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OF
THE SUPREME COURT

OCTOBER 7, 2024, THROUGH MARCH 20, 2025

Page Proof Pending Publication

REBECCA A. WOMELDORF

REPORTER OF DECISIONS



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ORDERS FOR OCTOBER 7, 2024, THROUGH
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Certiorari Granted—Vacated and Remanded

No. 23–1228. MURPHY *v.* SCHMITT. C. A. 8th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Gonzalez v. Trevino*, 602 U. S. 653 (2024) (*per curiam*).

No. 23–7293. BORNE *v.* UNITED STATES. C. A. 10th Cir.;
No. 23–7501. FARRIS *v.* UNITED STATES. C. A. 10th Cir.; and
No. 23–7776. WILLIS *v.* UNITED STATES. C. A. 10th 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 *United States v. Rahimi*, 602 U. S. 680 (2024).

No. 23–7345. BRYANT *v.* UNITED STATES. C. A. 11th Cir.;
No. 23–7478. KERSTETTER *v.* UNITED STATES. C. A. 5th Cir. Reported below: 82 F. 4th 437; and

No. 23–7504. HOOD *v.* UNITED STATES. C. A. 11th Cir. Motions of petitioners for leave to proceed *in forma pauperis* granted. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *Erlinger v. United States*, 602 U. S. 821 (2024).

No. 23–7602. GUILLEN-PEREZ *v.* GARLAND, ATTORNEY GENERAL. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Wilkinson v. Garland*, 601 U. S. 209 (2024).

No. 24–5006. KOKINDA *v.* UNITED STATES. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Loper Bright Enter-*

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prises v. Raimondo, 603 U. S. 369 (2024) Reported below: 93 F. 4th 635.

Certiorari Dismissed

No. 23–7446. *JACOBS v. QUEST DIAGNOSTICS*. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

No. 23–7493. *PEREZ, FKA BELYEW v. DUCH ET AL.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 23–7498. *WATSON v. IFILL, COMMISSIONER OF PROBATION, ET AL.* (two judgments). C. A. 1st Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 23–7801. *OHAN v. DURUHESIE ET AL.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 23–7802. *OHAN v. AXOS BANK ET AL.* C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 23–7808. *ALLEN v. GUZMAN, ACTING WARDEN*. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 23–7813. *RAGIN v. DOTSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. 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*).

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No. 23–7826. OHAN *v.* RETTIG ET AL. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 24–5120. STREGE *v.* GMAIL-GOOGLE ET AL. C. A. 10th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

No. 24–5138. RUSSOMANNO *v.* SUMITOMO PHARMA AMERICA, INC., ET AL. C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 24–5274. ROSS *v.* REYES, SUPERINTENDENT, TWO RIVERS CORRECTIONAL INSTITUTION. Ct. App. Ore. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 24–5289. ROBINSON *v.* OHIO MEDICAL BOARD ET AL. Sup. Ct. Ohio. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

Miscellaneous Orders

No. D–3122. IN RE DISBARMENT OF MEETTOOK. Disbarment entered. [For earlier order herein, see 601 U. S. 804.]

No. D–3136. IN RE DISBARMENT OF ABBOTT. Disbarment entered. [For earlier order herein, see 601 U. S. 1165.]

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No. 24A61. *BRANNBERG v. COLORADO CIVIL RIGHTS DIVISION ET AL.* Sup. Ct. Colo. Application for stay, addressed to JUSTICE THOMAS and referred to the Court, denied.

No. 24A107. *POWELL v. JBG SMITH PROPERTIES ET AL.* C. A. D. C. Cir. Application for stay, addressed to JUSTICE THOMAS and referred to the Court, denied.

No. 24A136. *IN RE DEPENDENCY OF M. R.* Sup. Ct. Ariz. Application for stay, addressed to JUSTICE ALITO and referred to the Court, denied.

No. 24A189. *MCGANN v. JAGOW, CHAPTER 7 TRUSTEE.* C. A. 10th Cir., Bkrcty. App. Panel. Application for stay, addressed to JUSTICE BARRETT and referred to the Court, denied.

No. 24M1. *PEREA v. STUCKER, WARDEN, ET AL.*;

No. 24M2. *DUNLAP v. THORNELL, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, REHABILITATION AND REENTRY, ET AL.*;

No. 24M4. *TATLICI v. TATLICI*;

No. 24M10. *REILLY v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*;

No. 24M11. *JACKSON v. BICKHAM, WARDEN, ET AL.*; and

No. 24M13. *CHIWANGA v. GARLAND, ATTORNEY GENERAL.* Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 24M3. *PEREZ v. DISNEY CORP. ET AL.*;

No. 24M12. *METCALF v. UNITED STATES*;

No. 24M17. *BAYNUN v. HILTUNEN ET AL.*; and

No. 24M24. *SEALED APPELLANT v. SEALED APPELLEE* (two judgments). Motions for leave to proceed as veterans denied.

No. 24M6. *SEALED APPELLANT v. SEALED APPELLEE.* Motion for leave to file petition for writ of certiorari under seal denied.

No. 24M7. *I. M. v. ILLINOIS* (two judgments). Motion for leave to file petition for writ of certiorari with supplemental appendix under seal denied.

No. 24M8. *REGALADO v. TOWN OF TRION, GEORGIA, ET AL.*;

No. 24M9. *B. M. v. UNITED STATES ET AL.*;

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No. 24M22. KARIANN V. *v.* MAINE DEPARTMENT OF HEALTH AND HUMAN SERVICES; and

No. 24M23. FARIAS-CONTRERAS *v.* UNITED STATES. Motions for leave to file petitions for writs of certiorari with supplemental appendixes under seal granted.

No. 24M14. DOE *v.* DISHNICA, DIRECTOR, DEPARTMENT OF UNEMPLOYMENT ASSISTANCE. Motion for leave to file petition for writ of certiorari under seal with redacted copies for the public record denied.

No. 24M15. ORTIZ *v.* SUPREME COURT OF PUERTO RICO. Motion for leave to file a petition for writ of certiorari with the declaration of indigency under seal denied.

No. 24M16. IN RE HOLMES; and

No. 24M21. DOE *v.* SECURITIES AND EXCHANGE COMMISSION. Motions for leave to file petitions for writs of certiorari under seal with redacted copies for the public record granted.

No. 24M18. MOGAJI *v.* CHAN ET AL.;

No. 24M19. MOORE *v.* UNITED STATES; and

No. 24M20. DUNAHUE *v.* STRAUGHN ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 65, Orig. TEXAS *v.* NEW MEXICO. Motion of the River Master for fees and expenses granted, and the River Master is awarded a total of \$9,032.48, for the period July 1, 2023, through June 30, 2024, to be paid equally by the parties. [For earlier order herein, see, *e. g.*, 601 U. S. 805.]

No. 158, Orig. ALABAMA ET AL. *v.* CALIFORNIA ET AL. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 20–8336. VERA *v.* CALIFORNIA ET AL. C. A. 9th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [595 U. S. 903] denied.

No. 23–402. OKLAHOMA ET AL. *v.* UNITED STATES ET AL., 602 U. S. 1038. Respondents are requested to file a response to petition for rehearing within 30 days.

No. 23–1002. HEWITT *v.* UNITED STATES; and

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No. 23–1150. *DUFFEY ET AL. v. UNITED STATES*. C. A. 5th Cir. [Certiorari granted, 603 U.S. 904.] Motion of petitioners to dispense with printing joint appendix granted.

No. 23–1197. *LANDOR v. LOUISIANA DEPARTMENT OF CORRECTIONS AND PUBLIC SAFETY ET AL.* C. A. 5th Cir.;

No. 23–1209. *M & K EMPLOYEE SOLUTIONS, LLC, ET AL. v. TRUSTEES OF THE IAM NATIONAL PENSION FUND*. C. A. D. C. Cir.; and

No. 23–1213. *MULREADY, INSURANCE COMMISSIONER OF OKLAHOMA, ET AL. v. PHARMACEUTICAL CARE MANAGEMENT ASSN.* C. A. 10th Cir. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 23–6903. *ALBRIGHT v. ROBERTS, VOLUSIA COUNTY TAX COLLECTOR, ET AL.* Dist. Ct. App. Fla., 5th Dist. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [601 U.S. 1166] denied.

No. 23–7011. *COLLIER v. SUPERIOR COURT OF CALIFORNIA, CONTRA COSTA COUNTY, ET AL.* Sup. Ct. Cal. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [601 U.S. 1190] denied.

No. 23–7043. *HOLMES v. BLUE CROSS BLUE SHIELD OF SOUTH CAROLINA, INC., ET AL.* C. A. 4th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [602 U.S. 1001] denied.

No. 23–7273. *ORREGO v. KNIPFING, AKA JAMES, ET AL.* C. A. 2d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [602 U.S. 1037] denied.

No. 23–7279. *WALLACE v. LOUISIANA*. C. A. 5th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [602 U.S. 1020] denied.

No. 23–7393. *MERCER v. VIRGINIA ET AL.* Sup. Ct. Va.;

No. 23–7484. *WILSON ET UX. v. FORD MOTOR Co. ET AL.* Sup. Ct. Ala.;

No. 23–7506. *L'ESPERANCE v. THIBODEAU*. Sup. Ct. N. H.;

No. 23–7644. *KEITA v. GIANT OF MARYLAND LLC*. C. A. 4th Cir.;

No. 23–7664. *ASH v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND*. C. A. 4th Cir.;

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- No. 23–7761. HATCH ET AL. *v.* BARRETT ET AL. C. A. 7th Cir.;
No. 24–5009. WHATLEY ET AL. *v.* WELLS FARGO BANK, N. A.
C. A. 4th Cir.;
No. 24–5049. SHIE *v.* PENNSYLVANIA. Super. Ct. Pa.;
No. 24–5096. LEVI *v.* ANCHORAGE SCHOOL DISTRICT ET AL.
C. A. 9th Cir.;
No. 24–5157. RICHARDSON *v.* O’MALLEY, COMMISSIONER OF
SOCIAL SECURITY. C. A. 7th Cir.;
No. 24–5177. REED *v.* DEPARTMENT OF VETERANS AFFAIRS.
C. A. Fed. Cir.;
No. 24–5296. PAYNE *v.* MERIT SYSTEMS PROTECTION BOARD.
C. A. Fed. Cir.;
No. 24–5304. SELBY *v.* McDONOUGH, SECRETARY OF VETER-
ANS AFFAIRS. C. A. Fed. Cir.; and
No. 24–5340. PAWLOWSKI *v.* UNITED STATES. C. A. 3d Cir.
Motions of petitioners for leave to proceed *in forma pauperis*
denied. Petitioners are allowed until October 28, 2024, 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. 23–7441. KAETZ *v.* UNITED STATES. C. A. 3d Cir. Mo-
tion of petitioner for reconsideration of order denying leave to
proceed *in forma pauperis* [602 U. S. 1020] denied.
- No. 23–7638. IN RE BOYD;
No. 23–7652. IN RE BROWN;
No. 23–7655. IN RE HOLLOWELL;
No. 23–7724. IN RE WINSTON;
No. 23–7731. IN RE CARPENTER;
No. 23–7744. IN RE LAFFOON;
No. 23–7767. IN RE JOGAAK;
No. 23–7769. IN RE SMITH;
No. 23–7789. IN RE HOLDER;
No. 23–7805. IN RE MEDINA;
No. 23–7831. IN RE BELLO;
No. 23–7832. IN RE BELLO;
No. 24–5003. IN RE LANE-BEY;
No. 24–5078. IN RE WILLIAMS;
No. 24–5305. IN RE PATEL;
No. 24–5342. IN RE RAMSEY;
No. 24–5351. IN RE TORO EL;

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No. 24–5459. IN RE CHAVEZ; and

No. 24–5471. IN RE GIRVAN. Petitions for writs of habeas corpus denied.

No. 24–5371. IN RE MATTHEWS. Petition for writ of habeas corpus denied. JUSTICE KAGAN took no part in the consideration or decision of this petition. See 28 U. S. C. § 455(b)(3) and Code of Conduct for Justices of the Supreme Court of the United States, Canon 3B(2)(e) (prior government employment).

No. 24–5421. IN RE CASTEEL. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of habeas corpus dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

No. 23–1212. IN RE MAHWIKIZI;

No. 23–1348. IN RE SIMON;

No. 23–7399. IN RE MARTINEZ;

No. 23–7444. IN RE FLORIMONTE;

No. 23–7495. IN RE WOODHAM;

No. 23–7532. IN RE HAGER;

No. 23–7658. IN RE REGA;

No. 23–7718. IN RE TAKHVAR;

No. 23–7816. IN RE WRIGHT;

No. 24–1. IN RE UZIEL;

No. 24–74. IN RE THOMAS BEY;

No. 24–5035. IN RE BAILEY;

No. 24–5039. IN RE WOLFE;

No. 24–5088. IN RE DAVIS; and

No. 24–5198. IN RE TEPE. Petitions for writs of mandamus denied.

No. 23–7405. IN RE CHRISTIAN; and

No. 24–5052. IN RE FINDLAY. Motions of petitioners for leave to proceed *in forma pauperis* denied, and petitions for writs of mandamus dismissed. See this Court’s Rule 39.8.

No. 23–7549. IN RE MACDONALD. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ

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

No. 23–7627. IN RE KNOWLES. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus dismissed. See this Court's Rule 39.8. THE CHIEF JUSTICE and JUSTICE THOMAS took no part in the consideration or decision of this motion and this petition.

No. 23–7848. IN RE HARRISON. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus dismissed. See this Court's Rule 39.8. JUSTICE BARRETT took no part in the consideration or decision of this motion and this petition.

No. 23–1233. IN RE TORRES MARTINEZ;
No. 23–7758. IN RE GRENADIER; and
No. 24–5044. IN RE DERRINGER. Petitions for writs of mandamus and/or prohibition denied.

No. 24–4. IN RE ZIMMERMANN. Petition for writ of prohibition denied.

No. 23–7548. IN RE MACDONALD; and

No. 23–7551. IN RE MACDONALD. Motions of petitioner for leave to proceed *in forma pauperis* denied, and petitions for writs of prohibition dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

Certiorari Denied

No. 23–605. MARTIN *v.* MARTIN. Sup. Ct. Nev. Certiorari denied.

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No. 23–828. *MOYLAN, ATTORNEY GENERAL OF GUAM v. LEON GUERRERO, GOVERNOR OF GUAM, ET AL.* Sup. Ct. Guam. Certiorari denied.

No. 23–926. *NO ON E, SAN FRANCISCANS OPPOSING THE AFFORDABLE HOUSING PRODUCTION ACT, ET AL. v. CHIU, SAN FRANCISCO CITY ATTORNEY, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–942. *CAMPBELL, WARDEN v. KARES.* C. A. 6th Cir. Certiorari denied.

No. 23–972. *SPENCER, BY AND THROUGH NEXT FRIEND AND MOTHER OF A. S., A MINOR v. HARRISON COUNTY, TEXAS.* C. A. 5th Cir. Certiorari denied.

No. 23–976. *HENNING v. SNOWDEN.* C. A. 7th Cir. Certiorari denied.

No. 23–999. *YOURKO v. YOURKO.* Sup. Ct. Va. Certiorari denied. Reported below: 302 Va. 149, 884 S. E. 2d 799.

No. 23–1003. *FIGUEROA OCHOA v. GARLAND, ATTORNEY GENERAL.* C. A. 9th Cir. Certiorari denied.

No. 23–1004. *SANDOVAL MENDOZA v. LUMPKIN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 23–1016. *FACTEAU ET AL. v. UNITED STATES.* C. A. 1st Cir. Certiorari denied.

No. 23–1034. *LOVE v. NEAL, WARDEN.* C. A. 7th Cir. Certiorari denied.

No. 23–1044. *BALDERAS v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 23–1045. *835 HINESBURG ROAD, LLC v. CITY OF SOUTH BURLINGTON, VERMONT, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 23–1050. *SANCHEZ ET AL. v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

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No. 23–1056. *MATTINGLY v. R. J. CORMAN RAILROAD GROUP, LLC, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 90 F. 4th 478.

No. 23–1069. *PUBLIC UTILITIES COMMISSION OF OHIO v. FEDERAL ENERGY REGULATORY COMMISSION ET AL.* C. A. 3d Cir. Certiorari denied.

No. 23–1076. *BECERRA, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL. v. TEXAS ET AL.* C. A. 5th Cir. Certiorari denied.

No. 23–1084. *HILE ET AL. v. MICHIGAN ET AL.* C. A. 6th Cir. Certiorari denied.

No. 23–1085. *KAVA HOLDINGS, LLC, DBA HOTEL BEL-AIR v. NATIONAL LABOR RELATIONS BOARD.* C. A. 9th Cir. Certiorari denied.

No. 23–1093. *VALEANT PHARMACEUTICALS INTERNATIONAL, INC., ET AL. v. SILBERSHER ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–1099. *INNOVATION VENTURES, LLC, ET AL. v. U. S. WHOLESALE OUTLET & DISTRIBUTION, INC., ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–1105. *NATIONAL PRESS PHOTOGRAPHERS ASSN. v. HIGGINS, DISTRICT ATTORNEY OF HAYS COUNTY, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 23–1108. *FOOSE ET AL. v. THOMAS, ADMINISTRATOR OF THE ESTATE OF THOMAS, ET AL.; and*

No. 23–1204. *KINSINGER v. THOMAS, ADMINISTRATOR OF THE ESTATE OF THOMAS, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 23–1111. *LAIRD v. UNITED TEACHERS LOS ANGELES ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–1112. *CRAM ET AL. v. SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 503, OREGON PUBLIC EMPLOYEES UNION, ET AL.; and ESPINOZA v. UNION OF AMERICAN PHYSICIANS AND DENTISTS, AFSCME LOCAL 206, ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 23–1113. *KANT ET AL. v. SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 721, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–1117. *CROWE ET UX. v. SAVVY IN, LLC.* Sup. Ct. Ind. Certiorari denied.

No. 23–1120. *MANNS v. U. S. BANK N. A., AS TRUSTEE FOR BANC OF AMERICA FUNDING CORPORATION FOR MORTGAGE PASS-THROUGH CERTIFICATES 2007–03.* Ct. App. D. C. Certiorari denied.

No. 23–1130. *UBER TECHNOLOGIES, INC., ET AL. v. CALIFORNIA ET AL.*; and

No. 23–1132. *LYFT, INC. v. CALIFORNIA.* Ct. App. Cal., 1st App. Dist., Div. 4. Certiorari denied.

No. 23–1134. *HABELT v. iRHYTHM TECHNOLOGIES, INC., ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–1135. *SALINE PARENTS ET AL. v. GARLAND, ATTORNEY GENERAL.* C. A. D. C. Cir. Certiorari denied.

No. 23–1142. *SURTI v. FLEET ENGINEERS, INC.* C. A. Fed. Cir. Certiorari denied.

No. 23–1146. *NICKELS v. EVANS, SUPERINTENDENT, BUREAU OF CRIMINAL APPREHENSION.* Ct. App. Minn. Certiorari denied.

No. 23–1149. *CALK, AKA SEALED DEFENDANT v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

No. 23–1153. *ROMERO ET AL. v. LI-CHUAN SHIH ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 23–1159. *HUFF v. BP CORPORATION NORTH AMERICA, INC.* C. A. 10th Cir. Certiorari denied.

No. 23–1164. *BATTLE BORN INVESTMENTS Co., LLC, ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

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No. 23–1165. *PIERSON v. CSAA INSURANCE SERVICES, INC., ET AL.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 23–1168. *THOMAS v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

No. 23–1169. *PONDER v. WILD.* C. A. 6th Cir. Certiorari denied.

No. 23–1170. *YAO v. YAO.* Ct. App. Mo., Eastern Dist. Certiorari denied.

No. 23–1173. *GALLOP v. CAMERON BAY HOMEOWNERS ASSN.* Sup. Ct. Va. Certiorari denied.

No. 23–1174. *KLEIDMAN v. HILTON & HYLAND REAL ESTATE, INC., ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–1176. *HOUSTON ET AL. v. GARLAND, ATTORNEY GENERAL, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 23–1178. *FIRST FLOOR LIVING, LLC v. CITY OF CLEVELAND, OHIO, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 23–1179. *UNITED STATES EX REL. SALGADO ET AL. v. TRU-CONNECT ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–1180. *KARUPAIYAN v. UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied.

No. 23–1181. *RITCHEY v. OHIO.* Ct. App. Ohio, 11th App. Dist., Geauga County. Certiorari denied.

No. 23–1182. *JONES v. COUNTY OF SAN DIEGO, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–1183. *CALIFORNIA HERBAL REMEDIES, INC. v. PEREZ.* Ct. App. Cal., 2d App. Dist., Div. 4. Certiorari denied.

No. 23–1184. *EOLAS TECHNOLOGIES INC. v. AMAZON.COM, INC., ET AL.* C. A. Fed. Cir. Certiorari denied.

No. 23–1190. *PREDYBAYLO v. SACRAMENTO COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 23–1195. *JOHNSON v. PENNYMAC LOAN SERVICES, LLC*. Ct. App. N. C. Certiorari denied. Reported below: 288 N. C. App. 363, 887 S. E. 2d 99.

No. 23–1196. *MARTIN v. LAWSON, CHIEF, NEVADA DIVISION OF PAROLE AND PROBATION, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–1200. *GARMONG v. TAHOE REGIONAL PLANNING AGENCY ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–1202. *ELLINGSON DRAINAGE, INC. v. SOUTH DAKOTA DEPARTMENT OF REVENUE.* Sup. Ct. S. D. Certiorari denied.

No. 23–1203. *MARAS v. MAYFIELD CITY SCHOOL DISTRICT BOARD OF EDUCATION ET AL.* C. A. 6th Cir. Certiorari denied.

No. 23–1205. *WAYNE JOHNSON FOR CONGRESS, INC., ET AL. v. HUNT, DBA JEREMY FOR GEORGIA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 23–1206. *ELITE IT PARTNERS, INC., DBA ELITE IT HOME, ET AL. v. FEDERAL TRADE COMMISSION.* C. A. 10th Cir. Certiorari denied.

No. 23–1208. *Do v. COUNTY OF SANTA CLARA, CALIFORNIA.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 23–1211. *SCARBOROUGH v. COURT OF COMMON PLEAS OF PENNSYLVANIA, NORTHAMPTON COUNTY, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 23–1214. *HUBBARD v. SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 2015 ET AL.*; and *JIMENEZ v. SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 775 ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–1215. *DEERING v. INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 18 ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–1216. *DIMANCHE v. UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA.* C. A. 11th Cir. Certiorari denied.

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No. 23–1217. *CHESTEK PLLC v. VIDAL, UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND DIRECTOR, UNITED STATES PATENT AND TRADEMARK OFFICE*. C. A. Fed. Cir. Certiorari denied.

No. 23–1219. *MATTHEWS v. LOUISIANA*. Sup. Ct. La. Certiorari denied.

No. 23–1223. *COOPER ET AL. v. US DOMINION, INC., ET AL.* C. A. 10th Cir. Certiorari denied.

No. 23–1225. *MARYLAND SHALL ISSUE, INC., ET AL. v. ANNE ARUNDEL COUNTY, MARYLAND*. C. A. 4th Cir. Certiorari denied.

No. 23–1231. *CELLECT, LLC v. VIDAL, UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND DIRECTOR, UNITED STATES PATENT AND TRADEMARK OFFICE*. C. A. Fed. Cir. Certiorari denied.

No. 23–1232. *ESTATE OF GEORGE ET AL. v. CITY OF RIFLE, COLORADO, ET AL.* C. A. 10th Cir. Certiorari denied.

No. 23–1234. *ZOGRAFIDIS v. RICHARDS, ASSISTANT UNITED STATES ATTORNEY, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 23–1235. *FLORIDA DEPARTMENT OF JUVENILE JUSTICE v. TYNES*. C. A. 11th Cir. Certiorari denied.

No. 23–1236. *LAW OFFICE OF ROGELIO SOLIS PLLC ET AL. v. CURTIS*. C. A. 5th Cir. Certiorari denied.

No. 23–1237. *COUNTY OF FULTON, PENNSYLVANIA, ET AL. v. SCHMIDT, SECRETARY OF PENNSYLVANIA, ET AL.* Sup. Ct. Pa. Certiorari denied.

No. 23–1240. *CENTENO-SANTIAGO v. GARLAND, ATTORNEY GENERAL*. C. A. 5th Cir. Certiorari denied.

No. 23–1241. *PIKE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

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No. 23–1242. *WEBER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 23–1243. *JOHNSTON v. KROEGER ET AL.* C. A. 5th Cir. Certiorari denied.

No. 23–1244. *ROBINSON v. FREEMAN, FKA ROBINSON*. Ct. App. Colo. Certiorari denied.

No. 23–1245. *JOHNSON v. FOSTER ET AL.* C. A. 11th Cir. Certiorari denied.

No. 23–1246. *SHELL OFFSHORE INC. v. PALFINGER MARINE USA, INC.* C. A. 5th Cir. Certiorari denied.

No. 23–1249. *GUILFOY v. WATWOOD, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 23–1250. *VEGA v. TEKOH*. C. A. 9th Cir. Certiorari denied.

No. 23–1251. *BOURNE ET VIR v. BANNER UNIVERSITY MEDICAL CENTER PHOENIX, LLC*. Ct. App. Ariz. Certiorari denied.

No. 23–1252. *GAEDE ET UX. v. DELAY ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–1253. *MCLAUGHLIN FREIGHT SERVICES, INC. v. CONTITECH USA, INC.* C. A. 8th Cir. Certiorari denied.

No. 23–1255. *WRIGHT v. LUMPKIN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 23–1256. *JAVITZ v. LUZERNE COUNTY, PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 23–1258. *LANDER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–1260. *BRUCE v. OGDEN CITY CORPORATION ET AL.* C. A. 10th Cir. Certiorari denied.

No. 23–1261. *GUSSI S. A. DE C. V. v. VOLTAGE PICTURES, LLC*. C. A. 9th Cir. Certiorari denied.

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No. 23–1262. *NWOYE v. OBAMA, FORMER PRESIDENT OF THE UNITED STATES, ET UX.* C. A. 2d Cir. Certiorari denied.

No. 23–1263. *DONMEZ v. NEW YORK CITY DEPARTMENT OF CONSUMER AFFAIRS ET AL.* C. A. 2d Cir. Certiorari denied.

No. 23–1264. *X CORP., FKA TWITTER, INC. v. UNITED STATES.* C. A. D. C. Cir. Certiorari denied.

No. 23–1265. *ANTUNES v. BECERRA, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL.* C. A. 4th Cir. Certiorari denied.

No. 23–1266. *PARKS v. AFFILIATED BANK ET AL.* Ct. App. Tex., 5th Dist. Certiorari denied.

No. 23–1267. *MURPHY, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE FOR THE ESTATE OF MURPHY v. MEDICAL ONCOLOGY ASSOCIATES, P. S., ET AL.* Ct. App. Wash. Certiorari denied.

No. 23–1268. *BABARIA ET AL. v. JADDOU, DIRECTOR, UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–1273. *BRENNAN v. CASS COUNTY HEALTH, HUMAN AND VETERAN SERVICES, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 23–1274. *MANOOKIAN v. BOARD OF PROFESSIONAL RESPONSIBILITY OF THE SUPREME COURT OF TENNESSEE.* Sup. Ct. Tenn. Certiorari denied.

No. 23–1276. *YOUNG ISRAEL OF TAMPA, INC. v. HILLSBOROUGH AREA REGIONAL TRANSIT AUTHORITY.* C. A. 11th Cir. Certiorari denied.

No. 23–1278. *TSAI-FEN LEE v. WASHINGTON.* Ct. App. Wash. Certiorari denied.

No. 23–1279. *NEWYORK-PRESBYTERIAN HUDSON VALLEY HOSPITAL v. NATIONAL LABOR RELATIONS BOARD ET AL.* C. A. 2d Cir. Certiorari denied.

No. 23–1283. *LAPHAM v. WALGREEN Co.* C. A. 11th Cir. Certiorari denied.

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No. 23–1284. *ARAU v. ROCKET MORTGAGE, LLC, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–1285. *SWINDELL v. BAILEY.* C. A. 11th Cir. Certiorari denied.

No. 23–1287. *BRENNER v. IRWIN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT FOREST, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 23–1288. *NEWMAN v. UNITED STATES.* C. A. 10th Cir. Certiorari denied.

No. 23–1289. *GOETZ v. WEBER, CHAPTER 7 TRUSTEE.* C. A. 8th Cir. Certiorari denied.

No. 23–1290. *BINDAY v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

No. 23–1291. *GAZUL PRODUCCIONES SL UNIPERSONAL v. SHEDDF2-FL5 LLC.* Dist. Ct. App. Fla., 3d Dist. Certiorari denied.

No. 23–1292. *BRANNBERG v. COLORADO CIVIL RIGHTS DIVISION ET AL.* Sup. Ct. Colo. Certiorari denied.

No. 23–1293. *UNITED STATES EX REL. HART ET AL. v. MCKESSON CORP. ET AL.* C. A. 2d Cir. Certiorari denied.

No. 23–1294. *CHARLES v. ANNA-JONESBORO NATIONAL BANK ET AL.* C. A. 7th Cir. Certiorari denied.

No. 23–1295. *ZAORSKI v. USNER.* Ct. App. La., 1st Cir. Certiorari denied.

No. 23–1296. *RANDSTAD INHOUSE SERVICES, LLC, ET AL. v. ORTIZ ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–1297. *ROANE v. RAY.* C. A. 4th Cir. Certiorari denied.

No. 23–1299. *OLUMIDE v. MINNESOTA ET AL.* Ct. App. Minn. Certiorari denied.

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No. 23–1302. *HARDAWAY v. HAMILTON ET AL.* C. A. 11th Cir. Certiorari denied.

No. 23–1303. *MALIN v. LEE ENTERPRISES, INC., ET AL.* Ct. App. Iowa. Certiorari denied.

No. 23–1304. *CLARK v. CLARK.* Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 23–1305. *SCHIEWE ET AL. v. CESSNA AIRCRAFT Co.* Sup. Ct. Okla. Certiorari denied.

No. 23–1306. *SMITH ET AL. v. HEILMAN, TRUSTEE OF THE RALPH A. SIDDELL LIVING TRUST, ET AL.* Ct. App. Mich. Certiorari denied.

No. 23–1307. *RAC ACCEPTANCE EAST, LLC v. MCBURNIE ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–1308. *PHILLIPS, AS ADMINISTRATOR OF THE ESTATE OF PHILLIPS, AND AS SUCCESSOR TRUSTEE OF MELVIN PHILLIPS, SR./ORCHARD PARTY TRUST v. ONEIDA INDIAN NATION.* C. A. 2d Cir. Certiorari denied.

No. 23–1309. *SINGH v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 23–1311. *WASHINGTON v. LOUISIANA.* Ct. App. La., 3d Cir. Certiorari denied.

No. 23–1314. *HARRIS v. FEDEX CORPORATE SERVICES, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 92 F. 4th 286.

No. 23–1315. *JONES v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied.

No. 23–1317. *BAPTICHON v. DEPARTMENT OF EDUCATION ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 23–1318. *LOPEZ v. MUFG HOLDING CORP. ET AL.* Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 23–1319. *B. B. v. FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES ET AL.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied.

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No. 23–1320. *GLAXOSMITHKLINE, LLC, ET AL. v. SUPERIOR COURT OF CALIFORNIA, ALAMEDA COUNTY*. Ct. App. Cal., 1st App. Dist., Div. 2. Certiorari denied.

No. 23–1322. *TINDALL v. COMMISSIONER OF INTERNAL REVENUE*. C. A. D. C. Cir. Certiorari denied.

No. 23–1327. *BARCLIFT v. KEYSTONE CREDIT SERVICES, LLC*. C. A. 3d Cir. Certiorari denied.

No. 23–1328. *GOLAN v. DAILY NEWS, L. P., ET AL.* Ct. App. N. Y. Certiorari denied.

No. 23–1329. *DE ARAGON v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 23–1330. *STERN ET UX. v. MCDONALD*. Ct. App. Wash. Certiorari denied.

No. 23–1331. *SCHROEDER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 23–1332. *BROWN v. POUNCY ET AL.* C. A. 5th Cir. Certiorari denied.

No. 23–1333. *AZMI ET AL. v. PENNY*. C. A. 9th Cir. Certiorari denied.

No. 23–1334. *CENTENNIAL RESOURCE PRODUCTION, LLC v. NORTHERN NATURAL GAS Co.* Sup. Ct. Neb. Certiorari denied.

No. 23–1335. *HARLEY MARINE FINANCING, LLC v. TUG CONSTRUCTION, LLC*. C. A. 9th Cir. Certiorari denied.

No. 23–1336. *LANE v. WITT ET AL.* C. A. 10th Cir. Certiorari denied.

No. 23–1337. *BALDWIN COUNTY, ALABAMA, ET AL. v. BORDELON ET AL.* C. A. 11th Cir. Certiorari denied.

No. 23–1338. *SHKRELI v. FEDERAL TRADE COMMISSION ET AL.* C. A. 2d Cir. Certiorari denied.

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No. 23–1339. *DiFRANCO v. FALLON*, CIRCUIT JUDGE, CIRCUIT COURT OF ILLINOIS, COOK COUNTY, ET AL. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 23–1340. *WAPLES MOBILE HOME PARK L. P. ET AL. v. REYES ET AL.* C. A. 4th Cir. Certiorari denied.

No. 23–1342. *FOLEY ET UX. v. ORANGE COUNTY, FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 23–1343. *QUINONES-PIMENTEL ET AL. v. CANNON ET AL.* C. A. 1st Cir. Certiorari denied.

No. 23–1344. *GUADALUPE LEIVA ET AL. v. GARLAND, ATTORNEY GENERAL.* C. A. 5th Cir. Certiorari denied.

No. 23–1346. *GOLUB CORP. v. BART.* C. A. 2d Cir. Certiorari denied.

No. 23–1347. *FANG ZENG v. MINGAN CHEN ET AL.; and FANG ZENG v. ANQIN WANG.* C. A. 9th Cir. Certiorari denied.

No. 23–1349. *PROVISUR TECHNOLOGIES, INC. v. WEBER, INC.* C. A. Fed. Cir. Certiorari denied.

No. 23–1350. *KORMAN ET AL. v. SUPERIOR COURT OF CALIFORNIA, CITY AND COUNTY OF SAN FRANCISCO, ET AL.* Ct. App. Cal., 1st App. Dist., Div. 5. Certiorari denied.

No. 23–1351. *HENDERSON ET AL. v. TEXAS.* Ct. App. Tex., 7th Dist. Certiorari denied.

No. 23–1354. *ABDUL-HAQQ v. PERMANENTE MEDICAL GROUP, INC., ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–1355. *ZOCCO v. WISCONSIN.* Ct. App. Wis. Certiorari denied.

No. 23–1356. *HOLDER v. THOMAS.* C. A. 4th Cir. Certiorari denied.

No. 23–1357. *COUNTRY OAKS PARTNERS, LLC, DBA COUNTRY OAKS CARE CENTER, ET AL. v. HARROD.* Sup. Ct. Cal. Certiorari denied.

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No. 23–1358. *STEPHENSON, WARDEN v. UPSHAW*. C. A. 6th Cir. Certiorari denied.

No. 23–1359. *FUCICH CONTRACTING, INC., ET AL. v. SHREAD-KUYRKENDALL & ASSOCIATES, INC., ET AL.* C. A. 5th Cir. Certiorari denied.

No. 23–1362. *KREB v. INTEGRA AVIATION, L. L. C., ET AL.* C. A. 5th Cir. Certiorari denied.

No. 23–1364. *KENDRICK v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–1366. *JING ET AL. v. WOMACK ET AL.* Sup. Ct. Mont. Certiorari denied.

No. 23–1367. *QUINLAN v. LOPINTO, SHERIFF, JEFFERSON PARISH, LOUISIANA, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 23–1368. *ARANA, AKA ARANA SANTIAGO v. TAPIA MALDONADO ET AL.* Sup. Ct. P. R. Certiorari denied.

No. 23–1369. *RUST v. MORALES, INDIANA SECRETARY OF STATE, ET AL.* Sup. Ct. Ind. Certiorari denied.

No. 23–1371. *SMOKEMASTERS RIBS’N POLLO INC. v. LILBURN CENTER, LLC*. Ct. App. Ga. Certiorari denied.

No. 23–1372. *ERLANSON v. ENVIRONMENTAL PROTECTION AGENCY*. C. A. 9th Cir. Certiorari denied.

No. 23–1373. *CAPITAL CARTRIDGE, LLC v. ISSA, AS TRUSTEE OF THE HMT LIQUIDATING TRUST; and ROYAL METAL INDUSTRIES, INC. v. ISSA, AS TRUSTEE OF THE HMT LIQUIDATING TRUST*. C. A. 9th Cir. Certiorari denied.

No. 23–1374. *SELLERS v. NELSON, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF NELSON, DECEASED, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 23–1375. *PROVITOLA v. COMER ET AL.* C. A. 11th Cir. Certiorari denied.

No. 23–6450. *CORREA DIZON v. VECTRUS SYSTEMS CORP.* C. A. 5th Cir. Certiorari denied.

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No. 23–6732. *WELLS v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied.

No. 23–6939. *CHARBONEAU v. DAVIS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 23–7005. *CHAN v. HEALEY, GOVERNOR OF MASSACHUSETTS, ET AL.* C. A. 1st Cir. Certiorari denied.

No. 23–7050. *RYAN v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied.

No. 23–7063. *GIVEY v. DEPARTMENT OF JUSTICE ET AL.* C. A. 3d Cir. Certiorari denied.

No. 23–7128. *WINDSOR v. MARSHALL, ATTORNEY GENERAL OF ALABAMA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 23–7158. *ALFORD v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied.

No. 23–7165. *FLORES-GONZÁLEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 23–7172. *NICHOLAS v. CAMUSO, COMMISSIONER, MAINE DEPARTMENT OF INLAND FISHERIES AND WILDLIFE*. C. A. 1st Cir. Certiorari denied.

No. 23–7174. *BROWN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 23–7187. *GALLOWAY v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 23–7206. *MATTHEWS v. PLAPPERT, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 23–7227. *TABLER v. LUMPKIN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 23–7249. *GANDY v. HEGAR, TEXAS COMPTROLLER OF PUBLIC ACCOUNTS*. Sup. Ct. Tex. Certiorari denied.

No. 23–7272. *ALBRITTON v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

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No. 23–7295. *HELZER v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 23–7301. *BURRELL v. LANGHAM, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 23–7306. *CONRAD v. ST. ANDRE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 23–7311. *HARVEY v. DILLIS, WARDEN*. Sup. Ct. Ga. Certiorari denied.

No. 23–7316. *LACK v. BONTA, ATTORNEY GENERAL OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 23–7318. *CRENSHAW v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied.

No. 23–7321. *STREETT v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 23–7322. *HALL v. TEXAS*. 272d Jud. Dist. Ct. Tex., Brazos County. Certiorari denied.

No. 23–7330. *GRAULAU v. CREDIT ONE BANK, N. A.* C. A. 11th Cir. Certiorari denied.

No. 23–7339. *YOUNG v. TEXAS*. Ct. App. Tex., 12th Dist. Certiorari denied.

No. 23–7340. *YATES v. LUMPKIN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 23–7341. *THOMPSON v. COLORADO*. Ct. App. Colo. Certiorari denied.

No. 23–7343. *HEARN v. ILLINOIS*. App. Ct. Ill., 3d Dist. Certiorari denied.

No. 23–7346. *MARINARO v. ZIMMER & LEWIS, ATTORNEYS & COUNSELOR AT LAW*. Sup. Ct. Va. Certiorari denied.

No. 23–7348. *MARINARO v. CHERYL EDDY BENN, PC*. Sup. Ct. Va. Certiorari denied.

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No. 23–7349. *ZIRUS v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS*. C. A. 5th Cir. Certiorari denied.

No. 23–7359. *BRISCOE v. CHAMBERS-SMITH, DIRECTOR, OHIO DEPARTMENT OF REHABILITATION AND CORRECTION, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 23–7360. *KELLY v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA*. C. A. 3d Cir. Certiorari denied.

No. 23–7367. *GARRETT v. CLOUSE*. C. A. 7th Cir. Certiorari denied.

No. 23–7368. *JOHNSON v. WITCHER*. C. A. 8th Cir. Certiorari denied.

No. 23–7370. *KING v. SAMPSON, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 23–7371. *CARTER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 23–7372. *KELLY v. DISCIPLINARY COUNSEL SWARTZ ET AL.* C. A. 3d Cir. Certiorari denied.

No. 23–7377. *BARNETT v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 23–7381. *DUNLAP v. ARIZONA OFFICE OF THE ATTORNEY GENERAL ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–7383. *LEDBETTER ET AL. v. RELIGIOUS PRACTICE COMMITTEE ET AL.* C. A. 5th Cir. Certiorari denied.

No. 23–7389. *EVANS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied.

No. 23–7391. *LOYD v. FLORIDA*. Sup. Ct. Fla. Certiorari denied.

No. 23–7394. *JACKSON v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied.

No. 23–7395. *PANIGHETTI v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

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No. 23–7396. *MANUEL PADILLA v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 23–7400. *REYNARD v. WASHBURN UNIVERSITY OF TOPEKA*. C. A. 10th Cir. Certiorari denied.

No. 23–7404. *MAXWELL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 23–7412. *ROONEY v. GEORGIA*. Sup. Ct. Ga. Certiorari denied.

No. 23–7415. *GOMEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 23–7417. *ARTISANI, AKA HOFFERT v. IOWA ET AL.* C. A. 8th Cir. Certiorari denied.

No. 23–7422. *TALLEY ET AL. v. HOUSING AUTHORITY OF COOK COUNTY ET AL.* C. A. 7th Cir. Certiorari denied.

No. 23–7426. *GOFAN v. GUSTAFSON ET AL.* C. A. 8th Cir. Certiorari denied.

No. 23–7428. *PANN v. ULMER*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied.

No. 23–7429. *GIFFEN v. BIDEN, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. 4th Cir. Certiorari denied.

No. 23–7434. *WHATLEY v. WAFFLE HOUSE, INC.* C. A. 4th Cir. Certiorari denied.

No. 23–7435. *HARRIS v. ELLIS ET AL.* Sup. Ct. Ala. Certiorari denied.

No. 23–7437. *THOMPSON v. LUMPKIN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 23–7442. *FARLEY v. WILLS*. C. A. 7th Cir. Certiorari denied.

No. 23–7443. *THOMAS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 23–7447. *BLANKUMSEE v. MARYLAND*. Certiorari denied.

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No. 23–7448. *HALL v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 23–7450. *SPANN v. MISSOURI*. Ct. App. Mo., Eastern Dist. Certiorari denied.

No. 23–7453. *GARRIDO v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied.

No. 23–7454. *SENDZUL v. HOAG ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–7457. *E. R. v. COLORADO, IN THE INTEREST OF S. M. ET AL., CHILDREN*. Ct. App. Colo. Certiorari denied.

No. 23–7460. *BURTON v. EMIG, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 23–7463. *MEEKER v. MARRISON FAMILY LAW, LLC*. Dist. Ct. Colo., El Paso County. Certiorari denied.

No. 23–7465. *WOOD v. QUICK, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 23–7466. *UWAMARIYA v. BAGANIZI*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 23–7467. *SAARI v. RISH, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 23–7468. *ROBINSON v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 23–7469. *DEL SIGNORE v. NOKIA OF AMERICA CORP. ET AL.* C. A. 7th Cir. Certiorari denied.

No. 23–7470. *TAKHVAR v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 23–7475. *PODKULSKI v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 23–7476. *WALKER v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 23–7479. *HOWARD v. TEXAS*. Ct. App. Tex., 7th Dist. Certiorari denied.

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No. 23–7487. *ONYIDO v. GARLAND*, ATTORNEY GENERAL.
C. A. 5th Cir. Certiorari denied.

No. 23–7488. *ZAVALA v. TEXAS*. Ct. App. Tex., 7th Dist.
Certiorari denied.

No. 23–7494. *OHIO EX REL. MOBARAK v. BROWN*, JUDGE,
COURT OF COMMON PLEAS OF OHIO, FRANKLIN COUNTY, ET AL.
Sup. Ct. Ohio. Certiorari denied.

No. 23–7499. *TUCKER v. NORTH CAROLINA*. Sup. Ct. N. C.
Certiorari denied.

No. 23–7500. *PENDLETON v. MIYARES*, ATTORNEY GENERAL
OF VIRGINIA, ET AL. C. A. 4th Cir. Certiorari denied.

No. 23–7503. *CROCE v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist.
Certiorari denied.

No. 23–7507. *WASHINGTON v. RAYL ET AL.* C. A. 7th Cir.
Certiorari denied.

No. 23–7509. *MOORE v. DIXON*, SECRETARY, FLORIDA DEPART-
MENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied.

No. 23–7510. *KONE v. BROWN ET AL.* C. A. 9th Cir. Certio-
rari denied.

No. 23–7511. *JOHNSON v. MCGINLEY*, SUPERINTENDENT,
STATE CORRECTIONAL INSTITUTION AT COAL TOWNSHIP, ET AL.
C. A. 3d Cir. Certiorari denied.

No. 23–7514. *GLASS v. ILLINOIS*. App. Ct. Ill., 5th Dist. Cer-
tiorari denied.

No. 23–7515. *DAVIS v. HEMMERSBACH US, L. L. C.* C. A. 5th
Cir. Certiorari denied.

No. 23–7516. *SPAIN v. OKLAHOMA*. Ct. Crim. App. Okla.
Certiorari denied.

No. 23–7518. *McGOFFNEY v. KINCAID ET AL.* C. A. 7th Cir.
Certiorari denied.

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No. 23–7519. *WILLIAMS v. MALHER ET AL.* C. A. 4th Cir. Certiorari denied.

No. 23–7520. *PETERSON v. EMAMI ET AL.* C. A. 6th Cir. Certiorari denied.

