNSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 22–7661. *BEITER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 22–7662. *THREEFINGERS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 22–7664. *KIRST v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 54 F. 4th 610.

No. 22–7670. *PORTER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 22–7673. *WELLS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 55 F. 4th 784.

No. 22–7680. *HORTON v. WEST VIRGINIA*. Sup. Ct. App. W. Va. Certiorari denied. Reported below: 248 W. Va. 41, 886 S. E. 2d 509.

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No. 21–1471. HALVORSON ET AL. *v.* HENNEPIN COUNTY CHILDREN’S SERVICES DEPARTMENT ET AL. Ct. App. Minn. Motion of Goldwater Institute for leave to file brief as *amicus curiae* granted. Certiorari denied.

No. 22–914. WALESKI *v.* MONTGOMERY, MCCracken, WALKER & RHOADS, LLP, ET AL. C. A. 2d Cir. Certiorari denied.

JUSTICE THOMAS, with whom JUSTICE GORSUCH and JUSTICE BARRETT join, dissenting.

In *Steel Co. v. Citizens for Better Environment*, 523 U.S. 83 (1998), this Court categorically repudiated “the doctrine of hypothetical jurisdiction,” by which several Courts of Appeals found “it proper to proceed immediately to [a] merits question, despite jurisdictional objections, at least where (1) the merits question is more readily resolved, and (2) the prevailing party on the merits would be the same as the prevailing party were jurisdiction denied.” *Id.*, at 93–94 (internal quotation marks omitted). As we explained, this approach “carries the courts beyond the bounds of authorized judicial action and thus offends fundamental principles of separation of powers.” *Id.*, at 94. Since *Steel Co.*, however, several Courts of Appeals have revived the concept of hypothetical jurisdiction for questions of so-called statutory jurisdiction. As the court below put it: “[W]here a question of statutory (non-Article III) jurisdiction is complex and the claim fails on other more obvious grounds, we may assume hypothetical jurisdiction in order to dismiss on those obvious grounds.” App. to Pet. for Cert. 4a–5a (internal quotation marks omitted); see also *Butcher v. Wendt*, 975 F. 3d 236, 244 (CA2 2020) (collecting cases). The continued use of hypothetical jurisdiction is the subject of a longstanding split of authority. See *Friends of Everglades v. EPA*, 699 F. 3d 1280, 1288–1289 (CA11 2012) (Pryor, J.) (rejecting hypothetical jurisdiction); see also *Butcher*, 975 F. 3d, at 251, n. 7 (Menashi, J., concurring in part and concurring in judgment) (recognizing the split).

The continued use of hypothetical jurisdiction raises serious concerns. To start, the lower courts’ distinction between “statutory jurisdiction” and “Article III jurisdiction” seems untenable. The jurisdiction of federal courts “is limited both by the bounds of the ‘judicial power’ as articulated in Article III, §2, and by the extent to which Congress has vested that power in the lower

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courts” as required by Article III, § 1. *Kaplan v. Central Bank of Islamic Republic of Iran*, 896 F. 3d 501, 517 (CAD 2018) (Edwards, J., concurring); see *Sheldon v. Sill*, 8 How. 441, 449 (1850) (“Courts created by statute can have no jurisdiction but such as the statute confers”). Indeed, *Steel Co.* itself recognized that questions of statutory jurisdiction implicate the separation-of-powers considerations that animated its holding. See 523 U. S., at 101 (“The statutory and (especially) constitutional elements of jurisdiction are an essential ingredient of separation and equilibration of powers”); see also *Friends of Everglades*, 699 F. 3d, at 1288; *Butcher*, 975 F. 3d, at 246–249 (opinion of Menashi, J.); *Kaplan*, 896 F. 3d, at 517–518 (Edwards, J., concurring). It thus appears exceedingly difficult to reconcile hypothetical statutory jurisdiction with the text and structure of Article III and this Court’s decision in *Steel Co.* See *Friends of Everglades*, 699 F. 3d, at 1289 (“[A court] cannot exercise hypothetical jurisdiction any more than [it] can issue a hypothetical judgment”).

Although “[s]ome cases might cry out for decision on the merits,” and sometimes it is convenient to assume away difficult jurisdictional questions to decide a case on easier merits grounds, courts’ “threshold duty to examine [their] own jurisdiction is no less obligatory in” such cases. *Cross-Sound Ferry Servs., Inc. v. ICC*, 934 F. 2d 327, 346 (CAD 1991) (Thomas, J., concurring in part and concurring in denial of petition for review). “Much more than legal niceties are at stake here. . . . For a court to pronounce upon the meaning or the constitutionality of a state or federal law when it has no jurisdiction to do so is, by very definition, for a court to act *ultra vires*.” *Steel Co.*, 523 U. S., at 101–102. Because the doctrine of hypothetical jurisdiction is the subject of an entrenched Circuit split and raises fundamental questions of constitutional law, I would grant the petition for certiorari.

No. 22–1028. *BRUNSON v. ADAMS ET AL.* C. A. 10th Cir. Certiorari before judgment denied.

No. 22–7638. *MENDEZ v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition.

Rehearing Denied

No. 22–819. *WAKEFIELD, DBA COOLTVNETWORK.COM v. BLACKBOARD, INC., ET AL.*, 598 U. S. 1272;

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No. 22–6197. BAUTISTA GUZMAN *v.* PFEIFFER, WARDEN, 598 U. S. 1167;

No. 22–6644. GHOSE *v.* TEXAS, 598 U. S. 1224;

No. 22–6727. BALDWIN *v.* DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, 598 U. S. 1247;

No. 22–6763. WILLIAMSON *v.* HEINRICY, WARDEN, 598 U. S. 1216;

No. 22–6806. WALKER *v.* NEAL, WARDEN, 598 U. S. 1249; and

No. 22–6928. DYJAK *v.* LYNN ET AL., 598 U. S. 1275. Petitions for rehearing denied.

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