No. 23–7521. *RODGERS v. FLORIDA.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

No. 23–7523. *BENSHOOF v. BRIER ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–7524. *WASHINGTON v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 23–7525. *WALDRON v. LOUISIANA.* Sup. Ct. La. Certiorari denied.

No. 23–7526. *WEBSTER v. HASKINS, PROGRAM DIRECTOR, HASKINS RESIDENTIAL CARE.* C. A. 9th Cir. Certiorari denied.

No. 23–7527. *WILLIAMS v. KELLY ET AL.* C. A. 4th Cir. Certiorari denied.

No. 23–7529. *PAULK v. BENSON ET AL.* C. A. 11th Cir. Certiorari denied.

No. 23–7530. *NEAL-HILL v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 23–7531. *RANGE v. DEJOY, POSTMASTER GENERAL.* C. A. 11th Cir. Certiorari denied.

No. 23–7533. *WRIGHT v. HOOPER, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 23–7534. *FEICK v. BRUTSCHE FAMILY REVOCABLE TRUST ET AL.* Sup. Ct. Wash. Certiorari denied.

No. 23–7535. *LEWIS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 23–7536. *BROWN v. BROWN.* Ct. App. La., 4th Cir. Certiorari denied.

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No. 23–7537. *ANDERSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7539. *THOMAS v. LANGFORD, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 23–7540. *CATALAN RUIZ v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 23–7542. *OBUTE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7543. *MORGAN v. BROOKHART*. C. A. 7th Cir. Certiorari denied.

No. 23–7544. *MORALES-CORTEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 23–7545. *TATUM v. GALLOWAY, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 23–7546. *ZACARIAS DIAZ v. OREGON DEPARTMENT OF CORRECTIONS ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–7547. *TYLER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 23–7553. *ARCILA RAMIREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 23–7554. *MOORE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7555. *LYNCH v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 23–7556. *BEAL v. WASHINGTON*. Ct. App. Wash. Certiorari denied.

No. 23–7558. *JONES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 23–7559. *KNIGHT v. BIDEN, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 23–7560. *WHITEHEAD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

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No. 23–7561. *HYDE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 23–7562. *ESCOBEDO v. GUTIERREZ ET AL.* C. A. 5th Cir. Certiorari denied.

No. 23–7563. *GLOSTER v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 23–7564. *JACKSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 23–7565. *AGUIERA-GUZMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 23–7566. *GARNER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 23–7567. *CARRUTH v. HAMM, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 23–7568. *LASSITER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 96 F. 4th 629.

No. 23–7569. *WOODLEY v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied.

No. 23–7570. *BLACKSTOCK v. TENNESSEE*. Ct. App. Tenn. Certiorari denied.

No. 23–7571. *GOINGS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 23–7572. *SMITH v. GALIPEAU*. C. A. 7th Cir. Certiorari denied.

No. 23–7573. *OFFINEER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 23–7574. *MIDDLEBROOK v. WELLMAN ET AL.* C. A. 6th Cir. Certiorari denied.

No. 23–7575. *DILLON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

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No. 23–7576. *JONES v. GEORGIA DEPARTMENT OF LABOR ET AL.* Sup. Ct. Ga. Certiorari denied.

No. 23–7577. *CHUONG DUONG TONG v. LUMPKIN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 23–7578. *TACHIN ORTIZ v. GARLAND, ATTORNEY GENERAL.* C. A. 9th Cir. Certiorari denied.

No. 23–7579. *JORDAN v. FEDERAL BUREAU OF INVESTIGATION.* C. A. 9th Cir. Certiorari denied.

No. 23–7580. *MORAGA v. TEXAS.* Ct. App. Tex., 3d Dist. Certiorari denied.

No. 23–7581. *ODOM v. JORDAN, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 23–7582. *MASSAQUOI v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied.

No. 23–7583. *HILL v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

No. 23–7584. *SALMOND v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied.

No. 23–7585. *WILFRED H. v. WARD, INTERIM SUPERINTENDENT, MOUNT OLIVE CORRECTIONAL COMPLEX.* Sup. Ct. App. W. Va. Certiorari denied.

No. 23–7586. *BROWN v. KERN.* C. A. 11th Cir. Certiorari denied.

No. 23–7588. *MENDEZSALES v. FLORIDA.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

No. 23–7589. *LEE, AKA IMUTA v. U. S. BANK N. A., SUCCESSOR TRUSTEE TO BANK OF AMERICA, N. A., SUCCESSOR IN INTEREST TO LASALLE BANK N. A.* App. Div., Super. Ct. Cal., County of Los Angeles. Certiorari denied.

No. 23–7592. *DIGGS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

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No. 23–7593. *HINTON v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied.

No. 23–7594. *MATIAS-MIGUEL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7595. *LEVI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 23–7596. *BOONE v. STIRLING, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied.

No. 23–7597. *HILL v. NEW JERSEY*. Sup. Ct. N. J. Certiorari denied.

No. 23–7598. *PARIS v. BROWN*. Sup. Ct. Ore. Certiorari denied.

No. 23–7599. *ORTIZ-JUAREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7600. *ROSARIO v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied.

No. 23–7601. *COLEY v. GARLAND ET AL.* C. A. 2d Cir. Certiorari denied.

No. 23–7603. *BROWN v. CORRIGAN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 23–7604. *HALOUSEK v. VERIZON*. C. A. 9th Cir. Certiorari denied.

No. 23–7606. *COLLINS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 23–7608. *TURNER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 23–7609. *WASHINGTON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 23–7610. *HORSLEY v. OHIO*. Ct. App. Ohio, 4th App. Dist., Pickaway County. Certiorari denied.

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No. 23–7611. *VAN HORNE ET AL. v. CENTRAL APPRAISAL DISTRICT OF TAYLOR COUNTY*. Ct. App. Tex., 11th Dist. Certiorari denied.

No. 23–7612. *LAY v. QUICK, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 23–7613. *JAMES v. LOUISIANA*. Ct. App. La., 1st Cir. Certiorari denied.

No. 23–7614. *BONNELL v. COOL, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 23–7615. *CRATER v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 23–7616. *OWENS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7617. *NGUYEN v. AT&T*. C. A. 5th Cir. Certiorari denied.

No. 23–7618. *REYNOLDS v. TITUS COUNTY, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 23–7619. *GIBBS v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 23–7620. *KIE v. GARRETT, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 23–7621. *GOLDEN v. CITY OF LONGVIEW, PUBLIC WORKS DIVISION, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 23–7622. *CONCEPCION-ROSARIO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 23–7623. *CASTELLON v. OHIO*. Ct. App. Ohio, 8th App. Dist., Cuyahoga County. Certiorari denied.

No. 23–7624. *GETER v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 23–7625. *SOWERS v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

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No. 23–7626. *FRAZIER v. CARTER ET AL.* C. A. 7th Cir. Certiorari denied.

No. 23–7628. *XIA v. LINA T. RAMEY, AND ASSOCIATES, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 23–7629. *ZIEGLER v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 23–7630. *DANCE v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

No. 23–7631. *ABRIL v. COLORADO.* Ct. App. Colo. Certiorari denied.

No. 23–7632. *PASSLEY v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

No. 23–7633. *UPSON GIESE v. WALLACE.* App. Ct. Md. Certiorari denied.

No. 23–7634. *SALAS-BAUTISTA v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 23–7635. *JACKSON v. HOFFMAN, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 23–7636. *DAVIS v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 23–7637. *GONZALES-CATAGUA, AKA GONZALEZ v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 23–7639. *BOUIE v. PENNSYLVANIA DEPARTMENT OF CORRECTIONS.* Sup. Ct. Pa. Certiorari denied.

No. 23–7640. *FISCHER v. NORTH DAKOTA.* Sup. Ct. N. D. Certiorari denied.

No. 23–7641. *BIXBY v. STIRLING, COMMISSIONER, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 4th Cir. Certiorari denied.

No. 23–7642. *BEATTY v. FORSHEY, WARDEN.* C. A. 6th Cir. Certiorari denied.

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No. 23–7643. *STUART v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 23–7645. *TEEN v. ILLINOIS*. App. Ct. Ill., 5th Dist. Certiorari denied.

No. 23–7646. *DEMETRIO-JIMENEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7647. *HOUSTON v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 23–7648. *DUPREE ET AL. v. OWENS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 23–7649. *ORTIZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 23–7650. *CUELLAR v. TANNER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 23–7651. *VAN HUISEN v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–7653. *THOMAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7654. *HUNTER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 23–7656. *GORDON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7659. *HURSTON v. INDIANA GAMING Co., LLC, DBA HOLLYWOOD CASINO LAWRENCEBURG*. C. A. 7th Cir. Certiorari denied.

No. 23–7660. *SMITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7661. *MILHOUSE v. NEW YORK CITY DEPARTMENT OF HOMELESS SERVICES ET AL.* C. A. 2d Cir. Certiorari denied.

No. 23–7662. *OLIVAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

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No. 23–7663. *CURL, AKA JACOBS, AKA CURL-JACOBS EL, AKA EL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 23–7665. *DUODU v. DOTSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied.

No. 23–7666. *WASHINGTON v. MARSHALL, ATTORNEY GENERAL OF ALABAMA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 23–7667. *CHRUSTOWSKI v. NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE ET AL.* C. A. 3d Cir. Certiorari denied.

No. 23–7668. *RICHARDSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 23–7669. *BENDER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 23–7670. *YOUNG v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7671. *CHAMBLIN v. OHIO*. Ct. App. Ohio, 1st App. Dist., Hamilton County. Certiorari denied.

No. 23–7672. *CULLER v. OHIO*. Ct. App. Ohio, 7th App. Dist., Columbiana County. Certiorari denied.

No. 23–7673. *STANLEY v. MORRISON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 23–7674. *WRIGHT v. MAYES, ATTORNEY GENERAL OF ARIZONA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–7675. *JOHNSON v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 23–7676. *JACKSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 23–7677. *BOWMAN v. FRIEDMAN*. C. A. 10th Cir. Certiorari denied.

No. 23–7679. *RHODES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 23–7680. *MURSE v. MURSE*. C. A. 3d Cir. Certiorari denied.

No. 23–7681. *CRAAYBEEK v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 23–7682. *LOYOLA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7683. *LEE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 23–7684. *BELL v. RAFFENSBERGER, GEORGIA SECRETARY OF STATE, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 23–7685. *DAVIS v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

No. 23–7686. *MCLAIN v. THALLER ET AL.* C. A. 4th Cir. Certiorari denied.

No. 23–7687. *CAGLE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7688. *HODGES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7689. *WILLIAMS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7690. *JOHNSON, AKA HILL v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 23–7692. *PANIAGUA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7693. *BANGASH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7694. *HERNANDEZ ALVARADO, AKA HERNANDEZ v. UNITED STATES ET AL.* C. A. 2d Cir. Certiorari denied.

No. 23–7696. *TRAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7697. *KELSEY v. GARRETT, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 23–7698. *COLEMAN v. CROMWELL, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 23–7699. *JONES v. HUNSINGER-STUFF, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 23–7700. *BAILEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 23–7701. *JONES v. REAVES, WARDEN, ET AL.* Sup. Ct. Ga. Certiorari denied.

No. 23–7702. *WHITEHORN v. MAVERICK TUBE CORP., FKA TENARIS HICKMAN*. C. A. 8th Cir. Certiorari denied.

No. 23–7703. *TAYLOR v. VERMONT*. Sup. Ct. Vt. Certiorari denied.

No. 23–7704. *JARROW v. ORR*. C. A. 5th Cir. Certiorari denied.

No. 23–7705. *JOHNSON v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 23–7706. *PUGH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 23–7707. *OCHOA-PEREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7708. *PETERS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 23–7709. *JACOBS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 23–7710. *ANDERSON v. SNELL ET AL.* Sup. Ct. Pa. Certiorari denied.

No. 23–7711. *PHILONG NGHIA HUYNH v. LIZARRAGA*. C. A. 9th Cir. Certiorari denied.

No. 23–7712. *C. B. v. VERMONT DEPARTMENT FOR CHILDREN AND FAMILIES*. Sup. Ct. Vt. Certiorari denied.

No. 23–7713. *WILSON v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied.

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No. 23–7714. *GERRISH v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 23–7715. *BENDER v. IOWA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 8th Cir. Certiorari denied.

No. 23–7716. *SOLOMON v. ST. ANDRE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 23–7717. *CRAIG v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 23–7719. *WINSTON v. NOBLE, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 23–7720. *SAKUMA v. ASSOCIATION OF APARTMENT OWNERS OF THE TROPICS OF WAIKELE ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–7721. *REESE v. FORSHEY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 23–7722. *WEST v. EMIG, WARDEN*. Sup. Ct. Del. Certiorari denied.

No. 23–7723. *MARTIN v. NEW JERSEY*. Sup. Ct. N. J. Certiorari denied.

No. 23–7725. *WALTON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7726. *ROBLES v. ARTRIP, WARDEN*. C. A. 4th Cir. Certiorari denied.

No. 23–7727. *MILLER v. FLORIDA*. Sup. Ct. Fla. Certiorari denied.

No. 23–7728. *MORALES-LOPEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 23–7729. *JOHNSON v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 23–7730. *RICHARDSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

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No. 23–7732. *HERNANDEZ v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 23–7733. *WARD v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 23–7734. *EVERETT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 23–7735. *FAUST v. FAUST*. Ct. App. D. C. Certiorari denied.

No. 23–7736. *MACK v. BRADSHAW, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 23–7737. *GARDEA v. MADDEN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 23–7738. *GOODS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 23–7739. *HEATH v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 23–7740. *BAKER v. HUNSINGER-STUFF, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 23–7741. *AMADI-SALAAM, AKA MCINTEE v. PRATT, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 23–7742. *BATTS v. NORTH CAROLINA*. C. A. 4th Cir. Certiorari denied.

No. 23–7743. *ALEXANDER v. TERRITORY OF THE VIRGIN ISLANDS ET AL.* Certiorari denied.

No. 23–7745. *GALINDEZ v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied.

No. 23–7746. *BRUMFIELD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7747. *HAGER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 23–7748. *BARRON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

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No. 23–7749. *LOPEZ-SOTO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 23–7750. *MOORE v. KOENIGSFELD ET AL.* C. A. 8th Cir. Certiorari denied.

No. 23–7751. *WESTLEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 23–7752. *BROWN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 23–7753. *BOYER v. ROBEY, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 23–7755. *CLARK v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 23–7756. *WHATLEY v. ELMORE COUNTY PROBATE OFFICE ET AL.* C. A. 4th Cir. Certiorari denied.

No. 23–7757. *WHATLEY ET AL. v. OAKBROOK HEALTH AND REHABILITATION CENTER*. C. A. 4th Cir. Certiorari denied.

No. 23–7760. *RIAZ v. KAWEAH HEALTH MEDICAL CENTER ET AL.* Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 23–7762. *MCPHERSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 23–7763. *GAHAGAN v. STANGE, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 23–7764. *DAVIS v. FLORIDA ET AL.* Sup. Ct. Fla. Certiorari denied.

No. 23–7765. *DAVIS v. FLORIDA ET AL.* Sup. Ct. Fla. Certiorari denied.

No. 23–7766. *LUCKETT v. NEUSCHMID, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 23–7768. *WILLIAMSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 23–7770. *SMITH v. GALIPEAU*. C. A. 7th Cir. Certiorari denied.

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No. 23–7771. LUNDQUIST *v.* IDAHO. Ct. App. Idaho. Certiorari denied.

No. 23–7772. PARKER *v.* GALLOWAY, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 23–7773. ESQUEDA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 23–7774. SANTANA ARELLANO *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 23–7775. TREISBACK *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 23–7777. VIA *v.* DOTSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Certiorari denied.

No. 23–7778. WILLIAMS-DORSEY *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied.

No. 23–7779. CHARLES *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied.

No. 23–7780. GONZALEZ-GODINEZ *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 23–7781. DASLER *v.* KNAPP, FKA DASLER. Sup. Ct. Vt. Certiorari denied.

No. 23–7782. HEINEY *v.* WASHINGTON. C. A. 6th Cir. Certiorari denied.

No. 23–7784. SMITH *v.* SANCHEZ. C. A. 7th Cir. Certiorari denied.

No. 23–7785. SANCHEZ *v.* BROWN UNIVERSITY ET AL. C. A. 1st Cir. Certiorari denied.

No. 23–7786. SCOTT *v.* FLORIDA. Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

No. 23–7787. MARTINEZ-FLORES *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 23–7788. VALTIERRA-ZUNIGA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

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No. 23–7790. *CADEJUSTE v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

No. 23–7793. *ROMERO, INDIVIDUALLY AND ON BEHALF OF HIS MINOR CHILD, J. R. v. BELLEVUE HOSPITAL ET AL.* C. A. 2d Cir. Certiorari denied.

No. 23–7794. *WASHINGTON v. EMIG, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 23–7796. *BITMAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 23–7797. *BRODIGAN v. UNITED STATES*; and *HAMMON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 23–7798. *WILHELM v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 23–7799. *MARTIN v. INDIANA*. Ct. App. Ind. Certiorari denied.

No. 23–7800. *BELGRAVE v. PUBLIX SUPERMARKET, INC., ET AL.* Sup. Ct. Ga. Certiorari denied.

No. 23–7803. *GRAHAM v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 23–7804. *VARGAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7807. *BARNES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 23–7810. *CALVIN, AKA JONES v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 23–7811. *WARE-NEWSOME v. SOUTHERN MANAGEMENT COS., LLC*. Cir. Ct. Md., Baltimore City. Certiorari denied.

No. 23–7812. *IGHEDOISE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 23–7814. *HARMON v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 23–7815. *ROMERO v. BRONXCARE HEALTHCARE SYSTEM ET AL.* C. A. 2d Cir. Certiorari denied.

No. 23–7817. *PUGA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 23–7818. *JORDAN v. UNITED STATES.* C. A. 3d Cir. Certiorari denied.

No. 23–7819. *O’NEILL v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 23–7820. *WINDHAM v. CALIFORNIA.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 23–7821. *RODRIGUEZ-ADORNO v. UNITED STATES.* C. A. 1st Cir. Certiorari denied.

No. 23–7822. *WILLIAMS v. FLORIDA.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied.

No. 23–7823. *AGRAWAL v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 23–7824. *BAKER v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 23–7825. *SOTO v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 23–7827. *MINNERS v. UNITED STATES.* C. A. 10th Cir. Certiorari denied.

No. 23–7828. *MOFFITT v. WARDEN, UNITED STATES PENITENTIARY COLEMAN 1, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 23–7829. *ROBERTS v. WEXFORD HEALTH SOURCES, INC., ET AL.* C. A. 4th Cir. Certiorari denied.

No. 23–7830. *DINERMAN ET VIR v. TRAVCO INSURANCE CO.* C. A. 2d Cir. Certiorari denied.

No. 23–7834. *MEDINA v. LUMPKIN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 23–7835. *CRUEL v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

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No. 23–7836. *BREWER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 23–7837. *ALCANTAR SOTO v. MORALES, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 23–7838. *DAVITASHVILI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 23–7839. *HAMILTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 23–7840. *LEMON v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 23–7842. *PATILLO v. IOWA DISTRICT COURT FOR SCOTT COUNTY*. Sup. Ct. Iowa. Certiorari denied.

No. 23–7843. *NANEZ-LOPEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7844. *ARMSTRONG v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 23–7846. *RAMIREZ-AGUILAR v. UNITED STATES*; *ALVARADO-LOPEZ v. UNITED STATES*; *CASTILLO-LUJAN v. UNITED STATES*; *FACIO-SERVIN v. UNITED STATES*; *MARTINEZ-MARTINEZ v. UNITED STATES*; and *PADILLA FRANCO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 23–7847. *GATREL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–3. *CITY OF CHATTANOOGA, TENNESSEE, CITY COUNCIL v. RAMA, INC., DBA DISCOUNT LIQUOR*. Ct. App. Tenn. Certiorari denied.

No. 24–5. *GUTIERREZ v. MINIARD, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 24–6. *WILLIAMS, ON BEHALF OF HER MINOR GRANDSON, J. J. v. WILLIAMS ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–8. *MEYER v. PELLEGRIN*. C. A. 6th Cir. Certiorari denied.

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No. 24–9. *ANGELO v. STATE FARM MUTUAL AUTOMOBILE INSURANCE CO.* C. A. 6th Cir. Certiorari denied.

No. 24–10. *BELL v. McDONOUGH, SECRETARY OF VETERANS AFFAIRS.* C. A. 11th Cir. Certiorari denied.

No. 24–14. *ZUEGEL v. GARCIA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–15. *SMITH, INDIVIDUALLY AND AS SUCCESSOR IN INTEREST TO DORSEY, DECEASED v. AGDEPPA.* C. A. 9th Cir. Certiorari denied.

No. 24–18. *D&T PARTNERS, L. L. C., SUCCESSOR IN INTEREST TO ACET VENTURE PARTNERS, DIRECTLY AND DERIVATIVELY ON BEHALF OF ACET GLOBAL, L. L. C., ET AL. v. BAYMARK PARTNERS MANAGEMENT, L. L. C., ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–19. *LEBLANC v. MCNEAL.* C. A. 5th Cir. Certiorari denied.

No. 24–22. *STONE v. WORNER ET AL.* Super. Ct. Pa. Certiorari denied.

No. 24–24. *HERNANDEZ v. ALAMEDDINE ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–26. *BALDWIN v. MARYLAND.* Sup. Ct. Md. Certiorari denied.

No. 24–27. *NEXT GENERATION TECHNOLOGY, INC., ET AL. v. JADDOU, DIRECTOR, UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–28. *HOWARD v. AMICA MUTUAL INSURANCE CO.* C. A. 4th Cir. Certiorari denied.

No. 24–29. *PENNYMAC LOAN SERVICES, LLC v. ROOSEVELT ASSOCIATES, RIGP, ET AL.* Sup. Ct. R. I. Certiorari denied.

No. 24–30. *GARLAND ET AL. v. NEW YORK CITY FIRE DEPARTMENT ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–31. *LIBMAN ET AL. v. JONES ET AL.* Ct. App. Cal., 2d App. Dist., Div. 5. Certiorari denied.

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No. 24–32. *WHITE OWL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–33. *NEFF v. IOWA SUPREME COURT ATTORNEY DISCIPLINARY BOARD*. Sup. Ct. Iowa. Certiorari denied.

No. 24–34. *HORTON v. PG&E CORP.* C. A. 9th Cir. Certiorari denied.

No. 24–35. *WAITE v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 24–36. *SMITH v. STATE BAR OF CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 24–39. *WHITE v. SLOAN, SHERIFF, LYNCHBURG, VIRGINIA, ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–40. *GRIGSBY ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–42. *MEIDE v. PULSE EVOLUTION CORP. ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–45. *RUSSELL ET AL. v. HARRIS COUNTY, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–48. *GIURCA v. BON SECOURS CHARITY HEALTH SYSTEM ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–49. *HITCH v. THE FRICK PITTSBURGH*. C. A. 3d Cir. Certiorari denied.

No. 24–50. *HELMSTETTER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–51. *BOCK v. SLOANE ET AL.* C. A. 1st Cir. Certiorari denied.

No. 24–52. *BIRAY v. SECURITIES AND EXCHANGE COMMISSION*. C. A. D. C. Cir. Certiorari denied.

No. 24–54. *KARUPAIYAN v. NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–56. *POLK v. CALIFORNIA FRANCHISE TAX BOARD*. Ct. App. Cal., 2d App. Dist., Div. 8. Certiorari denied.

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No. 24–58. *GINDI v. NEW YORK CITY DEPARTMENT OF EDUCATION*. C. A. 2d Cir. Certiorari denied.

No. 24–59. *MURRAY v. ARCHER ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–60. *BOWEN v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 24–61. *CLOUD v. BERT BELL/PETE ROZELLE NFL PLAYER RETIREMENT PLAN*. C. A. 5th Cir. Certiorari denied.

No. 24–62. *YAN PING XU v. CITY OF NEW YORK, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–63. *SCHANZ v. CITY OF OTSEGO, MICHIGAN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 24–65. *YEW, AS EXECUTOR OF THE ESTATE OF WEI v. PLATKIN, ATTORNEY GENERAL OF NEW JERSEY, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–67. *TERRELL v. McDONOUGH, SECRETARY OF VETERANS AFFAIRS*. C. A. 11th Cir. Certiorari denied.

No. 24–68. *WANG v. INTERNATIONAL BUSINESS MACHINES CORP.* C. A. 2d Cir. Certiorari denied.

No. 24–69. *AMIN ET AL. v. GEICO INDEMNITY CO. ET AL.* Sup. Ct. Fla. Certiorari denied.

No. 24–70. *KOVALCHUK v. CITY OF DECHERD, TENNESSEE*. C. A. 6th Cir. Certiorari denied.

No. 24–75. *YAROFALCHUW v. CABRERA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–76. *HILL, INDIVIDUALLY AND DBA DOH OIL Co. v. GILL ET AL.* Sup. Ct. Tex. Certiorari denied.

No. 24–78. *INTELLIGENT WAVES, LLC v. LATTINVILLE-PACE*. C. A. 4th Cir. Certiorari denied.

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No. 24–79. JACKSON *v.* FITZGERALD. Sup. Ct. R. I. Certiorari denied.

No. 24–80. TAVERAS *v.* U.S. BANK N. A. ET AL. C. A. 11th Cir. Certiorari denied.

No. 24–82. BROWN *v.* AMAZON HEADQUARTERS, LLC, AKA AMAZON.COM, INC., ET AL. C. A. 4th Cir. Certiorari denied.

No. 24–83. AKERMAN *v.* NATIONAL GUARD BUREAU. C. A. D. C. Cir. Certiorari denied.

No. 24–84. VÁZQUEZ-QUINTANA *v.* MARTÍNEZ REMIGIO ET AL. Sup. Ct. P. R. Certiorari denied.

No. 24–85. STEWART *v.* BROWN, JUDGE, COURT OF COMMON PLEAS OF OHIO, FRANKLIN COUNTY, ET AL. C. A. 6th Cir. Certiorari denied.

No. 24–87. KELLY *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied.

No. 24–89. JOHNSON *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied.

No. 24–91. TARGETED JUSTICE, INC., ET AL. *v.* GARLAND, ATTORNEY GENERAL, ET AL. C. A. 5th Cir. Certiorari denied.

No. 24–94. SC SJ HOLDINGS, LLC, ET AL. *v.* PILLSBURY WINTHROP SHAW PITTMAN, LLP. C. A. 3d Cir. Certiorari denied.

No. 24–95. PERALTA ET AL. *v.* WORTHINGTON INDUSTRIES, INC., ET AL. C. A. 9th Cir. Certiorari denied.

No. 24–96. XANADU CORP. ET AL. *v.* ADLIN ET AL. C. A. 9th Cir. Certiorari denied.

No. 24–98. ABOOD ET AL. *v.* CARROLL, CHAPTER 7 TRUSTEE. C. A. 3d Cir. Certiorari denied.

No. 24–100. DYSON *v.* DEAKINS, WHITLEY COUNTY AUDITOR, ET AL. Ct. App. Ind. Certiorari denied.

No. 24–101. CASSIDY *v.* MASSACHUSETTS. App. Ct. Mass. Certiorari denied.

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No. 24–102. *ADAMS v. CITY OF HARRAHAN, LOUISIANA*. C. A. 5th Cir. Certiorari denied.

No. 24–104. *COMMERZBANK AG v. U. S. BANK, N. A.* C. A. 2d Cir. Certiorari denied.

No. 24–105. *KOTLYARSKY v. DEPARTMENT OF JUSTICE ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–106. *FRITZ v. WESTMORELAND COUNTY, PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–112. *MILLIA PROMOTIONAL SERVICES ET AL. v. ARIZONA, ACTING THROUGH ARIZONA DEPARTMENT OF ECONOMIC SECURITY, DIVISION OF EMPLOYMENT AND REHABILITATION SERVICES*. C. A. 9th Cir. Certiorari denied.

No. 24–113. *DIERLAM v. BIDEN, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–116. *MADERO v. MCGUINNESS*. C. A. 7th Cir. Certiorari denied.

No. 24–117. *BERMAN v. PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY, DBA FEDLOAN SERVICING*. C. A. 4th Cir. Certiorari denied.

No. 24–122. *CRAINE v. AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES COUNCIL 36, LOCAL 119, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–123. *XU v. DENVER PUBLIC SCHOOLS, SCHOOL DISTRICT NO. 1*. C. A. 10th Cir. Certiorari denied.

No. 24–127. *CENTER FOR REPRODUCTIVE MEDICINE, P. C., ET AL. v. BURDICK-AYSENNE ET VIR, IN THEIR INDIVIDUAL CAPACITIES AND AS PARENTS AND NEXT FRIENDS OF BABY AYSSENNE, DECEASED EMBRYO/MINOR*. Sup. Ct. Ala. Certiorari denied.

No. 24–132. *BAMBACH ET AL. v. MOEGLE ET AL.* C. A. 6th Cir. Certiorari denied.

No. 24–133. *DART v. AHRENS, AS INDEPENDENT EXECUTOR OF THE ESTATE OF AHRENS, DECEASED*. Ct. App. Tex., 10th Dist. Certiorari denied.

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No. 24–134. *LEMON BAY COVE, LLC v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied.

No. 24–135. *ROBINSON ET AL. v. AZOD ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–136. *ALSTON v. KENT COUNTY LEVY COURT AND DEPARTMENT OF PLANNING SERVICES ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–144. *JONES v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied.

No. 24–147. *QUINTANA v. KRAUT*. Ct. App. Cal., 2d App. Dist., Div. 4. Certiorari denied.

No. 24–153. *TINDALL v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied.

No. 24–158. *COLE-KELLY v. COHEN, STATE CONTROLLER OF CALIFORNIA, ET AL.*; and

No. 24–162. *SYKES ET AL. v. OFFICE OF THE CALIFORNIA STATE CONTROLLER ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–159. *WALL GUY, INC., ET AL. v. FEDERAL DEPOSIT INSURANCE CORPORATION, AS RECEIVER FOR FIRST STATE BANK*. C. A. 4th Cir. Certiorari denied.

No. 24–164. *DEAN v. TEXAS*. Ct. App. Tex., 2d Dist. Certiorari denied.

No. 24–165. *WILKINS ET AL. v. GENZYME CORP.* C. A. 1st Cir. Certiorari denied.

No. 24–170. *TAYLOR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–172. *JOHNSON v. DUNN*. C. A. 11th Cir. Certiorari denied.

No. 24–174. *JORDAN v. ATTORNEY GRIEVANCE COMMITTEE FOR THE FIRST JUDICIAL DEPARTMENT*. Ct. App. N. Y. Certiorari denied.

No. 24–175. *BONCZYK v. WARDLE ET AL.* Dist. Ct. App. Fla., 6th Dist. Certiorari denied.

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No. 24–182. *SARGEANT v. BARFIELD*. C. A. 7th Cir. Certiorari denied.

No. 24–191. *SALIBA v. ALLIED PILOTS ASSN.* C. A. 9th Cir. Certiorari denied.

No. 24–193. *WEISSHAUS v. TEICHELMAN ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–194. *SALIBA v. AMERICAN AIRLINES, INC., ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–197. *IZZO v. AMC ENTERTAINMENT HOLDINGS, INC., ET AL.* Sup. Ct. Del. Certiorari denied.

No. 24–208. *GATZ v. ZUPKO ET UX.* Super. Ct. Pa. Certiorari denied.

No. 24–211. *DORSEY v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 24–212. *ARCHER v. AMERICA’S FIRST FEDERAL CREDIT UNION ET AL.* Ct. Civ. App. Ala. Certiorari denied.

No. 24–213. *FRANKLIN v. CALIFORNIA.* Ct. App. Cal., 1st App. Dist., Div. 1. Certiorari denied.

No. 24–217. *SFA HOLDINGS, INC., FKA SAKS INC. v. 4 STRATFORD SQUARE MALL HOLDINGS, LLC.* C. A. 7th Cir. Certiorari denied.

No. 24–247. *KELLEY v. BOHRER, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–5001. *KNOX v. KRUEGER, WARDEN.* C. A. 4th Cir. Certiorari denied.

No. 24–5002. *SCOTT v. STEVENSON ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–5004. *MOUNTS v. OHIO.* Ct. App. Ohio, 1st App. Dist., Hamilton County. Certiorari denied.

No. 24–5005. *ROBINSON v. SUPREME COURT OF HAWAII.* Sup. Ct. Haw. Certiorari denied.

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No. 24–5007. *JIMENEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5008. *CLARK v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5010. *CREECH v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 24–5011. *COLLINS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 24–5012. *IBARRA-MORA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5014. *HAJI-MOHAMED v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–5015. *ALVAREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5017. *ABADI v. INDIANA CIVIL RIGHTS COMMISSION ET AL.* Ct. App. Ind. Certiorari denied.

No. 24–5019. *SALGADO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5020. *JOHNSON v. INLAND RESIDENTIAL REAL ESTATE SERVICES, LLC, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–5021. *ISAGBA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–5022. *WELLS v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied.

No. 24–5023. *NICHOLS v. SECURITAS SECURITY SERVICES USA, INC.* C. A. 4th Cir. Certiorari denied.

No. 24–5024. *MIERS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–5025. *HARGIS v. PRITTY-PITCHER*. Ct. App. N. Y. Certiorari denied.

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No. 24–5026. *ALVAREZ RODRIGUEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5027. *HARRIS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–5028. *CARDONA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 24–5029. *MARKU v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied.

No. 24–5030. *LIMANE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5031. *WHITE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 24–5033. *CARRANZA-RUBIO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5034. *BARENZ v. ALASKA*. Ct. App. Alaska. Certiorari denied.

No. 24–5036. *CURRY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–5037. *KEMP v. RIVELLO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–5038. *FORD v. UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS*. C. A. 5th Cir. Certiorari denied.

No. 24–5043. *REESE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5045. *BELSSNER v. CASABLANCA HOMEOWNERS ASSN. ET AL.* Sup. Ct. Nev. Certiorari denied.

No. 24–5046. *GREENE ET UX. v. MEEKER COUNTY DEPARTMENT OF HUMAN SERVICES*. C. A. 8th Cir. Certiorari denied.

No. 24–5047. *TERRAZAS v. ILLINOIS*. App. Ct. Ill., 2d Dist. Certiorari denied.

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No. 24–5048. *CELESTINE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5050. *HOLIDAY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5051. *RAMSEY v. UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES*. C. A. Armed Forces. Certiorari denied.

No. 24–5053. *HIRT v. SUNDQUIST, SUPERINTENDENT, DEER RIDGE CORRECTIONAL INSTITUTION*. Sup. Ct. Ore. Certiorari denied.

No. 24–5054. *AQEEL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5055. *ANDERSON v. LOUISIANA*. Ct. App. La., 2d Cir. Certiorari denied.

No. 24–5056. *STAFFORD v. ZWICKE, EXECUTIVE SHERIFF, GUADALUPE COUNTY, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–5057. *DUNBAR v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–5058. *HUBMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5060. *HUDSON v. PENNSYLVANIA BOARD OF PROBATION AND PAROLE*. Sup. Ct. Pa. Certiorari denied.

No. 24–5061. *MARTINEZ v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied.

No. 24–5062. *REYNOLDS v. CITY OF SANDY, UTAH*. Ct. App. Utah. Certiorari denied.

No. 24–5063. *ROWAN v. EMIG, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–5064. *ADEOYE v. CLAYTON COUNTY DIVISION OF FAMILY AND CHILDREN SERVICES EMPLOYEES ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 24–5065. *BROUSSARD v. LOUISIANA*. Ct. App. La., 3d Cir. Certiorari denied.

No. 24–5066. *MC ELROY v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 24–5067. *PICART v. POLLARD, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 24–5068. *POPE v. SPRAYBERRY, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 24–5069. *WATSON v. FEDEX EXPRESS*. C. A. 5th Cir. Certiorari denied.

No. 24–5070. *TUBBS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5071. *GERMAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 24–5072. *RANGEL-RUBIO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–5073. *HAMMONDS v. ARTIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 24–5074. *O’NEILL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–5075. *PERRY v. STREITTMATTER*. Sup. Ct. Neb. Certiorari denied.

No. 24–5077. *DAVIS v. IRWIN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT FOREST, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–5079. *PATTON v. LOUISIANA*. Ct. App. La., 5th Cir. Certiorari denied.

No. 24–5080. *BRUMFIELD v. LOUISIANA*. Sup. Ct. La. Certiorari denied.

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No. 24–5081. *WEBSTER v. INDUSTRIAL CLAIM APPEALS OFFICE OF COLORADO ET AL.* Ct. App. Colo. Certiorari denied.

No. 24–5082. *SPRENGER v. UNITED STATES.* C. A. 7th Cir. Certiorari denied.

No. 24–5083. *WLODARZ v. PARRIS, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 24–5084. *GILCHRIST v. CRAIG.* Ct. App. Ohio, 10th App. Dist., Franklin County. Certiorari denied.

No. 24–5085. *LAYFIELD, AKA PESIN v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 24–5086. *DELGADO v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 24–5087. *LOVINGS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 24–5089. *VEASLEY v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 24–5091. *FEASER v. LANDRESS.* App. Ct. Conn. Certiorari denied.

No. 24–5093. *NAM v. RIVELLO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–5094. *MITCHELL v. BENNETT ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5095. *GAMBOA v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

No. 24–5097. *DZIONARA-NORSEN v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

No. 24–5099. *BELLAMY v. HOUGHTON ET AL.* C. A. 8th Cir. Certiorari denied.

No. 24–5100. *BAKER v. INDIANA.* Ct. App. Ind. Certiorari denied.

No. 24–5101. *BAEZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

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No. 24–5102. *HINOJOSA MATOS v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 24–5103. *OVERMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5104. *MUNGIN v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–5105. *NIEVES-DIAZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 24–5106. *PRIOR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5108. *TUCKER v. UNITED STATES ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–5109. *LEWIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5110. *CASTILLO-VELASQUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5111. *SOSA v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied.

No. 24–5112. *MASSEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5113. *MANTECON v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied.

No. 24–5114. *BIANCOFIORI v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 24–5115. *BROWN v. NEW YORK*. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied.

No. 24–5116. *KHWEIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5117. *BROWN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

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No. 24–5119. *WILLIAMS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–5121. *WU v. TWIN RIVERS UNIFIED SCHOOL DISTRICT*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 24–5122. *SCURLOCK v. JONES*. C. A. 7th Cir. Certiorari denied.

No. 24–5123. *SANCHEZ v. CISNEROS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 24–5124. *SMITH v. DIAZ, FORMER SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5125. *YOUNG v. SPARTANBURG COUNTY DETENTION FACILITY ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–5126. *BRILLON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–5127. *BROOKS v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–5128. *MEJIA-MARROQUIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5129. *ESTRADA-MADUENA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5130. *NUNES v. GARLAND, ATTORNEY GENERAL*. C. A. 3d Cir. Certiorari denied.

No. 24–5131. *FLECHS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 24–5132. *BRANCH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5133. *WRIGHT v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5134. *REISMANNTON v. FORT BEND COUNTY, TEXAS, ET AL.* Ct. App. Tex., 14th Dist. Certiorari denied.

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No. 24–5135. *KALER v. ESA MANAGEMENT, LLC*. C. A. 9th Cir. Certiorari denied.

No. 24–5136. *MURPHY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5137. *OGAZ v. TEXAS*. Ct. App. Tex., 8th Dist. Certiorari denied.

No. 24–5139. *MCKAY v. TANNER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 24–5140. *PINA v. STATE FARM MUTUAL AUTOMOBILE INSURANCE CO.* C. A. 9th Cir. Certiorari denied.

No. 24–5142. *CREECH v. RICHARDSON, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 24–5143. *HAYEK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–5144. *VILLAREAL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5145. *GASKIN v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied.

No. 24–5146. *GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5147. *BOYD v. OHIO*. Ct. App. Ohio, 2d App. Dist., Montgomery County. Certiorari denied.

No. 24–5148. *HARVIN v. JPMORGAN CHASE BANK, N. A., ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–5149. *THOMPSON v. AUSTIN, SECRETARY OF DEFENSE, ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–5150. *SESSIONS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5151. *CAMERON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–5152. *HEBERT v. ALLIED RUBBER & GASKET CO.* C. A. Fed. Cir. Certiorari denied.

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No. 24–5153. *GODWIN v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–5154. *JACOBO SANCHEZ v. KELLY.* C. A. 9th Cir. Certiorari denied.

No. 24–5155. *BERRY v. BORDELON, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 24–5156. *MELENDEZ-ROJAS ET AL. v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

No. 24–5158. *SEXTON v. O'MALLEY, COMMISSIONER OF SOCIAL SECURITY.* C. A. 6th Cir. Certiorari denied.

No. 24–5159. *MARIN ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 24–5160. *EHMER ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 24–5161. *BANNER v. STEPHAN, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–5162. *HO v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 24–5164. *MILES v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 24–5165. *HOUSTON, AS BENEFICIARY OF ESTATE OF HOUSTON, DECEASED v. HIGHLAND CARE CENTER, INC., SKILLED NURSING HOME.* C. A. 2d Cir. Certiorari denied.

No. 24–5167. *STANCU v. ABBOTT, GOVERNOR OF TEXAS, ET AL.* Ct. App. Tex., 5th Dist. Certiorari denied.

No. 24–5168. *REEDER v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–5169. *SPIELBAUER v. LUMPKIN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

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No. 24–5170. *SMITH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5171. *ROSS v. BICKHAM, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 24–5172. *ABBAS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 24–5173. *OWENS v. COLORADO*. Sup. Ct. Colo. Certiorari denied.

No. 24–5174. *CARVER v. CITY OF KALAMAZOO, MICHIGAN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 24–5175. *PIGGEE v. JONES, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 24–5176. *SANTONASTASO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 24–5178. *ROBINSON v. FARRIS, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 24–5179. *HAMMOND v. HOOPER, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 24–5180. *WHITESIDE v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied.

No. 24–5181. *WILLIAMSON v. UNIVERSITY OF LOUISVILLE*. C. A. 6th Cir. Certiorari denied.

No. 24–5182. *FAHRNI v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS*. C. A. 5th Cir. Certiorari denied.

No. 24–5183. *JADAV v. WOODSON, WARDEN*. C. A. 4th Cir. Certiorari denied.

No. 24–5184. *KATES v. WOLCOTT, SUPERINTENDENT, ATTICA CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–5185. *MANO v. YELLEN, SECRETARY OF THE TREASURY, ET AL.* C. A. 7th Cir. Certiorari denied.

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No. 24–5186. *DOREH v. RODRIGUEZ ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5187. *NIECZYPEROWICZ v. NIECZYPEROWICZ.* Ct. App. Tex., 14th Dist. Certiorari denied.

No. 24–5188. *WILSON v. LOUISIANA.* Sup. Ct. La. Certiorari denied.

No. 24–5189. *ALEXANDER v. OHIO.* Ct. App. Ohio, 6th App. Dist., Lucas County. Certiorari denied.

No. 24–5190. *SAFRIT v. SLAGLE, WARDEN.* C. A. 4th Cir. Certiorari denied.

No. 24–5193. *CLIFFORD v. WALKER ET AL.* C. A. 8th Cir. Certiorari denied.

No. 24–5195. *JONES v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

No. 24–5196. *SALFI v. ROBESY, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 24–5197. *PAUL v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 24–5199. *RIDDICK v. MASSACHUSETTS.* Sup. Jud. Ct. Mass. Certiorari denied.

No. 24–5200. *TAVARES v. RHODE ISLAND.* Sup. Ct. R. I. Certiorari denied.

No. 24–5201. *WU v. CALIFORNIA STATE TEACHER’S RETIREMENT SYSTEM.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 24–5204. *DAVIS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 24–5205. *ZAMMIELLO v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* Sup. Ct. Fla. Certiorari denied.

No. 24–5210. *DITTMER v. UNITED STATES.* C. A. 10th Cir. Certiorari denied.

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No. 24–5211. *ASKEW v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5214. *HSIU YING TSENG v. HOUSTON, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 24–5216. *MENDOZA v. SULLIVAN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 24–5217. *HANNIBAL v. HARRY, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–5219. *EDWARDS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5222. *SMITH v. EISCHEN, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 24–5223. *SALES v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 24–5224. *GIANFRANCESCO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–5226. *JONES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5227. *JOHNSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 24–5228. *WATERS v. FEDERAL BUREAU OF PRISONS ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–5229. *TAYLOR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5230. *VARGAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–5231. *TERRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5232. *QUEEN v. PHELAN ET AL.* Sup. Ct. Kan. Certiorari denied.

No. 24–5235. *MALIK v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

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No. 24–5236. *ALVAREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5237. *ALEXANDER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–5238. *CASTLE v. AKERS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 24–5244. *REEDY v. CALIFORNIA DEPARTMENT OF SOCIAL SERVICES ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5245. *PHILLIPS v. EMIG, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–5246. *NAPOLEONI v. DEUTSCHE BANK NATIONAL TRUST Co., AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE IMPAC SECURED ASSETS CORP. MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2007–1*. Ct. App. Nev. Certiorari denied.

No. 24–5247. *CRUZ v. CERVANTEZ*. C. A. 5th Cir. Certiorari denied.

No. 24–5248. *GRANT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5249. *FATA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5252. *CROPPER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–5255. *BURCIAGA-HERRERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5261. *TEJADA-CRUZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5263. *RODRIGUEZ v. FISHER*. C. A. 9th Cir. Certiorari denied.

No. 24–5265. *WILLIAMS v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied.

No. 24–5268. *MAPSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 96 F. 4th 1323.

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No. 24–5271. *LACOMBE v. EMIG, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–5272. *WATERMAN v. KANSAS.* Ct. App. Kan. Certiorari denied.

No. 24–5275. *ARMSTRONG v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 24–5276. *STAHMANN v. WRAY, DIRECTOR, FEDERAL BUREAU OF INVESTIGATION.* C. A. 7th Cir. Certiorari denied.

No. 24–5277. *SCOTT v. PENNSYLVANIA ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–5278. *MARINO v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 24–5281. *FELS v. BIDEN, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. 7th Cir. Certiorari denied.

No. 24–5284. *TERRELL v. FLORIDA.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

No. 24–5285. *ALBA VASQUEZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 24–5286. *ROSE v. UNITED STATES.* C. A. 7th Cir. Certiorari denied.

No. 24–5288. *ESPARZA-RODRIGUEZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 24–5290. *STUNES v. COLORADO.* Ct. App. Colo. Certiorari denied.

No. 24–5291. *PRINTEMPS-HERGET v. DEJOY, POSTMASTER GENERAL.* C. A. 9th Cir. Certiorari denied.

No. 24–5293. *ELONIS v. UNITED STATES.* C. A. 3d Cir. Certiorari denied.

No. 24–5297. *WILLIAMS v. WARDEN.* C. A. 11th Cir. Certiorari denied.

No. 24–5298. *ROSADO v. UNITED STATES.* C. A. 10th Cir. Certiorari denied.

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No. 24–5300. *DAVIS ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5301. *DEGROOT v. WISCONSIN DEPARTMENT OF CORRECTIONS ET AL.* C. A. 7th Cir. Certiorari denied.

No. 24–5302. *RODRIGUEZ HERNANDEZ v. GARLAND, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied.

No. 24–5303. *KRIEG v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 24–5310. *WAGNER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5312. *MEDINA-LUNA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5313. *CARR, AKA CARNELL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5317. *JIMENEZ-MARIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5318. *SERNA v. BAILEY, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5319. *GOUGHER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5321. *PETERSON v. WISCONSIN*. Ct. App. Wis. Certiorari denied.

No. 24–5324. *JOHNSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 24–5327. *LOPEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5329. *HARDIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5330. *DAUGHTRY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 24–5332. *CALDERON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5333. *ELEIDY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5335. *CABRAL DAROSA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5336. *WATTS v. NEW YORK*. Ct. App. N. Y. Certiorari denied.

No. 24–5337. *COUTINHO-SILVA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 24–5341. *MAPSON v. UNITED STATES*; and

No. 24–5348. *MAPSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–5343. *BERRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5353. *RADNEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–5355. *GILKEY v. CAMPBELL, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 24–5356. *MILLER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 24–5362. *MALDONADO-SANDOVAL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5368. *ROACH v. ROBESY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 24–5369. *BRANCH v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 24–5372. *CORSO v. WADDELL, WARDEN*. C. A. 4th Cir. Certiorari denied.

No. 24–5375. *LEE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5376. *GIPSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

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No. 24–5377. *ARCIA-HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5378. *BANKS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5379. *MITCHELL v. NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–5380. *PETERSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5388. *DOUGLAS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–5392. *WHITNEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5393. *WOODS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5394. *MANUELITO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5397. *SANFORD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–5400. *WHITE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–5401. *ESTEP v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5404. *DENG v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–5408. *HALL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5409. *COISSY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–5410. *MILLER v. LILLARD*. C. A. 7th Cir. Certiorari denied.

No. 24–5414. *ENMON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 24–5416. DOMINGUEZ *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied.

No. 24–5419. KOEN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 24–5431. VALLE *v.* FLORIDA. Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

No. 24–5448. DREW *v.* SMITH, ACTING WARDEN, ET AL. C. A. 9th Cir. Certiorari denied.

No. 24–5463. WILKERSON *v.* CITY OF HOUSTON, TEXAS. C. A. 5th Cir. Certiorari denied.

No. 23–953. COUNCIL *v.* UNITED STATES. C. A. 4th Cir. Motion of National Association for Public Defense for leave to file brief as *amicus curiae* granted. Certiorari denied.

No. 23–1072. AL BAHLUL *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. JUSTICE GORSUCH and JUSTICE KAVANAUGH took no part in the consideration or decision of this petition.

No. 23–1162. KEEFER ET AL. *v.* BIDEN, PRESIDENT OF THE UNITED STATES, ET AL. C. A. 3d Cir. Motions of Members Michigan Fair Elections et al., Secretaries of State of West Virginia et al., Members of the U.S. House of Representatives, PA Fair Elections, and Claremont Institute’s Center for Constitutional Jurisprudence for leave to file briefs of *amici curiae* denied. Certiorari before judgment denied.

No. 23–1254. OLLAR ET AL. *v.* DISTRICT OF COLUMBIA ET AL. C. A. D. C. Cir. Certiorari denied. JUSTICE JACKSON took no part in the consideration or decision of this petition. See 28 U.S.C. § 455 and Code of Conduct for Justices of the Supreme Court of the United States, Canon 3B(2)(e) (prior judicial service).

No. 23–1298. UNITED THERAPEUTICS CORP. *v.* LIQUIDIA TECHNOLOGIES, INC. C. A. Fed. Cir. Certiorari denied. JUSTICE JACKSON took no part in the consideration or decision of this petition. See 28 U.S.C. § 455 and Code of Conduct for Justices

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of the Supreme Court of the United States, Canon 3B(2)(d)(ii) and 3B(2)(f)(i).

No. 23–7397. *BARNES v. ADKINS, WARDEN*. C. A. 7th Cir. Certiorari denied. JUSTICE BARRETT took no part in the consideration or decision of this petition.

No. 23–7657. *WILLIS v. PNC FINANCIAL SERVICES GROUP INC. ET AL.*; and *WILLIS v. WILLIS*. C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 23–7691. *ESPINOZA v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. JUSTICE BARRETT took no part in the consideration or decision of this petition.

No. 23–7695. *COSBY, AKA CROSBY v. CIOLLI, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition.

No. 23–7759. *SANTIAGO-LUGO v. UNITED STATES*. C. A. 1st 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 Code of Conduct for Justices of the Supreme Court of the United States, Canon 3B(2)(e) (prior government employment).

No. 23–7795. *HALL, AKA VALERIANO v. UNITED STATES*. C. A. 4th 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 Code of Conduct for Justices of the Supreme Court of the United States, Canon 3B(2)(e) (prior government employment).

No. 23–7833. *PAYTON v. KANSAS*. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition.

No. 24–55. *MONTANA v. GIBBONS*. Sup. Ct. Mont. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied.

No. 24–66. *UNITED STATES EX REL. JOHNSON v. RAYTHEON Co.* C. A. 5th Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

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No. 24–129. *FARMER-PAELLMANN ET AL. v. SMITHSONIAN INSTITUTION*. C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

No. 24–5059. *CROSBY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition.

No. 24–5090. *TIMMS v. GARLAND, ATTORNEY GENERAL*. C. A. 4th 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 Code of Conduct for Justices of the Supreme Court of the United States, Canon 3B(2)(e) (prior government employment).

No. 24–5365. *RICHTER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. JUSTICE BARRETT took no part in the consideration or decision of this petition.

Rehearing Denied

No. 23–6848. *SMITH v. HARRY, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT CAMP HILL, ET AL.*, 601 U. S. 1169;

No. 23–6995. *STROUS v. SUPERIOR COURT OF CALIFORNIA, YUMA COUNTY*, 601 U. S. 1194;

No. 23–7101. *REDMAN v. UNITED STATES ET AL.*, 602 U. S. 1004;

No. 23–7252. *REED v. CALIFORNIA STATE PRISON, LOS ANGELES COUNTY, ET AL.*, 602 U. S. 1016;

No. 23–7262. *SWEET v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*, 602 U. S. 1042; and

No. 23–7492. *SMART v. UNITED STATES*, 602 U. S. 1034. Petitions for rehearing denied.

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Appeal Dismissed

No. 24–111. *GALMON ET AL. v. CALLAIS ET AL.* Appeal from D. C. W. D. La. dismissed for want of jurisdiction.

Certiorari Granted—Vacated and Remanded

No. 23–1155. *VILLARREAL v. ALANIZ ET AL.* C. A. 5th Cir. Certiorari granted, judgment vacated, and case remanded for fur-

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ther consideration in light of *Gonzalez v. Trevino*, 602 U. S. 653 (2024) (*per curiam*). Reported below: 94 F. 4th 374.

No. 23–7841. SCHOROVSKY *v.* UNITED STATES. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Erlinger v. United States*, 602 U. S. 821 (2024). Reported below: 95 F. 4th 945.

No. 24–93. PARIS, COMMISSIONER, PENNSYLVANIA STATE POLICE *v.* LARA ET AL. C. A. 3d Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *United States v. Rahimi*, 602 U. S. 680 (2024). Reported below: 91 F. 4th 122.

No. 24–5118. SEAVEY *v.* TEXAS. Ct. App. Tex., 14th Dist. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Smith v. Arizona*, 602 U. S. 779 (2024).

Certiorari Dismissed

No. 24–5218. AKERMAN *v.* NORTHWESTERN MUTUAL LIFE INSURANCE CO. C. A. 7th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 24–5299. OHAN *v.* ZION ET AL. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 24–5331. JACKSON *v.* UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

No. 24–5428. HERRIOTT *v.* SOUTH CAROLINA. Sup. Ct. S. C. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

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No. 24–5556. REID *v.* WARDEN, UNITED STATES PENITENTIARY, CANAAN. C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. 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. 23A1101. RYNN *v.* JENNINGS, JUDGE, AVONDALE CITY COURT. Sup. Ct. Ariz. Application to vacate injunction, addressed to JUSTICE ALITO and referred to the Court, denied.

No. 24A222. STILLEY *v.* THURSTON, SECRETARY OF STATE OF ARKANSAS, ET AL. Sup. Ct. Ark. Application for stay, addressed to JUSTICE SOTOMAYOR and referred to the Court, denied.

No. 24M25. CICEL (BEIJING) SCIENCE & TECHNOLOGY CO., LTD. *v.* MISONIX, INC. Motion for leave to file petition for writ of certiorari under seal with redacted copies for the public record granted.

No. 24M26. CHRUSTOWSKI *v.* UNITED STATES POSTAL SERVICE ET AL.; and CHRUSTOWSKI *v.* CHRUSTOWSKI ET AL.;

No. 24M27. MILTON *v.* PK MANAGEMENT, LLC; and

No. 24M28. MILTON *v.* PK MANAGEMENT, LLC. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 23–217. E. M. D. SALES, INC., ET AL. *v.* SANCHEZ CARRERA ET AL. C. A. 4th Cir. [Certiorari granted, 602 U. S. 1029.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 23–970. NVIDIA CORP. ET AL. *v.* E. OHMAN J:OR FONDER AB ET AL. C. A. 9th Cir. [Certiorari granted, 602 U. S. 1030.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 23–980. FACEBOOK, INC., ET AL. *v.* AMALGAMATED BANK ET AL. C. A. 9th Cir. [Certiorari granted, 602 U. S. 1021.] Mo-

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tion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 23–1127. *WISCONSIN BELL, INC. v. UNITED STATES EX REL. HEATH*. C. A. 7th Cir. [Certiorari granted, 602 U. S. 1030.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 24–5403. *LEVESY v. SCOLESE, DIRECTOR, NATIONAL RECONNAISSANCE OFFICE, ET AL.* C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until November 5, 2024, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

No. 24–5565. *IN RE NUNEZ CARRILLO*;

No. 24–5581. *IN RE PYATT*;

No. 24–5589. *IN RE AULISIO*; and

No. 24–5601. *IN RE NELSON*. Petitions for writs of habeas corpus denied.

No. 24–5570. *IN RE DICKEY*; and

No. 24–5609. *IN RE PATEL*. Motions of petitioners for leave to proceed *in forma pauperis* denied, and petitions for writs of habeas corpus dismissed. See this Court's Rule 39.8.

No. 24–5208. *IN RE STEVENSON*. Petition for writ of mandamus denied.

No. 24–5283. *IN RE FINDLAY*. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus dismissed. See this Court's Rule 39.8.

No. 24–242. *IN RE STERN*. Petition for writ of mandamus and/or prohibition denied.

Certiorari Denied

No. 23–1096. *DAVIS v. COLORADO*. Ct. App. Colo. Certiorari denied.

No. 23–1167. *O'CONNOR v. EUBANKS ET AL.*; and

No. 23–1227. *EUBANKS ET AL. v. O'CONNOR*. C. A. 6th Cir. Certiorari denied.

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No. 23–1286. *BOWERS + KUBOTA CONSULTING, INC., ET AL. v. SU, ACTING SECRETARY OF LABOR*. C. A. 9th Cir. Certiorari denied.

No. 23–1313. *PAUL v. ROY F. AND JOANN COLE MITTE FOUNDATION*. Sup. Ct. Tex. Certiorari denied.

No. 23–1370. *DUNLAP v. JETBLUE AIRWAYS CORP. ET AL.* App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied.

No. 23–7108. *DERMA-DOMINGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–7418. *VANDIVERE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 23–7436. *BEGAY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 23–7605. *ALVAREZ-QUINONEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–53. *MILLER ET AL. v. REPUBLICAN PARTY OF MINNESOTA ET AL.* Ct. App. Minn. Certiorari denied.

No. 24–81. *SERVICEMASTER Co., LLC, ET AL. v. COOLEY*. C. A. 9th Cir. Certiorari denied.

No. 24–107. *PANG v. YE, CITI REALTY SERVICES, FINANCIAL MANAGER, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–128. *DOWLAH v. AMERICAN ARBITRATION ASSN. ET AL.* Sup. Ct. N. Y., New York County. Certiorari denied.

No. 24–139. *LEI JIANG ET AL. v. CHU ET AL.* Ct. App. Cal., 1st App. Dist., Div. 3. Certiorari denied.

No. 24–140. *PIERSON v. NORTHERN CALIFORNIA COLLECTION SERVICE, INC., ET AL.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 24–141. *S. M. v. R. R. C.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 24–143. *LASHER v. RICCIO ET AL.* Super. Ct. N. J., App. Div. Certiorari denied.

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No. 24–145. *LOPEZ v. COURT OF APPEAL OF CALIFORNIA, SECOND APPELLATE DISTRICT, ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 24–146. *LOPEZ v. COURT OF APPEAL OF CALIFORNIA, SECOND APPELLATE DISTRICT, ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 24–148. *THEERACHANON v. FIA CARDS SERVICES ET AL.* Sup. Ct. Del. Certiorari denied.

No. 24–149. *HANSJURGENS v. BAILEY.* C. A. 11th Cir. Certiorari denied.

No. 24–150. *STENSRUD ET UX. v. ROCHESTER GENESEE REGIONAL TRANSPORTATION AUTHORITY.* C. A. 2d Cir. Certiorari denied.

No. 24–155. *FOUTS v. WARREN CITY COUNCIL ET AL.* C. A. 6th Cir. Certiorari denied.

No. 24–157. *DERKSEN v. WISCONSIN ET AL.* C. A. 7th Cir. Certiorari denied.

No. 24–160. *DALMAU RAMIREZ v. ESTADO LIBRE ASOCIADO DE PUERTO RICO.* Sup. Ct. P. R. Certiorari denied.

No. 24–163. *ALCAREZ ET AL. v. AKORN, INC., ET AL.* C. A. 7th Cir. Certiorari denied.

No. 24–173. *JOHNSON ET AL. v. KOTEK, GOVERNOR OF OREGON, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–179. *KATZ v. GARLAND, ATTORNEY GENERAL.* C. A. 4th Cir. Certiorari denied.

No. 24–184. *XUEJIE HE v. UNITED STATES ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–187. *KENCY v. MERIT SYSTEMS PROTECTION BOARD.* C. A. Fed. Cir. Certiorari denied.

No. 24–201. *FITZGERALD v. UNITED STATES ATTORNEY’S OFFICE, SOUTHERN DISTRICT OF NEW YORK.* C. A. 9th Cir. Certiorari denied.

No. 24–202. *J. G. KERN ENTERPRISES, INC. v. NATIONAL LABOR RELATIONS BOARD.* C. A. D. C. Cir. Certiorari denied.

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No. 24–204. CLARK, MOTHER OF GERGLER, ET AL. *v.* DEL TORO, SECRETARY OF THE NAVY, ET AL. C. A. 3d Cir. Certiorari denied.

No. 24–214. ELLINGSTAD ET AL. *v.* KAKE TRIBAL CORP. ET AL. C. A. 9th Cir. Certiorari denied.

No. 24–223. PARAGON ASSET CO., LTD. *v.* AMERICAN STEAMSHIP OWNERS MUTUAL PROTECTION & INDEMNITY ASSN., INC. C. A. 5th Cir. Certiorari denied.

No. 24–226. GRACE BIBLE FELLOWSHIP ET AL. *v.* POLIS, GOVERNOR OF COLORADO, ET AL. C. A. 10th Cir. Certiorari denied.

No. 24–234. GUZALL *v.* GRIEVANCE ADMINISTRATOR, ATTORNEY GRIEVANCE COMMISSION OF MICHIGAN. Sup. Ct. Mich. Certiorari denied.

No. 24–235. SAYEED ET AL. *v.* STOP ILLINOIS HEALTH CARE FRAUD, LLC. C. A. 7th Cir. Certiorari denied.

No. 24–243. GRANT *v.* CITY OF PHILADELPHIA, PENNSYLVANIA, ET AL. C. A. 3d Cir. Certiorari denied.

No. 24–252. DOHERTY *v.* BICE ET AL. C. A. 2d Cir. Certiorari denied.

No. 24–253. ARCHULETA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 24–260. PANDRELLA *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied.

No. 24–268. HOUSING FIRST MINNESOTA *v.* CITY OF CORCORAN, MINNESOTA, ET AL. Ct. App. Minn. Certiorari denied.

No. 24–269. OLSON ET AL. *v.* CALIFORNIA ET AL. C. A. 9th Cir. Certiorari denied.

No. 24–281. MINOR *v.* HEISHMAN, COMMISSIONER OF ACCOUNTS. Sup. Ct. Va. Certiorari denied.

No. 24–284. BRISCOE *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied.

No. 24–306. BUSH ET AL. *v.* FANTASIA ET AL. C. A. 1st Cir. Certiorari denied.

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No. 24–312. *PLOTAGRAPH, INC., ET AL. v. LIGHTRICKS, LTD.*
C. A. Fed. Cir. Certiorari denied.

No. 24–5042. *KINARD v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

No. 24–5202. *JORDAN v. GREYHOUND LINES, INC., ET AL.*
C. A. 9th Cir. Certiorari denied.

No. 24–5203. *JORDAN v. LOS ANGELES COUNTY DISTRICT ATTORNEY.* C. A. 9th Cir. Certiorari denied.

No. 24–5206. *THOMAS v. MOORE ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–5209. *RENCHENSKI v. AMMERMAN, JUDGE, COURT OF COMMON PLEAS OF PENNSYLVANIA, CLEARFIELD COUNTY.* C. A. 3d Cir. Certiorari denied.

No. 24–5212. *HOLLAND v. LUMPKIN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 24–5213. *CAMPA v. ROSENQUIST ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5215. *BAKER v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 24–5220. *SMITH v. OHIO.* Ct. App. Ohio, 2d App. Dist., Montgomery County. Certiorari denied.

No. 24–5233. *BELMONT v. LUMPKIN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 24–5234. *MARTIN v. NEVADA.* Certiorari denied.

No. 24–5239. *COLEMAN v. SWARTZ, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 24–5242. *PAYNE v. ANTHONY SCOTT LAW FIRM, P. L. L. C., ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–5250. *LEE v. PATTERSON ET AL.* C. A. 8th Cir. Certiorari denied.

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No. 24–5251. *DAVIS v. CLOSE*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HOUTZDALE. C. A. 3d Cir. Certiorari denied.

No. 24–5253. *JONES v. MCCORMACK*. C. A. 2d Cir. Certiorari denied.

No. 24–5254. *JOHNSON v. HOOPER*, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 24–5256. *BOYDSTON v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 24–5257. *AGUILAR v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 24–5259. *WILLIAMS v. SHANLEY*. C. A. 2d Cir. Certiorari denied.

No. 24–5260. *SMITH v. WASHINGTON*. Ct. App. Wash. Certiorari denied.

No. 24–5262. *TRIPODI v. FERRO ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5264. *FOYE v. HARRIS ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–5266. *GUNN v. NEW YORK*. Ct. App. N. Y. Certiorari denied.

No. 24–5267. *BAXTER v. STATE BAR OF CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 24–5269. *JONES v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 6. Certiorari denied.

No. 24–5270. *JOHNSON v. TEXAS*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 24–5273. *WILCOX v. GARRETT ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5279. *TATUM v. WILLIAMS*. C. A. 10th Cir. Certiorari denied.

No. 24–5280. *ROSE v. DAMRON ET AL.* C. A. 6th Cir. Certiorari denied.

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No. 24–5282. *GUNN v. NEW YORK*. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied.

No. 24–5287. *BENDER v. TEXAS*. Sup. Ct. Tex. Certiorari denied.

No. 24–5292. *O’BRIEN v. KANSAS*. Ct. App. Kan. Certiorari denied.

No. 24–5294. *MAY v. KANSAS*. Ct. App. Kan. Certiorari denied.

No. 24–5295. *JONES v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist., Div. 5. Certiorari denied.

No. 24–5306. *NEWKIRK v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

No. 24–5307. *KELLEY v. STITT ET AL.* C. A. 10th Cir. Certiorari denied.

No. 24–5309. *ALLRED v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–5311. *HAYES v. PATRICK*. C. A. 5th Cir. Certiorari denied.

No. 24–5320. *BARDELL v. LOUISIANA*. Ct. App. La., 5th Cir. Certiorari denied.

No. 24–5325. *MOANEY v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 24–5334. *CONLON v. OKLAHOMA DEPARTMENT OF HUMAN SERVICES, CHILD SUPPORT SERVICES, ET AL.* Ct. Civ. App. Okla. Certiorari denied.

No. 24–5338. *WILLIS v. WARDEN, VALDOSTA STATE PRISON*. C. A. 11th Cir. Certiorari denied.

No. 24–5359. *HILL v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 24–5361. *STEVENSON v. LUNDY, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied.

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No. 24–5363. *WONG v. WORMUTH, SECRETARY OF THE ARMY, ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–5383. *KENT v. LACOUNTE, DIRECTOR, BUREAU OF INDIAN AFFAIRS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5387. *ERSKINE v. DELAWARE.* Sup. Ct. Del. Certiorari denied.

No. 24–5405. *HARDING v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 24–5411. *CHAVEZ v. LAZARIN, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied.

No. 24–5413. *WALTER-EZE v. GARLAND, ATTORNEY GENERAL.* C. A. 5th Cir. Certiorari denied.

No. 24–5418. *BARNES v. DANFORTH, WARDEN.* C. A. 11th Cir. Certiorari denied.

No. 24–5425. *ANDERSON v. DAVIS, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 24–5427. *STAPLETON v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 24–5429. *KINSEY v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

No. 24–5430. *THORPE v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 24–5442. *PHILIPPEAUX v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

No. 24–5446. *MYNES v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

No. 24–5452. *SIERRA, AKA SIERRO v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 24–5454. *ALANIZ LOPEZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 24–5455. *COLATO-GALLARDO v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

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No. 24–5457. *WAITERS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–5470. *GRADY v. WHITE ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–5473. *WILLIAMS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–5474. *HUBBARD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–5475. *ZAMORA GONZALES v. CALIFORNIA VICTIM’S COMPENSATION BOARD*. Ct. App. Cal., 2d App. Dist., Div. 2. Certiorari denied.

No. 24–5480. *MCCABE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5481. *MERCURE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 24–5482. *BROWN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5483. *PANOS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–5491. *WATSON v. DEJOY, POSTMASTER GENERAL*. C. A. 5th Cir. Certiorari denied.

No. 24–5492. *PASLEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–5497. *HOOVER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5499. *BUSCH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 24–5500. *BAKER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–5504. *PERWAIZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

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No. 24–5505. *LARCHE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–5506. *YUSUPOV v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5507. *HILDRETH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5514. *JENSEN v. ILLINOIS*. App. Ct. Ill., 4th Dist. Certiorari denied.

No. 24–5523. *EDWARDS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–5524. *BLAIR v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–5530. *JACKSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5533. *UTTER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5536. *REYES OCHOA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 24–5537. *COOPER-KEEL v. KENGIS*. C. A. 6th Cir. Certiorari denied.

No. 24–5538. *STENBERG v. LANGFORD, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 24–5540. *McMILLION v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–5543. *SARMIENTO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5545. *FALCON SAN-MARTIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–5546. *CONTRERAS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–5547. *BEAN v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied.

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No. 24–5548. LAZCANO-NERIA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 24–5550. DAVIS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied.

No. 24–5555. JOHNSON *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied.

No. 24–5558. ARON *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied.

No. 24–5559. SALGADO-MELENDZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 24–5560. SANCHEZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 24–5572. LOPEZ-ALVARADO *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 24–5573. BORDEN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 24–5576. CAMPOS-ESQUEDA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 24–5580. ARTIS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied.

No. 24–5584. MARC *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 24–5607. WILLIAMS *v.* NORTH CAROLINA ET AL. Ct. App. N. C. Certiorari denied.

No. 24–5437. ROBINSON *v.* JANSON, WARDEN. C. A. 4th 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 Code of Conduct for Justices of the Supreme Court of the United States, Canon 3B(2)(e) (prior government employment).

No. 24–5486. SALCEDO *v.* UNITED STATES. C. A. 9th Cir. Certiorari before judgment denied.

No. 24–5513. LICKERS *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. JUSTICE BARRETT took no part in the consideration or decision of this petition.

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No. 24–5557. *AVENATTI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. JUSTICE KAVANAUGH took no part in the consideration or decision of this petition.

Rehearing Denied

No. 23–7093. *QUINN v. OHIO*, 601 U. S. 1180;
No. 23–7271. *LOMAX v. COLORADO*, 602 U. S. 1042;
No. 23–7284. *WALKER v. UNITED STATES*, 602 U. S. 1006;
No. 23–7300. *TURCIOS v. TEXAS*, 602 U. S. 1043; and
No. 23–7452. *IN RE RANDALL*, 602 U. S. 1013. Petitions for rehearing denied.

No. 23–6187. *GREEN v. UNITED STATES*, 601 U. S. 1194. Motion for leave to file petition for rehearing denied.

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Miscellaneous Order

No. 24A95. *WEST VIRGINIA ET AL. v. ENVIRONMENTAL PROTECTION AGENCY ET AL.*;

No. 24A96. *NATIONAL RURAL ELECTRIC COOPERATIVE v. ENVIRONMENTAL PROTECTION AGENCY ET AL.*;

No. 24A97. *NATIONAL MINING ASSN. ET AL. v. ENVIRONMENTAL PROTECTION AGENCY ET AL.*;

No. 24A98. *NACCO NATURAL RESOURCES CORP. v. ENVIRONMENTAL PROTECTION AGENCY ET AL.*;

No. 24A105. *MIDWEST OZONE GROUP v. ENVIRONMENTAL PROTECTION AGENCY ET AL.*;

No. 24A106. *ELECTRIC GENERATORS FOR A SENSIBLE TRANSITION v. ENVIRONMENTAL PROTECTION AGENCY ET AL.*;

No. 24A116. *EDISON ELECTRIC INSTITUTE ET AL. v. ENVIRONMENTAL PROTECTION AGENCY ET AL.*; and

No. 24A117. *OHIO ET AL. v. ENVIRONMENTAL PROTECTION AGENCY ET AL.* C. A. D. C. Cir. Applications for stay, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. JUSTICE THOMAS would grant the applications for stay. JUSTICE ALITO took no part in the consideration or decision of these applications.

Statement of JUSTICE KAVANAUGH, with whom JUSTICE GORSUCH joins, respecting the denial of applications for stay.

In my view, the applicants have shown a strong likelihood of success on the merits as to at least some of their challenges to

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the Environmental Protection Agency's rule. But because the applicants need not start compliance work until June 2025, they are unlikely to suffer irreparable harm before the Court of Appeals for the D. C. Circuit decides the merits. So this Court understandably denies the stay applications for now. Given that the D. C. Circuit is proceeding with dispatch, it should resolve the case in its current term. After the D. C. Circuit decides the case, the nonprevailing parties could, if circumstances warrant, seek appropriate relief in this Court pending this Court's disposition of any petition for certiorari, and if certiorari is granted, the ultimate disposition of the case.

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Certiorari Denied

No. 24–5753 (24A349). *ROBERSON v. TEXAS*. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Certiorari denied.

Statement of JUSTICE SOTOMAYOR respecting the denial of the application for stay of execution and denial of certiorari.

In 2003, a Texas jury convicted Robert Leslie Roberson of murdering his chronically ill infant daughter, Nikki, and sentenced him to death. At trial, the State relied heavily on expert testimony to show that “child physical abuse consistent with the picture of what they call shaken impact syndrome,” or shaken baby syndrome, had caused Nikki's death. Tr. 55 (Feb. 3, 2003). At the time, infants exhibiting a triad of symptoms—subdural bleeding, brain swelling, and retinal hemorrhages—were presumed to be victims of child abuse, absent evidence of a major traumatic event such as a car crash. This view went so unquestioned that Roberson's own defense counsel told the jury in his opening statement that this was “unfortunately a shaken baby case,” that the evidence would “show that Nikki did suffer injuries that are totally consistent with those applied by rotational forces more commonly known as shaken baby syndrome,” and that he would not “tell you that there is just no responsibility here at all.” *Id.*, at 57–58.

As the Texas Court of Criminal Appeals (TCCA) has itself confirmed, the scientific basis for shaken baby syndrome has since been called into significant question. Were the experts at Rober-

son's trial to testify to the same theory again today, they "would be confronted with twenty years of reputable scientific evidence that contradicts their trial testimony." *Ex parte Roark*, 707 S. W. 3d 157, 187 (Tex. Crim. App. 2024). For that reason, the TCCA just this week granted a new trial to Andrew Wayne Roark, a non-capital defendant whose child-abuse conviction rested on the same shaken-baby-syndrome testimony, from the same expert witness, that led to Roberson's conviction. When Roberson sought a stay of execution based on the argument the TCCA credited in *Roark*, the TCCA summarily denied relief.

Roberson now seeks a stay of execution from this Court, but he presents no cognizable federal claim. Meanwhile, mounting evidence suggests that Nikki died from a combination of pneumonia and improperly prescribed medication, that Nikki's severe bruising could well have occurred, at least in part, as a result of her extensive medical procedures at the hospital, and that Roberson (who repeatedly sought emergency medical care for his daughter in the days and hours leading up to her death) committed no crime at all. Because this Court is powerless to act without a colorable federal claim, and because the Texas Board of Pardons and Paroles declined to recommend clemency, only one remedy remains: an executive grant of a reprieve delaying Roberson's execution by 30 days.

I

A

In January 2002, Roberson discovered that he was the father of a young child, who had then just turned two and resided with her maternal grandparents. Roberson took custody of Nikki and cared for her together with his parents. Nikki suffered from several serious illnesses, including chronic antibiotic-resistant infections and unexplained "breathing apnea." App. to Pet. for Cert. 208a–210a, 285a, 312a. On January 28, 2002, Roberson and his mother took Nikki to the hospital following five days of vomiting, coughing, and diarrhea; an attending physician prescribed Phenergan, a potent antinausea medication, and sent Nikki back home. As Nikki's fever continued to rise, Roberson brought her back to the hospital the next morning. Although Nikki now had a 104.5 degree fever, the attending physicians prescribed Phenergan with Codeine (a cough medication), and again sent Nikki home. The

FDA has since warned against prescribing these medications to young children. Phenergan, the FDA warns, “should not be used in pediatric patients less than 2 years of age because of the potential for fatal respiratory depression.” Codeine, too, “carr[ies] serious risks, including slowed or difficult breathing and death, which appear to be a greater risk in children younger than 12 years.”*

When Roberson woke up the next morning, he found Nikki turning blue and unable to breathe. After attempting to revive her, Roberson called emergency services. He told police that Nikki had fallen out of bed earlier that night, that he had comforted her and sat with her for two hours before falling back asleep, and that he had found her unresponsive when he next woke up. Tr. 170 (Feb. 3, 2003). Over the course of two days, doctors made extensive efforts to treat Nikki, including by surgically affixing a pressure monitor to the top of her skull. Tragically, these efforts could not save Nikki’s life.

Medical personnel diagnosed Nikki with shaken baby syndrome based on the “triad” of symptoms: subdural bleeding, brain swelling, and retinal hemorrhages. An autopsy revealed evidence of internal bleeding near Nikki’s brain, as well as extensive bruising on her head, face, and shoulders, leading the doctor who conducted the autopsy to conclude that Nikki had died of “blunt force head injuries.” *Id.*, at 55.

Texas charged Roberson with capital murder. At trial, the State repeatedly argued that “Nikki died or . . . was the victim of child physical abuse consistent with the picture of what they call shaken impact syndrome” or shaken baby syndrome. *Id.*, at 54–55. Notwithstanding Roberson’s insistence that he was innocent and the abundant evidence that Nikki had been severely ill prior to her death, Roberson’s trial counsel conceded that his client had abused Nikki and argued only that Roberson had not intended to kill her. *Id.*, at 60–61.

*FDA, FDA-Approved Drugs, Phenergan, https://www.accessdata.fda.gov/drugsatfda_docs/label/2004/07935s0301bl.pdf; FDA, FDA Drug Safety Communication: FDA requires labeling changes for prescription opioid cough and cold medicines to limit their use to adults 18 years and older (Apr. 20, 2017), <https://www.fda.gov/drugs/drug-safety-and-availability/fda-drug-safety-communication-fda-restricts-use-prescription-codeine-pain-and-cough-medicines-and>.

The State called Dr. Janet Squires as an expert witness to substantiate its theory that Nikki had died of shaken baby syndrome. Dr. Squires testified that Nikki's extensive brain injuries could not have been "explained by a simple impact." Tr. 107 (Feb. 4, 2003). Instead, she said, it was her opinion "that there was some component of shaking that happened to explain all the deep brain injury out of proportion, I would say, to the injury to the skull and the back of the head." *Id.*, at 107–108. Dr. Squires further testified that children can "stop breathing immediately" if "you shake them hard enough and you hurt them bad enough." *Id.*, at 108. Both Dr. Squires and Dr. Urban (the physician who had conducted the autopsy) also testified to the bruising on Nikki's body. Because they examined Nikki only after her treatment at the hospital, however, their testimony left unclear precisely when Nikki sustained these injuries. See *e.g.*, Tr. 72 (Feb. 5, 2003) (Dr. Urban acknowledging medical treatment could have caused some of the bruising); *id.*, at 96 (similar); *id.*, at 79 (Dr. Urban noting that she was "not prepared to say" bruises on Nikki's arm and foot had been caused by Roberson). In closing, the prosecution relied on this expert testimony to argue again that Nikki died of "shaken baby syndrome" and "shaken impact syndrome." Tr. 25 (Feb. 11, 2003). The jury convicted Roberson and sentenced him to death.

B

In 2016, Roberson filed a habeas petition under a Texas statute that allows a court to grant habeas relief when new scientific evidence casts doubt on a conviction. Tex. Code. Crim. Proc. Ann., Art. 11.073 (Vernon 2023). In his petition, Roberson presented extensive evidence, including in the form of expert testimony, that the medical community no longer recognized the "triad" as presumptive evidence of child abuse. Expert opinion, rather, supported the conclusion that Nikki's only external injuries were consistent with a short fall from her bed, and that the extensive subdural bleeding found at the autopsy (which led to the conclusion that Nikki had died from blunt force impacts to her head) had in fact been a result of her surgical treatment in the hospital. Further supporting that theory, Roberson presented CAT scans taken of Nikki's head soon after she initially arrived at the hospital, which showed only a very small amount of subdural bleeding.

At an evidentiary hearing, multiple specialists further testified that Nikki's lungs showed severe pneumonia and that she had a

toxic level of respiratory-suppressing prescription drugs in her system at the time of her death. Roberson also pointed to the FDA's urgent warnings against the use of Phenergan and Codeine in young children "because of the potential for fatal respiratory depression" (Phenergan) and the serious risk of "slowed or difficult breathing and death" (Codeine). In an order that adopted large portions of the State's proposed findings of fact verbatim, the trial court denied Roberson relief. It found that no "false evidence was presented in regards to" shaken baby syndrome, and that in any event "no evidence was presented to the jury that shaking alone" had caused Nikki's death. App. to Pet. for Cert. 177a, 181a. The trial court's findings did not address the other evidence presented at the evidentiary hearings. The TCCA summarily affirmed. *Id.*, at 4a.

In the years that followed, Roberson retained additional experts who each concluded that Nikki had died of pneumonia and toxic levels of anti-respiratory drugs. Based on that additional evidence, Roberson filed another state habeas petition, which the TCCA declined to consider on procedural grounds. This Court denied certiorari. See 601 U. S. 827 (2023).

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C

As Roberson sought to prove his innocence, the parallel case of Andrew Wayne Roark made its way through the Texas courts. Roark's case involved claims nearly identical to Roberson's, raised under the same provisions of Texas law. There, as here, the State had argued at trial that Roark "caused the infant victim serious bodily injury by violently shaking her and possibly striking her with or against something, respectively referred to as Shaken Baby Syndrome and Shaken Impact Syndrome." *Ex parte Roark*, 707 S. W. 3d, at 159. There, as here, the State had relied on expert testimony from Dr. Janet Squires about shaken baby syndrome to secure a conviction. *Id.*, at *3. There, as here, the defendant challenged his conviction on the ground that the science underlying the shaken-baby-syndrome diagnosis had since been discredited.

In a landmark opinion, the TCCA held that, based on current medical science, "there would be a marked shift in testimony today concerning the effect of a short-distance fall to a child, the effect of shaking a child, . . . retinal hemorrhaging, and [shaken baby syndrome] in general as applied to [the victim's] injuries."

Id., at 185. Had Roark been tried on the same theory today, the TCCA explained:

“The [State’s] experts would be confronted with twenty years of reputable scientific studies and publications that, if graphed, continually point away from their stated positions. If the expert were to experience the ostrich effect and wish to bury his or her head in the sand, then that expert would have to bear the brunt of a grueling cross-examination. One in which they would be confronted with twenty years of reputable scientific evidence that contradicts their trial testimony.” *Id.*, at 187. The TCCA thus granted Roark a new trial. *Ibid.*

While *Roark* was pending before the TCCA, Roberson filed a “suggestion for rehearing” with that court seeking reconsideration of its prior decision on his habeas petition, based on the proceedings in *Roark* and on a statement of support from 86 members of the Texas House of Representatives. App. to Pet. for Cert. 492a–546a, 547–550a. In that statement, the bipartisan House Criminal Justice Reform Caucus urged the Board of Pardons and Paroles to recommend clemency in light of the “strong evidence of [Roberson’s] innocence.” *Id.*, at 548a. The representatives further explained that the House had unanimously passed Article 11.073 specifically to allow “challenges to convictions that were based on disproven or incomplete science,” and that they were “dismayed to learn that this law has not been applied as intended and has not been a pathway to relief—or even a new trial—for people like Mr. Roberson.” *Ibid.* Brian Wharton, the lead detective on Roberson’s case, likewise stated that he believed Roberson to be innocent and that clemency would be appropriate. *Id.*, at 549a. Notwithstanding these statements, the Board of Pardons and Paroles declined to recommend clemency.

Before issuing its opinion in *Roark*, the TCCA again denied relief to Roberson without opinion. In a concurrence, Justice Yeary maintained that Roberson’s case had not depended exclusively on shaken-baby-syndrome evidence because it had also involved evidence of blunt force impacts, suggesting Roberson could have beaten Nikki to death. *Ex parte Roberson*, No. WR–63,081–03 etc. (Tex. Crim. App., Oct. 10, 2024) (opinion concurring in denial of suggestion for reconsideration).

After the TCCA issued *Roark*, Roberson filed a fourth post-conviction petition in light of the TCCA’s decision, illustrating in

detail that the testimony as to shaken baby syndrome in *Roark* had been nearly indistinguishable from the testimony in his case. Addressing Justice Yeary's concurrence, Roberson pointed out that the CAT scans taken directly after Nikki's admission to the emergency room showed only minimal subdural bleeding, suggesting that the blunt impact evidence on which Justice Yeary relied could well have been caused by Nikki's subsequent brain surgery, rather than by any injuries she suffered at home. By a 5-4 vote, the TCCA again denied relief.

II

Current postconviction remedies often fail to correct convictions "secured by what we now know was faulty science." *McCrory v. Alabama*, 603 U. S. 927 (2024) (statement of SOTOMAYOR, J., respecting denial of certiorari). This case is emblematic of that problem. To its credit, Texas has "led the way in forensic science reform in criminal procedure," including by passing the statute that allowed Roberson to challenge his conviction based on changes in forensic science that seriously undermined the integrity of his criminal trial. *Id.*, at 935. Tragically, that statute did not help Roberson in this case.

Roberson now seeks a stay of execution with this Court. Few cases more urgently call for such a remedy than one where the accused has made a serious showing of actual innocence, as Roberson has here. Yet this Court can grant a stay only if Roberson can show a "significant possibility of success on the merits" of a federal claim. *Hill v. McDonough*, 547 U. S. 573, 584 (2006). Roberson did not bring federal claims before the TCCA. Instead, he relied exclusively on Texas's Article 11.073. Before this Court, Roberson's only federal challenge is to the TCCA's practice of issuing "boilerplate opinions dismissing subsequent habeas petitions for purported failure to satisfy" Texas's procedural requirements in habeas cases. Application for Stay 6. This Court has held, however, that it has "no power to tell state courts how they must write their opinions." *Coleman v. Thompson*, 501 U. S. 722, 739 (1991).

Nevertheless, it is notable that the TCCA's decisions in this case do not address the whole of Roberson's evidence of actual innocence. Justice Yeary stated that shaken baby syndrome was not dispositive at Roberson's trial because the State introduced evidence of bruising and "*multiple impacts to Nikki's head.*" No. WR-63,081-03, etc., at 2 (opinion concurring

in denial of suggestion for reconsideration). Yet as Roberson explained to the TCCA, the record reveals that shaken baby syndrome was the prosecution's core theory throughout the trial. The evidence of bruising to Nikki's head does not change that, for two reasons. First, no court has yet considered the evidence suggesting that the "areas of dense hemorrhage" discovered during Nikki's autopsy, which the examiner took to be signs of blunt force impact, in fact resulted from Nikki's subsequent brain surgery. As already explained, several experts concluded that CAT scans taken shortly after Nikki's admission to the hospital showed only minimal subdural bleeding. Second, the TCCA previously affirmed the habeas court's factual finding that "Dr. Janet Squires . . . clearly stated [at trial] that Nikki's injuries *were unlikely* to have been caused by an impact alone," but rather were caused by shaking and a subsequent impact on a surface such as a mattress. App. to Pet. for Cert. 173a (emphasis added). Thus, the Texas courts themselves determined that the State's expert had disavowed a beating or impact-only theory of death at trial.

Under these circumstances, a stay permitting examination of Roberson's credible claims of actual innocence is imperative; yet this Court is unable to grant it. That means only one avenue for relief remains open: an executive reprieve. In Texas, as in virtually every other State and the Federal Government, "[t]he Executive has the power to exercise discretion to grant clemency and affect sentences at any stage after an individual is convicted." *Vandyke v. State*, 538 S. W. 3d 561, 581 (Tex. Crim. App. 2017). Preventing the execution of one who is actually innocent by means of a review "unhampered by legal technicalities" is a core historical purpose of the executive power to grant pardons or reprieves. C. Jensen, *The Pardoning Power in the American States* 49 (1922); see also *Herrera v. Collins*, 506 U.S. 390, 417 (1993) ("History shows that the traditional remedy for claims of innocence based on new evidence, discovered too late in the day to file a new trial motion, has been executive clemency"); *Graham v. Texas Bd. of Pardons and Paroles*, 913 S. W. 2d 745, 748 (Tex. Crim. App. 1996) (same). An executive reprieve of 30 days would provide the Texas Board of Pardons and Paroles with an opportunity to reconsider the evidence of Roberson's actual innocence. That could prevent a miscarriage of justice from occurring: executing a man who has raised credible evidence of actual innocence.

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Dismissal Under Rule 46

No. 23–689. CITY OF LOS ANGELES, CALIFORNIA, ET AL. *v.* M. A. R., A MINOR, BY AND THROUGH HIS GUARDIAN AD LITEM, BARRAGAN, INDIVIDUALLY AND AS A SUCCESSOR IN INTEREST TO RIVERA, ET AL. C. A. 9th Cir. Certiorari dismissed under this Court’s Rule 46.

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Certiorari Granted—Vacated and Remanded

No. 23–7150. GORDON *v.* MASSACHUSETTS. App. Ct. Mass. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Smith v. Arizona*, 602 U. S. 779 (2024). Reported below: 103 Mass. App. 1112, 222 N. E. 3d 507.

No. 24–37. PIERRE *v.* UNITED STATES. C. A. 11th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *United States v. Rahimi*, 602 U. S. 680 (2024).

Miscellaneous Orders

No. 24M29. A. M. B. ET AL. *v.* MCKNIGHT, PRESIDING JUDGE, CIRCUIT COURT OF WISCONSIN, ASHLAND COUNTY. Motion for leave to file petition for writ of certiorari with supplemental appendix under seal granted.

No. 24M30. SEALED APPELLANT *v.* UNITED STATES. Motion for leave to file petition for writ of certiorari under seal denied.

No. 23–477. UNITED STATES *v.* SKRMETTI, ATTORNEY GENERAL AND REPORTER FOR TENNESSEE, ET AL. C. A. 6th Cir. [Certiorari granted, 602 U. S. 1037.] Motion of the Solicitor General and respondent L. W. et al. for divided argument granted.

No. 24–5367. MUHAMMAD KEBE *v.* WASHINGTON TOWNSHIP SCHOOL DISTRICT ET AL. C. A. 3d Cir.;

No. 24–5384. HOOKER *v.* HANRETTA ET AL. C. A. 11th Cir.; and

No. 24–5632. BALDWIN *v.* DEVINE ET AL. C. A. 8th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied.

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Petitioners are allowed until November 12, 2024, 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. 24–5613. IN RE DAVIS;
No. 24–5617. IN RE WILSON; and
No. 24–5657. IN RE KAFEITI. Petitions for writs of habeas corpus denied.

No. 24–166. IN RE TEPE; and
No. 24–5346. IN RE FOSTER. Petitions for writs of mandamus denied.

No. 24–209. IN RE KARUPAIYAN. Petition for writ of mandamus and/or prohibition denied.

Certiorari Granted

No. 23–1229. ENVIRONMENTAL PROTECTION AGENCY *v.* CALUMET SHREVEPORT REFINING, L. L. C., ET AL. C. A. 5th Cir. Certiorari granted. Reported below: 86 F. 4th 1121.

No. 23–1067. OKLAHOMA ET AL. *v.* ENVIRONMENTAL PROTECTION AGENCY ET AL.; and

No. 23–1068. PACIFICORP ET AL. *v.* ENVIRONMENTAL PROTECTION AGENCY ET AL. C. A. 10th Cir. Certiorari granted, cases consolidated, and a total of one hour is allotted for oral argument. JUSTICE ALITO took no part in the consideration or decision of these petitions. Reported below: 93 F. 4th 1262.

No. 23–7483. ESTERAS *v.* UNITED STATES (Reported below: 88 F. 4th 1163); JAIMEZ, FKA WATTERS *v.* UNITED STATES (95 F. 4th 1004); and LEAKS *v.* UNITED STATES. C. A. 6th Cir. Motions of petitioners for leave to proceed *in forma pauperis* granted. Certiorari granted.

Certiorari Denied

No. 23–1282. BAER *v.* ROBERTS ET AL. C. A. 3d Cir. Certiorari denied.

No. 23–1310. GROSS *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied.

No. 23–1321. BATIO *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied.

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No. 23–1323. *CONSUMERS’ RESEARCH, ET AL. v. CONSUMER PRODUCT SAFETY COMMISSION* (two judgments). C. A. 5th Cir. Certiorari denied.

No. 23–1326. *ROW 1 INC., DBA REGENATIVE LABS v. BECERRA, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 23–1353. *KANSAS ET AL. v. MAYORKAS, SECRETARY OF HOMELAND SECURITY, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–7783. *CONKLING v. KANSAS*. Ct. App. Kan. Certiorari denied.

No. 24–41. *COHEN v. TRUMP, FORMER PRESIDENT OF THE UNITED STATES, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–167. *NUKIDA v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 24–168. *JAIN ET VIR v. MYERS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–176. *DOUGLAS ET AL. v. KALANTA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–177. *GERSHENSON v. DA SILVA*. Sup. Ct. Fla. Certiorari denied.

No. 24–190. *STILES ET AL. v. CLIFFORD ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–195. *SWAKEEN v. PANDIAN ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–196. *JENN-CHING LUO v. OWEN J. ROBERTS SCHOOL DISTRICT ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–215. *BRYANT v. MCLEAN ET AL.* C. A. 10th Cir. Certiorari denied.

No. 24–238. *BRELAND v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 11th Cir. Certiorari denied.

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No. 24–254. *WOOD v. WINNEBAGO INDUSTRIES, INC.* C. A. 9th Cir. Certiorari denied.

No. 24–266. *KELLEY ET AL., CO-ADMINISTRATORS OF THE ESTATE OF KELLEY v. O'MALLEY ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–271. *WESTROM v. MINNESOTA.* Sup. Ct. Minn. Certiorari denied.

No. 24–278. *JONES ET UX. v. UNITED STATES.* C. A. 10th Cir. Certiorari denied.

No. 24–280. *CICHOWSKI ET AL. v. TOTTEN, JUDGE, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–307. *PARDE v. SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 721, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–308. *AMIN ET AL. v. PEPPERMAN, INDIVIDUALLY AND IN HER OFFICIAL CAPACITY AS COUNTY JUDGE FOR LAKE COUNTY, FLORIDA.* C. A. 11th Cir. Certiorari denied.

No. 24–324. *PAYLAN v. FLORIDA.* Sup. Ct. Fla. Certiorari denied.

No. 24–5323. *OMAR v. GARDNER.* C. A. 4th Cir. Certiorari denied.

No. 24–5344. *CASTILLO v. LUMPKIN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 24–5345. *BELL v. SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–5349. *ALLEN v. TENNESSEE.* Ct. Crim. App. Tenn. Certiorari denied.

No. 24–5350. *COOPER v. TEXAS.* Ct. App. Tex., 5th Dist. Certiorari denied.

No. 24–5352. *FARWELL v. FOUNTAINS AT TIDWELL LTD. ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–5354. *RUIZ v. CITY OF NEW YORK POLICE DEPARTMENT.* C. A. 2d Cir. Certiorari denied.

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No. 24–5357. *MULE v. HOOPER, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 24–5358. *METCALF v. GEO GROUP, INC., ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–5360. *HERNANDEZ v. OLIVER, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5364. *ROJAS-MELITON v. LUMPKIN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 24–5370. *LOWERY v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 24–5373. *RAYMOND RODRIGUEZ v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 24–5374. *RAILBACK v. CITY OF DES MOINES, IOWA, ET AL.* Sup. Ct. Iowa. Certiorari denied.

No. 24–5385. *COLON v. BREITENBACH, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5386. *HUNT v. DEUTSCHE BANK TRUST Co.* Sup. Ct. Ga. Certiorari denied.

No. 24–5395. *MEIER v. ALLSTATE PROPERTY & CASUALTY INSURANCE Co.* C. A. 6th Cir. Certiorari denied.

No. 24–5420. *RUSSELL v. INDIANA*. Sup. Ct. Ind. Certiorari denied.

No. 24–5434. *DANIELS v. SO OTHERS MIGHT EAT ET AL.* Ct. App. D. C. Certiorari denied.

No. 24–5464. *SCHIEDENHELM v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–5479. *STEWART v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5484. *ABREU v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

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No. 24–5498. ALBERT *v.* STATE BAR OF CALIFORNIA. Sup. Ct. Cal. Certiorari denied.

No. 24–5509. CLAY *v.* ODUM, WARDEN. C. A. 11th Cir. Certiorari denied.

No. 24–5526. BIRTS *v.* ARKANSAS. Sup. Ct. Ark. Certiorari denied.

No. 24–5568. GANTT *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied.

No. 24–5588. SMITH *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied.

No. 24–5591. BOWMAN *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied.

No. 24–5595. TRAN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 24–5596. SNOWDEN *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 24–5599. MARTINS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 24–5600. NARVAEZ-ROSA *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied.

No. 24–5611. KISSI *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied.

No. 24–5614. KHALAF *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied.

No. 24–5619. TINEO-SANTOS *v.* LILLEY, SUPERINTENDENT, EASTERN CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 23–1301. BRINKMANN ET AL. *v.* TOWN OF SOUTHDOLD, NEW YORK. C. A. 2d Cir. Motion of National Association of Realtors et al. for leave to file brief as *amici curiae* granted. Certiorari denied. JUSTICE THOMAS, JUSTICE GORSUCH, and JUSTICE KAVANAUGH would grant the petition for writ of certiorari.

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No. 24–169. *LEAKE ET AL. v. RAYTHEON TECHNOLOGIES CORP.* C. A. 9th Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

Rehearing Denied

No. 23–5580. *BARROSO v. TEXAS*, 601 U. S. 932. Motion of petitioner for leave to file petition for rehearing denied.

OCTOBER 28, 2024

Miscellaneous Order

No. 24A287. *HORSERACING INTEGRITY & SAFETY AUTHORITY, INC., ET AL. v. NATIONAL HORSEMEN’S BENEVOLENT AND PROTECTIVE ASSN. ET AL.* Application for stay of the mandate, presented to JUSTICE ALITO, and by him referred to the Court, granted. The mandate of the United States Court of Appeals for the Fifth Circuit, case No. 23–10520, is stayed pending the disposition of the petition for writ of certiorari, case No. 24–433. Should the petition for writ of certiorari be denied, this stay shall terminate automatically. In the event the petition for writ of certiorari is granted, the stay shall terminate upon the issuance of the judgment of this Court.

JUSTICE JACKSON, dissenting.

Applicants ask this Court to stay the Fifth Circuit’s mandate, thereby preventing the entry of a future injunction by the District Court. In my view, their application fails to demonstrate any exigency that would warrant such emergency relief. See *Labrador v. Poe*, 601 U. S. 1110, 1130 (2024) (JACKSON, J., dissenting from grant of stay). Indeed, applicants have also filed an unopposed petition for certiorari in this Court, and it is reasonably likely that the lower courts would not do anything to change the status quo if this Court granted the petition. Thus, whatever the stay factors might portend, I see no reason for us to intervene in an emergency posture. I would therefore deny the application and promptly proceed to consider the pending petition for certiorari.

OCTOBER 29, 2024

Miscellaneous Orders

No. 24A399. *KENNEDY v. WISCONSIN ELECTIONS COMMISSION ET AL.* Sup. Ct. Wis. Application for injunction pending appeal,

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presented to JUSTICE BARRETT, and by her referred to the Court, denied.

No. 24A405. KENNEDY *v.* BENSON, SECRETARY OF STATE OF MICHIGAN. C. A. 6th Cir. Application for injunction pending appeal, presented to JUSTICE KAVANAUGH, and by him referred to the Court, denied.

JUSTICE GORSUCH, dissenting.

Respectfully, I dissent for substantially the reasons given by Judges Thapar, Readler, and McKeague. See *Kennedy v. Benson*, 119 F. 4th 464, 471–476 (CA6 2024) (Thapar, J., dissenting from denial of rehearing en banc); *id.*, at 476–485 (Readler, J., dissenting from denial of rehearing en banc); *id.*, at 486–488 (McKeague, J., statement respecting denial of rehearing and denial of rehearing en banc).

OCTOBER 30, 2024

Miscellaneous Order

No. 24A407. BEALS, COMMISSIONER, ET AL. *v.* VIRGINIA COALITION FOR IMMIGRANT RIGHTS, ET AL. Application for stay, presented to THE CHIEF JUSTICE, and by him referred to the Court, granted. The October 25, 2024, order of the United States District Court for the Eastern District of Virginia, case Nos. 1:24-cv-1778 and 1:24-cv-1807, is stayed pending the disposition of the appeal in the United States Court of Appeals for the Fourth Circuit and disposition of a petition for writ of certiorari, if such writ is timely sought. Should certiorari be denied, this stay shall terminate automatically. In the event certiorari is granted, the stay shall terminate upon the sending down of the judgment of this Court. JUSTICE SOTOMAYOR, JUSTICE KAGAN, and JUSTICE JACKSON, would deny the application.

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Certiorari Denied

No. 24–5668 (24A409). MOORE *v.* STIRLING, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS. Sup. Ct. S. C. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied.

NOVEMBER 1, 2024

Miscellaneous Order

No. 24A408. REPUBLICAN NATIONAL COMMITTEE ET AL. v. GENSER ET AL. Sup. Ct. Pa. Application for stay, presented to JUSTICE ALITO, and by him referred to the Court, denied.

Statement of JUSTICE ALITO, with whom JUSTICE THOMAS and JUSTICE GORSUCH join, respecting the denial of the application for a stay.

This case concerns a recent decision of the Supreme Court of Pennsylvania that adopted a controversial interpretation of important provisions of the Pennsylvania Election Code. Specifically, the court held that a provisional ballot must be counted even if the voter previously submitted an invalid mail-in ballot within the time required by law. The applicants contend that this interpretation flouts the plain meaning of the state election code, see 25 Pa. Cons. Stat. § 3050(a.4)(5)(ii) (2019), and that the interpretation is so far afield that it also violates the Elections Clause and the Electors Clause of the Constitution of the United States. See Art. I, § 4, cl. 1; Art. II, § 1, cl. 2; *Moore v. Harper*, 600 U. S. 1, 37 (2023). Seeking to prevent county election boards from following that interpretation in next week's election, the applicants ask us to stay the State Supreme Court's judgment or at least to order the sequestration of ballots that may be affected by that interpretation.

The application of the State Supreme Court's interpretation in the upcoming election is a matter of considerable importance, but even if we agreed with the applicants' federal constitutional argument (a question on which I express no view at this time), we could not prevent the consequences they fear. The lower court's judgment concerns just two votes in the long-completed Pennsylvania primary. Staying that judgment would not impose any binding obligation on any of the Pennsylvania officials who are responsible for the conduct of this year's election. And because the only state election officials who are parties in this case are the members of the board of elections in one small county, we cannot order other election boards to sequester affected ballots. For these reasons, I agree with the order denying the application.

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Dismissal Under Rule 46

No. 24–64. *PIAZZA ET AL. v. GRAMERCY DISTRESSED OPPORTUNITY FUND II L. P. ET AL.* C. A. 10th Cir. Certiorari dismissed under this Court’s Rule 46.

Certiorari Granted—Vacated and Remanded. (See also *Hamm v. Smith*, 604 U.S. 1 (2024) (*per curiam*).)

No. 24–92. *KWOK SUM WONG v. GARLAND, ATTORNEY GENERAL.* C. A. 2d Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369 (2024). Reported below: 95 F. 4th 82.

No. 24–5258. *TALBOT v. UNITED STATES.* C. A. 10th Cir.;

No. 24–5315. *JONES v. UNITED STATES.* C. A. 11th Cir.;

No. 24–5328. *LINDSEY v. UNITED STATES.* C. A. 8th Cir.;

No. 24–5391. *CANADA v. UNITED STATES.* C. A. 4th Cir. Reported below: 103 F. 4th 257;

No. 24–5406. *HOEFT v. UNITED STATES.* C. A. 8th Cir. Reported below: 103 F. 4th 1357;

No. 24–5453. *KIRBY v. UNITED STATES.* C. A. 11th Cir.; and

No. 24–5488. *MAYFIELD v. UNITED STATES.* C. A. 10th 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 *United States v. Rahimi*, 602 U.S. 680 (2024).

Certiorari Dismissed

No. 24–5432. *COLLIER v. TRUMP.* C. A. D. C. Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*).

No. 24–5444. *MEDINA v. MURPHY 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.

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No. 24A244. *RYNN v. FIRST TRANSIT INC. ET AL.* C. A. 9th Cir. Application to vacate injunction, addressed to JUSTICE ALITO and referred to the Court, denied.

No. 24A273. *AKERMAN v. NORTHWESTERN MUTUAL LIFE INSURANCE CO.* C. A. 7th Cir. Application for writ of injunction, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. 24M31. *BLAKE v. UNITED STATES.* Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 24M32. *DOE v. UNITED STATES.* Motion for leave to file petition for writ of certiorari with supplemental appendix under seal granted.

No. 24M33. *MONTEMAYOR v. ILLINOIS DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES ET AL.* Motion for leave to file petition for writ of certiorari with supplemental appendix under seal denied.

No. 23–867. *REPUBLIC OF HUNGARY ET AL. v. SIMON ET AL.* C. A. D. C. Cir. [Certiorari granted, 602 U.S. 1038.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 23–900. *DEWBERRY GROUP, INC., FKA DEWBERRY CAPITAL CORP. v. DEWBERRY ENGINEERS INC.* C. A. 4th Cir. [Certiorari granted, 602 U.S. 1038.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae*, for divided argument, and for enlargement of time for oral argument granted.

No. 23–971. *WAETZIG v. HALLIBURTON ENERGY SERVICES, INC.* C. A. 10th Cir. [Certiorari granted, 603 U.S. 948.] Motion of petitioner to dispense with printing joint appendix granted.

No. 23–1141. *SMITH & WESSON BRANDS, INC., ET AL. v. ESTADOS UNIDOS MEXICANOS.* C. A. 1st Cir. [Certiorari granted, 603 U.S. 948.] Motion of petitioners to dispense with printing joint appendix granted.

No. 24–5730. *IN RE MARTINEZ*; and

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No. 24–5746. IN RE BRADLEY. Petitions for writs of habeas corpus denied.

No. 24–219. IN RE PETERSEN ET AL.;

No. 24–5476. IN RE WRIGHT;

No. 24–5541. IN RE PYATT; and

No. 24–5688. IN RE SUTHERLAND. Petitions for writs of mandamus denied.

No. 24–210. IN RE KARUPAIYAN. Petition for writ of mandamus and/or prohibition denied.

Probable Jurisdiction Noted

No. 24–109. LOUISIANA *v.* CALLAIS ET AL.; and

No. 24–110. ROBINSON ET AL. *v.* CALLAIS ET AL. Appeals from D. C. W. D. La. Probable jurisdiction noted, cases consolidated, and a total of one hour is allotted for oral argument. Reported below: 732 F. Supp. 3d 574.

Certiorari Granted

No. 23–1270. RILEY *v.* GARLAND, ATTORNEY GENERAL. C. A. 4th Cir. Certiorari granted limited to the questions presented by respondent's brief.

Certiorari Denied

No. 23–1030. MISSISSIPPI DISTRICT COUNCIL FOR ASSEMBLIES OF GOD *v.* BEACHY ET AL. Sup. Ct. Miss. Certiorari denied.

No. 23–1257. ARGUETA ET AL. *v.* JARADI. C. A. 5th Cir. Certiorari denied.

No. 24–16. MONROE *v.* CONNER ET AL. C. A. 5th Cir. Certiorari denied.

No. 24–108. SALVADOR *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 24–188. MENORAH MIVTACHIM INSURANCE LTD. ET AL. *v.* SHEEHAN ET AL. C. A. 2d Cir. Certiorari denied.

No. 24–192. SHEFER *v.* MORGAN STANLEY SMITH BARNEY LLC ET AL. C. A. 11th Cir. Certiorari denied.

No. 24–199. ORTEGA *v.* FORD ET AL. C. A. 7th Cir. Certiorari denied.

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No. 24–200. *DIAZ v. PENNSYLVANIA ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–205. *WEISS, AS EXECUTOR OF ESTATE OF MARSH v. LIN ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–207. *ALONSO CANO ET AL. v. 245 C & C, LLC, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–218. *COOK v. COVELLO, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 24–221. *DYSON v. WHITLEY COUNTY REGIONAL WATER AND SEWER DISTRICT ET AL.* Ct. App. Ind. Certiorari denied.

No. 24–222. *PAPP v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied.

No. 24–225. *B. S. v. D. S.* Ct. App. Cal., 1st App. Dist., Div. 1. Certiorari denied.

No. 24–228. *UNDERWOOD ET AL. v. BANK OF AMERICA CORP.* C. A. 10th Cir. Certiorari denied.

No. 24–230. *WRIGHT-GOTTSHALL ET AL. v. NEW JERSEY ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–231. *DHINGRA v. ESPOSITO ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–233. *COHEN v. DEREK SMITH LAW GROUP, PLLC, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–236. *CAMPBELL v. TUBE-MAC INDUSTRIES, INC., ET AL.* C. A. Fed. Cir. Certiorari denied.

No. 24–237. *SCHWARTZ v. BEAUVALLON CONDOMINIUM ASSN., INC.* Ct. App. Colo. Certiorari denied.

No. 24–239. *CHLOE v. GEORGE WASHINGTON UNIVERSITY.* C. A. D. C. Cir. Certiorari denied.

No. 24–240. *W. J. BY HIS PARENTS AND LEGAL GUARDIANS, R. J. ET AL. v. BECERRA, SECRETARY OF HEALTH AND HUMAN SERVICES.* C. A. Fed. Cir. Certiorari denied.

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No. 24–245. *BUKOVETZ v. DEPARTMENT OF THE NAVY*. C. A. 9th Cir. Certiorari denied.

No. 24–248. *THISTLE v. BIDEN, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–250. *PECH v. CENTRAL INTELLIGENCE AGENCY*. C. A. 5th Cir. Certiorari denied.

No. 24–257. *HARLEY MARINE SERVICES, INC. v. CONRAD SHIPYARD, L. L. C., ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–258. *GREMONT ET AL. v. NELSON, TEXAS SECRETARY OF STATE, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–265. *STIRRUP, INDIVIDUALLY AND IN HER OFFICIAL CAPACITY AS A MEMBER OF THE BOARD OF VISITORS FOR THE AIR FORCE ACADEMY, ET AL. v. DEPARTMENT OF DEFENSE ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 24–288. *ZUHOVITZKY ET UX. v. UBS AG CHE 101.329.562 ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–295. *HERRINGTON v. DOTSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied.

No. 24–296. *BHATTACHARYA v. MURRAY ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–301. *ANDERSON ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 10th Cir. Certiorari denied.

No. 24–303. *PIMIENTA DOMINGUEZ v. RENDON QUIJADA*. Sup. Ct. Ariz. Certiorari denied.

No. 24–310. *MCGUIRE v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 24–317. *BENTON v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied.

No. 24–323. *CALHOUN v. WARDEN, BALDWIN STATE PRISON, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–325. *GIBSON v. SCHROEDER, COMMISSIONER, NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES, ET AL.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied.

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No. 24–328. *RYWELSKI v. BIDEN, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. 10th Cir. Certiorari denied.

No. 24–331. *CBS MN PROPERTIES, LLC v. HENNEPIN COUNTY, MINNESOTA.* Ct. App. Minn. Certiorari denied.

No. 24–338. *MINTER v. FALCONI ET AL.* Sup. Ct. Nev. Certiorari denied.

No. 24–341. *EMDEN ET AL. v. MUSEUM OF FINE ARTS, HOUSTON.* C. A. 5th Cir. Certiorari denied.

No. 24–344. *FOSTER v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 24–349. *SAN CARLOS APACHE TRIBE v. ARIZONA ET AL.* Sup. Ct. Ariz. Certiorari denied.

No. 24–366. *LEE v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

No. 24–371. *YORK v. ARIZONA.* Ct. App. Ariz. Certiorari denied.

No. 24–372. *TAFT v. COLORADO.* Ct. App. Colo. Certiorari denied.

No. 24–379. *SAPP v. FOXX, INDIVIDUALLY AND IN HER OFFICIAL CAPACITY AS STATE’S ATTORNEY OF COOK COUNTY, ILLINOIS.* C. A. 7th Cir. Certiorari denied.

No. 24–383. *FOR OUR RIGHTS, INC., ET AL. v. IGE.* C. A. 9th Cir. Certiorari denied.

No. 24–388. *KARIANN V. v. MAINE DEPARTMENT OF HEALTH AND HUMAN SERVICES.* Sup. Jud. Ct. Me. Certiorari denied.

No. 24–392. *ARGENT TRUST CO. v. DEJESUS CEDENO ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–407. *BURKHARDT v. AZCARATE, CHIEF JUDGE, FAIRFAX COUNTY CIRCUIT COURT.* Sup. Ct. Va. Certiorari denied.

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No. 24–5018. *McDERMOTT v. DE LA CRUZ, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 24–5163. *SPRINGS v. PAYNE, DIRECTOR, ARKANSAS DIVISION OF CORRECTION*. C. A. 8th Cir. Certiorari denied.

No. 24–5166. *JOSEPH v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–5192. *NICHOLSON v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 2024-Ohio-604, — N. E. 3d —.

No. 24–5207. *E. C. v. Q. T.* Ct. App. Tex., 2d Dist. Certiorari denied.

No. 24–5308. *BRANT v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–5390. *BUHAGIAR v. WELLS FARGO BANK, N. A.* C. A. 9th Cir. Certiorari denied.

No. 24–5398. *TALLEY v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 24–5399. *FLORENCE v. FLOWERS, SHERIFF, INDIAN RIVER COUNTY, FLORIDA*. Sup. Ct. Fla. Certiorari denied.

No. 24–5407. *ANDERSON v. FUSON ET AL.* C. A. 6th Cir. Certiorari denied.

No. 24–5412. *HILLS v. ROBLE ET AL.* C. A. 6th Cir. Certiorari denied.

No. 24–5415. *CLAIBORNE v. JPMORGAN CHASE BANK, N. A.* C. A. 11th Cir. Certiorari denied.

No. 24–5417. *DAVIS v. MAXFIELD ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–5422. *JOHNSON v. WISE STAFFING GROUP*. C. A. 6th Cir. Certiorari denied.

No. 24–5423. *HUTCHINSON v. STATE BAR OF CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 24–5424. *O’ROURKE v. BRIDGES, WARDEN*. Ct. Crim. App. Okla. Certiorari denied.

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No. 24–5426. *STEVENSON v. CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied.

No. 24–5435. *SANCHEZ v. GUZMAN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 24–5436. *FINK v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 7. Certiorari denied.

No. 24–5439. *BEASLEY v. OHIO*. Sup. Ct. Ohio. Certiorari denied.

No. 24–5440. *MOSES v. LOUISIANA OFFICE OF DISCIPLINARY COUNSEL*. Sup. Ct. La. Certiorari denied.

No. 24–5441. *PRICE v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied.

No. 24–5443. *CRAIG v. ILLINOIS*. App. Ct. Ill., 5th Dist. Certiorari denied.

No. 24–5445. *OLSEN v. WASHINGTON*. Ct. App. Wash. Certiorari denied.

No. 24–5447. *NUBINE v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 24–5450. *WARNICK v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 24–5458. *COURCHAIINE v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 24–5461. *RAGAN v. BERKSHIRE HATHAWAY AUTOMOTIVE, INC.* C. A. 8th Cir.

No. 24–5465. *DAWES v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 24–5466. *TERRY v. STRAUGHN, DEPUTY DIRECTOR, ARKANSAS DIVISION OF CORRECTION, ET AL.* C. A. 8th Cir. Certiorari denied.

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No. 24–5467. *MILLER v. REDINGTON*. C. A. 8th Cir. Certiorari denied.

No. 24–5468. *FLINT v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied.

No. 24–5469. *MOTT v. SCHREIBER, ACTING WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 24–5477. *VELEZ-HERNANDEZ v. DISTRICT ATTORNEY OF LEHIGH COUNTY, PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–5478. *SHAFIQUE v. EQUITY RESIDENTIAL MANAGEMENT, LLC*. Ct. App. D. C. Certiorari denied.

No. 24–5485. *SERRANO v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 4. Certiorari denied.

No. 24–5508. *DOMINICK v. WALKER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT FAYETTE*. C. A. 3d Cir. Certiorari denied.

No. 24–5527. *AKRAM v. CORRIGAN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 24–5528. *PERKINS v. LAMB, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 24–5531. *FOSTER v. SLOMSKY ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–5534. *HAWKINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5592. *BOYLAN v. BURGESS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 24–5597. *LAMOUREUX v. FLORIDA*. Sup. Ct. Fla. Certiorari denied.

No. 24–5602. *CHRISTIAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–5610. *McGHEE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

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No. 24–5616. *KERRY v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–5620. *SALAS v. UNITED STATES.* C. A. 10th Cir. Certiorari denied.

No. 24–5621. *NELSON v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 24–5623. *DORSEY v. UNITED STATES.* C. A. 3d Cir. Certiorari denied.

No. 24–5624. *VALLE ESTRADA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 24–5625. *CHENG v. KALLIS, WARDEN.* C. A. 8th Cir. Certiorari denied.

No. 24–5626. *REYNALDO RIVERA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 24–5628. *LANDA-AREVALO v. UNITED STATES.* C. A. 10th Cir. Certiorari denied.

No. 24–5638. *SWINTON v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

No. 24–5639. *CHAVEZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 24–5640. *WATKINS v. NEW YORK.* Ct. App. N. Y. Certiorari denied.

No. 24–5644. *MORENO v. ROBINSON.* C. A. 9th Cir. Certiorari denied.

No. 24–5647. *HAMIL v. FLORIDA.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

No. 24–5650. *YEPEZ v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 24–5664. *PABON v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

No. 24–5672. *ANDREWS v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

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No. 24–5674. *CARRASCO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5677. *BASS v. DOTSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied.

No. 24–5683. *CHAMPNEY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 24–5684. *GARCIA-SUAREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5695. *JOHNSON v. DOTSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied.

No. 24–5699. *LLOYD v. FACEBOOK, INC., ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5712. *DOE v. SECURITIES AND EXCHANGE COMMISSION*. C. A. D. C. Cir. Certiorari denied.

No. 24–5721. *ANTHONY v. HIGHBERGER, SUPERINTENDENT, OREGON STATE CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied.

No. 24–5396. *FUENTES v. HARPE*. C. A. 10th Cir. Certiorari before judgment denied.

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Certiorari Granted—Vacated and Remanded

No. 23–7166. *JONES v. UNITED STATES*. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of the brief for the United States before this Court filed on October 9, 2024. Reported below: 82 F. 4th 1039.

Certiorari Dismissed

No. 24–5653. *ABADI v. MARINA DISTRICT DEVELOPMENT CO., LLC, DBA BORGATA HOTEL CASINO & SPA, ET AL.* C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

Miscellaneous Orders

No. 24A332. *AKERMAN v. UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT*. C. A. Fed. Cir. Application for

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stay, addressed to JUSTICE KAGAN and referred to the Court, denied.

No. 24M34. *KOSIBA v. CATHOLIC HEALTH SYSTEMS OF LONG ISLAND, INC.*; and

No. 24M36. *MANDAWALA v. BAPTIST SCHOOL OF HEALTH PROFESSIONS*. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 24M35. *COLLINGS v. VANDERGRIFF, WARDEN*. Motion for leave to file supplemental appendix to the petition for writ of certiorari under seal denied.

No. 23–975. *SEVEN COUNTY INFRASTRUCTURE COALITION ET AL. v. EAGLE COUNTY, COLORADO, ET AL.* C. A. D. C. Cir. [Certiorari granted, 602 U. S. 1038.] Motion of the Solicitor General for divided argument granted. Motion of respondents for divided argument denied.

No. 23–7405. *IN RE CHRISTIAN*. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [604 U. S. 908] denied.

No. 24–5138. *RUSSOMANNO v. SUMITOMO PHARMA AMERICA, INC., ET AL.* Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [604 U. S. 903] denied.

No. 24–5813. *IN RE CRITTON*. Petition for writ of habeas corpus denied.

No. 24–244. *IN RE ORA, INDIVIDUALLY, AND IN HIS DERIVATIVE CAPACITY AS TRUSTEE OF THE LEO ROBIN TRUST, ON BEHALF OF THE LEO ROBIN TRUST*;

No. 24–263. *IN RE BEGGS ET VIR*; and

No. 24–298. *IN RE JULIANA ET AL.* Petitions for writs of mandamus denied.

Certiorari Denied

No. 23–1365. *UNITED STATES v. BREWBAKER*; and

No. 24–124. *BREWBAKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 23–7364. *GALINDO v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied.

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No. 24–12. MIGUEL-PENA ET AL. *v.* GARLAND, ATTORNEY GENERAL. C. A. 10th Cir. Certiorari denied.

No. 24–88. DOE *v.* TRUSTEES OF INDIANA UNIVERSITY ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 101 F. 4th 485.

No. 24–97. MEADOWS *v.* GEORGIA. C. A. 11th Cir. Certiorari denied.

No. 24–115. CHALAMALESETTY *v.* JADDOU, DIRECTOR, UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, ET AL. C. A. 8th Cir. Certiorari denied.

No. 24–126. GALECKI ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 24–130. MARTINEZ *v.* HIGH. C. A. 9th Cir. Certiorari denied.

No. 24–137. LUBETSKY *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 24–246. MILLER *v.* MBC DEVELOPMENT, LP, ET AL. Sup. Ct. Pa. Certiorari denied.

No. 24–251. JORDAN *v.* UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT. C. A. 9th Cir. Certiorari denied.

No. 24–256. FIRST FINANCE INTERNATIONAL BANK, INC. *v.* OFFICE OF THE COMMISSIONER OF FINANCIAL INSTITUTIONS. Sup. Ct. P. R. Certiorari denied.

No. 24–261. IDLIBI *v.* BURGDORFF, JUDGE, MIDDLESEX JUDICIAL DISTRICT, ET AL. C. A. 2d Cir. Certiorari denied.

No. 24–272. DECOLA *v.* SHEAFER ET AL. Ct. App. Ind. Certiorari denied.

No. 24–273. SBFO OPERATOR No. 3, LLC, ET AL. *v.* ONEX CORP. ET AL. C. A. 8th Cir. Certiorari denied.

No. 24–282. MINNESOTA RFL REPUBLICAN FARMER LABOR CAUCUS ET AL. *v.* MORIARTY, COUNTY ATTORNEY FOR HENNEPIN COUNTY, MINNESOTA, ET AL. C. A. 8th Cir. Certiorari denied.

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No. 24–285. *ROGERS v. JACKSON COUNTY, FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–289. *TYSON v. TOWN OF RAMAPO, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–290. *MANCHANDA v. REARDON ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–293. *JIBRIL ET UX., INDIVIDUALLY AND ON BEHALF OF THEIR MINOR CHILDREN Y. J. ET AL., ET AL. v. MAYORKAS, SECRETARY OF HOMELAND SECURITY, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 24–299. *JOHNSON v. SUPERIOR COURT OF CALIFORNIA, EL DORADO COUNTY, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–352. *UNITED STATES ET AL. EX REL. ANGELO ET AL. v. ALLSTATE INSURANCE CO. ET AL.* C. A. 6th Cir. Certiorari denied.

No. 24–357. *WEI QIU v. SCOTT COUNTY BOARD OF EDUCATION.* C. A. 6th Cir. Certiorari denied.

No. 24–375. *CARROLL ET AL. v. ROSS.* C. A. 4th Cir. Certiorari denied.

No. 24–380. *MCCOY v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 24–381. *CHURCHON v. SUTTER VALLEY HOSPITALS.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 24–404. *CHAOQUN v. UNITED STATES.* C. A. 7th Cir. Certiorari denied.

No. 24–408. *RAGING CAPITAL MANAGEMENT, LLC, ET AL. v. PACKER, DERIVATIVELY ON BEHALF OF 1-800-FLOWERS.COM, INC.* C. A. 2d Cir. Certiorari denied.

No. 24–409. *JONES v. BOWEN, WARDEN.* Sup. Ct. Ga. Certiorari denied.

No. 24–436. *RAINEY v. COLORADO.* Ct. App. Colo. Certiorari denied.

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No. 24–5041. *NASSIF v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied.

No. 24–5449. *SMITH v. MENARD, INC.* C. A. 8th Cir. Certiorari denied.

No. 24–5487. *RAVY v. LOUISIANA*. Sup. Ct. La. Certiorari denied.

No. 24–5489. *J. L. L. v. W. B.* Ct. Civ. App. Ala. Certiorari denied.

No. 24–5490. *CORDER v. STRAUGHN, SUPERINTENDENT, NORTHERN CORRECTIONAL CENTER*. Sup. Ct. App. W. Va. Certiorari denied.

No. 24–5493. *LOPEZ v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 24–5495. *BISHOP v. PRITZKER, GOVERNOR OF ILLINOIS, ET AL.* C. A. 7th Cir. Certiorari denied.

No. 24–5496. *GALAN v. MACOMBER, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION*. C. A. 9th Cir. Certiorari denied.

No. 24–5502. *MITCHELL v. KENDALL, SECRETARY OF THE AIR FORCE*. C. A. 5th Cir. Certiorari denied.

No. 24–5510. *WALKER v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 24–5511. *DOE v. TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK*. C. A. 2d Cir. Certiorari denied.

No. 24–5512. *LE CLERC v. GUY ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–5515. *WATTS v. LUMPKIN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 24–5516. *WEST v. EMIG ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–5517. *BONNER v. COLLIER ET AL.* C. A. 5th Cir. Certiorari denied.

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No. 24–5520. *OKOLI v. TUCKER ET AL.* C. A. 1st Cir. Certiorari denied.

No. 24–5521. *CARTER v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* Sup. Ct. Fla. Certiorari denied.

No. 24–5522. *JAMES v. SOUTHLAND CASINO.* C. A. 8th Cir. Certiorari denied.

No. 24–5549. *FELTS v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

No. 24–5564. *FEARING v. UNIVERSITY OF MINNESOTA MEDICAL CENTER, AKA M HEALTH FAIRVIEW CLINICS, ET AL.* Ct. App. Minn. Certiorari denied.

No. 24–5566. *HUNTER v. MORRIS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–5574. *RUIZ v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

No. 24–5579. *KODENKANDETH v. UPMC HEALTH PLAN, INC., DBA UPMC FOR LIFE, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–5604. *RIAZ v. COURT OF APPEAL OF CALIFORNIA, FIFTH APPELLATE DISTRICT, ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 24–5629. *RODRIGUEZ v. HOGAR, INC., ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–5631. *SALEH v. GARLAND, ATTORNEY GENERAL, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–5645. *PATTERSON v. FLORIDA.* Sup. Ct. Fla. Certiorari denied.

No. 24–5661. *STACKHOUSE v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 24–5685. *JIDOEFOR v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 24–5686. *PRADO-CRESPO v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

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No. 24–5687. *ODUBAJO v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–5689. *COX v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5702. *BAILEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 24–5706. *WALLACE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5707. *PEEL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 24–5708. *OCANAS GARZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5709. *BARTUNEK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–5715. *CASEY v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 24–5719. *MANNINO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5720. *ALCALA v. TEXAS*. Ct. App. Tex., 13th Dist. Certiorari denied.

No. 24–5723. *TRAMMELL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–5737. *JONES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 24–5738. *ANDERSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5739. *PARKER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5745. *BROUSSARD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5755. *PERKINS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

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No. 24–5756. *SOSNOWICZ v. MAYES, ATTORNEY GENERAL OF ARIZONA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–1148. *G-MAX MANAGEMENT, INC., ET AL. v. NEW YORK ET AL.*; and

No. 23–1220. *BUILDING AND REALTY INSTITUTE OF WEST-CHESTER & PUTNAM COUNTIES, INC., ET AL. v. NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE GORSUCH would grant the petitions for writs of certiorari.

Rehearing Denied

No. 23–7579. *JORDAN v. FEDERAL BUREAU OF INVESTIGATION*, 604 U. S. 932;

No. 23–7610. *HORSLEY v. OHIO*, 604 U. S. 933;

No. 24–59. *MURRAY v. ARCHER ET AL.*, 604 U. S. 949; and

No. 24–123. *XU v. DENVER PUBLIC SCHOOLS, SCHOOL DISTRICT NO. 1*, 604 U. S. 951. Petitions for rehearing denied.

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Certiorari Dismissed

No. 24–5567. *SMITH v. NORTH CAROLINA*. Sup. Ct. N. C. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 24–5598. *SMITHBACK v. TEXAS*. Ct. Crim. App. Tex. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 24–5633. *ABADI v. TARGET CORP.* C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

Miscellaneous Orders

No. 24M37. *LONZER v. KEYBANK NATIONAL ASSN.*; and

No. 24M38. *BERNAL v. MACY’S FLORIDA/SEDGWICK CMS*. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 23–1187. *FOOD AND DRUG ADMINISTRATION ET AL. v. R. J. REYNOLDS VAPOR CO. ET AL.* C. A. 5th Cir. [Certiorari

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granted, 603 U. S. 948.] Motion of petitioners to dispense with printing joint appendix granted.

No. 24–5218. *AKERMAN v. NORTHWESTERN MUTUAL LIFE INSURANCE CO.* C. A. 7th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [604 U. S. 974] denied.

No. 24–5525. *ALLEN v. CIVIL RIGHTS COORDINATOR ET AL.* C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until December 9, 2024, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

No. 24–5801. *IN RE PATE*;

No. 24–5811. *IN RE EDWARDS*;

No. 24–5818. *IN RE CHRISTOPHER*;

No. 24–5821. *IN RE CLINTON*; and

No. 24–5826. *IN RE LAUREL*. Petitions for writs of habeas corpus denied.

No. 24–5605. *IN RE CLARK*. Petition for writ of mandamus denied.

No. 24–5562. *IN RE GRAVEN*. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus dismissed. See this Court’s Rule 39.8.

Certiorari Denied

No. 23–1210. *CORONADO HUERTA v. GARLAND, ATTORNEY GENERAL*. C. A. 6th Cir. Certiorari denied.

No. 23–1316. *SMITH ET AL. v. STILLIE, CHAIR, ALASKA PUBLIC OFFICES COMMISSION, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 23–7484. *WILSON ET UX. v. FORD MOTOR CO. ET AL.* Sup. Ct. Ala. Certiorari denied.

No. 24–44. *WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION v. B. P. J., BY HER NEXT FRIEND AND MOTHER, JACKSON, ET AL.* C. A. 4th Cir. Certiorari denied.

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No. 24–47. *RETURN MAIL, INC. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied.

No. 24–114. *ZEBRA TECHNOLOGIES CORP. v. INTELLECTUAL TECH LLC*. C. A. Fed. Cir. Certiorari denied.

No. 24–274. *ARROYO v. VOLVO GROUP NORTH AMERICA, LLC, DBA VOLVO PARTS NORTH AMERICA*. C. A. 7th Cir. Certiorari denied.

No. 24–283. *PARIKH v. BROWN ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–294. *NORWICH PHARMACEUTICALS INC. v. SALIX PHARMACEUTICALS, LTD., ET AL.* C. A. Fed. Cir. Certiorari denied.

No. 24–305. *SAVAGE v. GEORGIA OFFICE OF ADMINISTRATIVE HEARINGS*. Super. Ct. Rockdale County, Ga. Certiorari denied.

No. 24–313. *ARAKELIAN v. CITY OF FALLS CHURCH, VIRGINIA, ET AL.* Sup. Ct. Va. Certiorari denied.

No. 24–314. *SILADI v. DEUTSCHE BANK NATIONAL TRUST Co.* App. Ct. Conn. Certiorari denied.

No. 24–322. *BAUSCH v. FROST ET AL.* C. A. 7th Cir. Certiorari denied.

No. 24–339. *AKERMAN v. MERIT SYSTEMS PROTECTION BOARD ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 24–340. *DOE, ON BEHALF OF HERSELF AND HER MINOR CHILD, DOE v. FRANKLIN SQUARE UNION FREE SCHOOL DISTRICT*. C. A. 2d Cir. Certiorari denied.

No. 24–342. *AYYADURAI v. NEW JERSEY DEMOCRATIC STATE COMMITTEE ET AL.* Sup. Ct. N. J. Certiorari denied.

No. 24–343. *ALAND v. DEPARTMENT OF THE INTERIOR ET AL.* C. A. 7th Cir. Certiorari denied.

No. 24–347. *ARGONAUT-MIDWEST INSURANCE Co., DBA ARGO GROUP v. KOPPERS PERFORMANCE CHEMICALS, INC., FKA OSMOSE WOOD PRESERVING Co. OF AMERICA, INC., ET AL.* C. A. 4th Cir. Certiorari denied.

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No. 24–358. *SIMS v. UNIVERSITY OF MARYLAND MEDICAL SYSTEM CORP. ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–377. *SOUTH CAROLINA DEPARTMENT OF PARKS, RECREATION AND TOURISM v. GOOGLE LLC.* C. A. 4th Cir. Certiorari denied.

No. 24–385. *ALONSO CANO ET AL. v. 245 C & C, LLC, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–399. *ALLEN v. FORD MOTOR Co.* C. A. 7th Cir. Certiorari denied.

No. 24–412. *KRALIK v. NEW YORK CITY DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT ET AL.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied.

No. 24–447. *WONG ET AL. v. FAGAN ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–455. *EZE v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 4th Cir. Certiorari denied.

No. 24–5076. *CHI MENG YANG v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 24–5092. *ZELAYA-VELIZ ET AL. v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

No. 24–5107. *MOTLEY v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 24–5160. *EHMER ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 24–5177. *REED v. DEPARTMENT OF VETERANS AFFAIRS.* C. A. Fed. Cir. Certiorari denied.

No. 24–5326. *KNUFF v. OHIO.* Sup. Ct. Ohio. Certiorari denied.

No. 24–5382. *IERVOLINO v. ALABAMA.* Ct. Crim. App. Ala. Certiorari denied.

No. 24–5539. *WHITFIELD v. WHITFIELD ET AL.* Ct. App. D. C. Certiorari denied.

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No. 24–5542. *HONEA v. WEBB ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–5551. *ARNOLD v. GEORGIA.* Sup. Ct. Ga. Certiorari denied.

No. 24–5552. *HARJO v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 24–5554. *GOLDSBORO v. FLORIDA.* Dist. Ct. App. Fla., 6th Dist. Certiorari denied.

No. 24–5563. *VELA v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 24–5569. *MARTIN v. NEW JERSEY.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 24–5571. *BROWN v. LUMPKIN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 24–5575. *WHITTLE v. OHIO.* Ct. App. Ohio, 1st App. Dist., Hamilton County. Certiorari denied.

No. 24–5582. *MOSSERI v. 7 WEST 21 LI LLC.* C. A. 2d Cir. Certiorari denied.

No. 24–5583. *SANCHEZ v. FLORIDA ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–5585. *JAMES-EL v. BUFFALOE, SECRETARY, NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY.* C. A. 4th Cir. Certiorari denied.

No. 24–5587. *REYNOLDS v. TEXAS.* Ct. App. Tex., 6th Dist. Certiorari denied.

No. 24–5590. *BOSTON v. MADDOX, SHERIFF.* Sup. Ct. Ga. Certiorari denied.

No. 24–5627. *CANNIE v. JACKSONVILLE GOLF & COUNTRY CLUB PROPERTY OWNERS ASSN., INC., ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–5654. *HEPBURN v. UNITED STATES.* C. A. 10th Cir. Certiorari denied.

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No. 24–5711. REGALADO *v.* TOWN OF TRION, GEORGIA, ET AL.
C. A. 11th Cir. Certiorari denied.

No. 24–5725. BARAJAS GOMEZ *v.* WHITE, SUPERINTENDENT,
MONROE CORRECTIONAL COMPLEX. C. A. 9th Cir. Certiorari
denied.

No. 24–5741. NELSON *v.* SANTA BARBARA COUNTY SHERIFF’S
OFFICE ET AL. Ct. App. Cal., 2d App. Dist., Div. 6. Certiorari
denied.

No. 24–5748. KERR *v.* UNITED STATES. C. A. 5th Cir. Cer-
tiorari denied.

No. 24–5750. DALTON *v.* UNITED STATES. C. A. 6th Cir.
Certiorari denied.

No. 24–5757. CORTEZ *v.* UNITED STATES. C. A. 1st Cir. Cer-
tiorari denied.

No. 24–5761. HENDERSON *v.* UNITED STATES. C. A. 4th Cir.
Certiorari denied.

No. 24–5762. AYALA-VAZQUEZ *v.* UNITED STATES. C. A. 1st
Cir. Certiorari denied.

No. 24–5763. BOYD *v.* UNITED STATES. C. A. 5th Cir. Cer-
tiorari denied.

No. 24–5765. WALKER *v.* UNITED STATES. C. A. 8th Cir.
Certiorari denied.

No. 24–5766. NICOLAS CAMPOS *v.* UNITED STATES. C. A. 9th
Cir. Certiorari denied.

No. 24–5767. HERNANDEZ LEMUS, AKA HERNANEZ LEMUS,
ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 24–5777. JENKINS *v.* REYES, SUPERINTENDENT, TWO RIV-
ERS CORRECTIONAL INSTITUTION. C. A. 9th Cir. Certiorari
denied.

No. 24–5778. NARZIKULOV *v.* UNITED STATES. C. A. 2d Cir.
Certiorari denied.

No. 24–5783. NUNEZ UGARTE *v.* UNITED STATES. C. A. 5th
Cir. Certiorari denied.

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No. 24–5790. *MAYORGA-JACINTO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5792. *WHITWORTH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–5795. *LANGSTON v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 24–5798. *COOPER v. LANGDON, WARDEN*. C. A. 4th Cir. Certiorari denied.

No. 24–5800. *BROWN v. MCCOY, WARDEN*. C. A. 4th Cir. Certiorari denied.

No. 24–5809. *FIGARO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 24–5817. *AFOLABI v. WARDEN, FEDERAL CORRECTIONAL INSTITUTION, FORT DIX*. C. A. 3d Cir. Certiorari denied.

No. 24–5833. *FAUCONIER v. VIRGINIA*. C. A. 4th Cir. Certiorari denied.

No. 24–348. *SUTHERLAND v. DCC LITIGATION FACILITY, INC.* C. A. 6th Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 24–5593. *BRANDON v. JANSSEN PHARMACEUTICALS ET AL.* C. A. 4th Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

Rehearing Denied

No. 23–1120. *MANNS v. U. S. BANK N. A., AS TRUSTEE FOR BANC OF AMERICA FUNDING CORPORATION FOR MORTGAGE PASS-THROUGH CERTIFICATES 2007–03*, 604 U. S. 912;

No. 23–1322. *TINDALL v. COMMISSIONER OF INTERNAL REVENUE*, 604 U. S. 920;

No. 23–7515. *DAVIS v. HEMMERSBACH US, L. L. C.*, 604 U. S. 928;

No. 24–58. *GINDI v. NEW YORK CITY DEPARTMENT OF EDUCATION*, 604 U. S. 949;

No. 24–83. *AKERMAN v. NATIONAL GUARD BUREAU*, 604 U. S. 950;

No. 24–212. *ARCHER v. AMERICA’S FIRST FEDERAL CREDIT UNION ET AL.*, 604 U. S. 953;

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No. 24–242. *IN RE STERN*, 604 U. S. 976; and
No. 24–5148. *HARVIN v. JPMORGAN CHASE BANK, N. A., ET AL.*, 604 U. S. 961. Petitions for rehearing denied.

NOVEMBER 21, 2024

Certiorari Denied

No. 24–5993 (24A498). *GRAYSON v. HAMM, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied.

NOVEMBER 22, 2024

Miscellaneous Order

No. 24A419. *DAVIS, WARDEN v. SMITH.* C. A. 6th Cir. Application for stay and recall of the mandate, presented to JUSTICE KAVANAUGH, and by him referred to the Court, denied.

Certiorari Granted

No. 24–354. *FEDERAL COMMUNICATIONS COMMISSION ET AL. v. CONSUMERS’ RESEARCH ET AL.*; and

No. 24–422. *SCHOOLS, HEALTH & LIBRARIES BROADBAND COALITION, ET AL. v. CONSUMERS’ RESEARCH ET AL.* C. A. 5th Cir. Certiorari granted, cases consolidated, and a total of one hour is allotted for oral argument. In addition to the questions presented by the petitions, the parties are directed to brief and argue the following question: “Whether this case is moot in light of the challengers’ failure to seek preliminary relief before the Fifth Circuit.” Reported below: 109 F. 4th 743.

NOVEMBER 25, 2024

Dismissal Under Rule 46

No. 24–262. *MAKHNEVICH v. BOUGOPOULOS ET AL.* C. A. 2d Cir. Certiorari dismissed under this Court’s Rule 46.

Certiorari Dismissed

No. 24–5656. *GREEN v. PARAMOUNT.* C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed

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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. 24M39. *HORN v. UNITED STATES*; and

No. 24M40. *BLANCO v. GREENE, WARDEN*. C. A. 7th Cir. Motions to direct the Clerk to file petitions for writs if certiorari out of time denied.

No. 24M41. *IN RE SEALED*. Motion for leave to file petition for writ of mandamus under seal denied.

No. 24M42. *IN RE HAOSHS*. Motion for leave to file petition for writ of habeas corpus with supplemental appendix under seal granted.

No. 23–997. *STANLEY v. CITY OF SANFORD, FLORIDA*. Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 23–1226. *MCLAUGHLIN CHIROPRACTIC ASSOCIATES, INC. v. MCKESSON CORP. ET AL.* C. A. 9th Cir. [Certiorari granted, 603 U. S. 949.] Motion of petitioner to dispense with printing joint appendix granted.

No. 24–171. *COX COMMUNICATIONS, INC., ET AL. v. SONY MUSIC ENTERTAINMENT ET AL.*; and

No. 24–181. *SONY MUSIC ENTERTAINMENT ET AL. v. COX COMMUNICATIONS, INC., ET AL.* C. A. 4th Cir. The Solicitor General is invited to file a brief in these cases expressing the views of the United States.

No. 24–5052. *IN RE FINDLAY*. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [604 U. S. 1030] denied.

No. 24–5120. *STREGE v. GMAIL-GOOGLE ET AL.* C. A. 10th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [604 U. S. 903] denied.

No. 24–5421. *IN RE CASTEEL*. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [604 U. S. 908] denied.

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No. 24-5634. ABBOUD *v.* ABBOUD. Sup. Ct. Fla.;

No. 24-5666. ORREGO *v.* PASTERNAK TILKER ZIEGLER WALSH STANTON & ROMANO LLP ET AL. C. A. 2d Cir.; and

No. 24-5697. DEVILLE *v.* PENSION BENEFIT GUARANTY CORPORATION. C. A. D. C. Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until December 16, 2024, 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. 24-5643. IN RE ARNOLD. Petition for writ of mandamus denied.

No. 24-5472. IN RE JAYATON-KERRY. Petition for writ of mandamus and/or prohibition denied.

Certiorari Denied

No. 23-1269. MARTIN *v.* HALING ET AL. C. A. 7th Cir. Certiorari denied.

No. 23-1325. ALEJOS-PEREZ *v.* GARLAND, ATTORNEY GENERAL. C. A. 5th Cir. Certiorari denied.

No. 23-7506. L'ESPERANCE *v.* THIBODEAU. Sup. Ct. N. H. Certiorari denied.

No. 23-7754. CARRASCO *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied.

No. 24-2. BOURQUE *v.* ENGINEERS AND ARCHITECTS ASSN. ET AL. C. A. 9th Cir. Certiorari denied.

No. 24-72. HAY *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied.

No. 24-189. R. J. REYNOLDS TOBACCO CO. ET AL. *v.* FOOD AND DRUG ADMINISTRATION ET AL. C. A. 5th Cir. Certiorari denied.

No. 24-315. PASULKA *v.* LEE. Ct. App. Cal., 2d App. Dist., Div. 6. Certiorari denied.

No. 24-326. DEVENGOCHEA *v.* BOLIVARIAN REPUBLIC OF VENEZUELA. C. A. 3d Cir. Certiorari denied.

No. 24-335. VIVENDI S. E. ET AL. *v.* EPAC TECHNOLOGIES LTD. Ct. App. N. Y. Certiorari denied.

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No. 24–360. SIKOUSIS LEGACY, INC., ET AL. *v.* B-GAS LTD., AKA BEPALO LPG SHIPPING LTD., ET AL. C. A. 9th Cir. Certiorari denied.

No. 24–364. FUTIA *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied.

No. 24–367. YORK *v.* UNITED STATES ET AL. C. A. 9th Cir. Certiorari denied.

No. 24–382. HARRIS *v.* HARGETT, TENNESSEE SECRETARY OF STATE, ET AL. C. A. 6th Cir. Certiorari denied.

No. 24–439. MILLER MENDEL, INC. *v.* CITY OF ANNA, TEXAS. C. A. Fed. Cir. Certiorari denied.

No. 24–448. MARINARO *v.* PARKS ZIEGLER, PLLC. Sup. Ct. Va. Certiorari denied.

No. 24–462. KELLY *v.* DORMAN ET AL. C. A. 7th Cir. Certiorari denied.

No. 24–468. SPENCE *v.* DEPARTMENT OF VETERANS AFFAIRS ET AL. C. A. D. C. Cir. Certiorari denied.

No. 24–476. ASCENSION DATA & ANALYTICS, LLC, ET AL. *v.* PAIRPREP, INC., DBA OPTICSMIL. C. A. 5th Cir. Certiorari denied.

No. 24–477. BOUKAMP *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 24–481. LEIBAS *v.* DART, SHERIFF, COOK COUNTY, ILLINOIS, ET AL. C. A. 7th Cir. Certiorari denied.

No. 24–485. PREST *v.* BP EXPLORATION & PRODUCTION, INC., ET AL. C. A. 5th Cir. Certiorari denied.

No. 24–496. CROTHERS *v.* WYOMING. Sup. Ct. Wyo. Certiorari denied.

No. 24–5141. DAVIS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied.

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No. 24–5340. *PAWLOWSKI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 24–5586. *ZIYAO JIANG v. LIU YUAN ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–5618. *SHARKEY v. HOLLOWAY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 24–5622. *MICKMAN v. SUPERIOR COURT OF PENNSYLVANIA*. C. A. 3d Cir. Certiorari denied.

No. 24–5630. *SACOMAN v. COLE, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 24–5635. *BOWERS v. PAYSON CITY, UTAH*. Ct. App. Utah. Certiorari denied.

No. 24–5636. *MOCO v. JANIK ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–5648. *SCOTT v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 24–5649. *ARNOLD v. PATTERSON*. C. A. 11th Cir. Certiorari denied.

No. 24–5651. *MCLAUGHLIN v. OLIVER, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5652. *SMITH v. OLDS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 24–5655. *CRUZADO LAUREANO v. POPULAR DEMOCRATIC PARTY AND ITS GOVERNING BOARD*. Sup. Ct. P. R. Certiorari denied.

No. 24–5665. *OLIVER v. McDONALD ET AL.* C. A. 6th Cir. Certiorari denied.

No. 24–5675. *ALBERT v. GONZALEZ ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5680. *P. H. v. CUMBERLAND COUNTY CHILDREN AND YOUTH SERVICES ET AL.* Super. Ct. Pa. Certiorari denied.

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No. 24–5681. *POOLE v. UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES PITTSBURGH FIELD OFFICE*. C. A. 3d Cir. Certiorari denied.

No. 24–5694. *MIXON v. WILLIAMS ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5698. *MOORE v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied.

No. 24–5701. *YARITZ v. MINNESOTA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 8th Cir. Certiorari denied.

No. 24–5703. *BOCHRA v. DEPARTMENT OF EDUCATION ET AL.* C. A. 7th Cir. Certiorari denied.

No. 24–5751. *DOMINIQUE v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

No. 24–5772. *SEWALK v. VALPAK DIRECT MARKETING SYSTEMS, LLC*. C. A. 11th Cir. Certiorari denied.

No. 24–5819. *ROBINSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–5820. *NGOMBA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 24–5822. *DE LA TORRE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 24–5829. *ABNER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5834. *HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5836. *HASSAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5841. *ROSS v. BIVENS, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–5852. *KAWLESKI v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 24–5862. *HERNANDEZ-HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

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No. 24–5863. *ANDRES C. v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied.

No. 24–5864. *SANDERS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–5867. *BARNETT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5869. *DURRAH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–5871. *PAYNE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 23–1363. *BAKER v. CITY OF MCKINNEY, TEXAS*. C. A. 5th Cir. Certiorari denied. Reported below: 84 F. 4th 378.

Statement of JUSTICE SOTOMAYOR, with whom JUSTICE GORSUCH joins, respecting the denial of certiorari.

The Takings Clause of the Fifth Amendment provides that private property shall not “be taken for public use, without just compensation.” This case raises an important question that has divided the courts of appeals: whether the Takings Clause requires compensation when the government damages private property pursuant to its police power.

On July 25, 2020, in McKinney, Texas, a fugitive named Wesley Little kidnapped a 15-year-old girl. After evading the police in a high-speed car chase, Little found his way to petitioner Vicki Baker’s home with his victim in tow. Little was familiar with the home because he had previously worked there as a handyman. Baker had recently retired and moved to Montana, so her daughter Deanna Cook was at the house that day, preparing to put it up for sale. When Cook answered the door, she recognized Little and the child with him: Earlier that day, Cook saw on Facebook that Little was on the run with a teenage girl. Cook feigned ignorance and let them into the house, but told Little, falsely, that she had to go to the supermarket. Once outside, Cook called Baker, who called the police.

McKinney police arrived soon after and set up a perimeter around Baker’s home. Eventually, Little released the girl and she exited the house. The girl told the police that Little was hiding in the attic, that he was armed, and that he was high on

methamphetamine. Later, while still in the attic, Little told the police that he was not going back to prison, that he knew he was going to die, and that he planned to shoot it out with the police. To resolve the standoff and protect the surrounding community, the police tried to draw Little out by launching dozens of tear gas grenades into the home. When that did not work, the officers detonated explosives to break down the front and garage doors and used a tank-like vehicle to bulldoze the home's backyard fence. By the time the officers gained entry, Little had taken his own life. All agree that the McKinney police acted properly that day and that their actions were necessary to prevent harm to themselves and the public.

The actions of the police also caused extensive damage to Baker's home and personal belongings, however. As the District Court explained:

“The explosions left Baker's dog permanently blind and deaf. The toxic gas that permeated the House required the services of a HAZMAT remediation team. Appliances and fabrics were irreparable. Ceiling fans, plumbing, floors (hard surfaces as well as carpet), and bricks needed to be replaced—in addition to the windows, blinds, fence, front door, and garage door. Essentially all of the personal property in the House was destroyed, including an antique doll collection left to Baker by her mother.” 84 F. 4th 378, 380–381 (CA5 2023).

In total, the damage amounted to approximately \$50,000. *Id.*, at 381. Baker's insurance refused to cover any damage caused by the McKinney police.* Baker, who bore no responsibility for what had occurred at her home, then filed a claim for property damage with the city. The city denied the claim in its entirety. Baker thereafter sued the city, alleging a violation of the Takings Clause. At the summary judgment stage, the District Court held that the city's destruction of Baker's property was a compensable taking under the Fifth Amendment. 601 F. Supp. 3d 124,

*Homeowners' insurance policies generally do not provide coverage for damage caused by the government. See 10A, J. Plitt, S. Plitt, D. Maldonado, & J. Rogers, *Couch on Insurance* § 152:22 (3d ed. Supp. 2024) (explaining that “losses [that] occur because of the actions of a civil authority functioning in its ordinary governing capacity” are “typically excluded from most property insurance policies”).

144 (ED Tex. 2022). Following trial, a jury awarded Baker nearly \$60,000 in damages.

On appeal, the Fifth Circuit reversed. The court declined to adopt the city's broad assertion that the Takings Clause never requires compensation when a government agent destroys property pursuant to its police power. Such a broad categorical rule, the Fifth Circuit reasoned, was at odds with its own precedent and this Court's Takings Clause jurisprudence. 84 F. 4th, at 383–384. Instead, the Fifth Circuit adopted a narrower rule that it understood to be compelled by history and precedent: The Takings Clause does not require compensation for damaged property when it was “objectively necessary” for officers to damage the property in an active emergency to prevent imminent harm to persons. *Id.*, at 385–388. Because the parties agreed that the McKinney police's actions were objectively necessary, the Fifth Circuit concluded that Baker was not entitled to compensation. *Id.*, at 388. Baker now petitions for certiorari and asks this Court to reverse the Fifth Circuit's judgment.

The Court's denial of certiorari expresses no view on the merits of the decision below. I write separately to emphasize that petitioner raises a serious question: whether the Takings Clause permits the government to destroy private property without paying just compensation, as long as the government had no choice but to do so. Had McKinney razed Baker's home to build a public park, Baker undoubtedly would be entitled to compensation. Here, the McKinney police destroyed Baker's home for a different public benefit: to protect local residents and themselves from an armed and dangerous individual. Under the Fifth Circuit's decision, Baker alone must bear the cost of that public benefit.

The text of the Takings Clause states that private property may not “be taken for public use, without just compensation.” The Takings Clause was “designed to bar Government from forcing some people alone to bear public burdens which, in all fairness and justice, should be borne by the public as a whole.” *Armstrong v. United States*, 364 U.S. 40, 49 (1960). This Court has yet to squarely address whether the government can, pursuant to its police power, require some individuals to bear such a public burden.

This Court's precedents suggest that there may be, at a minimum, a necessity exception to the Takings Clause when the destruction of property is inevitable. Consider *Bowditch v. Boston*,

101 U. S. 16 (1880), in which the Court held that a building owner was not entitled to compensation after firefighters destroyed his building to stop a fire from spreading. *Id.*, at 18 (“At the common law every one had the right to destroy real and personal property, in cases of actual necessity, to prevent the spreading of a fire, and there was no responsibility on the part of such destroyer, and no remedy for the owner”). *Bowditch* interpreted Massachusetts state law, but subsequent cases have relied on *Bowditch* in the Takings Clause context. Similarly, in *United States v. Caltex (Philippines), Inc.*, 344 U. S. 149 (1952), this Court held that the Takings Clause did not require the Government to pay compensation for its destruction of oil companies’ terminal facilities amid a military invasion. The destruction of that property during war-time was necessary, the Court explained, “to prevent the enemy from realizing any strategic value from an area which he was soon to capture.” *Id.*, at 155. That holding accorded with the common-law principle “that in times of imminent peril—such as when fire threatened a whole community—the sovereign could, with immunity, destroy the property of a few that the property of many and the lives of many more could be saved.” *Id.*, at 154. These cases do not resolve Baker’s claim, however, because the destruction of her property was necessary, but not inevitable. Whether the inevitable-destruction cases should extend to this distinct context remains an open question.

Only a few Courts of Appeals have weighed in on the extent to which the Takings Clause applies to exercises of the police power. Unlike the Fifth Circuit, the Seventh Circuit and Federal Circuit have held that “the Takings Clause does not apply when property is retained or damaged as the result of the government’s exercise of its authority pursuant to some power other than the power of eminent domain.” *Johnson v. Manitowoc County*, 635 F. 3d 331, 336 (CA7 2011); *AmeriSource Corp. v. United States*, 525 F. 3d 1149, 1154 (CA Fed. 2008). The Sixth Circuit rejected a takings claim similar to the one here, without addressing any purported exceptions to the Takings Clause, because the plaintiffs “failed to identify any history or precedent establishing that the police have ‘taken’ their ‘property’ within the meaning of the Fifth Amendment when the police damaged the property while conducting a lawful arrest.” *Slaybaugh v. Rutherford County*, 114 F. 4th 593, 603 (2024); see also *Lech v. Jackson*, 791 Fed. Appx. 711, 717 (CA10 2019) (“[W]hen the state acts pursuant to

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its police power, rather than the power of eminent domain, its actions do not constitute a taking for purposes of the Takings Clause”). The Fourth Circuit, meanwhile, has held “[t]hat Government actions taken pursuant to the police power are not per se exempt from the Takings Clause.” *Yawn v. Dorchester County*, 1 F. 4th 191, 195 (2021). All those decisions, save the Sixth Circuit’s, however, predate the Fifth Circuit’s determination that there is an “objectively necessary” exception to the Takings Clause. Whether any such exception exists (and how the Takings Clause applies when the government destroys property pursuant to its police power) is an important and complex question that would benefit from further percolation in the lower courts prior to this Court’s intervention.

No. 24–178. *OAKLAND TACTICAL SUPPLY, LLC, ET AL. v. HOWELL TOWNSHIP, MICHIGAN*. C. A. 6th Cir. Motion of Center for Human Liberty for leave to file brief as *amicus curiae* granted. Certiorari denied.

No. 24–5870. *PEMBERTON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this petition.

Rehearing Denied

No. 23–1243. *JOHNSTON v. KROEGER ET AL.*, 604 U. S. 916;

No. 23–1354. *ABDUL-HAQQ v. PERMANENTE MEDICAL GROUP, INC., ET AL.*, 604 U. S. 921;

No. 23–1368. *ARANA, AKA ARANA SANTIAGO v. TAPIA MALDONADO ET AL.*, 604 U. S. 922;

No. 23–7372. *KELLY v. DISCIPLINARY COUNSEL SWARTZ ET AL.*, 604 U. S. 925;

No. 23–7394. *JACKSON v. ALABAMA*, 604 U. S. 925;

No. 23–7442. *FARLEY v. WILLS*, 604 U. S. 926;

No. 23–7500. *PENDLETON v. MIYARES, ATTORNEY GENERAL OF VIRGINIA, ET AL.*, 604 U. S. 928;

No. 23–7589. *LEE, AKA IMUTA v. U. S. BANK N. A., SUCCESSOR TRUSTEE TO BANK OF AMERICA, N. A., SUCCESSOR IN INTEREST TO LASALLE BANK N. A.*, 604 U. S. 932;

No. 23–7618. *REYNOLDS v. TITUS COUNTY, TEXAS, ET AL.*, 604 U. S. 934;

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No. 23–7715. *BENDER v. IOWA DEPARTMENT OF CORRECTIONS ET AL.*, 604 U. S. 940;

No. 23–7735. *FAUST v. FAUST*, 604 U. S. 941;

No. 24–34. *HORTON v. PG&E CORP.*, 604 U. S. 948;

No. 24–84. *VÁZQUEZ-QUINTANA v. MARTÍNEZ REMIGIO ET AL.*, 604 U. S. 950;

No. 24–105. *KOTLYARSKY v. DEPARTMENT OF JUSTICE ET AL.*, 604 U. S. 951;

No. 24–158. *COLE-KELLY v. COHEN, STATE CONTROLLER OF CALIFORNIA, ET AL.*, 604 U. S. 952;

No. 24–159. *WALL GUY, INC., ET AL. v. FEDERAL DEPOSIT INSURANCE CORPORATION, AS RECEIVER FOR FIRST STATE BANK*, 604 U. S. 952;

No. 24–196. *JENN-CHING LUO v. OWEN J. ROBERTS SCHOOL DISTRICT ET AL.*, 604 U. S. 998; and

No. 24–209. *IN RE KARUPAIYAN*, 604 U. S. 997. Petitions for rehearing denied.

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Dismissals Under Rule 46

No. 145, Orig. *DELAWARE v. PENNSYLVANIA ET AL.*; and

No. 146, Orig. *ARKANSAS ET AL. v. DELAWARE*. Bills of complaint dismissed under this Court’s Rule 46. [For earlier decision herein, see, *e. g.*, 598 U. S. 115.]

Certiorari Denied

No. 24–5807 (24A391) *COLLINGS v. VANDERGRIFF, WARDEN*. Sup. Ct. Mo. Application for stay of execution of sentence of death, presented to JUSTICE KAVANAUGH, and by him referred to the Court, denied. Certiorari denied.

DECEMBER 3, 2024

Miscellaneous Order

No. 23–1270. *RILEY v. GARLAND, ATTORNEY GENERAL*. C. A. 4th Cir. [Certiorari granted, 604 U. S. 1007.] Stephen J. Hammer, Esq., of Dallas, Tex., is invited to brief and argue this case as *amicus curiae* in support of the judgment below.

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DECEMBER 6, 2024

Dismissal Under Rule 46

No. 24–224. *PLUMBERS LOCAL 290 PENSION TRUST FUND v. ROOT, INC., ET AL.* C. A. 6th Cir. Certiorari dismissed under this Court’s Rule 46.

Certiorari Granted

No. 23–1345. *RIVERS v. LUMPKIN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari granted. Reported below: 99 F. 4th 216.

No. 24–20. *FULD ET AL. v. PALESTINE LIBERATION ORGANIZATION ET AL.* (Reported below: 82 F. 4th 74); and *WALDMAN ET AL. v. PALESTINE LIBERATION ORGANIZATION ET AL.* (82 F. 4th 64); and

No. 24–151. *UNITED STATES v. PALESTINE LIBERATION ORGANIZATION ET AL.* (two judgments). Reported below: 82 F. 4th 64 (second judgment) and 74 (first judgment). C. A. 2d Cir. Certiorari granted, cases consolidated, and a total of one hour is allotted for oral argument.

DECEMBER 9, 2024

Certiorari Dismissed

No. 24–5673. *BRUNSON v. HERRING, SUPERINTENDENT, MAURY CORRECTIONAL INSTITUTION.* C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

No. 24–5749. *THOMAS v. NORTH CAROLINA MUTUAL LIFE INSURANCE CO. ET AL.* C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

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Miscellaneous Orders

No. 24A328. *GOOD LAWGIC, LLC, ET AL. v. MERCHAN, JUSTICE, NEW YORK STATE SUPREME COURT, NEW YORK COUNTY. Ct. App. N. Y.* Application for stay, addressed to JUSTICE ALITO and referred to the Court, denied.

No. 24A430. *AKERMAN v. NATIONAL GUARD BUREAU. C. A. D. C. Cir.* Application to suspend the effect of denial of the petition for writ of certiorari, addressed to JUSTICE KAGAN and referred to the Court, denied.

No. 24M43. *MOINI v. GRANBERG.* Motion for leave to file petition for writ of certiorari under seal with redacted copies for the public record granted.

No. 24M44. *HAMMETT v. PORTFOLIO RECOVERY ASSOCIATES, LLC, ET AL.* Motion of petitioner for leave to file petition for writ of certiorari with supplemental appendix under seal granted.

No. 23–1002. *HEWITT v. UNITED STATES; and*

No. 23–1150. *DUFFEY ET AL. v. UNITED STATES. C. A. 5th Cir.* [Certiorari granted, 603 U. S. 904.] Motion of the Solicitor General for divided argument granted.

No. 23–1122. *FREE SPEECH COALITION, INC., ET AL. v. PAXTON, ATTORNEY GENERAL OF TEXAS. C. A. 5th Cir.* [Certiorari granted, 603 U. S. 904.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae*, for divided argument, and for enlargement of time for oral argument granted.

No. 24–109. *LOUISIANA v. CALLAIS ET AL.; and*

No. 24–110. *ROBINSON ET AL. v. CALLAIS ET AL. D. C. W. D. La.* [Probable jurisdiction noted, 604 U. S. 1007.] Motion of Edward Galmon, Sr., et al. for leave to intervene denied.

No. 24–5283. *IN RE FINDLAY.* Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [604 U. S. 976] denied.

No. 24–5304. *SELBY v. McDONOUGH, SECRETARY OF VETERANS AFFAIRS. C. A. Fed. Cir.* Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [604 U. S. 907] denied.

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No. 24–5556. REID *v.* WARDEN, UNITED STATES PENITENTIARY, CANAAN. C. A. 3d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [604 U. S. 975] denied.

No. 24–5570. IN RE DICKEY. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [604 U. S. 976] denied.

No. 24–5696. SAVOY *v.* FRANCHOT, COMPTROLLER OF MARYLAND. App. Ct. Md.;

No. 24–5704. MOODY *v.* HORAN. Dist. Ct. App. Fla., 1st Dist.; and

No. 24–5914. PERRY *v.* RAIMONDO, SECRETARY OF COMMERCE, ET AL. C. A. D. C. Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until December 30, 2024, 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. 24–5958. IN RE FOSTER. Petition for writ of habeas corpus denied.

No. 24–5660. IN RE VANG; and

No. 24–5662. IN RE BROWN. Petitions for writs of mandamus denied.

Certiorari Denied

No. 23–1277. PPI ENTERPRISES, LLC *v.* TOWN OF WINDHAM, NEW HAMPSHIRE. Sup. Ct. N. H. Certiorari denied.

No. 24–103. ZUNIGA-AYALA *v.* GARLAND, ATTORNEY GENERAL. C. A. 5th Cir. Certiorari denied.

No. 24–118. PHARMACEUTICAL RESEARCH AND MANUFACTURERS OF AMERICA *v.* MCCLAIN, COMMISSIONER OF THE ARKANSAS INSURANCE DEPARTMENT, ET AL. C. A. 8th Cir. Certiorari denied.

No. 24–119. SAFAHI *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 24–120. SCHIEFERLE *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

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No. 24–121. *WON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–125. *ALAHMEDALABDALOKLAH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–346. *BEADLES v. RODRIGUEZ ET AL.* Sup. Ct. Nev. Certiorari denied.

No. 24–353. *JEFFERSON v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied.

No. 24–356. *MUNROE v. AETNA MEDICARE ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–359. *ALVAREZ v. TEXAS WORKFORCE COMMISSION*. C. A. 5th Cir. Certiorari denied.

No. 24–368. *RUDDER v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS*. C. A. 5th Cir. Certiorari denied.

No. 24–369. *HASSELL CONSTRUCTION CO., INC., ET AL. v. HARRIS COUNTY IMPROVEMENT DISTRICT NO. 18 ET AL.* Ct. App. Tex., 1st Dist. Certiorari denied.

No. 24–374. *HOMRIGHAUSEN v. OHIO*. Ct. App. Ohio, 5th App. Dist., Tuscarawas County. Certiorari denied.

No. 24–376. *JOHNSON v. WASHINGTON*. Ct. App. Wash. Certiorari denied.

No. 24–378. *BABAKR v. FOWLES ET AL.* C. A. 10th Cir. Certiorari denied.

No. 24–389. *COULTER v. COULTER ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–398. *VERASTIQUE ET AL. v. CITY OF DALLAS, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–400. *TOM v. O'MALLEY, COMMISSIONER OF SOCIAL SECURITY*. C. A. 9th Cir. Certiorari denied.

No. 24–403. *MCINTOSH v. WASHINGTON*. Ct. App. Wash. Certiorari denied.

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No. 24–405. INDIANA EX REL. WALTON *v.* SUPERIOR COURT 6 OF INDIANA, HAMILTON COUNTY, ET AL. Sup. Ct. Ind. Certiorari denied.

No. 24–406. HUNADY *v.* CHISESI, ADMINISTRATRIX OF THE ESTATE OF VICTOR, DECEASED. C. A. 11th Cir. Certiorari denied.

No. 24–414. LARSON *v.* COMMUNITYWORKS NORTH DAKOTA ET AL. Sup. Ct. N. D. Certiorari denied.

No. 24–418. ZIMMER BIOMET HOLDINGS, INC. *v.* INSALL, AS EXECUTRIX OF THE ESTATE OF INSALL. C. A. 7th Cir. Certiorari denied.

No. 24–419. DJOKRO ET AL. *v.* GARLAND, ATTORNEY GENERAL. C. A. 1st Cir. Certiorari denied.

No. 24–426. PLAN BENEFIT SERVICES, INC., ET AL. *v.* CHAVEZ ET AL. C. A. 5th Cir. Certiorari denied.

No. 24–460. MILLER *v.* HOOPER, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 24–471. GUERRA BLANCO *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 24–478. AZALI *v.* OHIO. Ct. App. Ohio, 8th App. Dist., Cuyahoga County. Certiorari denied.

No. 24–480. SISIA *v.* STATE FARM MUTUAL AUTOMOBILE INSURANCE Co. C. A. 11th Cir. Certiorari denied.

No. 24–488. GHANEM *v.* TEXAS. Ct. App. Tex., 13th Dist. Certiorari denied.

No. 24–492. SCAFIDI *v.* LAS VEGAS METROPOLITAN POLICE DEPARTMENT ET AL. C. A. 9th Cir. Certiorari denied.

No. 24–493. SHIPTON *v.* BALTIMORE GAS & ELECTRIC Co. ET AL. C. A. 4th Cir. Certiorari denied.

No. 24–519. NKONGHO *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied.

No. 24–522. SAFFARINIA *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied.

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No. 24–526. *DRABINSKY v. ACTORS’ EQUITY ASSN.* C. A. 2d Cir. Certiorari denied.

No. 24–541. *PALM BEACH POLO, INC. v. VILLAGE OF WELLINGTON, FLORIDA.* Sup. Ct. Fla. Certiorari denied.

No. 24–5347. *BENNETT v. MISSISSIPPI.* Sup. Ct. Miss. Certiorari denied.

No. 24–5403. *LEVESY v. SCOLESE, DIRECTOR, NATIONAL RECONNAISSANCE OFFICE, ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–5544. *WALD v. NEW YORK.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied.

No. 24–5663. *ASHETZIE v. ILLINOIS.* App. Ct. Ill., 2d Dist. Certiorari denied.

No. 24–5667. *SMITH v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 24–5669. *PETERSON v. NEBRASKA.* Ct. App. Neb. Certiorari denied.

No. 24–5676. *ALTAMIRANO v. BREITENBACH, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5682. *NGUYEN v. LUEBCKE ET AL.* Ct. App. Cal., 1st App. Dist., Div. 2. Certiorari denied.

No. 24–5691. *EDWARDS v. SCOTT ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–5692. *HAHN v. REAVES, WARDEN, ET AL.* Sup. Ct. Ga. Certiorari denied.

No. 24–5693. *MONTGOMERY v. SEGREST.* C. A. 5th Cir. Certiorari denied.

No. 24–5705. *HICKS v. TEXAS BOARD OF PARDONS AND PAROLES ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–5710. *BUCK v. ILLINOIS.* App. Ct. Ill., 4th Dist. Certiorari denied.

No. 24–5713. *ACOSTA v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

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No. 24–5716. *GREEN v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied.

No. 24–5726. *HUDSON v. EMIG, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–5728. *CLARK v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 24–5729. *COAST v. GEORGIA*. Sup. Ct. Ga. Certiorari denied.

No. 24–5769. *TYSON v. QUIKTRIP CORP.* Ct. Civ. App. Okla. Certiorari denied.

No. 24–5781. *ROBINSON v. HOLMAN ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–5804. *ABDEL-FATTAH v. ENO*. Sup. Ct. N. H. Certiorari denied.

No. 24–5814. *HOWALD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5823. *BERNAZARD v. MILLER, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 24–5838. *BOSWELL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5857. *DELEON RIOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5860. *RIVERA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–5872. *GANNON v. TEXAS*. Ct. App. Tex., 6th Dist. Certiorari denied.

No. 24–5880. *SCHMIDT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5881. *ATKINS v. HOLBROOK, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 24–5882. *GREENFIELD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

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No. 24–5887. *ROMERO v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 24–5888. *HERMAN v. BROWN*. C. A. 4th Cir. Certiorari denied.

No. 24–5890. *STEWART v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–5891. *CANNON v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied.

No. 24–5894. *PIERCE v. SALMONSEN ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5895. *GODWIN v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–5898. *FELTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5900. *SCALES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–5902. *BIBBS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–5905. *HUOSHENG XIAN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 24–5909. *WILSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5919. *BOOHER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–5921. *KOTERAS v. AKERS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 24–5922. *ALLEN-SHINN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5926. *THOMAS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–5928. *WANJIKU v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

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No. 24–5931. *WESLEY v. BAKER, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 24–5938. *SCHNEKENBURGER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–5940. *BEASLEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–5941. *CUEVAS v. HIGHBERGER, ACTING SUPERINTENDENT, OREGON STATE PENITENTIARY*. Sup. Ct. Ore. Certiorari denied.

No. 24–5949. *RAMIREZ v. GAMBOA, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 24–5950. *IVERSEN v. PEDRO, SUPERINTENDENT, EASTERN OREGON CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied.

No. 24–5951. *MOYA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5957. *DAVIS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 24–5972. *MORALES-VELEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 24–5973. *HUERTAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 23–1137. *BOSTON PARENT COALITION FOR ACADEMIC EXCELLENCE CORP. v. SCHOOL COMMITTEE FOR THE CITY OF BOSTON ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 89 F. 4th 46.

Statement of JUSTICE GORSUCH respecting the denial of certiorari.

A group of parents and students challenged a Boston public school admissions policy, arguing that it defied the Fourteenth Amendment’s Equal Protection Clause. After the First Circuit rejected the challenge and upheld Boston’s policy, the parents and students sought review here. In their petition for certiorari, they argue that the First Circuit misapplied *Students for Fair Admis-*

sions, Inc. v. President and Fellows of Harvard College, 600 U. S. 181 (2023), and other of this Court’s precedents.

The difficulty, as I see it, is that Boston has replaced the challenged admissions policy. See 89 F. 4th 46, 54 (CA1 2023). The parents and students do not challenge Boston’s new policy, nor do they suggest that the city is simply biding its time, intent on reviving the old policy. Strictly speaking, those developments may not moot this case. But, to my mind, they greatly diminish the need for our review. As a result, I concur in the Court’s denial of the petition for certiorari.

Our decision today, however, should not be misconstrued. A “denial of certiorari does not signify that the Court necessarily agrees with the decision (much less the opinion) below.” *Kennedy v. Bremerton School Dist.*, 586 U. S. 1130 (2019) (ALITO, J., statement respecting denial of certiorari). And, in fact, JUSTICE ALITO expresses today a number of significant concerns about the First Circuit’s analysis, concerns I share and lower courts facing future similar cases would do well to consider. See *post*, at 1052–1054 (opinion dissenting from denial of certiorari).

JUSTICE ALITO, with whom JUSTICE THOMAS joins, dissenting.

The following events might sound familiar. See *Coalition for TJ v. Fairfax Cty. School Bd.*, 601 U. S. 1039 (2024) (ALITO, J., dissenting from denial of certiorari).

Boston is home to three “exam schools,” which are ranked among the top public high schools in the United States. For 20 years, an applicant’s GPA, standardized test score, and school preference were the sole metrics for admission to those schools. In 2019, however, the Boston School Committee (Committee) began to consider changes to the schools’ admission practices for the purpose of altering their “racial/ethnic demographics.” 89 F. 4th 46, 52 (CA1 2023). To that end, the Committee convened a working group to recommend revised procedures for the 2021–2022 application cycle.

After studying the issue, the working group presented a two-step proposal to the Committee in October 2020. First, students with the highest GPAs citywide would fill 20% of the exam-school seats. Second, each zip code in Boston would receive a share of the remaining 80% of seats proportionate to its population of school-age children. For those seats, the plan would rank applicants by GPA within each zip code and give assignment priority

to zip codes with lower median household incomes. After the working group presented this proposal, Committee member Dr. Lorna Rivera expressed her approval. She emphasized that the Committee must “be explicit about racial equity” and “increas[ing] those admissions rates, especially for Latinx and black students.” Record 433–434.

Heeding Dr. Rivera’s call, the Committee put race front and center when it came time to vote on the proposal several weeks later. The meeting kicked off with a lengthy statement from “anti-racist activist” Dr. Ibram X. Kendi, who “urge[d the Committee] to approve this antiracist policy proposal” that would “close racial and economic gaps.” *Id.*, at 567, 647. Later, during the public-comment period, the Committee called on three citizens whose names suggested they were of Asian descent. Forgetting to mute himself on Zoom, the Committee Chairperson, Michael Loconto, mocked their names. See *id.*, at 892–893. Vice-Chairperson Alexandra Oliver-Dávila and Dr. Rivera could hardly contain their amusement, noting over text message they “almost laughed out loud” at Loconto’s gaffe. *Id.*, at 2380.

That was not all Oliver-Dávila and Rivera had to say. As leaked text messages later revealed, Oliver-Dávila told Rivera that she expected “the white racists [to] start yelling [at] us” during the public-comment period. *Id.*, at 2397. She went on to note that she “hate[s] WR,” a reference to the predominantly white West Roxbury neighborhood of Boston. *Id.*, at 2401. Rivera agreed, stating she too was “[s]ick of westie whites.” *Ibid.* Loconto, Oliver-Dávila, and Rivera voted to approve the working group’s proposal, but they all later resigned as a result of their racist remarks.

The new policy worked as intended. Between the 2020–2021 and 2021–2022 school years, black students increased from 14% to 23%; Latino students increased from 21% to 23%; white students decreased from 40% to 31%; and Asian students decreased from 21% to 18%.

The Boston Parent Coalition (Coalition), an organization of parents and children who have applied or will apply to the exam schools, filed suit. The Coalition claimed the new admission policy, though facially race neutral, violated the Equal Protection Clause.¹

¹ Boston later replaced the challenged 2021–2022 admission policy with a new policy that the Coalition does not challenge here. But, unlike respondents, I fail to see how that moots this case. First, the Coalition seeks nominal damages to redress the unconstitutional effects of the 2021–2022 admis-

Except in extraordinary circumstances, intentional discrimination based on race or ethnicity violates that clause. See *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*, 600 U. S. 181, 220 (2023). But in this case, despite overwhelming direct evidence of intentional discrimination, the lower courts concluded that the Coalition’s equal-protection claim failed because it did not show “disparate impact.” The First Circuit reasoned that, even under the new policy, white and Asian students remained “stark[ly] over-represent[ed]” compared to their population levels. 89 F. 4th, at 58 (citing *Coalition for TJ v. Fairfax Cty. School Bd.*, 68 F. 4th 864, 881 (CA4 2023)).

This reasoning is indefensible twice over. First, the lower courts’ disparate-impact analysis was clearly flawed. I addressed this point last Term in *Coalition for TJ*, 601 U. S. 1039 (opinion dissenting from denial of certiorari). There, the Fourth Circuit concluded that a facially race-neutral admission policy caused no disparate impact on Asian students because they “were still over-represented” compared to their population level. *Id.*, at 1045. As I explained, that is a “patently incorrect and dangerous understanding” of disparate impact. *Id.*, at 1039. But we failed to stamp out the Fourth Circuit’s error when we had the chance. Now, the error has metastasized and spread to the First Circuit. Nonetheless, it bears repeating that under our decision in *Arlington Heights v. Metropolitan Housing Development Corp.*, 429 U. S. 252 (1977), all a party must show in order to rely on disparate impact as circumstantial evidence of discriminatory intent is that an admission policy reduced one racial group’s chance of admission and increased another racial group’s chance of admission.

Second, and worse yet, the lower courts mistakenly treated evidence of disparate impact as a necessary element of an equal-protection claim. To my knowledge, we have never said as much. To be sure, we have said disparate impact is “[p]ossible evidence”

sion policy. See Record 2103; *Uzuegbunam v. Preczewski*, 592 U. S. 279, 292 (2021). Second, the opportunity to reapply under the new policy does not foreclose equitable relief related to the 2021–2022 admission policy. Indeed, I see no reason why the District Court could not order equitable relief entirely independent of the new policy’s requirements. For example, it could order the admission of the remaining students in the Coalition without any requirement for reapplication. Furthermore, if this case truly became moot on its way here, we would ordinarily vacate the judgment below. See *United States v. Munsingwear, Inc.*, 340 U. S. 36 (1950).

of such a claim, *Department of Homeland Security v. Regents of Univ. of Cal.*, 591 U.S. 1, 34 (2020) (plurality opinion), and “may provide an important starting point,” *Arlington Heights*, 429 U.S., at 266. We have also emphasized that disparate impact “is not the sole touchstone.”² *Washington v. Davis*, 426 U.S. 229, 242 (1976) (emphasis added). Further, a rigid rule requiring disparate-impact evidence would make little sense. We would, of course, recognize an equal-protection violation if the government had a malicious “intent or purpose” to discriminate against an individual based on his or her race or ethnicity. *Arlington Heights*, 429 U.S., at 265. Proof that the government’s action also injured the racial or ethnic group to which the plaintiff belongs, however, is not essential.

In making such an error, the First Circuit rendered legally irrelevant graphic direct evidence that Committee members harbored racial animus toward members of victimized racial groups.³ As the Committee members made “explicit,” they worked to decrease the number of white and Asian students at the exam schools in service of “racial equity.” Record 433. That is racial balancing by another name and is undoubtedly unconstitutional.

* * *

We have now twice refused to correct a glaring constitutional error that threatens to perpetuate race-based affirmative action in defiance of *Students for Fair Admissions*. I would reject root

²The Courts of Appeals appear to be divided on whether disparate impact is a necessary element of an *Arlington Heights* claim. Compare *Chinese Am. Citizens Alliance of Greater N. Y. v. Adams*, 116 F. 4th 161, 165 (CA2 2024), with *Lewis v. Ascension Parish School Bd.*, 806 F. 3d 344, 358–359 (CA5 2015); *Doe v. Lower Merion School Dist.*, 665 F. 3d 524, 549 (CA3 2011); and *Anderson v. Boston*, 375 F. 3d 71, 89 (CA1 2004).

³The parties dispute whether Oliver-Dávila’s and Rivera’s leaked text messages are properly before us. That issue, however, is not an obstacle to our correction of the First Circuit’s legal error. Moreover, I doubt the District Court was correct to exclude these later-discovered texts under Rule 60(b)(2) of the Federal Rules of Civil Procedure due to the Coalition’s alleged lack of diligence in procuring them. Before the Coalition filed this action, one of its members submitted a public-records request for, among other things, text messages between Oliver-Dávila and Rivera during the meeting to vote on the proposal. The Boston Public Schools inexplicably omitted the racist texts in its response. The later revelation of the texts is thus an obvious basis for reconsideration.

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and branch this dangerously distorted view of disparate impact. The Court, however, fails to do so today, so I must respectfully dissent.

No. 23–1280. PARENTS PROTECTING OUR CHILDREN, UNINCORPORATED ASSN. *v.* EAU CLAIRE AREA SCHOOL DISTRICT, WISCONSIN, ET AL. C. A. 7th Cir. Certiorari denied. JUSTICE KAVANAUGH would grant the petition for writ of certiorari. Reported below: 95 F. 4th 501.

JUSTICE ALITO, with whom JUSTICE THOMAS joins, dissenting.

This case presents a question of great and growing national importance: whether a public school district violates parents’ fundamental constitutional right to make decisions concerning the rearing of” their children, *Troxel v. Granville*, 530 U.S. 57, 70 (2000) (plurality opinion), when, without parental knowledge or consent, it encourages a student to transition to a new gender or assists in that process. We are told that more than 1,000 districts have adopted such policies. See Pet. for Cert. i.

The policy in this case is illustrative. In 2021, the Eau Claire Area School District issued “Administrative Guidance for Gender Identity Support.” App. to Pet. for Cert. 64. The guidance instructs school personnel to create “Student Gender Support Plan[s]” for students “[w]hen appropriate or necessary.” *Id.*, at 65. The plans can address a student’s restroom use, participation in athletics, and “social, medical, surgical, and/or legal processes.” *Id.*, at 65–66. Furthermore, because “[s]ome transgender . . . students are not ‘open’ at home,” the policy contemplates circumstances under which “parents are not involved in creating” their child’s Gender Support Plan. *Id.*, at 66–72. As school personnel were told in an equity training session: “parents are not entitled to know their kids’ identities. That knowledge must be earned.” *Id.*, at 78, 80.

Petitioner, an association of parents whose children attend schools in the district, sued to enjoin the policy, citing their fundamental right to “make decisions” concerning the upbringing of their children. *Id.*, at 54. The lower courts never reached the merits, however, because they concluded that petitioner lacked standing. Relying principally on our decision in *Clapper v. Amnesty Int’l USA*, 568 U.S. 398 (2013), the Seventh Circuit suggested that a parent could not challenge the district’s policy unless

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the parent could show that his or her child is transitioning or considering a transition. 95 F. 4th 501, 505 (2024). But the challenged policy and associated equity training specifically encourage school personnel to keep parents in the dark about the “identities” of their children, especially if the school believes that the parents would not support what the school thinks is appropriate. Thus, the parents’ fear that the school district might make decisions for their children without their knowledge and consent is not “speculative.” *Ibid.* (citing *Clapper*, 568 U. S., at 410). They are merely taking the school district at its word.

I would grant the petition so that we can address this questionable understanding of *Clapper* and related standing decisions. I am concerned that some federal courts are succumbing to the temptation to use the doctrine of Article III standing as a way of avoiding some particularly contentious constitutional questions. While it is important that federal courts heed the limits of their constitutional authority, it is equally important that they carry out their “virtually unflagging obligation . . . to exercise the jurisdiction given them.” *Colorado River Water Conservation Dist. v. United States*, 424 U. S. 800, 817 (1976).

No. 23–7517. *WILSON v. HAWAII*. Sup. Ct. Haw. Certiorari denied.

Statement of JUSTICE THOMAS, with whom JUSTICE ALITO joins, respecting the denial of certiorari.

In *New York State Rifle & Pistol Assn., Inc. v. Bruen*, 597 U. S. 1 (2022), we singled out Hawaii’s firearms-licensing regime as “analog[ous]” to the New York regime we held unconstitutional. *Id.*, at 15. We explained that States cannot condition an individual’s exercise of his Second Amendment rights on a showing of “special need.” *Id.*, at 70–71. Yet, the Hawaii Supreme Court ignored our holding in the decision below. See 154 Haw. 8, 543 P. 3d 440 (2024). It instead stated that petitioner Christopher Wilson could not invoke the Hawaii regime’s unconstitutionality as a defense in his criminal proceedings because he had never applied for a license. That conclusion contravenes the settled principle that Americans need not engage in empty formalities before they can invoke their constitutional rights, and it wrongly reduces the Second Amendment to a “second-class right.” *McDonald v. Chicago*, 561 U. S. 742, 780 (2010) (plurality opinion). Although the interlocutory posture of the petition weighs against

correcting this error now, I would grant certiorari in an appropriate case to reaffirm that the Second Amendment warrants the same respect as any other constitutional right.

I

In December 2017, police arrested Wilson after he wandered onto private property while hiking. At the time, he was carrying a loaded pistol without a license. The county prosecutor charged him with misdemeanor criminal trespass and firearms offenses. These offenses included charges for carrying guns and ammunition in public without a license. See Haw. Rev. Stat. §§ 134–25, 134–27 (2011).

At the time, Hawaii had a “may issue” licensing regime. That regime allowed local police chiefs to grant licenses in narrow circumstances, but left the ultimate decision to their discretion. A police chief could grant a concealed-carry license only if the applicant had shown that he had an “exceptional case,” with “reason to fear injury to [his] person or property.” § 134–9(a). And, a police chief could grant an open-carry license only if the applicant had shown “urgency” or “need,” “good moral character,” and that he would be “engaged in the protection of life and property.” *Ibid.* The result of this scheme was that very few Hawaiians could obtain licenses: In 2017, the year of Wilson’s arrest, Hawaii police granted zero licenses to private citizens. See Dept. of the Atty. Gen., Firearm Registrations in Hawaii, 2017, p. 9 (May 2018), <https://ag.hawaii.gov/cpja/files/2018/05/Firearm-Registrations-in-Hawaii-2017.pdf>.

Wilson persuaded the Circuit Court to dismiss his unlicensed-carry charges. The Circuit Court recognized that Hawaii’s near-total restrictions on public carry could not be squared with *Bruen*, and it accordingly held that prosecuting Wilson for unlicensed carry would violate the Second Amendment and the parallel provision in Article I, § 17, of the Hawaii Constitution.

The Hawaii Supreme Court disagreed. See 154 Haw. 8, 543 P. 3d 440. It spent the bulk of its opinion explaining why the Hawaii Constitution does not confer an individual right to bear arms, with analysis that doubled as a critique of this Court’s Second Amendment jurisprudence. The court specifically took aim at our focus on original meaning. See *id.*, at 19–23, 543 P. 3d, at 451–455. Bemoaning the policy consequences, the court asserted that an originalist interpretation of the Second Amend-

ment “disables the states’ responsibility to protect public safety, reduce gun violence, and safeguard peaceful public movement,” by putting firearms restrictions “mostly out of bounds.” *Id.*, at 22, 543 P. 3d, at 454. And, it denigrated the need for public carry in particular, rejecting as un-Hawaiian “a federally-mandated lifestyle that lets citizens walk around with deadly weapons.” *Id.*, at 27, 543 P. 3d, at 459. On the Hawaii Supreme Court’s view, a sounder approach to constitutional interpretation would give due regard to the “spirit of Aloha” and would preclude any individual right to bear arms, or at least subject it to “levels of scrutiny and public safety balancing tests.” *Id.*, at 21, 27, 543 P. 3d, at 453, 459.

Remarkably, the Hawaii Supreme Court’s recognition of the “federally-mandated” right to public carry disappeared when it turned to Wilson’s Second Amendment defense. There, the court invoked state standing law to avoid any meaningful Second Amendment analysis. It held that, because Wilson had not applied for a license and had not been charged with violating the licensing statute itself (which was not a criminal statute), he lacked standing to challenge the particulars of the licensing regime. *Id.*, at 12–13, 543 P. 3d, at 444–445. Instead, he could argue only that the Second Amendment categorically forbids state licensing regimes. Because that is not the case, the court held, Hawaii’s prohibitions on unlicensed carry “do not graze Wilson’s Second Amendment right.” *Id.*, at 27, 543 P. 3d, at 459.

II

The decision below is the latest example of a lower court “fail[ing] to afford the Second Amendment the respect due an enumerated constitutional right.” *Silvester v. Becerra*, 583 U.S. 1139, 1140 (2018) (THOMAS, J., dissenting from denial of certiorari). As this Court has repeatedly emphasized, “[t]he constitutional right to bear arms in public for self-defense is not ‘a second-class right, subject to an entirely different body of rules than the other Bill of Rights guarantees.’” *Bruen*, 597 U.S., at 70 (quoting *McDonald*, 561 U.S., at 780 (plurality opinion)). So, the Hawaii Supreme Court cannot single out the Second Amendment for disfavor, even if it does not believe that “right is *really worth* insisting upon.” *District of Columbia v. Heller*, 554 U.S. 570, 634 (2008).

By invoking state standing law to dodge Wilson’s constitutional challenge, the Hawaii Supreme Court failed to give the Second

Amendment its due regard. To be sure, a state-law standing determination ordinarily is an adequate and independent state ground precluding our review. But, as this Court has elsewhere recognized, only “constitutionally proper” rules can create adequate and independent state grounds. *Trevino v. Thaler*, 569 U. S. 413, 421 (2013).

The Hawaii Supreme Court should have asked the threshold question whether the Second Amendment allows state standing law to restrict the defenses that criminal defendants facing firearms-related charges may raise. The answer is “no,” as our case law on constitutional challenges to licensing regimes makes clear.

A defendant can always raise unconstitutionality as a defense “where a statute is invalid upon its face and an attempt is made to enforce its penalties in violation of constitutional right.” *Smith v. Cahoon*, 283 U. S. 553, 562 (1931). A “long line of precedent” confirms this point. See, e.g., *City of Lakewood v. Plain Dealer Publishing Co.*, 486 U. S. 750, 755–757 (1988) (collecting cases).

Thus, a state-law holding that a defendant “lacked standing to attack the constitutionality of the ordinance because [he] made no attempt to secure a permit under it” is “not an adequate nonfederal ground of decision” where the “ordinance . . . on its face violates the Constitution.” *Staub v. City of Baxley*, 355 U. S. 313, 319 (1958). This is true where, as here, an individual waits to raise the issue until “he is prosecuted for failure to procure” a license. *Thornhill v. Alabama*, 310 U. S. 88, 97 (1940). And, it is true even if the defendant’s “conduct could be proscribed by a properly drawn statute.” *Freedman v. Maryland*, 380 U. S. 51, 56 (1965).

Our rejection of state procedural restrictions on the invocation of constitutional defenses follows from the fact that constitutional rights are “self-executing prohibitions on governmental action.” *City of Boerne v. Flores*, 521 U. S. 507, 524 (1997). A constitutional violation accrues the moment the government undertakes an unconstitutional act. For example, a violation of the Takings Clause occurs “at the time of the taking.” *Knick v. Township of Scott*, 588 U. S. 180, 194 (2019). And, the availability of state-law compensation remedies cannot delay or undo the accrual of a takings claim. See *id.*, at 193–194.

The same principles apply to the Second Amendment. That Amendment is similarly self-executing, and a State transgresses

it as soon as the State implements a licensing regime that is inconsistent with the Nation's "historical tradition of firearm regulation." *Bruen*, 597 U.S., at 17. Judicial review of a license denial may be one way that an individual can challenge state overreach. But, because the constitutional violation occurs as soon as an individual's right to bear arms is inhibited, States cannot mandate that would-be gun owners go through an unconstitutional licensing process before they may invoke their Second Amendment rights. Any other rule would impermissibly demote the Second Amendment "to the status of a poor relation" among constitutional rights. *Knick*, 588 U.S., at 189 (internal quotation marks omitted).

Had the Hawaii Supreme Court followed its duty to consider the merits of Wilson's defense, the licensing scheme's unconstitutionality should have been apparent. We have made clear that the Second Amendment is a right "guaranteed to all Americans," whose exercise cannot be conditioned on a showing of "special need." *Bruen*, 597 U.S., at 70–71 (internal quotation marks omitted). Yet, in restricting license eligibility to Hawaiians with "'exceptional case[s]," or who otherwise could show special "urgency" or "need," the Hawaii regime did just that. Hawaii's onerous restrictions closely paralleled those in the New York regime we held unconstitutional in *Bruen*. See *id.*, at 13–15, and n. 2; see also *id.*, at 79 (KAVANAUGH, J., concurring) (recognizing that *Bruen*'s holding applied to all States with "'may-issue' regimes"); *Young v. Hawaii*, 45 F. 4th 1087, 1092 (CA9 2022) (en banc) (O'Scannlain, J., dissenting) ("we need not conduct the [*Bruen*] inquiry now because the Supreme Court has already done it for us").

The Hawaii regime's obvious unconstitutionality may be why the Hawaii Legislature has since amended the State's licensing statute to create a "shall issue" regime, at least for concealed carry. The new regime allows any applicant who meets certain baseline requirements to obtain a license without any "special need" limitation. See 2023 Haw. Sess. Laws no. 52, § 7, p. 126 (codified at Haw. Rev. Stat. § 134–9(a)).

Had the Hawaii Supreme Court followed the legislature's lead and tried to give effect to our Second Amendment jurisprudence, it would have found the licensing regime at issue unconstitutional and upheld the dismissal of Wilson's public-carry charges. The court's contrary path "resist[s] our decisions," *Rogers v. Grewal*,

590 U. S. 996, 998 (2020) (THOMAS, J., dissenting from denial of certiorari), and demotes the Second Amendment to a “second-class right,” *McDonald*, 561 U. S., at 780 (plurality opinion). This Court cannot tolerate “such blatant defiance” in any constitutional context. *Rogers*, 590 U. S., at 1000.

III

All this said, correction of the Hawaii Supreme Court’s error must await another day. Wilson moved to dismiss only some of his charges, most notably leaving for trial a trespassing charge on which his Second Amendment defense has no bearing. He thus seeks review of an interlocutory order over which we may not have jurisdiction. See 28 U. S. C. § 1257(a); *Cox Broadcasting Corp. v. Cohn*, 420 U. S. 469, 476–487 (1975). I agree with the Court’s decision to deny certiorari in this posture.

In an appropriate case, however, we should make clear that Americans are always free to invoke the Second Amendment as a defense against unconstitutional firearms-licensing schemes. Perhaps Wilson himself will present that case, should he file a post-trial petition for certiorari. Regardless, this issue is an important and recurring one. See, e.g., Brief in Opposition 14–16, and n. 2 (collecting cases); cf. *Baughcum v. Jackson*, 92 F. 4th 1024, 1035 (CA11 2024) (recognizing, for Article III standing purposes, that litigants did not need to make the “futile gesture” of first applying for a carry license, where “they do not meet the state’s requirements for license holders”). And, this Court’s intervention clearly remains imperative, given lower courts’ continued insistence on treating the Second Amendment “right so cavalierly.” *Silvester*, 583 U. S., at 1140 (opinion of THOMAS, J.).

Statement of JUSTICE GORSUCH respecting the denial of certiorari.

In December 2017, Christopher Wilson went for a nighttime hike with friends in the West Maui Mountains. The group strayed onto private property, and the owner called the police. When the police arrived, they searched Mr. Wilson and found he had a handgun—but not a license to carry one in public. So Hawaii prosecuted Mr. Wilson for trespass and for carrying a firearm in public without a license. Mr. Wilson moved to dismiss the gun-related charges against him, arguing that Hawaii’s prosecution violated the Second Amendment by unduly restricting his

right to carry a firearm for self-defense. The circuit court agreed with Mr. Wilson and granted his motion. But, after the State pursued an interlocutory appeal, the Hawaii Supreme Court reversed.

The Hawaii Supreme Court's decision raises serious questions. For one, the court failed to address Mr. Wilson's contention that Hawaii's prosecution is inconsistent "with this Nation's historical tradition of firearm regulation" and so defies the Second Amendment. See *New York State Rifle & Pistol Assn., Inc. v. Bruen*, 597 U.S. 1, 17 (2022); *United States v. Rahimi*, 602 U.S. 680, 691–692 (2024). Instead, the court simply asserted, "States retain the authority to require that individuals have a license before carrying firearms in public." 543 P. 3d 440, 459 (Haw. 2024). That much is surely true. But it's just as true that state licensing regimes can sometimes be so restrictive that they violate the Second Amendment. *Bruen*, 597 U.S., at 38–39, n. 9. And the court never analyzed whether Hawaii's law crossed that line in this case.

For another, the Hawaii Supreme Court's reason for declining to consider the merits of Mr. Wilson's defense poses questions of its own. The court observed that Hawaii charged Mr. Wilson with violating two statutes—§ 134–25 and § 134–27. Respectively, those laws forbid carrying handguns and ammunition in public without a license. Haw. Rev. Stat. §§ 134–25, 134–27 (2011). And, the court continued, those charges did not, as a matter of state law, afford Mr. Wilson standing to challenge a distinct statute, § 134–9, regulating the issuance of licenses to carry guns and ammunition in public. After all, the court stressed, the State had not charged Mr. Wilson under § 134–9, nor had he pursued the civil administrative process available for citizens seeking a public-carry license. See § 134–9.

The trouble with this line of reasoning, as Mr. Wilson notes, is that the two statutes under which he was charged work hand-in-glove with the third. In fact, § 134–25 and § 134–27 expressly incorporate § 134–9, providing that guns and ammunition may not be carried in public "[e]xcept as provided in . . . 134–9." See §§ 134–25, 134–27. And, as Mr. Wilson sees it, the charges against him under the first two statutes are constitutionally problematic because the exceptions in the third are not broad enough to accommodate the demands of the Second Amendment. Put another way, Mr. Wilson argues that the three statutes together—

the prohibitions, even when read in light of the exceptions—restrict his right to carry in public for self-defense purposes more than the Constitution allows. Because the Hawaii Supreme Court failed to grapple with that argument, Mr. Wilson now seeks review here.

It is perhaps an understandable request. This Court does not generally review decisions premised on state law like the Hawaii Supreme Court’s standing analysis in this case. But under the Constitution and our precedents, it is this Court’s role to ensure that “criminal defendants [enjoy] a meaningful opportunity to present a complete defense.” *Holmes v. South Carolina*, 547 U. S. 319, 324 (2006) (internal quotation marks omitted). The Fourteenth Amendment’s Due Process Clause and the Sixth Amendment, this Court has said, guarantee that opportunity by precluding state-law rules that “infring[e] upon a weighty interest of the accused and are arbitrary or disproportionate.” *Ibid.* (internal quotation marks omitted, alteration in original). Applying that standard, the Court has repeatedly found unconstitutional the application of state-law “rules that exclud[e] important defense evidence but that d[o] not serve any legitimate interests.” *Id.*, at 325; accord, *Chambers v. Mississippi*, 410 U. S. 284, 295 (1973).

To be sure, this case isn’t a carbon copy of *Holmes* or *Chambers*. In those disputes, the Court faced state-law rules excluding the admission of evidence rather than a state-law rule precluding the presentation of a constitutional defense. But it’s unclear how that distinction might help Hawaii’s cause. Either type of state law threatens to deprive a criminal defendant of “a fair opportunity to defend against the State’s accusations.” *Chambers*, 410 U. S., at 294. Admittedly, too, this Court once approved a “war-time emergency measure” preventing criminal defendants from challenging the validity of an administrative rule underlying the charges against them because they could have challenged the rule in earlier civil administrative proceedings. *Yakus v. United States*, 321 U. S. 414, 429–431 (1944). But it’s difficult to see how a decision “motivated by the exigencies of wartime,” *United States v. Mendoza-Lopez*, 481 U. S. 828, 838, n. 15 (1987), might be extended beyond that context. All of which seemingly returns us to the usual rule that criminal courts are obliged to consider all “proper issues, whether of law or of fact, relating to the validity of the law for violation of which the defendan[t] [is] charged.” *Yakus*, 321 U. S., at 480 (Rutledge, J., dissenting).

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In saying that much, I do not mean to suggest Mr. Wilson's Second Amendment defense has merit. I observe only that no one knows the answer to that question because the Hawaii Supreme Court failed to address it. And that failure invites with it the distinct possibility that Mr. Wilson may be convicted of, and ordered to serve time in prison for, violating an unconstitutional law.

Still, it may not be too late to avoid that result. Mr. Wilson's case has not yet proceeded to trial, let alone through the post-judgment appellate process. The Hawaii Supreme Court issued its ruling in the course of an interlocutory appeal. And often courts revisit and supplement interlocutory rulings later in the course of proceedings. Perhaps the Hawaii Supreme Court will take advantage of that opportunity in this case. If not, Mr. Wilson remains free to seek this Court's review after final judgment.

No. 24–5787. *TAIMING ZHANG v. X CORP., FKA TWITTER, INC.* C. A. 9th Cir. Certiorari before judgment denied.

No. 24–5934. *BALTER v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

Rehearing Denied

No. 23–1211. *SCARBOROUGH v. COURT OF COMMON PLEAS OF PENNSYLVANIA, NORTHAMPTON COUNTY, ET AL.,* 604 U. S. 914;

No. 23–6450. *CORREA DIZON v. VECTRUS SYSTEMS CORP.,* 604 U. S. 922;

No. 23–7435. *HARRIS v. ELLIS ET AL.,* 604 U. S. 926;

No. 23–7444. *IN RE FLORIMONTE,* 604 U. S. 908;

No. 23–7487. *ONYIDO v. GARLAND, ATTORNEY GENERAL,* 604 U. S. 928;

No. 23–7570. *BLACKSTOCK v. TENNESSEE,* 604 U. S. 931;

No. 23–7720. *SAKUMA v. ASSOCIATION OF APARTMENT OWNERS OF THE TROPICS OF WAIKELE ET AL.,* 604 U. S. 940;

No. 23–7785. *SANCHEZ v. BROWN UNIVERSITY ET AL.,* 604 U. S. 943;

No. 24–4. *IN RE ZIMMERMANN,* 604 U. S. 909;

No. 24–74. *IN RE THOMAS BEY,* 604 U. S. 908;

No. 24–91. *TARGETED JUSTICE, INC., ET AL. v. GARLAND, ATTORNEY GENERAL, ET AL.,* 604 U. S. 950;

No. 24–100. *DYSON v. DEAKINS, WHITLEY COUNTY AUDITOR, ET AL.,* 604 U. S. 950;

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No. 24–148. *THEERACHANON v. FIA CARDS SERVICES ET AL.*, 604 U. S. 978;

No. 24–5020. *JOHNSON v. INLAND RESIDENTIAL REAL ESTATE SERVICES, LLC, ET AL.*, 604 U. S. 954;

No. 24–5034. *BARENZ v. ALASKA*, 604 U. S. 955;

No. 24–5037. *KEMP v. RIVELLO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.*, 604 U. S. 955;

No. 24–5084. *GILCHRIST v. CRAIG*, 604 U. S. 958;

No. 24–5117. *BROWN v. UNITED STATES*, 604 U. S. 959;

No. 24–5163. *SPRINGS v. PAYNE, DIRECTOR, ARKANSAS DIVISION OF CORRECTION*, 604 U. S. 1011;

No. 24–5171. *ROSS v. BICKHAM, WARDEN*, 604 U. S. 963;

No. 24–5256. *BOYDSTON v. TEXAS*, 604 U. S. 981;

No. 24–5291. *PRINTEMPS-HERGET v. DEJOY, POSTMASTER GENERAL*, 604 U. S. 967;

No. 24–5414. *ENMON v. UNITED STATES*, 604 U. S. 970;

No. 24–5418. *BARNES v. DANFORTH, WARDEN*, 604 U. S. 983; and

No. 24–5471. *IN RE GIRVAN*, 604 U. S. 908. Petitions for rehearing denied.

No. 23–7657. *WILLIS v. PNC FINANCIAL SERVICES GROUP INC. ET AL.*; and *WILLIS v. WILLIS*, 604 U. S. 972. Petition for rehearing denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

DECEMBER 11, 2024

Miscellaneous Order

No. 24A463. *EAST KENTUCKY POWER COOPERATIVE, INC. v. ENVIRONMENTAL PROTECTION AGENCY ET AL.* C. A. D. C. Cir. Application for stay, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied.

DECEMBER 13, 2024

Certiorari Granted

No. 24–154. *CATHOLIC CHARITIES BUREAU, INC., ET AL. v. WISCONSIN LABOR AND INDUSTRY REVIEW COMMISSION ET AL.* Sup. Ct. Wis. Certiorari granted.* Reported below: 2024 WI 13, 411 Wis. 2d 1, 3 N. W. 3d 666.

*[REPORTER’S NOTE: For amendment of this order, see 604 U. S. 1066.]

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No. 24–7. DIAMOND ALTERNATIVE ENERGY, LLC, ET AL. *v.* ENVIRONMENTAL PROTECTION AGENCY ET AL. C. A. D. C. Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 98 F. 4th 288.

DECEMBER 16, 2024

Certiorari Granted—Vacated and Remanded

No. 24–138. HOSPITAL MENONITA DE GUAYAMA, INC. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. D. C. Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Loper Bright Enterprises v. Raimondo*, 603 U. S. 369 (2024). Reported below: 94 F. 4th 1.

Certiorari Dismissed

No. 24–5799. NAVARRO MARTIN *v.* DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 24–5976. SNYDER *v.* RAMIREZ ET AL. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

Miscellaneous Orders

No. 24A369. WALKER *v.* UNITED STATES ET AL. C. A. 9th Cir. Application for writ of injunction, addressed to Justice Thomas and referred to the Court, denied.

No. 24A372. NIERMAN *v.* MERCHAN, JUSTICE, NEW YORK STATE SUPREME COURT, NEW YORK COUNTY. Ct. App. N. Y. Application for stay, addressed to JUSTICE THOMAS and referred to the Court, denied.

No. 24M45. CARREON *v.* KELLY ET AL. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 23–1201. CC/DEVAS (MAURITIUS) LTD. ET AL. *v.* ANTRIX CORP. LTD. ET AL.; and

No. 24–17. DEVAS MULTIMEDIA PRIVATE LTD. *v.* ANTRIX CORP. LTD. ET AL. C. A. 9th Cir. [Certiorari granted, 603 U. S. 949.] Motion of petitioners to dispense with printing joint appendix granted.

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No. 24–154. CATHOLIC CHARITIES BUREAU, INC., ET AL. *v.* WISCONSIN LABOR AND INDUSTRY REVIEW COMMISSION ET AL. Sup. Ct. Wis. [Certiorari granted, 604 U.S. 1064.] The order granting the petition for writ of certiorari is amended as follows: Certiorari granted limited to Question 1 presented by the petition.

No. 24–5331. JACKSON *v.* UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN. C. A. 6th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [604 U.S. 974] denied.

No. 24–5562. IN RE GRAVEN. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [604 U.S. 1023] denied.

No. 24–5802. FREDERICK *v.* McDONOUGH, SECRETARY OF VETERANS AFFAIRS. C. A. Fed. Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until January 6, 2025, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

No. 24–443. IN RE AKERMAN;

No. 24–514. IN RE AKERMAN;

No. 24–5718. IN RE HOLMES; and

No. 24–5734. IN RE DUDAR. Petitions for writs of mandamus denied.

No. 24–5731. IN RE FOSTER; and

No. 24–5732. IN RE FOSTER. Petitions for writs of prohibition denied.

Certiorari Denied

No. 23–1361. POWELL *v.* YELLEN, SECRETARY OF THE TREASURY, ET AL. C. A. D. C. Cir. Certiorari denied.

No. 23–7043. HOLMES *v.* BLUE CROSS BLUE SHIELD OF SOUTH CAROLINA, INC., ET AL. C. A. 4th Cir. Certiorari denied.

No. 24–142. BENJAMIN *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied.

No. 24–161. NEW YORK STATE TELECOMMUNICATIONS ASSN., INC., ET AL. *v.* JAMES, ATTORNEY GENERAL OF NEW YORK. C. A. 2d Cir. Certiorari denied.

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No. 24–185. NATIONAL COLLEGIATE MASTER STUDENT LOAN TRUST ET AL. *v.* CONSUMER FINANCIAL PROTECTION BUREAU ET AL. C. A. 3d Cir. Certiorari denied.

No. 24–186. ANTOSH ET AL. *v.* VILLAGE OF MOUNT PLEASANT, WISCONSIN, ET AL. C. A. 7th Cir. Certiorari denied.

No. 24–206. RAPER *v.* O’MALLEY, COMMISSIONER OF SOCIAL SECURITY. C. A. 11th Cir. Certiorari denied.

No. 24–255. STINSKI *v.* EMMONS, WARDEN. C. A. 11th Cir. Certiorari denied.

No. 24–292. SALIX PHARMACEUTICALS, LTD., ET AL. *v.* NORWICH PHARMACEUTICALS INC. C. A. Fed. Cir. Certiorari denied.

No. 24–327. PULSE8, LLC, ET AL. *v.* FAMILY HEALTH PHYSICAL MEDICINE, LLC. C. A. 4th Cir. Certiorari denied.

No. 24–386. B. M. *v.* UNITED STATES ET AL. C. A. Armed Forces. Certiorari denied.

No. 24–393. ARSENIS ET AL. *v.* BOROUGH OF BERNARDSVILLE, NEW JERSEY, ET AL. Super. Ct. N. J., App. Div. Certiorari denied.

No. 24–397. COASTLINE COMMERCIAL CONTRACTING, INC. *v.* BALTIMORE GAS & ELECTRIC CO. ET AL. C. A. 4th Cir. Certiorari denied.

No. 24–402. LUGO *v.* BURTON ET AL. C. A. 7th Cir. Certiorari denied.

No. 24–415. CICEL (BEIJING) SCIENCE & TECHNOLOGY CO., LTD. *v.* MISONIX, INC. C. A. 2d Cir. Certiorari denied.

No. 24–423. WALDEN *v.* DISCIPLINARY BOARD OF THE ALABAMA STATE BAR. Sup. Ct. Ala. Certiorari denied.

No. 24–432. KAETZ *v.* EDUCATIONAL CREDIT MANAGEMENT CORP. ET AL. C. A. 3d Cir. Certiorari denied.

No. 24–438. GOLDBERG *v.* NORTHAM, FORMER GOVERNOR OF VIRGINIA, ET AL. C. A. 4th Cir. Certiorari denied.

No. 24–442. POLANCO, INDIVIDUALLY AND AS PARENT AND NATURAL GUARDIAN OF A. D. *v.* BANKS, CHANCELLOR OF THE

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NEW YORK CITY DEPARTMENT OF EDUCATION, ET AL. C. A. 2d Cir. Certiorari denied.

No. 24–444. *HASELHOFF, INDIVIDUALLY AND AS TRUSTEE v. CITY OF SANTA MONICA, CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 2. Certiorari denied.

No. 24–445. *GICHARU v. MONIZ, SUPERINTENDENT, PLYMOUTH COUNTY CORRECTIONAL FACILITY*. C. A. 1st Cir. Certiorari denied.

No. 24–446. *ZADOORIAN v. GWINNETT TECHNICAL COLLEGE ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–451. *NAVARRO v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied.

No. 24–490. *WEI QUI v. ANDERSON COUNTY BOARD OF EDUCATION*. C. A. 6th Cir. Certiorari denied.

No. 24–509. *MOORE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–529. *HEINEMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–531. *SHEPHERD, TRUSTEE FOR THE JAMES B. SHEPHERD TRUST, ET AL. v. REGAN, ADMINISTRATOR, ENVIRONMENTAL PROTECTION AGENCY, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–551. *SANTA FE NATURAL TOBACCO Co. v. OREGON DEPARTMENT OF REVENUE*. Sup. Ct. Ore. Certiorari denied.

No. 24–5518. *BROWN v. UNIFIED SCHOOL DISTRICT No. 501*. C. A. 10th Cir. Certiorari denied.

No. 24–5632. *BALDWIN v. DEVINE ET AL.* C. A. 8th Cir. Certiorari denied.

No. 24–5724. *GUYTON v. GOLDEN DONUTS, LLC*. Ct. App. Ga. Certiorari denied.

No. 24–5727. *HERRERA v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied.

No. 24–5733. *WEBSTER v. UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF OREGON*. C. A. 9th Cir. Certiorari denied.

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No. 24–5735. *MOORE v. WEBER, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–5736. *PENDERGRAFT v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 24–5740. *O’NEAL v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 24–5742. *OLIVER v. AMAZON.COM SERVICES LLC.* C. A. 7th Cir. Certiorari denied.

No. 24–5743. *GABRIEL v. CALIFORNIA.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 24–5747. *BAKER v. INDIANA.* Ct. App. Ind. Certiorari denied.

No. 24–5815. *ADDISON v. SHOOP, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 24–5825. *WONG v. WONG.* Ct. App. N. Y. Certiorari denied.

No. 24–5827. *SANCHEZ ROMERO v. GARLAND, ATTORNEY GENERAL.* C. A. 9th Cir. Certiorari denied.

No. 24–5840. *SCHACHTNER v. BREWER, WARDEN.* C. A. 8th Cir. Certiorari denied.

No. 24–5868. *WEBB v. DELAWARE.* Sup. Ct. Del. Certiorari denied.

No. 24–5884. *CHENG v. GRENIER ET AL.* C. A. 8th Cir. Certiorari denied.

No. 24–5908. *SPURBECK v. WYNDHAM WORLDWIDE CORP. ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5935. *GREEMAN v. BURNETT, SUPERINTENDENT, FISH-KILL CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 24–5952. *M. C. v. WASHINGTON STATE DEPARTMENT OF CHILDREN, YOUTH & FAMILIES.* Ct. App. Wash. Certiorari denied.

No. 24–5956. *JORDAN v. MISSISSIPPI.* Ct. App. Miss. Certiorari denied.

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No. 24–5959. *ELLIS v. NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied.

No. 24–6008. *CRENSHAW v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied.

No. 24–13. *OHIO ET AL. v. ENVIRONMENTAL PROTECTION AGENCY ET AL.* C. A. D. C. Cir. Certiorari denied. JUSTICE THOMAS would grant the petition for writ of certiorari.

No. 24–5945. *ROUVIERE v. HOWMEDICA OSTEONICS CORP., DBA STRYKER ORTHOPAEDICS, ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

Rehearing Denied

No. 23–7360. *KELLY v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA*, 604 U. S. 925;

No. 23–7368. *JOHNSON v. WITCHER*, 604 U. S. 925;

No. 23–7466. *UWAMARIYA v. BAGANIZI*, 604 U. S. 927;

No. 23–7470. *TAKHVAR v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.*, 604 U. S. 927;

No. 23–7526. *WEBSTER v. HASKINS, PROGRAM DIRECTOR, HASKINS RESIDENTIAL CARE*, 604 U. S. 929;

No. 23–7617. *NGUYEN v. AT&T*, 604 U. S. 934;

No. 23–7635. *JACKSON v. HOFFMAN, WARDEN*, 604 U. S. 935;

No. 23–7655. *IN RE HOLLOWELL*, 604 U. S. 907;

No. 23–7667. *CHRUSTOWSKI v. NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE ET AL.*, 604 U. S. 937;

No. 23–7686. *McLAIN v. THALLER ET AL.*, 604 U. S. 938;

No. 23–7713. *WILSON v. FLORIDA*, 604 U. S. 939;

No. 23–7763. *GAHAGAN v. STANGE, WARDEN*, 604 U. S. 942;

No. 23–7816. *IN RE WRIGHT*, 604 U. S. 908;

No. 24–173. *JOHNSON ET AL. v. KOTEK, GOVERNOR OF OREGON, ET AL.*, 604 U. S. 978;

No. 24–5149. *THOMPSON v. AUSTIN, SECRETARY OF DEFENSE, ET AL.*, 604 U. S. 961;

No. 24–5179. *HAMMOND v. HOOPER, WARDEN*, 604 U. S. 963;

No. 24–5246. *NAPOLEONI v. DEUTSCHE BANK NATIONAL TRUST CO., AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE IMPAC SECURED ASSETS CORP. MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2007–1*, 604 U. S. 966;

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No. 24–5350. COOPER *v.* TEXAS, 604 U. S. 999;
No. 24–5386. HUNT *v.* DEUTSCHE BANK TRUST CO., 604 U. S.
1000;
No. 24–5463. WILKERSON *v.* CITY OF HOUSTON, TEXAS, 604
U. S. 971;
No. 24–5613. IN RE DAVIS, 604 U. S. 997; and
No. 24–5619. TINEO-SANTOS *v.* LILLEY, SUPERINTENDENT,
EASTERN CORRECTIONAL FACILITY, 604 U. S. 1001. Petitions for
rehearing denied.

DECEMBER 17, 2024

Miscellaneous Order

No. 24A553. CHAMBERS-SMITH, DIRECTOR, OHIO DEPART-
MENT OF REHABILITATION AND CORRECTION *v.* AYERS. C. A. 6th
Cir. Application to recall and stay the mandate, presented to
JUSTICE KAVANAUGH, and by him referred to the Court, denied.

Certiorari Denied

No. 24–6164 (24A592). CORCORAN, AS NEXT FRIEND ON BE-
HALF OF CORCORAN *v.* NEAL, WARDEN. C. A. 7th Cir. Applica-
tion for stay of execution of sentence of death, presented to JUSTICE
BARRETT, and by her referred to the Court, denied.
Certiorari denied.

DECEMBER 18, 2024

Certiorari Granted

No. 23–1275. KERR, DIRECTOR, SOUTH CAROLINA DEPART-
MENT OF HEALTH AND HUMAN SERVICES *v.* PLANNED PARENT-
HOOD SOUTH ATLANTIC ET AL. C. A. 4th Cir. Certiorari
granted limited to Question 1 presented by the petition. Re-
ported below: 95 F. 4th 152.

No. 24–656 (24A587). TIKTOK INC., ET AL. *v.* GARLAND,
ATTORNEY GENERAL; and

No. 24–657 (24A588). FIREBAUGH ET AL. *v.* GARLAND, ATTOR-
NEY GENERAL. C. A. D. C. Cir. Consideration of the applica-
tions for an injunction pending review, presented to THE CHIEF
JUSTICE, and by him referred to the Court, deferred pending oral
argument. Applicants suggested this Court treat the applica-
tions as petitions for writs of certiorari; doing so, the petitions
are granted. Cases consolidated, and a total of two hours is allot-

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ted for oral argument. The parties are directed to brief and argue the following question: “Whether the Protecting Americans from Foreign Adversary Controlled Applications Act, as applied to petitioners, violates the First Amendment.”

The parties are directed to file electronically simultaneous opening briefs, limited to 13,000 words, and a joint appendix on or before 5 p.m. (EST), Friday, December 27, 2024. Reply briefs, limited to 6,000 words, are to be filed electronically on or before 5 p.m. (EST), Friday, January 3, 2025. Any *amicus curiae* briefs are to be filed electronically on or before 5 p.m. (EST), Friday, December 27, 2024. Booklet format briefs prepared in compliance with this Court’s Rule 33.1 shall be submitted as soon as possible thereafter. Cases are set for oral argument on Friday, January 10, 2025. Reported below: 122 F. 4th 930.

DECEMBER 19, 2024

Certiorari Denied

No. 24–6159 (24A590). *UNDERWOOD v. OKLAHOMA PARDON AND PAROLE BOARD ET AL.* C. A. 10th Cir. Application for stay of execution of sentence of death, presented to JUSTICE KAVANAUGH, and by him referred to the Court, denied. Certiorari denied. JUSTICE GORSUCH took no part in the consideration or decision of this application and this petition.

DECEMBER 31, 2024

Miscellaneous Order

No. 24–656. *TIKTOK INC., ET AL. v. GARLAND, ATTORNEY GENERAL*; and

No. 24–657. *FIREBAUGH ET AL. v. GARLAND, ATTORNEY GENERAL.* C. A. D. C. Cir. [Certiorari granted, 604 U.S. 1071.] Motion of petitioners for divided argument granted.

JANUARY 8, 2025

Miscellaneous Orders

No. 23–1007. *CUNNINGHAM ET AL. v. CORNELL UNIVERSITY ET AL.* C. A. 2d Cir. [Certiorari granted, 603 U.S. 948.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 23–1226. *McLAUGHLIN CHIROPRACTIC ASSOCIATES, INC. v. MCKESSON CORP. ET AL.* C. A. 9th Cir. [Certiorari granted,

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603 U. S. 949.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 23–1239. BARNES, INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF BARNES, DECEASED *v.* FELIX ET AL. C. A. 5th Cir. [Certiorari granted, 603 U. S. 949.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. Motion of Texas et al. for leave to participate in oral argument as *amici curiae* and for divided argument granted.

No. 24–656. TIKTOK INC., ET AL. *v.* GARLAND, ATTORNEY GENERAL; and

No. 24–657. FIREBAUGH ET AL. *v.* GARLAND, ATTORNEY GENERAL. C. A. D. C. Cir. [Certiorari granted, 604 U. S. 1071.] Motion of the Forum for Constitutional Rights for leave to file out of time, for leave to participate in oral argument as *amicus curiae*, for divided argument, and for enlargement of time for oral argument denied.

JANUARY 9, 2025

Miscellaneous Order

No. 24A666. TRUMP *v.* NEW YORK ET AL. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Application for stay, presented to JUSTICE SOTOMAYOR, and by her referred to the Court, is denied for, *inter alia*, the following reasons. First, the alleged evidentiary violations at President-Elect Trump’s state-court trial can be addressed in the ordinary course on appeal. Second, the burden that sentencing will impose on the President-Elect’s responsibilities is relatively insubstantial in light of the trial court’s stated intent to impose a sentence of “unconditional discharge” after a brief virtual hearing. JUSTICE THOMAS, JUSTICE ALITO, JUSTICE GORSUCH, and JUSTICE KAVANAUGH would grant the application.

JANUARY 10, 2025

Certiorari Granted

No. 24–316. BECERRA, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL. *v.* BRAIDWOOD MANAGEMENT, INC., ET AL. C. A. 5th Cir. Certiorari granted. Reported below: 104 F. 4th 930.

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No. 24–416. COMMISSIONER OF INTERNAL REVENUE *v.* ZUCH. C. A. 3d Cir. Certiorari granted. Reported below: 97 F. 4th 81.

No. 24–413. DEPARTMENT OF EDUCATION ET AL. *v.* CAREER COLLEGES AND SCHOOLS OF TEXAS. C. A. 5th Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 98 F. 4th 220.

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Appeal Dismissed

No. 23–969. WALLEN ET AL. *v.* BURGUM, GOVERNOR OF NORTH DAKOTA, ET AL. Appeal from D. C. N. D. dismissed with respect to Subdistrict 9A, and judgment affirmed with respect to Subdistrict 4A.

Certiorari Granted—Vacated and Remanded

No. 24–46. NIVAR SANTANA *v.* GARLAND, ATTORNEY GENERAL. C. A. 4th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Loper Bright Enterprises v. Raimondo*, 603 U. S. 369 (2024).

No. 24–5744. DUBOIS *v.* UNITED STATES. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *United States v. Rahimi*, 602 U. S. 680 (2024).

Certiorari Dismissed

No. 24–5843. SUEING *v.* NAGY, WARDEN. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 24–5975. SNYDER *v.* ROSS, WARDEN, ET AL. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 24–6005. ABADI *v.* BIDEN, PRESIDENT OF THE UNITED STATES, ET AL. C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

Miscellaneous Orders

No. 24A241. GARVIN *v.* COHEN, WARDEN. C. A. 4th Cir. Application to file petition for writ of certiorari in excess of page

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limits, addressed to JUSTICE JACKSON and referred to the Court, denied.

No. 24A415. RYNN ET AL. *v.* WASHBURN ET AL. Sup. Ct. Ariz. Application to vacate injunction, addressed to JUSTICE ALITO and referred to the Court, denied.

No. 24A440. STOCKTON ET AL. *v.* FERGUSON, ATTORNEY GENERAL OF WASHINGTON, ET AL. C. A. 9th Cir. Application for injunction pending appeal, addressed to JUSTICE THOMAS and referred to the Court, denied.

No. 24M46. JONES *v.* CITY OF NEW YORK, NEW YORK. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 24M47. DOE *v.* UNIVERSITY OF IOWA ET AL. Motion for leave to file petition for writ of certiorari under seal with redacted copies for the public record granted.

No. 24M48. COOPER *v.* TENNESSEE ET AL.;

No. 24M49. BURNELL *v.* UNITED STATES;

No. 24M50. ESPINOZA *v.* UNITED STATES;

No. 24M52. PORTILLO *v.* UNITED STATES; and

No. 24M53. A. B. *v.* FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES. Motions for leave to file petitions for writs of certiorari with supplemental appendixes under seal granted.

No. 24M51. GARADA *v.* DISTRICT OF COLUMBIA BOARD OF MEDICINE. Motion for leave to file petition for writ of certiorari with supplemental appendix under seal denied.

No. 160, Orig. UTAH *v.* UNITED STATES. Motion for leave to file bill of complaint denied.

No. 23–1360. FIEHLER *v.* MECKLENBURG ET AL. Sup. Ct. Alaska;

No. 24–277. BOROCHOV ET AL. *v.* ISLAMIC REPUBLIC OF IRAN ET AL. C. A. D. C. Cir.;

No. 24–345. FS CREDIT OPPORTUNITIES CORP. ET AL. *v.* SABA CAPITAL MASTER FUND, LTD., ET AL. C. A. 2d Cir.; and

No. 24–350. PORT OF TACOMA ET AL. *v.* PUGET SOUND-KEEPER ALLIANCE. C. A. 9th Cir. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

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No. 24–5432. *COLLIER v. TRUMP*. C. A. D. C. Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [604 U. S. 1005] denied.

No. 24–5844. *EDELSTEIN v. EDELSTEIN*. Ct. App. Ohio, 12th App. Dist., Warren County; and

No. 24–5983. *TAYLOR v. COLLINS, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until February 3, 2025, 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. 24–6027. *IN RE HAOSHS*;

No. 24–6090. *IN RE FREEMAN*; and

No. 24–6132. *IN RE THATCHER*. Petitions for writs of habeas corpus denied.

No. 24–6069. *IN RE WOMACK*. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of habeas corpus dismissed. See this Court’s Rule 39.8.

No. 24–430. *IN RE STENSTROM ET AL.*;

No. 24–5873. *IN RE ALBRECHT*;

No. 24–5879. *IN RE BERROCAL*; and

No. 24–5978. *IN RE HEARD*. Petitions for writs of mandamus denied.

Certiorari Denied

No. 23–914. *ZILKA v. CITY OF PHILADELPHIA, TAX REVIEW BOARD*. Sup. Ct. Pa. Certiorari denied.

No. 23–7273. *ORREGO v. KNIPFING, AKA JAMES, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 23–7644. *KEITA v. GIANT OF MARYLAND LLC*. C. A. 4th Cir. Certiorari denied.

No. 24–21. *GERLACH v. ROKITA, ATTORNEY GENERAL OF INDIANA, ET AL.* C. A. 7th Cir. Certiorari denied.

No. 24–71. *GOLDSTEIN ET AL. v. PROFESSIONAL STAFF CONGRESS/CUNY ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–73. *BURT ET AL. v. GORDON*. C. A. 6th Cir. Certiorari denied.

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No. 24–77. *GeLAB Cosmetics LLC v. ZHuhai Aobo Cosmetics Co., Ltd., et al.* C. A. 7th Cir. Certiorari denied.

No. 24–156. *Leachco, Inc. v. Consumer Product Safety Commission et al.* C. A. 10th Cir. Certiorari denied.

No. 24–180. *Roku, Inc. v. International Trade Commission et al.* C. A. Fed. Cir. Certiorari denied.

No. 24–183. *Shaiban v. Jaddou, Director, United States Citizenship and Immigration Services, et al.* C. A. 4th Cir. Certiorari denied.

No. 24–232. *Bradford et al. v. Department of Labor et al.* C. A. 10th Cir. Certiorari denied.

No. 24–264. *Liestman v. United States.* C. A. 7th Cir. Certiorari denied.

No. 24–267. *Abdelsayed et al. v. Affordable Aerial Photography, Inc.* C. A. 11th Cir. Certiorari denied.

No. 24–270. *Vanda Pharmaceuticals Inc. v. Centers for Medicare and Medicaid Services et al.* C. A. 4th Cir. Certiorari denied.

No. 24–287. *Bannon, as the Special Personal Representative of the Estate of Root v. Godin et al.* C. A. 1st Cir. Certiorari denied.

No. 24–300. *Blue Mountains Biodiversity Project v. Jeffries, Ochocho National Forest Supervisor, et al.* C. A. 9th Cir. Certiorari denied.

No. 24–302. *Mendez v. United States.* C. A. 7th Cir. Certiorari denied.

No. 24–309. *Gray et al. v. Jennings, Attorney General of Delaware, et al.* C. A. 3d Cir. Certiorari denied.

No. 24–318. *BASF Corp. v. Bader Farms, Inc.* C. A. 8th Cir. Certiorari denied.

No. 24–329. *Ashford et al. v. Aviation Technical Services, Inc.* C. A. 5th Cir. Certiorari denied.

No. 24–336. *Binance et al. v. Anderson et al.* C. A. 2d Cir. Certiorari denied.

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No. 24–337. NANTUCKET RESIDENTS AGAINST TURBINES ET AL. *v.* BUREAU OF OCEAN ENERGY MANAGEMENT ET AL. C. A. 1st Cir. Certiorari denied.

No. 24–365. COMCAST CABLE COMMUNICATIONS, LLC *v.* RAMSEY. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 24–373. MARYLAND SHALL ISSUE, INC., ET AL *v.* MOORE, GOVERNOR OF MARYLAND, ET AL. C. A. 4th Cir. Certiorari denied.

No. 24–384. META PLATFORMS, INC., FKA FACEBOOK, INC. *v.* DZ RESERVE ET AL. C. A. 9th Cir. Certiorari denied.

No. 24–387. ASANTE-CHIOKE *v.* DOWDLE ET AL. C. A. 5th Cir. Certiorari denied.

No. 24–390. PATTERSON *v.* BAZ. C. A. 7th Cir. Certiorari denied.

No. 24–417. NATIONAL ASSOCIATION OF REALTORS *v.* UNITED STATES ET AL. C. A. D. C. Cir. Certiorari denied.

No. 24–425. REHBEIN ET AL. *v.* REHBEIN ET AL. Sup. Ct. Mont. Certiorari denied.

No. 24–428. EDWARDS LIFESCIENCES CORP. ET AL. *v.* MERIL LIFE SCIENCES PVT. LTD. ET AL. C. A. Fed. Cir. Certiorari denied.

No. 24–431. DUNN *v.* DUNN. Ct. App. Ga. Certiorari denied.

No. 24–441. A. M. B. ET AL. *v.* MCKNIGHT, PRESIDING JUDGE, CIRCUIT COURT OF WISCONSIN, ASHLAND COUNTY. Sup. Ct. Wis. Certiorari denied.

No. 24–450. OHIO ET AL. *v.* ENVIRONMENTAL PROTECTION AGENCY ET AL. C. A. D. C. Cir. Certiorari denied.

No. 24–454. LOPEZ *v.* COURT OF APPEAL OF CALIFORNIA, FOURTH APPELLATE DISTRICT, DIVISION THREE, ET AL. Sup. Ct. Cal. Certiorari denied.

No. 24–457. SINGH *v.* SANTA CLARA COUNTY, CALIFORNIA. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 24–459. CLARK *v.* SANTANDER BANK, N. A. (five judgments). Sup. Ct. Conn. Certiorari denied.

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No. 24–463. *SANCHEZ ET AL. v. GUZMAN ET AL.* C. A. 10th Cir. Certiorari denied.

No. 24–466. *SHAH v. NOVELIS.* C. A. 5th Cir. Certiorari denied.

No. 24–467. *HADSELL v. COURT OF APPEAL OF CALIFORNIA, FIRST APPELLATE DISTRICT, ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 24–469. *YANG ET AL. v. UNIVERSITY OF ROCHESTER ET AL.* Ct. App. N. Y. Certiorari denied.

No. 24–475. *BRAIDWOOD MANAGEMENT, INC., ET AL. v. BECERRA, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–479. *CANUTO v. DEPARTMENT OF JUSTICE ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 24–491. *RUTLAND v. ROBINSON PROPERTY GROUP, L. L. C., ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–497. *GALICIA-GONZALEZ v. GARLAND, ATTORNEY GENERAL.* C. A. 2d Cir. Certiorari denied.

No. 24–498. *MONAGHAN FARMS, INC. v. CITY AND COUNTY OF DENVER, COLORADO.* Ct. App. Colo. Certiorari denied.

No. 24–499. *NITA A. v. A. A.* App. Ct. Ill., 1st Dist. Certiorari denied.

No. 24–500. *RICK v. HARPSTEAD, COMMISSIONER, MINNESOTA DEPARTMENT OF HUMAN SERVICES.* C. A. 8th Cir. Certiorari denied.

No. 24–501. *V. V. V. & SONS EDIBLE OILS LTD. v. MEENAKASHI OVERSEAS, LLC.* C. A. 9th Cir. Certiorari denied.

No. 24–502. *DOE v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

No. 24–507. *DALY v. CITY OF DE SOTO, MISSOURI, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 24–508. *ANORUO v. DEPARTMENT OF VETERANS AFFAIRS.* C. A. Fed. Cir. Certiorari denied.

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No. 24–516. *DETWILER ET AL. v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied.

No. 24–521. *FARBER v. CITY OF LOS ANGELES, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–523. *A. W., BY AND THROUGH J. W., ET AL. v. COWETA COUNTY SCHOOL SYSTEM ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–525. *STANTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–527. *CHRISTIAN v. RANCHO GRANDE MANUFACTURED HOME COMMUNITY ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–528. *LYMAN v. COX, GOVERNOR OF UTAH, ET AL.* Sup. Ct. Utah. Certiorari denied.

No. 24–534. *ARIZONA YAGÉ ASSEMBLY ET AL. v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–536. *M&T FARMS v. FEDERAL CROP INSURANCE CORPORATION ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–538. *CHISESI, ADMINISTRATRIX OF THE ESTATE OF VICTOR, DECEASED v. HUNADY ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–540. *CHANG v. UNITED STATES ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 24–544. *SUTHERLAND v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–546. *WENG v. SU, ACTING SECRETARY OF LABOR*. C. A. D. C. Cir. Certiorari denied.

No. 24–547. *SMITH v. GARLAND, ATTORNEY GENERAL, ET AL.* C. A. 7th Cir. Certiorari denied.

No. 24–552. *WALTON v. FIRST MERCHANTS BANK*. C. A. 7th Cir. Certiorari denied.

No. 24–555. *WHITMAN v. SMITH, WARDEN*. C. A. 6th Cir. Certiorari denied.

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No. 24–559. *TENNECO, INC., ET AL. v. PARKER ET AL.* C. A. 6th Cir. Certiorari denied.

No. 24–561. *RSBCO v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 24–563. *NICHOLS v. WIERSMA.* C. A. 7th Cir. Certiorari denied.

No. 24–573. *COLEMAN COUNTY, TEXAS v. COPE ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–575. *HORTON v. SUPERIOR COURT OF CALIFORNIA, SOLANO COUNTY, ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 24–579. *STRAUSS v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA.* C. A. 4th Cir. Certiorari denied.

No. 24–585. *PATTEN ET AL. v. SWEIGART.* C. A. 3d Cir. Certiorari denied.

No. 24–590. *KELSEY v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 24–592. *GAUTHIER, INDIVIDUALLY AND AS ADMINISTRATOR OF THE ESTATE OF GAUTHIER, AND AS PARENT AND NATURAL GUARDIAN OF MINOR D. G. ET AL. v. TOTAL QUALITY LOGISTICS, LLC.* C. A. 11th Cir. Certiorari denied.

No. 24–596. *AIRCRAFT SERVICE INTERNATIONAL, INC., ET AL. v. LOPEZ.* C. A. 9th Cir. Certiorari denied.

No. 24–602. *GRAFF v. BRIGHOUSE LIFE INSURANCE CO., AKA BRIGHOUSE FINANCIAL LIFE INSURANCE CO.* C. A. 8th Cir. Certiorari denied.

No. 24–603. *DARNELL v. DEPARTMENT OF JUSTICE ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–605. *TAYLOR v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 24–614. *PRETE v. RHODE ISLAND.* Sup. Ct. R. I. Certiorari denied.

No. 24–625. *THIBAUT v. STATE BAR OF CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

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No. 24–627. *SCUDERIA DEVELOPMENT, LLC, ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–629. *PETROBRAS AMERICA, INC. v. SAMSUNG HEAVY INDUSTRIES CO., LTD.* C. A. 5th Cir. Certiorari denied.

No. 24–638. *MOINI v. GRANBERG*. C. A. D. C. Cir. Certiorari denied.

No. 24–641. *DE BECKER ET AL. v. UHS OF DELAWARE, INC., DBA DESERT SPRINGS HOSPITAL MEDICAL CENTER*. Sup. Ct. Nev. Certiorari denied.

No. 24–5194. *PURDY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5240. *HULL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5241. *GATLIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–5322. *TIPTON v. UNITED STATES*; and
No. 24–5768. *ROANE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5366. *THOMAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–5381. *COOPER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–5402. *FOOTE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 24–5433. *VARGAS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 24–5451. *MONCADA-DE LA CRUZ v. UNITED STATES*; and
No. 24–5501. *CAMPOS-AYALA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5462. *DIAZ-HERNANDEZ ET AL. v. GARLAND, ATTORNEY GENERAL*. C. A. 4th Cir. Certiorari denied.

No. 24–5503. *PATTON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

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No. 24–5519. *PEDDICORD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–5529. *MUYET v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–5532. *RUDOLPH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–5535. *CASTILLO v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5578. *LAMARTINIERE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5637. *FLACK v. KANSAS*. Sup. Ct. Kan. Certiorari denied.

No. 24–5646. *HOFSCHULZ ET VIR v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 24–5659. *CRUZ-CRUZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5678. *HOPKINS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 24–5690. *CURRY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 24–5722. *SINGH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5752. *THURBER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–5754. *AQUART v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–5759. *DELANEY v. MESSER, CHAPTER 7 TRUSTEE*. C. A. 2d Cir. Certiorari denied.

No. 24–5760. *TAYLOR v. MCCALLA RAYMER LEIBERT PIERCE, LLC*. C. A. 11th Cir. Certiorari denied.

No. 24–5764. *CARMACK, AKA GRANT, AKA GRANT-CARMACK v. CARMACK*. C. A. 11th Cir. Certiorari denied.

No. 24–5770. *FRANTZ v. KANSAS ET AL.* C. A. 10th Cir. Certiorari denied.

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No. 24–5771. *ZOELLNER v. CITY OF ARCATA, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5773. *SUTTON v. SMITH ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–5779. *SINANAN v. PENNSYLVANIA.* Commw. Ct. Pa. Certiorari denied.

No. 24–5780. *RYLE v. EMIG, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–5784. *RIAZ v. SUPERIOR COURT OF CALIFORNIA, TULARE COUNTY, ET AL.* Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 24–5785. *HANSEN ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 24–5788. *COGDILL v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 24–5789. *GROSS v. UNITED PARCEL SERVICE ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–5796. *ARNOLD v. CHRONISTER, SHERIFF, HILLSBOROUGH COUNTY, FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–5797. *ARNOLD v. PATTERSON.* C. A. 11th Cir. Certiorari denied.

No. 24–5803. *ELTAWIL v. CAMPBELL, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 24–5805. *ADIMORA-NWEKE v. MCCRAW, DIRECTOR, TEXAS DEPARTMENT OF PUBLIC SAFETY, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–5806. *CHIWANGA v. DRUMMOND, ATTORNEY GENERAL OF OKLAHOMA.* C. A. 10th Cir. Certiorari denied.

No. 24–5808. *HAZARI v. COURT OF APPEAL OF CALIFORNIA, SIXTH APPELLATE DISTRICT, ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 24–5810. *WILBURN v. NGUYEN ET AL.* C. A. 2d Cir. Certiorari denied.

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No. 24–5812. *PETROZZI v. INSLEE, GOVERNOR OF WASHINGTON, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5816. *BURLISON v. BENEFIELD, DBA GREEN OAKS MANOR MOBILE HOME PARK.* Sup. Ct. Fla. Certiorari denied.

No. 24–5824. *ALVARADO v. HOLLIBAUGH, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SOMERSET, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–5828. *WILLIAMS v. NORTH CAROLINA ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–5830. *HORTON v. ALABAMA.* Ct. Crim. App. Ala. Certiorari denied.

No. 24–5831. *LEONARD v. COOLEY, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–5832. *JOHNSON v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 24–5835. *GODBOLT v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist., Div. 2. Certiorari denied.

No. 24–5839. *POWELL v. JBG SMITH PROPERTIES, LP FIRST RESIDENCES, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 24–5842. *STADEN v. MYERS, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 24–5845. *ROBINSON v. SPATNY, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 24–5846. *BRIDGES v. BLACKMON ET AL.* C. A. 6th Cir. Certiorari denied.

No. 24–5847. *ANDERSON v. WINSTON SALEM POLICE DEPARTMENT ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–5848. *JOHNSON, ON BEHALF OF JOHNSON v. THOMAS.* Cir. Ct. Baltimore County, Md. Certiorari denied.

No. 24–5849. *JOHNSON, ON BEHALF OF JOHNSON v. KINNEY.* Cir. Ct. Baltimore County, Md. Certiorari denied.

No. 24–5850. *JOHNSON, ON BEHALF OF JOHNSON v. BLACKWELL.* Cir. Ct. Baltimore County, Md. Certiorari denied.

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No. 24–5851. *JOHNSON*, ON BEHALF OF *JOHNSON v. HECTOR*. Cir. Ct. Baltimore County, Md. Certiorari denied.

No. 24–5853. *REED v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 24–5854. *WARD v. NEW YORK POLICE DEPARTMENT HEADQUARTERS LICENSE DIVISION*. Ct. App. N. Y. Certiorari denied.

No. 24–5855. *FIELDS v. NEW YORK DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION*. C. A. 2d Cir. Certiorari denied.

No. 24–5856. *MARTIN v. GAFFNEY ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–5858. *SMITH v. BUSH*, FORMER GOVERNOR OF FLORIDA, ET AL. C. A. 11th Cir. Certiorari denied.

No. 24–5859. *RANGEL-BOTELLO v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 24–5861. *SCHMITT v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 24–5865. *RICE v. LUMPKIN*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 24–5866. *MOSES v. UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT*. C. A. 5th Cir. Certiorari denied.

No. 24–5874. *JOHNSON v. RANKINS*, WARDEN. C. A. 10th Cir. Certiorari denied.

No. 24–5875. *DAVIS v. CADD O DEPARTMENT OF PUBLIC WORKS ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–5876. *ORTIZ FERNANDEZ v. LA CLINICA*. Ct. App. Cal., 1st App. Dist., Div. 2. Certiorari denied.

No. 24–5877. *BANKS v. SPENCE*. C. A. 5th Cir. Certiorari denied.

No. 24–5878. *GONSALVES v. GLAUBERMAN*, BY HIS MANAGING AGENT, KFG PROPERTIES, INC., ET AL. Int. Ct. App. Haw. Certiorari denied.

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No. 24–5885. *DOWDELL-MCELHANEY v. GLOBAL PAYMENTS INC. ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–5886. *CANTU v. TEXAS.* Ct. App. Tex., 4th Dist. Certiorari denied.

No. 24–5889. *VOLK v. O'MALLEY, COMMISSIONER OF SOCIAL SECURITY.* C. A. 9th Cir. Certiorari denied.

No. 24–5892. *PULLER v. DOTSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied.

No. 24–5896. *MYKE v. WISCONSIN.* Ct. App. Wis. Certiorari denied.

No. 24–5897. *JOHNSON v. DUNCAN, WARDEN.* C. A. 4th Cir. Certiorari denied.

No. 24–5899. *GLOVER v. GEORGIA.* Ct. App. Ga. Certiorari denied.

No. 24–5901. *FITCH v. UNITED STATES ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–5903. *FAROOQ v. BOLT ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–5904. *COX v. FLORIDA.* Sup. Ct. Fla. Certiorari denied.

No. 24–5907. *WRIGHT v. TRANSPORTATION COMMUNICATION UNION/IAM.* C. A. 5th Cir. Certiorari denied.

No. 24–5911. *WHATLEY ET AL. v. MEDICAL UNIVERSITY OF SOUTH CAROLINA.* C. A. 4th Cir. Certiorari denied.

No. 24–5912. *LETTIERI v. BONANNO ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–5915. *ORR v. TRUSEWYCH ET AL.* C. A. 7th Cir. Certiorari denied.

No. 24–5916. *WILSON v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 24–5917. *DE JESUS v. DIGNITY HEALTH CORP.* C. A. 9th Cir. Certiorari denied.

No. 24–5918. *KAMDEM-OUAFFO v. BALCHEM CORP. ET AL.* (two judgments). C. A. 2d Cir. Certiorari denied.

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No. 24–5920. *WRIGHT v. FITZPATRICK*, MAGISTRATE JUDGE, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF FLORIDA. C. A. 11th Cir. Certiorari denied.

No. 24–5923. *MARTINEZ v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied.

No. 24–5924. *MORALES v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied.

No. 24–5925. *YOMI v. BECERRA*, SECRETARY OF HEALTH AND HUMAN SERVICES. C. A. 10th Cir. Certiorari denied.

No. 24–5927. *WATSON v. STREETER, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–5929. *FINK v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 7. Certiorari denied.

No. 24–5930. *WILLIAMS v. GEORGIA*. Sup. Ct. Ga. Certiorari denied.

No. 24–5932. *ZUNIGA v. GARLAND*, ATTORNEY GENERAL. C. A. 5th Cir. Certiorari denied.

No. 24–5936. *JONES v. WHEELER*. C. A. 5th Cir. Certiorari denied.

No. 24–5942. *WILSON v. BRIDGES, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 24–5948. *SAVAGE ET AL. v. SAVAGE ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–5955. *COLEMAN v. OHIO*. Ct. App. Ohio, 9th App. Dist., Summit County. Certiorari denied.

No. 24–5960. *MCGOWAN v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied.

No. 24–5961. *BELL v. DAUZAT, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 24–5962. *YOUNG v. PHAMS, WARDEN, ET AL.* Sup. Ct. Ga. Certiorari denied.

No. 24–5963. *WRIGHT v. SCHIEBNER, WARDEN*. C. A. 6th Cir. Certiorari denied.

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No. 24–5965. *LETTIERI v. DEPARTMENT OF JUSTICE ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–5966. *DEAL v. RIOS, WARDEN.* Sup. Ct. N. M. Certiorari denied.

No. 24–5967. *EMERT v. COURT OF APPEAL OF CALIFORNIA, FOURTH APPELLATE DISTRICT, DIVISION ONE, ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 24–5968. *ADKISON v. MORRISS, ACTING WARDEN.* C. A. 8th Cir. Certiorari denied.

No. 24–5969. *STEPHENS v. ILLINOIS.* App. Ct. Ill., 4th Dist. Certiorari denied.

No. 24–5970. *ROSALES v. IDAHO DEPARTMENT OF HEALTH AND WELFARE ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5971. *ORTIZ v. SUPREME COURT OF PUERTO RICO.* Sup. Ct. P. R. Certiorari denied.

No. 24–5974. *HUTTO v. MISSISSIPPI.* Sup. Ct. Miss. Certiorari denied.

No. 24–5977. *GIBBS v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* Sup. Ct. Fla. Certiorari denied.

No. 24–5979. *DENTON v. BRUN, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 24–5980. *MOORE v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 24–5981. *PETLECHKOV v. GARLAND, ATTORNEY GENERAL.* C. A. 11th Cir. Certiorari denied.

No. 24–5982. *PEREZ-AGUILAR v. HOWARD, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 24–5985. *CHAPMAN v. TENNESSEE DEPARTMENT OF CHILDREN’S SERVICES.* Ct. App. Tenn. Certiorari denied.

No. 24–5986. *SMITH v. LUMPKIN, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 24–5991. *ARMSTRONG v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 24–5995. *ESPINOZA-CAMACHO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5996. *NORMAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–5998. *CABRERA v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied.

No. 24–5999. *CRUZADO LAUREANO v. UNITED STATES ATTORNEY’S OFFICE, DISTRICT OF PUERTO RICO*. C. A. 1st Cir. Certiorari denied.

No. 24–6000. *BRACERO-NAVAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–6001. *HUNTER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–6002. *VIVEROS-CHAVEZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 24–6003. *FRAZIER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–6006. *YOUNG v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–6009. *CONTRERAS-TORRES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6010. *CANTIZANO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6013. *CLEMENTS v. CLUB SPACE MANAGEMENT, LLC, DBA CLUB SPACE*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied.

No. 24–6015. *HILLIARD v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–6016. *HOWARD-RIOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6017. *HORMACHEA v. BHADJA, CHIEF MEDICAL OFFICER AT OKEECHOBEE CORRECTIONAL INSTITUTION*. C. A. 11th Cir. Certiorari denied.

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No. 24–6020. *RIVERA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–6021. *BOIMA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–6022. *CONTRERAS SANDOVAL v. MILLER, SUPERINTENDENT, SNAKE RIVER CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied.

No. 24–6023. *TERRAZAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6024. *MIFFIN ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–6028. *FORTIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6031. *ALHINDI v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–6034. *HERING v. IOWA DISTRICT COURT, MUSCATINE COUNTY*. Sup. Ct. Iowa. Certiorari denied.

No. 24–6035. *MULDREW v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–6037. *MURPHY v. McDONOUGH, SECRETARY OF VETERANS AFFAIRS, ET AL.* C. A. 10th Cir. Certiorari denied.

No. 24–6039. *DERRYBERRY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6040. *STOWE v. VAN RYBROEK, DIRECTOR, MENDOTA MENTAL HEALTH INSTITUTE*. C. A. 7th Cir. Certiorari denied.

No. 24–6041. *HAMPTON v. McDONOUGH, SECRETARY OF VETERANS AFFAIRS*. C. A. 2d Cir. Certiorari denied.

No. 24–6043. *HACKETT v. IOWA*. Sup. Ct. Iowa. Certiorari denied.

No. 24–6044. *SHROPSHIRE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–6045. *BERILA v. WATSON, WARDEN*. C. A. 6th Cir. Certiorari denied.

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No. 24–6047. *HENRY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–6048. *KISSENTANER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6051. *BERRY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–6052. *THOMAS, AKA BROWN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–6053. *BELCHER v. NEAL, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 24–6055. *BART v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–6056. *BOND v. BOHINSKI, ACTING SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–6059. *MILLER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–6060. *DOGSKIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6061. *SMITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6062. *OSAGHAE v. KANSAS*. Ct. App. Kan. Certiorari denied.

No. 24–6063. *TOWNSEL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–6064. *NUNEZ GARCIA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–6065. *WARD v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied.

No. 24–6067. *GLADDEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–6068. *WINBORN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

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No. 24–6072. *ROGERS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6076. *WRIGHT v. VIRGINIA DEPARTMENT OF CHILD SUPPORT ENFORCEMENT ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–6077. *CARRILLO TOPETE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–6078. *PETERSON v. DOTSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied.

No. 24–6080. *RAMIREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6081. *ZAMARRIPA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6082. *HOLMES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6083. *FLORES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6086. *MCGARVEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–6089. *PIERCE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6097. *ALVARADO-VARELA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6098. *BROWN v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied.

No. 24–6101. *KHAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6103. *GONZALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6104. *KERRICK v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied.

No. 24–6105. *HILYARD v. WYOMING*. Sup. Ct. Wyo. Certiorari denied.

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No. 24–6108. *DIAZ-COLON v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 24–6109. *LEWIS ET AL. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 24–6111. *MARTINEZ-MARTINEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6112. *JOHNSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–6114. *ENNIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6135. *MALONE v. VANIHEL*. C. A. 7th Cir. Certiorari denied.

No. 24–6148. *NEELS v. DOOLEY, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 23–947. *SUNOCO LP ET AL. v. CITY AND COUNTY OF HONOLULU, HAWAII, ET AL.*; and

No. 23–952. *SHELL PLC, FKA ROYAL DUTCH SHELL PLC, ET AL. v. CITY AND COUNTY OF HONOLULU, HAWAII, ET AL.* Sup. Ct. Haw. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of these petitions.

No. 24–580. *COTROMANO ET AL. v. RTX CORP.* C. A. 11th Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 24–5946. *CROSBY v. FLORIDA ET AL.* C. A. 11th Cir. Certiorari before judgment denied.

No. 24–6018. *FREDRICKSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. JUSTICE BARRETT took no part in the consideration or decision of this petition.

Rehearing Denied

No. 23–1284. *ARAU v. ROCKET MORTGAGE, LLC, ET AL.*, 604 U. S. 918;

No. 23–6606. *IN RE ALONSO JIMENEZ*, 601 U. S. 1103;

No. 23–7399. *IN RE MARTINEZ*, 604 U. S. 908;

No. 23–7400. *REYNARD v. WASHBURN UNIVERSITY OF TOPEKA*, 604 U. S. 926;

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- No. 23-7534. *FEICK v. BRUTSCHE FAMILY REVOCABLE TRUST ET AL.*, 604 U. S. 929;
- No. 23-7559. *KNIGHT v. BIDEN, PRESIDENT OF THE UNITED STATES, ET AL.*, 604 U. S. 930;
- No. 23-7562. *ESCOBEDO v. GUTIERREZ ET AL.*, 604 U. S. 931;
- No. 23-7621. *GOLDEN v. CITY OF LONGVIEW, PUBLIC WORKS DIVISION, ET AL.*, 604 U. S. 934;
- No. 23-7665. *DUODU v. DOTSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*, 604 U. S. 937;
- No. 23-7675. *JOHNSON v. MICHIGAN*, 604 U. S. 937;
- No. 23-7701. *JONES v. REAVES, WARDEN, ET AL.*, 604 U. S. 939;
- No. 23-7732. *HERNANDEZ v. TEXAS*, 604 U. S. 941;
- No. 23-7758. *IN RE GRENADIER*, 604 U. S. 909;
- No. 23-7789. *IN RE HOLDER*, 604 U. S. 907;
- No. 24-1. *IN RE UZIEL*, 604 U. S. 908;
- No. 24-221. *DYSON v. WHITLEY COUNTY REGIONAL WATER AND SEWER DISTRICT ET AL.*, 604 U. S. 1008;
- No. 24-239. *CHLOE v. GEORGE WASHINGTON UNIVERSITY*, 604 U. S. 1008;
- No. 24-250. *PECH v. CENTRAL INTELLIGENCE AGENCY*, 604 U. S. 1009;
- No. 24-5001. *KNOX v. KRUEGER, WARDEN*, 604 U. S. 953;
- No. 24-5044. *IN RE DERRINGER*, 604 U. S. 909;
- No. 24-5056. *STAFFORD v. ZWICKE, EXECUTIVE SHERIFF, GUADALUPE COUNTY, TEXAS, ET AL.*, 604 U. S. 956;
- No. 24-5064. *ADEOYE v. CLAYTON COUNTY DIVISION OF FAMILY AND CHILDREN SERVICES EMPLOYEES ET AL.*, 604 U. S. 956;
- No. 24-5097. *DZIONARA-NORSEN v. UNITED STATES*, 604 U. S. 958;
- No. 24-5100. *BAKER v. INDIANA*, 604 U. S. 958;
- No. 24-5193. *CLIFFORD v. WALKER ET AL.*, 604 U. S. 964;
- No. 24-5257. *AGUILAR v. TEXAS*, 604 U. S. 981;
- No. 24-5321. *PETERSON v. WISCONSIN*, 604 U. S. 968;
- No. 24-5342. *IN RE RAMSEY*, 604 U. S. 907;
- No. 24-5357. *MULE v. HOOPER, WARDEN*, 604 U. S. 1000;
- No. 24-5390. *BUHAGIAR v. WELLS FARGO BANK, N. A.*, 604 U. S. 1011;
- No. 24-5395. *MEIER v. ALLSTATE PROPERTY & CASUALTY INSURANCE Co.*, 604 U. S. 1000;
- No. 24-5434. *DANIELS v. SO OTHERS MIGHT EAT ET AL.*, 604 U. S. 1000;

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No. 24–5440. *MOSES v. LOUISIANA OFFICE OF DISCIPLINARY COUNSEL*, 604 U. S. 1012;

No. 24–5502. *MITCHELL v. KENDALL, SECRETARY OF THE AIR FORCE*, 604 U. S. 1019;

No. 24–5564. *FEARING v. UNIVERSITY OF MINNESOTA MEDICAL CENTER, AKA M HEALTH FAIRVIEW CLINICS, ET AL.*, 604 U. S. 1020; and

No. 24–5579. *KODENKANDETH v. UPMC HEALTH PLAN, INC., DBA UPMC FOR LIFE, ET AL.*, 604 U. S. 1020. Petitions for rehearing denied.

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Miscellaneous Order

No. 24–656 (24A587). *TIKTOK INC. ET AL. v. GARLAND, ATTORNEY GENERAL*; and

No. 24–657 (24A588). *FIREBAUGH ET AL. v. GARLAND, ATTORNEY GENERAL*. C. A. D. C. Cir. Applications for an injunction pending review dismissed as moot.

Certiorari Granted

No. 24–249. *A. J. T., BY AND THROUGH HER PARENTS, A. T. ET AL. v. OSSEO AREA SCHOOLS, INDEPENDENT SCHOOL DISTRICT* No. 279, ET AL. C. A. 8th Cir. Certiorari granted. Reported below: 96 F. 4th 1058.

No. 24–275. *PARRISH v. UNITED STATES*. C. A. 4th Cir. Certiorari granted. Reported below: 74 F. 4th 160.

No. 24–297. *MAHMOUD ET AL. v. TAYLOR ET AL.* C. A. 4th Cir. Certiorari granted. Reported below: 102 F. 4th 191.

No. 24–320. *SOTO, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED v. UNITED STATES*. C. A. Fed. Cir. Certiorari granted limited to the following question: “Given the Federal Circuit’s holding that a claim for compensation under 10 U. S. C. § 1413a is a claim ‘involving . . . retired pay’ under 31 U. S. C. § 3702(a)(1)(A), does 10 U. S. C. § 1413a provide a settlement mechanism that displaces the default procedures and limitations set forth in the Barring Act?” Reported below: 92 F. 4th 1094.

No. 24–5438. *BOWE v. UNITED STATES*. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted.

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Certiorari Granted—Vacated and Remanded. (See *Andrew v. White*, 604 U. S. 86 (2025) (*per curiam*).)

Certiorari Dismissed

No. 24–6094. *WRIGHT v. GRAHAM, WARDEN*. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari before judgment dismissed. See this Court's Rule 39.8.

Miscellaneous Orders

No. 24A507. *AKERMAN v. MERIT SYSTEMS PROTECTION BOARD ET AL.* C. A. D. C. Cir. Application to suspend the effect of denial of the petition for writ of certiorari, addressed to JUSTICE KAVANAUGH and referred to the Court, denied.

No. 24A532. *AHMAD v. DAY ET AL.* C. A. 2d Cir. Application for injunctive relief, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. 24M54. *CLARK v. COLORADO*. Motion for leave to file petition for writ of certiorari under seal with redacted copies for the public record granted.

No. 23–1229. *ENVIRONMENTAL PROTECTION AGENCY v. CALUMET SHREVEPORT REFINING, L. L. C., ET AL.* C. A. 5th Cir. [Certiorari granted, 604 U. S. 997.] Joint motion for leave to file joint appendix under seal granted.

No. 24–6066. *CABALLERO-COTO ET AL. v. GARLAND, ATTORNEY GENERAL*. C. A. 7th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until February 11, 2025, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

No. 24–5954. *IN RE GOOCH*;

No. 24–5964. *IN RE HALL*; and

No. 24–5988. *IN RE GREGORY*. Petitions for writs of mandamus denied.

Certiorari Denied

No. 24–198. *MICHIGAN v. GALLOWAY*. Ct. App. Mich. Certiorari denied.

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No. 24–220. *JACOBSEN, MONTANA SECRETARY OF STATE v. MONTANA DEMOCRATIC PARTY ET AL.* Sup. Ct. Mont. Certiorari denied.

No. 24–321. *KING FOR CONGRESS v. GRINER ET AL.* C. A. 8th Cir. Certiorari denied.

No. 24–332. *INTERNATIONAL BUSINESS MACHINES CORPORATION & COMBINED AFFILIATES v. NEW YORK TAX APPEALS TRIBUNAL ET AL.*; and

No. 24–333. *WALT DISNEY CO. v. NEW YORK TAX APPEALS TRIBUNAL ET AL.* Ct. App. N. Y. Certiorari denied.

No. 24–363. *PENNSYLVANIA STATE CONFERENCE OF THE NAACP ET AL. v. SCHMIDT, SECRETARY OF PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–401. *CHEEJATI ET AL. v. BLINKEN, SECRETARY OF STATE, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–424. *BAILEY v. ARKANSAS.* Sup. Ct. Ark. Certiorari denied.

No. 24–533. *UNKNOWN HEIRS ET AL. v. REINER, AS PERMANENT DEPENDENT ADMINISTRATOR FOR THE ESTATE OF BARNETT, DECEASED.* Ct. App. Tex., 5th Dist. Certiorari denied.

No. 24–543. *ALAI v. LAW OFFICES OF MARK B. PLUMMER, P. C., ET AL.* Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 24–545. *WERSHE v. CITY OF DETROIT, MICHIGAN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 24–548. *ARBOR GLOBAL STRATEGIES, LLC v. SAMSUNG ELECTRONICS CO., LTD., ET AL.* C. A. Fed. Cir. Certiorari denied.

No. 24–550. *RANA v. JENKINS.* C. A. 9th Cir. Certiorari denied.

No. 24–553. *VIRGO v. ROBERTS ET AL.* Sup. Ct. Ala. Certiorari denied.

No. 24–558. *MORRIS ET UX. v. WEST HAYDEN ESTATES FIRST ADDITION HOMEOWNERS ASSN., INC.* C. A. 9th Cir. Certiorari denied.

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No. 24–566. *DILLON v. WESTMORELAND DEPARTMENT OF SOCIAL SERVICES*. Sup. Ct. Va. Certiorari denied.

No. 24–648. *EULIZIER v. VEGA-COLON, INDIVIDUALLY AND AS ADMINISTRATOR OF THE ESTATE OF VEGA-CRUZ, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–653. *ZEMBRKA ET AL. v. AMERICAN GIRL, LLC.* C. A. 2d Cir. Certiorari denied.

No. 24–5775. *RONK v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 24–5782. *ROBINSON v. HARRY, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–5786. *CRAIG v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–5791. *STOREY v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 24–5984. *MANNERS v. MORRISON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 24–5987. *MAUK v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 24–5989. *FLOURNOY v. GEORGIA*. Ct. App. Ga. Certiorari denied.

No. 24–5990. *RUSH v. CORRIGAN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 24–5992. *BELL v. FULTON COUNTY, GEORGIA, ET AL.* Ct. App. Ga. Certiorari denied.

No. 24–5994. *RODRIGUEZ v. TEXAS*. Ct. App. Tex., 4th Dist. Certiorari denied.

No. 24–6007. *WATSON v. BERGMAN, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied.

No. 24–6011. *GOLDSBORO v. FLORIDA*. Dist. Ct. App. Fla., 6th Dist. Certiorari denied.

No. 24–6012. *HAZARI v. SUPERIOR COURT OF CALIFORNIA, SANTA CLARA COUNTY, ET AL.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

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No. 24–6014. COX *v.* WEBER, WARDEN, ET AL. C. A. 4th Cir. Certiorari denied.

No. 24–6093. GREGORY *v.* SOUTH DAKOTA. Sup. Ct. S. D. Certiorari denied.

No. 24–6096. LETTIERI *v.* BONANNO. C. A. 2d Cir. Certiorari denied.

No. 24–6120. BURKS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 24–6121. CAMPION *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 24–6125. RIVERA *v.* CATES, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 24–537. CANADIAN STANDARDS ASSN. *v.* P. S. KNIGHT CO., LTD., ET AL. C. A. 5th Cir. Motion of American National Standards Institute, Inc., et al. for leave to file brief as *amici curiae* denied. Certiorari denied.

Rehearing Denied

No. 24–5643. IN RE ARNOLD, 604 U. S. 1031. Petition for rehearing denied.

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Miscellaneous Order

No. 24A653. MCHENRY, ACTING ATTORNEY GENERAL, ET AL. *v.* TEXAS TOP COP SHOP, INC., ET AL. C. A. 5th Cir. Application for stay, presented to JUSTICE ALITO, and by him referred to the Court, granted. The December 5, 2024, amended order of the United States District Court for the Eastern District of Texas, case No. 4:24–cv–478, is stayed pending disposition of the appeal in the United States Court of Appeals for the Fifth Circuit and disposition of a petition for writ of certiorari, if such a writ is timely sought. Should certiorari be denied, this stay shall terminate automatically. In the event certiorari is granted the stay shall terminate upon the sending down of the judgment of this Court.

JUSTICE GORSUCH, concurring.

I agree with the Court that the government is entitled to a stay of the district court’s universal injunction. I would, however, go no step further and, as the government suggests, take this case now to resolve definitively the question whether a district court

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may issue universal injunctive relief. See *Labrador v. Poe*, 601 U. S. 1110, 1113–1114, 1118–1120 (2024) (GORSUCH, J., concurring in grant of stay); *Department of Homeland Security v. New York*, 589 U. S. 1173, 1174 (2020) (GORSUCH, J., concurring in grant of stay).

JUSTICE JACKSON, dissenting.

However likely the Government’s success on the merits may be, in my view, emergency relief is not appropriate because the applicant has failed to demonstrate sufficient exigency to justify our intervention. See *Labrador v. Poe*, 601 U. S. 1110, 1130 (2024) (JACKSON, J., dissenting from grant of stay). I see no need for this Court to step in now for at least two reasons. First, the Fifth Circuit has expedited its consideration of the Government’s appeal. Second, the Government deferred implementation on its own accord—setting an enforcement date of *nearly four years* after Congress enacted the law—despite the fact that the harms it now says warrant our involvement were likely to occur during that period. The Government has provided no indication that injury of a more serious or significant nature would result if the Act’s implementation is further delayed while the litigation proceeds in the lower courts. I would therefore deny the application and permit the appellate process to run its course.

JANUARY 24, 2025

Certiorari Granted

No. 24–304. LABORATORY CORPORATION OF AMERICA HOLDINGS, DBA LABCORP *v.* DAVIS ET AL. C. A. 9th Cir. Certiorari granted limited to the following question: “Whether a federal court may certify a class action pursuant to Federal Rule of Civil Procedure 23(b)(3) when some members of the proposed class lack any Article III injury.” Petitioner’s brief on the merits is to be filed on or before Wednesday, March 5, 2025. Respondents’ brief on the merits is to be filed on or before Monday, March 31, 2025. Reply brief is to be received by the Clerk and served upon opposing counsel on or before 2 p.m., Monday, April 21, 2025.

No. 24–394. OKLAHOMA STATEWIDE CHARTER SCHOOL BOARD ET AL. *v.* DRUMMOND, ATTORNEY GENERAL OF OKLAHOMA EX REL. OKLAHOMA; and

No. 24–396. ST. ISIDORE OF SEVILLE CATHOLIC VIRTUAL SCHOOL *v.* DRUMMOND, ATTORNEY GENERAL OF OKLAHOMA EX

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REL. OKLAHOMA. Sup. Ct. Okla. Certiorari granted, cases consolidated, and a total of one hour is allotted for oral argument. Petitioners' briefs on the merits are to be filed on or before Wednesday, March 5, 2025. Respondent's brief on the merits is to be filed on or before Monday, March 31, 2025. Reply briefs are to be received by the Clerk and served upon opposing counsel on or before 2 p.m., Monday, April 21, 2025. JUSTICE BARRETT took no part in the consideration or decision of these petitions. Reported below: 2024 OK 53, 558 P. 3d 1.

JANUARY 27, 2025

Certiorari Granted—Vacated and Remanded

No. 24–5460. *FIELDS v. COLORADO*. Ct. App. Colo. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Erlinger v. United States*, 602 U. S. 821 (2024).

Miscellaneous Orders

No. 24A516. *IN RE AKERMAN*. Ct. App. D. C. Application for stay, addressed to JUSTICE THOMAS and referred to the Court, denied.

No. 24A531. *HORTON v. SUPERIOR COURT OF CALIFORNIA, SOLANO COUNTY, ET AL.* Sup. Ct. Cal. Application for stay, addressed to JUSTICE THOMAS and referred to the Court, denied.

No. D–3124. *IN RE DISBARMENT OF HUMPHREY*. Disbarment entered. [For earlier order herein, see 601 U. S. 804.]

No. D–3127. *IN RE DISBARMENT OF REPETTO*. Disbarment entered. [For earlier order herein, see 601 U. S. 1052.]

No. D–3130. *IN RE DISBARMENT OF HOGAN*. Disbarment entered. [For earlier order herein, see 601 U. S. 1053.]

No. D–3133. *IN RE DISBARMENT OF BRUEGGEMAN*. Disbarment entered. [For earlier order herein, see 601 U. S. 1053.]

No. D–3134. *IN RE DISBARMENT OF KINGSBURY*. Disbarment entered. [For earlier order herein, see 601 U. S. 1053.]

No. D–3138. *IN RE DISBARMENT OF CONNELLY*. Disbarment entered. [For earlier order herein, see 602 U. S. 1012.]

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No. D-3139. IN RE DISBARMENT OF ADAMS. Disbarment entered. [For earlier order herein, see 602 U. S. 1012.]

No. D-3140. IN RE DISBARMENT OF PURCELL. Disbarment entered. [For earlier order herein, see 602 U. S. 1012.]

No. 23-1270. RILEY *v.* MCHENRY, ACTING ATTORNEY GENERAL. C. A. 4th Cir. [Certiorari granted *sub nom.* *Riley v. Garland*, 604 U. S. 1007.] Motion of petitioner to seal appendix to the petition for writ of certiorari, and for leave to file joint appendix under seal, with redacted copies for the public record granted.

No. 24-6046. WALKER *v.* UNITED STATES ET AL. C. A. 9th Cir.; and

No. 24-6170. CARTER *v.* UNITED STATES. C. A. 7th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until February 18, 2025, 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. 24-567. IN RE AKERMAN; and

No. 24-6004. IN RE MONROE. Petitions for writs of mandamus denied.

No. 24-6019. IN RE NORMAN. Petition for writ of mandamus and/or prohibition denied.

Certiorari Granted

No. 24-362. MARTIN, INDIVIDUALLY AND AS PARENT AND NEXT FRIEND OF G. W., A MINOR, ET AL. *v.* UNITED STATES ET AL. C. A. 11th Cir. Certiorari granted limited to the following questions: “(1) Whether the Constitution’s Supremacy Clause bars claims under the Federal Tort Claims Act when the negligent or wrongful acts of federal employees have some nexus with furthering federal policy and can reasonably be characterized as complying with the full range of federal law. (2) Whether the discretionary-function exception is categorically inapplicable to claims arising under the law enforcement proviso to the intentional torts exception.” Petitioners’ brief on the merits is to be filed on or before Friday, March 7, 2025. Respondents’ brief on the merits is to be filed on or before Tuesday, April 1, 2025. Reply brief is to be received by the Clerk and served upon opposing counsel on or before 2 p.m., Tuesday, April 22, 2025.

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Certiorari Denied

No. 24–259. *ISAACSON v. META PLATFORMS, INC., FKA FACEBOOK, INC.* C. A. 9th Cir. Certiorari denied.

No. 24–391. *PETRONE-CABANAS v. ARIZONA; WAGNER v. ARIZONA; ARIAS v. ARIZONA; ODOM v. ARIZONA; and MCLEOD v. ARIZONA.* Ct. App. Ariz. Certiorari denied.

No. 24–452. *FRANTZIS v. HUNTER, ACTING SECRETARY OF VETERANS AFFAIRS.* C. A. Fed. Cir. Certiorari denied.

No. 24–453. *LOUIS ET AL. v. BLUEGREEN VACATIONS UNLIMITED, INC., ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–456. *BOEHRINGER INGELHEIM PHARMACEUTICALS, INC., ET AL. v. BACHER, REPRESENTATIVE FOR BACHER, DECEASED, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–486. *WALTON ET AL. v. NESKOWIN REGIONAL SANITARY AUTHORITY.* Sup. Ct. Ore. Certiorari denied.

No. 24–554. *YAN v. TERRY ET AL.* Sup. Ct. Tex. Certiorari denied.

No. 24–560. *HOPKINS ET AL. v. WATSON, MISSISSIPPI SECRETARY OF STATE.* C. A. 5th Cir. Certiorari denied.

No. 24–565. *LINNEA W. v. MATTHEW P.* Ct. App. N. Y. Certiorari denied.

No. 24–574. *BELOV v. EAST BAY SANCTUARY COVENANT ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–578. *CUNNINGHAM, ON BEHALF OF GAINES, A MINOR v. BALTIMORE COUNTY, MARYLAND, ET AL.* Sup. Ct. Md. Certiorari denied.

No. 24–583. *XUNHUI CHENG ET AL. v. LIU ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–586. *ROSHAN v. LAWRENCE ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–588. *SANAI v. LAWRENCE ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–589. *ALLCO RENEWABLE ENERGY LTD. ET AL. v. AGENCY OF NATURAL RESOURCES ET AL.* Sup. Ct. Vt. Certiorari denied.

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No. 24–595. *HARRIS v. CITY OF KENT, WASHINGTON, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–600. *QUIOTIS C. v. NEBRASKA.* Ct. App. Neb. Certiorari denied.

No. 24–608. *MONTES v. TIBBS.* C. A. 5th Cir. Certiorari denied.

No. 24–617. *ALTER v. TRUMP.* C. A. D. C. Cir. Certiorari denied.

No. 24–636. *BARNES v. UHLER, SUPERINTENDENT, UPSTATE CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–668. *REPUBLIC OF ARGENTINA v. ATTESTOR MASTER VALUE FUND LP ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–679. *GMAG, L. L. C., ET AL. v. JANVEY, AS COURT-APPOINTED RECEIVER FOR THE STANFORD INTERNATIONAL BANK LTD.* C. A. 5th Cir. Certiorari denied.

No. 24–5339. *PERRICONE v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 24–5634. *ABBOUD v. ABBOUD.* Sup. Ct. Fla. Certiorari denied.

No. 24–5793. *POSEY v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 24–5906. *ESPOSITO v. EMMONS, WARDEN.* Sup. Ct. Ga. Certiorari denied.

No. 24–6025. *PORTER v. NAVARRO ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied.

No. 24–6026. *ORTIZ, AKA LOPEZ v. CIRCUIT COURT OF ILLINOIS, LAKE COUNTY.* Sup. Ct. Ill. Certiorari denied.

No. 24–6029. *DURAM v. HOWARD, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 24–6030. *TALLEY ET AL. v. HORN ET AL.* Sup. Ct. Del. Certiorari denied.

No. 24–6033. *BRUNO v. ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 24–6036. *MEDINA v. MICROSOFT CORP. ET AL.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 24–6049. *CHILDS v. TANNER, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 24–6050. *BARTHEL v. FLORIDA.* Sup. Ct. Fla. Certiorari denied.

No. 24–6075. *WILLIAMS v. ALYESKA SEAFOODS, INC.* Sup. Ct. Alaska. Certiorari denied.

No. 24–6079. *HULLUM v. MASSACHUSETTS.* Sup. Jud. Ct. Mass. Certiorari denied.

No. 24–6084. *ROALSON v. NOBLE, WARDEN.* C. A. 7th Cir. Certiorari denied.

No. 24–6127. *DOYLE v. DEPARTMENT OF VETERANS AFFAIRS ET AL.* C. A. Fed. Cir. Certiorari denied.

No. 24–6128. *HIGH v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 24–6130. *JOHNSON v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

No. 24–6131. *FREDA v. OREGON.* Ct. App. Ore. Certiorari denied.

No. 24–6134. *VILLALOBOS v. MAYES, ATTORNEY GENERAL OF ARIZONA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–6141. *GARCIA v. UNITED STATES; OAXACA v. UNITED STATES; FLOYD v. UNITED STATES; and TALLEY v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 24–6143. *NAVARO v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 24–6149. *BOYER v. UNITED STATES.* C. A. 3d Cir. Certiorari denied.

No. 24–6150. *STEED v. FITZ, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 24–6151. *HOWELL v. MOREHOUSE SCHOOL OF MEDICINE, INC.* C. A. 11th Cir. Certiorari denied.

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No. 24–6154. *PETERSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6155. *JOHNSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6156. *BREWSTER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6161. *HATTEN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–6168. *CHIWANGA v. MCHENRY, ACTING ATTORNEY GENERAL*. C. A. 5th Cir. Certiorari denied.

No. 24–6179. *D’AGOSTINO v. ASHWORTH, ACTING SECRETARY OF THE AIR FORCE*. C. A. 3d Cir. Certiorari denied.

No. 24–6181. *GRIER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–6185. *SIEPMAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 24–6186. *ANDRES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–6187. *CANNON v. DEHNER ET AL.* C. A. 8th Cir. Certiorari denied.

No. 24–6188. *BROOMFIELD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–6189. *BURKS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–6190. *JOHNSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6191. *FRANK v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 24–6192. *TUCKER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 24–6193. *ROBINSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–6196. *NEWTON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

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No. 24–6197. *MANNEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6198. *DIAZ-NUNEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6199. *KAVIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6200. *SANCHEZ-FELIX v. UNITED STATES*; and *QUINTANILLA-DOMINGUEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 24–6201. *MILLICAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6204. *HARGRAVE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–6207. *COHEN v. HILL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 24–6210. *RODERIQUE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–6211. *BELL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6215. *WATSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–6225. *MISCHLER v. HOOPER, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 24–421. *DAVIS, WARDEN v. SMITH*. C. A. 6th Cir. Certiorari denied.

JUSTICE THOMAS, with whom JUSTICE ALITO joins, dissenting.

The Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA) sharply limits the power of federal habeas courts to review state criminal convictions. The statute permits relief only when there is “no possibility fairminded jurists could disagree that the state court’s decision conflicts with this Court’s precedents.” *Harrington v. Richter*, 562 U.S. 86, 102 (2011). Unfortunately, some Sixth Circuit judges have “acquired a taste for

disregarding AEDPA” and our cases on how to apply it. *Rapelje v. Blackston*, 577 U. S. 1019, 1021 (2015) (Scalia, J., dissenting from denial of certiorari). The decision below is the latest example of this practice. Because I would not overlook the Sixth Circuit’s blatant and repeated disrespect for the rule of law, I respectfully dissent.

I

Respondent David Smith met Quortney Tolliver in 2015, a few weeks before she was brutally attacked inside her mobile home. The two met through a mutual friend and took an 80-mile road trip to Cleveland to purchase crack cocaine. At some point after the trip, Smith asked Tolliver if he could buy crack from her. Tolliver informed Smith that her supply had run out, but the pair later agreed that Smith would drive Tolliver to Cleveland to restock in exchange for a discount on the drugs.

On the day they were supposed to make the trip, Smith called Tolliver to confirm that she was ready. Tolliver indicated that she was, but Smith did not pick her up. Instead, shortly after the phone call ended, someone entered Tolliver’s mobile home, brutally attacked her with a hammer, and robbed her.

When Tolliver regained consciousness, she stumbled outside and screamed for help. Neighbors called an ambulance to take her to the hospital. Due to the severity of her injuries, which included skull and facial fractures, Tolliver was placed in a medically induced coma for about two weeks.

As soon as Tolliver awoke from the coma, investigators came to the hospital to interview her. Tolliver’s mother was in the room during the interview. Still unable to speak, Tolliver communicated through writing and hand signals. Investigators showed Tolliver photos of 24 individuals, none of whom was Smith. Tolliver did not identify any of the individuals as her attacker.

In the meantime, investigators continued to search for Tolliver’s assailant. They determined that a phone number connected to Smith had exchanged 85 texts or calls with Tolliver’s phone number in the 24 hours before the attack. Cell-location data also revealed that, on the day of the crime, Smith had traveled near Tolliver’s home. And, DNA evidence recovered from the scene was consistent with Smith’s DNA.

A few weeks after the initial interview with Tolliver, Lieutenant Greg Johnson visited her in a medical facility where she was

recovering. Her mother was once again present. Johnson told Tolliver, “I think I found out who did this to you,” adding that “[h]is name is David Smith” and “he knows you.” *State v. Smith*, 2018-Ohio-4799, ¶¶13, 21 (App.) (internal quotation marks omitted). Johnson also showed Tolliver a photo of Smith. At first, Tolliver asked, “[W]ho is that?” *Id.*, ¶21 (internal quotation marks omitted). Seconds later, she said that she recognized Smith and recalled that he was coming to her home on the day of the attack. Johnson explained that Smith’s DNA was found in Tolliver’s mobile home. He also said that Smith is “very violent” and “hoping you’re dead.” *Id.*, ¶100 (Grendell, J., dissenting) (internal quotation marks omitted). At some point during the interview, Tolliver told Johnson that she either dreamt or remembered that Smith hit her with a hammer.

A few weeks later, Tolliver was sentenced on unrelated drug charges. She asked Johnson to meet with her after the sentencing. During the meeting, she told him that she remembered the incident and knew that Smith was her attacker. Johnson asked whether Tolliver was sure this was not a dream. She confirmed that she was “‘one hundred percent sure.’” 2024 WL 3596872, *3 (CA6, July 31, 2024). When asked why she had not previously revealed this information, Tolliver said that she did not want her mother to know that she was selling drugs. She also did not want her admission to affect her then-pending drug charges.

The State of Ohio charged Smith with attempted murder and other related crimes. Before trial, Smith moved to suppress Tolliver’s identification on the ground that Johnson was unnecessarily suggestive when interviewing her. The trial court denied the motion, and a jury found Smith guilty of attempted murder, felonious assault, aggravated robbery, and aggravated burglary. The trial court sentenced him to 22 years in prison. On direct appeal, Smith renewed his argument for suppression of Tolliver’s identification.

The Ohio Court of Appeals upheld the trial court’s decision to admit the identification. 2018-Ohio-4799. The court acknowledged that Johnson’s identification procedure was unnecessary and impermissibly suggestive. *Id.*, ¶37. But, the court correctly recognized that identifications tainted by unduly suggestive police procedures are excludable under the Fourteenth Amendment’s Due Process Clause only in exceedingly rare circumstances. See *id.*, ¶¶36, 43. Under this Court’s precedents, an identification is

excludable only if the testimony poses “‘a very substantial likelihood of irreparable misidentification.’” *Perry v. New Hampshire*, 565 U.S. 228, 232 (2012). In other words, an identification that has “sufficient aspects of reliability” is admissible. *Manson v. Brathwaite*, 432 U.S. 98, 106 (1977). And, to determine whether an identification is sufficiently reliable, courts examine the totality of the circumstances. See *Neil v. Biggers*, 409 U.S. 188, 199 (1972). This Court has offered five factors, known as the *Biggers* factors, to guide that inquiry. See *id.*, at 199–200.

The Ohio Court of Appeals applied *Biggers* and held that Tolliver’s identification was sufficiently reliable. See 2018-Ohio-4799, ¶¶38–49 (citing *Biggers*, 409 U.S., at 198–200). The Ohio Supreme Court denied review. *State v. Smith*, 156 Ohio St. 3d 1452, 2019-Ohio-2780, 125 N. E. 3d 947.

Smith then filed a federal habeas petition raising the same claim. The District Court determined that the state court’s analysis was reasonable and denied relief. But, when Smith appealed to the Sixth Circuit, a divided panel reversed and directed the District Court to issue the writ, unless the State could hold a new trial within 180 days. 2024 WL 3596872.

II

Judge Thapar’s dissent offers a detailed account of the Sixth Circuit panel majority’s errors. Two of those errors are particularly egregious.

First, the panel majority refused to apply AEDPA’s highly deferential standard of review. Because the Ohio Court of Appeals rejected Smith’s claim on the merits, AEDPA bars federal habeas relief unless the state court’s decision “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). We have made unmistakably clear that a reviewing court may not “‘essentially evaluat[e] the merits *de novo*, only tacking on a perfunctory statement at the end of its analysis asserting that the state court’s decision was unreasonable.’” *Shinn v. Kayser*, 592 U.S. 111, 119 (2020) (*per curiam*). Yet, the panel majority did just that.

The panel majority began its analysis by applying the *Biggers* factors in the first instance. 2024 WL 3596872, *9. It then appended a single-sentence assertion that “no fair-minded jurist could possibly” disagree with its analysis. *Ibid.* The panel ma-

jority's exercise in *de novo* review sidestepped the operative legal question under AEDPA—whether there is “no possibility fair-minded jurists could disagree that *the state court's decision* conflicts with this Court's precedents.” *Harrington*, 562 U. S., at 102 (emphasis added). That inquiry requires substantial deference to the state court's determinations. *Ibid.*

To be sure, the panel majority acknowledged in passing its obligation to “examine all theories that could have supported the state court's conclusion.” 2024 WL 3596872, *9. But, rather than perform that task, the panel majority faulted the state court for a supposed error that is not clearly established under this Court's precedents. See *ibid.* Specifically, it took issue with the state court's heavy reliance “upon the fact that Tolliver knew Smith before the crime” when assessing the reliability of Tolliver's identification under the totality of the circumstances. *Ibid.* According to the panel majority, the fact that a victim knows a suspect is relevant only if the court first determines that “a majority of the *Biggers* factors cut in favor of a finding of reliability.” *Ibid.* This Court has never identified such a limitation. Without a Supreme Court decision that “squarely establishe[s]” the “specific legal rule” invoked by the prisoner, the state court's decision could not have involved “an unreasonable application of clearly established Federal law.” *Harrington*, 562 U. S., at 101 (internal quotation marks omitted).*

To the extent that the panel majority disagreed with the degree to which the state court's analysis relied on Tolliver's prior interactions with Smith, it was left with a mere “disagreement . . . about how to weigh evidence.” 2024 WL 3596872, *15 (Thapar, J., dissenting). In that instance, as Judge Thapar well explained, AEDPA requires a federal court to defer to the state court, unless “clearly established Supreme Court precedent stands in the way.” *Ibid.* The panel majority flouted AEDPA's command.

The panel majority also erred by critiquing the Ohio court's opinion-writing style rather than its judgment. The panel majority faulted the Ohio Court of Appeals for “largely fail[ing]” to

*I doubt that the panel majority's analysis could pass muster even under *de novo* review. It strains credulity to think that previous interactions with a suspect would not bear on a totality-of-the-circumstances assessment of reliability.

apply *Biggers* and “halfheartedly devoting a couple sentences to its analysis.” 2024 WL 3596872, *7, *9. But, a state court need not explain its reasoning at all. See *Harrington*, 562 U.S., at 98 (“There is no text in [§§ 2254(d)(1)–(d)(2)] requiring a statement of reasons”). Federal courts “have no authority to impose mandatory opinion-writing standards on state courts.” *Johnson v. Williams*, 568 U.S. 289, 300 (2013). And, in any event, the Ohio Court of Appeals cited and quoted directly from *Biggers*, listed its factors, and analyzed the correct legal question—that is, whether Tolliver’s identification was reliable under the totality of the circumstances. See 2018-Ohio-4799, ¶¶37–49. As Judge Thapar explained, the majority implausibly assumed that the state court “refused to apply a test it had taken the trouble to recite,” and then it mistakenly focused on the state court’s “reasoning rather than its bottom-line decision.” 2024 WL 3596872, *14 (dissenting opinion) (internal quotation marks omitted). “[M]ischaracterization of the state-court opinion” is a “path that we have long foreclosed.” *Dunn v. Reeves*, 594 U.S. 731, 742 (2021) (*per curiam*) (quoting *Woodford v. Visciotti*, 537 U.S. 19, 22 (2002) (*per curiam*)).

The panel majority’s errors have real consequences. The State of Ohio must retry Smith for a crime committed nearly a decade ago. That result comes at a steep cost for both society and the victim. Retrial diverts significant time and resources away from other law enforcement activities, and it is often “more difficult” because of “the ‘erosion of memory’ and ‘dispersion of witnesses’ that accompany the passage of time.” *Brecht v. Abrahamson*, 507 U.S. 619, 637 (1993). Moreover, retrials “inflic[t] substantial pain on crime victims who must testify again and endure new trials.” *Edwards v. Vannoy*, 593 U.S. 255, 263 (2021). And, there is always a risk that retrial is unsuccessful. “When previously convicted perpetrators of violent crimes go free merely because the evidence needed to conduct a retrial has become stale or is no longer available, the public suffers, as do the victims.” *Ibid.*

I would have granted certiorari and summarily reversed. Smith did not make the required showing for habeas relief, and the Sixth Circuit’s analysis blatantly disregards both AEDPA and this Court’s precedents in order to give Smith a regrettable windfall.

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III

The decision below is the latest in a long line of Sixth Circuit AEDPA errors. This Court has reversed the Sixth Circuit at least two dozen times for misapplying AEDPA. See *Shoop v. Twyford*, 596 U. S. 811 (2022); *Brown v. Davenport*, 596 U. S. 118 (2022); *Cassano v. Shoop*, 10 F. 4th 695, 696–697 (CA6 2021) (Griffin, J., dissenting from denial of rehearing en banc) (collecting 22 earlier cases in which this Court reversed the Sixth Circuit “for not applying the deference to state-court decisions mandated by AEDPA”). And, these reversals only scratch the surface of the Sixth Circuit’s defiance. See, e. g., *Shoop v. Cunningham*, 598 U. S. 1064 (2022) (THOMAS, J., dissenting from denial of certiorari); *Shoop v. Cassano*, 596 U. S. 1037 (2022) (THOMAS, J., dissenting from denial of certiorari); *Blackston*, 577 U. S. 1019 (opinion of Scalia, J.). “That court’s record of ‘plain and repetitive’ AEDPA error is an insult to Congress and a disservice to the people of Michigan, Ohio, Kentucky, and Tennessee.” *Cunningham*, 598 U. S., at 1074 (opinion of THOMAS, J.) (citation omitted). The Sixth Circuit can and must do more to correct its own errors. See *ibid.*

Some “reluctance in deploying en banc review is understandable,” but “only to a point.” *Id.*, at 1075. “The Sixth Circuit’s habeas problems are well past that point—as evidenced by the depressing regularity with which petitions like this one reach us.” *Ibid.* When wayward panels refuse to apply AEDPA, hopefully, the Sixth Circuit will correct its errors by rehearing the case en banc. See 28 U. S. C. § 46(c); Fed. Rule App. Proc. 40(c).

This Court also has a job to do. While “primary responsibility for the Sixth Circuit’s errors rests with the Sixth Circuit,” we too must “correct classic AEDPA abuses, especially when a lower court brazenly commits errors for which we have repeatedly reversed it.” *Cunningham*, 598 U. S., at 1074 (opinion of THOMAS, J.). I would have summarily reversed the judgment below to ensure that federal courts do not exceed their very limited role in collateral review of state criminal convictions. I respectfully dissent from the denial of certiorari.

No. 24–572. PITTMAN, BY AND THROUGH HIS GUARDIAN AND NEXT FRIEND, HAMILTON *v.* MADISON COUNTY, ILLINOIS, ET AL. C. A. 7th Cir. Certiorari denied. JUSTICE BARRETT took no part in the consideration or decision of this petition.

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January 27, 28, 30, 2025

Rehearing Denied

No. 23–7575. DILLON *v.* UNITED STATES, 604 U. S. 931;
No. 24–218. COOK *v.* COVELLO, WARDEN, 604 U. S. 1008;
No. 24–299. JOHNSON *v.* SUPERIOR COURT OF CALIFORNIA, EL
DORADO COUNTY, ET AL., 604 U. S. 1018;
No. 24–445. GICHARU *v.* MONIZ, SUPERINTENDENT, PLYMOUTH
COUNTY CORRECTIONAL FACILITY, 604 U. S. 1068;
No. 24–5207. E. C. *v.* Q. T., 604 U. S. 1011;
No. 24–5508. DOMINICK *v.* WALKER, SUPERINTENDENT, STATE
CORRECTIONAL INSTITUTION AT FAYETTE, 604 U. S. 1013; and
No. 24–5518. BROWN *v.* UNIFIED SCHOOL DISTRICT NO. 501,
604 U. S. 1068. Petitions for rehearing denied.

JANUARY 28, 2025

Miscellaneous Orders

No. 24–275. PARRISH *v.* UNITED STATES. C. A. 4th Cir.
[Certiorari granted, 604 U. S. 1096.] Michael R. Huston, Esq., of
Washington, D. C., is invited to brief and argue this case as *ami-*
cus curiae in support of judgment below.

No. 24–362. MARTIN, INDIVIDUALLY AND AS PARENT AND
NEXT FRIEND OF G. W., A MINOR, ET AL. *v.* UNITED STATES
ET AL. C. A. 11th Cir. [Certiorari granted, 604 U. S. 1103.]
Christopher Mills, Esq., of Charleston, S. C., is invited to brief
and argue this case as *amicus curiae* in support of judgment
below as to the first question identified in the order granting the
petition for writ of certiorari.

JANUARY 30, 2025

Dismissal Under Rule 46

No. 24–334. INNOVATIVE FIBERS LLC ET AL. *v.* WIDEMAN
ET AL. C. A. 4th Cir. Certiorari dismissed under this Court's
Rule 46.

Certiorari Denied

No. 24–6376 (24A723). BOWMAN *v.* STIRLING, DIRECTOR,
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL. Sup.
Ct. S. C. Application for stay of execution of sentence of death,
presented to THE CHIEF JUSTICE, and by him referred to the
Court, denied. Certiorari denied.

February 5, 6, 12, 2025

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FEBRUARY 5, 2025

Certiorari Denied

No. 24–6442 (24A753). NELSON *v.* TEXAS. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. Certiorari denied.

FEBRUARY 6, 2025

Miscellaneous Orders

No. 23–1067. OKLAHOMA ET AL. *v.* ENVIRONMENTAL PROTECTION AGENCY ET AL.; and

No. 23–1068. PACIFICORP ET AL. *v.* ENVIRONMENTAL PROTECTION AGENCY ET AL. C. A. 10th Cir. [Certiorari granted, 604 U. S. 997.] Motion of the Acting Solicitor General to hold the briefing schedule in abeyance denied. JUSTICE ALITO took no part in the consideration or decision of this motion.

No. 23–1229. ENVIRONMENTAL PROTECTION AGENCY *v.* CALUMET SHREVEPORT REFINING, L. L. C., ET AL. C. A. 5th Cir. [Certiorari granted, 604 U. S. 997.] Motion of the Acting Solicitor General to hold the briefing schedule in abeyance denied.

No. 24–7. DIAMOND ALTERNATIVE ENERGY, LLC, ET AL. *v.* ENVIRONMENTAL PROTECTION AGENCY ET AL. C. A. D. C. Cir. [Certiorari granted, 604 U. S. 1065.] Motion of the Acting Solicitor General to hold the briefing schedule in abeyance denied.

No. 24–413. DEPARTMENT OF EDUCATION ET AL. *v.* CAREER COLLEGES AND SCHOOLS OF TEXAS. C. A. 5th Cir. [Certiorari granted, 604 U. S. 1074.] Motion of the Acting Solicitor General to hold the briefing schedule in abeyance granted.

FEBRUARY 12, 2025

Miscellaneous Orders

No. 23–1039. AMES *v.* OHIO DEPARTMENT OF YOUTH SERVICES. C. A. 6th Cir. [Certiorari granted, 603 U. S. 948.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. Motion of the National Employment Lawyers Association for leave to participate in oral argument as *amicus curiae*, for divided argument, and for enlargement of time for oral argument denied.

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February 12, 13, 20, 21, 2025

No. 23–1201. CC/DEVAS (MAURITIUS) LTD. ET AL. *v.* ANTRIX CORP. LTD. ET AL.; and

No. 24–17. DEVAS MULTIMEDIA PRIVATE LTD. *v.* ANTRIX CORP. LTD. ET AL. C. A. 9th Cir. [Certiorari granted, 603 U. S. 949.] Motion of petitioners in No. 23–1201 for divided argument granted. Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 23–1300. NUCLEAR REGULATORY COMMISSION ET AL. *v.* TEXAS ET AL.; and

No. 23–1312. INTERIM STORAGE PARTNERS, LLC *v.* TEXAS ET AL. C. A. 5th Cir. [Certiorari granted, 603 U. S. 949.] Motion of the Acting Solicitor General for divided argument granted. Motion of respondents for divided argument granted.

Certiorari Denied

No. 24–6510 (24A771). FORD *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.

FEBRUARY 13, 2025

Dismissal Under Rule 46

No. 24–582. UNITED STATES *v.* MARSHALL, ATTORNEY GENERAL OF ALABAMA, ET AL. C. A. 11th Cir. Certiorari dismissed under this Court’s Rule 46.

FEBRUARY 20, 2025

Miscellaneous Order

No. 24–5438. BOWE *v.* UNITED STATES. C. A. 11th Cir. [Certiorari granted, 604 U. S. 1096.] Kasdin M. Mitchell, Esq., of Dallas, Tex., is invited to brief and argue this case as *amicus curiae* in support of judgment below as to Question 1 presented by the petition for writ of certiorari.

FEBRUARY 21, 2025

Miscellaneous Order

No. 24A790. BESSANT, SECRETARY OF THE TREASURY, ET AL. *v.* DELLINGER, SPECIAL COUNSEL OF THE OFFICE OF SPECIAL

February 21, 2025

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COUNSEL. C. A. D. C. Cir. This matter concerns the President's action to remove Hampton Dellinger from his position as Special Counsel for the Office of Special Counsel. Dellinger challenged his without-cause removal in the District Court for the District of Columbia. See 5 U.S.C. §1211(b). On February 12, 2025, the District Court entered a temporary restraining order (TRO) providing that Dellinger should remain in office until the court ruled on his motion for a preliminary injunction. The District Court has scheduled a hearing on that motion for February 26, the day that the TRO expires. See Fed. Rule Civ. Proc. 65(b)(2).

Pending before this Court is the Government's application to vacate the TRO. Dellinger has filed a Response in Opposition. The Government then filed a reply. The question is thus fully briefed before this Court.

Although it acknowledges that this Court typically does not have appellate jurisdiction over TROs, the Government urges us to construe the TRO as a preliminary injunction or to exercise jurisdiction under the All Writs Act in light of the core executive power assertedly restrained. Application 31–32; see 28 U.S.C. §1292(a)(1). In his opposition, Dellinger repeatedly notes that the TRO will “expire by its terms [in] eight [now five] days,” Response in Opposition 1, that it “lasts only for a very short duration,” *id.*, at 15, and that it “is set to expire on February 26,” *id.*, at 39.

In light of the foregoing, the application to vacate the order of the United States District Court for the District of Columbia, presented to THE CHIEF JUSTICE, and by him referred to the Court, is held in abeyance until February 26, when the TRO is set to expire.

JUSTICE SOTOMAYOR and JUSTICE JACKSON would deny the application.

JUSTICE GORSUCH, with whom JUSTICE ALITO joins, dissenting.

Until recently, Hampton Dellinger served as Special Counsel, the head of the Office of Special Counsel. 5 U.S.C. §1211(a). That agency oversees the enforcement of various statutes governing the federal workforce. §1212(a). The Special Counsel is appointed by the President, with the advice and consent of the Senate, for a five-year term. §1211(b).

On February 7, 2025, the President removed Mr. Dellinger from office. Complaint in No. 25–cv–385 (D DC, Feb. 10, 2025), ECF Doc. 1–1, Exh. A. Mr. Dellinger responded by suing the President and other officials on February 10, claiming that § 1211(b) restricted the President’s authority to remove him. ECF Doc. 1, at 1.

Mr. Dellinger also sought interim equitable relief restoring him to his post while his lawsuit unfolds. Granting that request, the district court issued a temporary restraining order (TRO) directing that Mr. Dellinger “shall continue to serve as the Special Counsel” until the court rules on his application for a preliminary injunction. 766 F. Supp. 57, 74 (D DC, 2025). Over Judge Katsas’s dissent, a panel of the D. C. Circuit held it lacked jurisdiction to review the TRO at that time. App. to Application to Vacate Order 33a (App.). The President and other defendants promptly filed an application in this Court, asking us to vacate the district court’s order.

The Court instead holds the application in abeyance. Presumably, like the court of appeals, it harbors a concern that the TRO may not yet have ripened into an appealable order. Respectfully, I believe that it has and that each additional day where the order stands only serves to confirm the point. Unlike preliminary injunctions, of course, TROs are generally not appealable. See *id.*, at 1a (citing 28 U.S.C. § 1292(a)(1)). But exceptions exist, preventing district courts from “shield[ing]” their “orders from appellate review.” *Sampson v. Murray*, 415 U.S. 61, 87 (1974). And as Judge Katsas recounted in detail below, here there are powerful reasons to look behind the label, acknowledge that this TRO presently acts as a preliminary injunction, and review its lawfulness. App. 50a–53a; see *Sampson*, 415 U.S., at 87; 16 C. Wright, A. Miller, & E. Cooper, *Federal Practice and Procedure* § 3922.1 (3d ed. 2012).

As a starting point in that review, consider what we know about the remedy the district court ordered. The court effectively commanded the President and other Executive Branch officials to recognize and work with someone whom the President sought to remove from office. Whether labeled a TRO or a preliminary injunction, that order provided an equitable remedy. See, e.g., Advisory Committee’s 1937 Note on Fed. Rule Civ. Proc. 65, 28 U.S.C., p. 2648; Fed. Equity Rule 73 (1912).

Under this Court's precedents, however, a federal court may issue an equitable remedy only if, at the time of the Nation's founding, it was a remedy "traditionally accorded by courts of equity." *Grupo Mexicano de Desarrollo, S. A. v. Alliance Bond Fund, Inc.*, 527 U. S. 308, 319 (1999). That limitation would seem to pose a problem here, for courts of equity at the time of the founding were apparently powerless to "restrain an executive officer from making a . . . removal of a subordinate appointee." *White v. Berry*, 171 U. S. 366, 377 (1898) (internal quotation marks omitted). "No English case" involved "a bill for an injunction to restrain the appointment or removal of a municipal officer." *In re Sawyer*, 124 U. S. 200, 212 (1888). And state courts "denied" the "power of a court of equity to restrain . . . removal" in "many well considered" decisions. *Ibid.* Given that pattern of restraint, by the 1880s this Court considered it "well settled that a court of equity has no jurisdiction over the appointment and removal of public officers." *Ibid.*

To be sure, throughout the Nation's history, various presidentially appointed officials like Mr. Dellinger have contested their removal—and courts have heard and passed on their claims. But those officials have generally sought remedies like backpay, not injunctive relief like reinstatement. *E.g.*, *Myers v. United States*, 272 U. S. 52 (1926); *Humphrey's Executor v. United States*, 295 U. S. 602 (1935). The closest the parties have come to identifying a precedent for the district court's remedial order in this case is "just a single, unpublished district-court decision purporting to enjoin the President from removing [two] government official[s] from office." App. 55a (Katsas, J., dissenting) (citing *Berry v. Reagan*, No. 83–3182 (D DC, Nov. 14, 1983)). And that case involved members of "a temporary, multi-member agency," App. 55a, not an official, like Mr. Dellinger, who wields significant prosecutorial and investigative power as the sole head of a 129-person office, Application to Vacate Order 6–8.

In response to all this, Mr. Dellinger stresses that courts of law have traditionally entertained petitions for writs of *quo warranto* to decide "which of two claimants [is] entitled to an office." Brief in Opposition 32 (quoting *Newman v. United States ex rel. Frizzell*, 238 U. S. 537, 544 (1915)). But it is unclear how Mr. Dellinger might defend the district court's exercise of its *equitable* remedial authority by pointing to a distinct *legal* remedy he never sought, the district court never invoked, and the procedures for

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which he did not follow. See D. C. Code § 16–3501 *et seq.* (2024); *Johnson v. Manhattan R. Co.*, 289 U.S. 479, 502 (1933); *Andrade v. Lauer*, 729 F. 2d 1475, 1498 (CADC 1984). If anything, the (potential) availability of *quo warranto* would seem to cut against recognizing a novel equitable power to return an agency head to his office, for a “court of equity will not entertain a case for relief where the complainant has an adequate legal remedy.” *Case v. Beauregard*, 101 U.S. 688, 690 (1880).

The district court grappled with none of these complications before ordering Mr. Dellinger’s reinstatement. And if there are answers to the questions its remedial order raises, they appear nowhere in that court’s decision. Accordingly, I would vacate the district court’s order and remand with instructions to consider the “boundaries of traditional equitable relief.” *Grupo Mexicano*, 527 U.S., at 322.*

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Certiorari Granted—Vacated and Remanded

No. 24–434. ESTATE OF HERNDON ET AL. *v.* NETFLIX, INC. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Royal Canin U.S.A., Inc. v. Wulfschleger*, 604 U.S. 22 (2025).

No. 24–5997. WHITAKER *v.* UNITED STATES. C. A. 11th Cir.; and

No. 24–6107. RAMBO *v.* UNITED STATES. C. A. 11th Cir. Motions of petitioners for leave to proceed *in forma pauperis* granted. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *United States v. Rahimi*, 602 U.S. 680 (2024).

Certiorari Dismissed

No. 24–5642. AHMED *v.* COOL, WARDEN. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

*Given the questions associated with the district court’s remedy, I do not address at this time the President’s contention, Application to Vacate Order 11–12, and Judge Katsas’s assessment, App. 54a–57a, that the district court’s order also relies on a mistaken view of the merits of Mr. Dellinger’s removal claim.

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Miscellaneous Orders

No. 24M55. *DE LA MORA CARDENAS v. UNITED STATES*. Motion for leave to file petition for writ of certiorari under seal with redacted copies for the public record granted.

No. 24M56. *ANDERSON v. NORTH CAROLINA ET AL.*; and
No. 24M58. *WATERMAN v. WATERMAN*. Motions for leave to proceed as veterans denied.

No. 24M57. *HOPPING ET AL. v. SCHELL ET AL.* Motion to direct the Clerk to file petition for writ of certiorari out of time denied. JUSTICE ALITO took no part in the consideration or decision of this motion.

No. 24M59. *CLEVELAND ET AL. v. SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES*; and

No. 24M60. *DIXON v. NEW YORK*. Motions for leave to file petitions for writs of certiorari with supplemental appendixes under seal granted.

No. 23–1067. *OKLAHOMA ET AL. v. ENVIRONMENTAL PROTECTION AGENCY ET AL.*; and

No. 23–1068. *PACIFICORP ET AL. v. ENVIRONMENTAL PROTECTION AGENCY ET AL.* C. A. 10th Cir. [Certiorari granted, 604 U. S. 997.] Motion of petitioners for divided argument granted. JUSTICE ALITO took no part in the consideration or decision of this motion.

No. 23–1229. *ENVIRONMENTAL PROTECTION AGENCY v. CALUMET SHREVEPORT REFINING, L. L. C., ET AL.* C. A. 5th Cir. [Certiorari granted, 604 U. S. 997.] Motion of respondents in support of petitioner for divided argument granted.

No. 24–109. *LOUISIANA v. CALLAIS ET AL.*; and

No. 24–110. *ROBINSON ET AL. v. CALLAIS ET AL.* [Probable jurisdiction noted, 604 U. S. 1007.] Motion of appellants for divided argument granted.

No. 24–275. *PARRISH v. UNITED STATES*. C. A. 4th Cir. [Certiorari granted, 604 U. S. 1096.] Motion of petitioner to dispense with printing joint appendix granted.

No. 24–354. *FEDERAL COMMUNICATIONS COMMISSION ET AL. v. CONSUMERS’ RESEARCH ET AL.*; and

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No. 24–422. SCHOOLS, HEALTH & LIBRARIES BROADBAND COALITION, ET AL. *v.* CONSUMERS’ RESEARCH ET AL. C. A. 5th Cir. [Certiorari granted, 604 U. S. 1029.] Motion of the Acting Solicitor General for divided argument granted.

No. 24–416. COMMISSIONER OF INTERNAL REVENUE *v.* ZUCH. C. A. 3d Cir. [Certiorari granted, 604 U. S. 1074.] Motion of petitioner to dispense with printing joint appendix granted.

No. 24–5666. ORREGO *v.* PASTERNAK TILKER ZIEGLER WALSH STANTON & ROMANO LLP ET AL. C. A. 2d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [604 U. S. 1031.] denied.

No. 24–6206. BOWDEN *v.* OFFICE OF PERSONNEL MANAGEMENT. C. A. Fed. Cir.; and

No. 24–6222. PORTER *v.* NORTH CAROLINA. Ct. App. N. C. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until March 17, 2025, 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. 24–6100. IN RE GODFREY;

No. 24–6272. IN RE SHIPLEY;

No. 24–6422. IN RE JACKSON; and

No. 24–6482. IN RE CARLTON. Petitions for writs of habeas corpus denied.

No. 24–658. IN RE SECURUS TECHNOLOGIES ET AL.;

No. 24–6106. IN RE STANTON;

No. 24–6116. IN RE PATE;

No. 24–6129. IN RE CLARK; and

No. 24–6307. IN RE GREGORY. Petitions for writs of mandamus denied.

No. 24–5641. IN RE AHMED. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus and/or prohibition dismissed. See this Court’s Rule 39.8.

Certiorari Denied

No. 23–1271. VITAMIN SHOPPE INDUSTRIES LLC *v.* RINCON, ON BEHALF OF THE STATE OF CALIFORNIA AND AGGRIEVED EMPLOYEES, ET AL. Ct. App. Cal., 1st App. Dist., Div. 2. Certiorari denied.

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No. 23–1272. VITAMIN SHOPPE INDUSTRIES LLC *v.* WHITT, ON BEHALF OF THE STATE OF CALIFORNIA AND AGGRIEVED EMPLOYEES, ET AL. Ct. App. Cal., 1st App. Dist., Div. 2. Certiorari denied.

No. 23–7393. MERCER *v.* VIRGINIA ET AL. Sup. Ct. Va. Certiorari denied.

No. 24–216. ADVANCE COLORADO ET AL. *v.* GRISWOLD, COLORADO SECRETARY OF STATE. C. A. 10th Cir. Certiorari denied.

No. 24–411. THOMAS *v.* STATE BAR OF NEVADA. Sup. Ct. Nev. Certiorari denied.

No. 24–464. DART, SHERIFF, COOK COUNTY, ILLINOIS, ET AL. *v.* SCOTT. C. A. 7th Cir. Certiorari denied.

No. 24–470. GILBANK *v.* WOOD COUNTY DEPARTMENT OF HUMAN SERVICES ET AL. C. A. 7th Cir. Certiorari denied.

No. 24–484. MICHIGAN *v.* LUCYNSKI. Sup. Ct. Mich. Certiorari denied.

No. 24–487. COLLINS *v.* MONTEREY COUNTY, CALIFORNIA. C. A. 9th Cir. Certiorari denied.

No. 24–503. UPSTATE JOBS PARTY ET AL. *v.* KOSINSKI, NEW YORK STATE BOARD OF ELECTIONS Co-CHAIR COMMISSIONER, ET AL. C. A. 2d Cir. Certiorari denied.

No. 24–506. WHITE ET AL. *v.* DAVIS ET AL. C. A. 11th Cir. Certiorari denied.

No. 24–511. BRENT ELECTRIC Co., INC. *v.* INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL UNION No. 584. C. A. 10th Cir. Certiorari denied.

No. 24–512. KORBAN, EXECUTIVE DIRECTOR OF THE SEWERAGE AND WATER BOARD OF NEW ORLEANS *v.* WATSON MEMORIAL SPIRITUAL TEMPLE OF CHRIST, DBA WATSON MEMORIAL TEACHING MINISTRIES, ET AL. Sup. Ct. La. Certiorari denied.

No. 24–513. CARTER ET AL. *v.* STEWART, DISTRICT ATTORNEY OF CADDO PARISH, LOUISIANA. C. A. 5th Cir. Certiorari denied.

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No. 24–530. *BETHESDA UNIVERSITY ET AL. v. SEUNGJE CHO ET AL.* Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 24–564. *QYK BRANDS LLC, DBA GLOWYY v. FEDERAL TRADE COMMISSION.* C. A. 9th Cir. Certiorari denied.

No. 24–593. *KAETZ v. UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–597. *BRUNSON v. STEIN, ATTORNEY GENERAL OF NORTH CAROLINA, ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–599. *UNITED STATES EX REL. LESNIK ET AL. v. ISM VUZEM, D. O. O., ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–606. *ARAKELIAN v. POLLARD ET AL.* Sup. Ct. Va. Certiorari denied.

No. 24–607. *ZHI WU ET AL. v. SUPERIOR COURT OF CALIFORNIA, ALAMEDA COUNTY, ET AL.* Ct. App. Cal., 1st App. Dist., Div. 3. Certiorari denied.

No. 24–609. *MARTIN v. NIXON.* Sup. Ct. Del. Certiorari denied.

No. 24–611. *ZOU v. LINDE ENGINEERING NORTH AMERICA, INC.* C. A. 10th Cir. Certiorari denied.

No. 24–618. *WADE ET AL. v. CITY OF HOUSTON, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–619. *LUKASHIN v. UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT.* C. A. 9th Cir. Certiorari denied.

No. 24–632. *OSUAGWU v. OSUAGWU.* Ct. App. N. Y. Certiorari denied.

No. 24–633. *MCCURLEY v. WELLS FARGO BANK, N. A., ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–634. *RUTSTEIN v. COMPULIFE SOFTWARE, INC., ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–640. *ALLEN v. BESSANT, SECRETARY OF THE TREASURY.* C. A. D. C. Cir. Certiorari denied.

No. 24–642. *JEFFERY ET AL. v. CITY OF NEW YORK, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied.

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No. 24–644. *WILLIAMS v. ALLEGHENY COUNTY, PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–646. *KENNEDY v. CARTWRIGHT ET AL.* Ct. App. N. Y. Certiorari denied.

No. 24–649. *THE GUN RANGE, LLC v. CITY OF PHILADELPHIA, PENNSYLVANIA, ET AL.* Commw. Ct. Pa. Certiorari denied.

No. 24–650. *WEBB v. VIRGINIA.* Sup. Ct. Va. Certiorari denied.

No. 24–659. *SWANSON v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 11th Cir. Certiorari denied.

No. 24–660. *BAYNUN v. HILTUNEN ET AL.* App. Ct. Mass. Certiorari denied.

No. 24–661. *RYNN v. FIRST TRANSIT INC. ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–662. *RYNN, NEXT FRIEND AND PARENT OF M. R., A MINOR v. MCKAY, INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY AS THE DIRECTOR OF THE ARIZONA DEPARTMENT OF CHILD SAFETY, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–663. *RUED v. RUED.* Sup. Ct. Minn. Certiorari denied.

No. 24–664. *RUED v. RUED* (two judgments). Ct. App. Minn. Certiorari denied.

No. 24–665. *FINK v. STANZIONE ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–666. *WICKS v. METROPOLITAN LIFE INSURANCE CO.* C. A. 5th Cir. Certiorari denied.

No. 24–667. *BROWN v. LOUISIANA.* Ct. App. La., 1st Cir. Certiorari denied.

No. 24–671. *HOLLIDAY, LIQUIDATING TRUSTEE OF THE BOSGEN LIQUIDATING TRUST v. CREDIT SUISSE SECURITIES (USA) LLC ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–673. *HALL v. TROCHESSETT ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–674. *KOVAC ET AL. v. PATEL, DIRECTOR, FEDERAL BUREAU OF INVESTIGATION, ET AL.* C. A. 5th Cir. Certiorari denied.

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No. 24–676. *FRIENDS OF GEORGE’S, INC. v. MULROY, IN HIS OFFICIAL AND INDIVIDUAL CAPACITY AS THE DISTRICT ATTORNEY GENERAL OF SHELBY COUNTY, TENNESSEE*. C. A. 6th Cir. Certiorari denied.

No. 24–681. *BITZAS v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 24–682. *POLITELLA ET AL. v. WINDHAM SOUTHEAST SCHOOL DISTRICT ET AL.* Sup. Ct. Vt. Certiorari denied.

No. 24–687. *LEIPART v. UNITED STATES*. C. A. Armed Forces. Certiorari denied.

No. 24–688. *PROPERTY MATTERS USA, LLC v. AFFORDABLE AERIAL PHOTOGRAPHY, INC.* C. A. 11th Cir. Certiorari denied.

No. 24–690. *CARR ET AL. v. NEW YORK DIVISION OF HOUSING AND COMMUNITY RENEWAL ET AL.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied.

No. 24–698. *KIMBLE-DAVIS v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied.

No. 24–704. *YANG v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 24–705. *CONYERS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–710. *BASILE v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied.

No. 24–712. *PETERSON v. MINERVA SURGICAL, INC.* C. A. 10th Cir. Certiorari denied.

No. 24–715. *SHANDS v. COMMISSIONER OF INTERNAL REVENUE*. C. A. D. C. Cir. Certiorari denied.

No. 24–720. *KORCHEVSKY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–723. *PROVISUR TECHNOLOGIES, INC. v. WEBER, INC.* C. A. Fed. Cir. Certiorari denied.

No. 24–725. *HYTERA COMMUNICATIONS CORP. LTD. v. MOTOROLA SOLUTIONS, INC., ET AL.* C. A. 7th Cir. Certiorari denied.

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No. 24–726. *DISH NETWORK L. L. C. v. DRAGON INTELLECTUAL PROPERTY LLC ET AL.* C. A. Fed. Cir. Certiorari denied.

No. 24–734. *STRATEGIC TECHNOLOGY INSTITUTE, INC. v. MGMTL, L. L. C.* C. A. 5th Cir. Certiorari denied.

No. 24–736. *VILLAGE COMMUNITIES, LLC, ET AL. v. SAN DIEGO COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–739. *KENDHAMMER v. WISCONSIN.* Ct. App. Wis. Certiorari denied.

No. 24–740. *GUIHAMA v. UNITED STATES.* C. A. Armed Forces. Certiorari denied.

No. 24–741. *GOLDFARB ET AL. v. RELIANCE STANDARD LIFE INSURANCE CO.* C. A. 11th Cir. Certiorari denied.

No. 24–743. *DUPREE v. YOUNGER.* C. A. 4th Cir. Certiorari denied.

No. 24–744. *IRLAND v. MARENGO MEMORIAL HOSPITAL, DBA COMPASS MEMORIAL HEALTHCARE, ET AL.* Ct. App. Iowa. Certiorari denied.

No. 24–748. *PORTILLO v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 24–760. *THORNTON v. CIRCUIT COURT OF WISCONSIN, RACINE COUNTY.* Ct. App. Wis. Certiorari denied.

No. 24–766. *MILLSAP v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 24–774. *CLARK v. COLORADO.* Sup. Ct. Colo. Certiorari denied.

No. 24–779. *BRADFORD v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 24–788. *HUTCHINSON v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 24–793. *SANDWICH ISLES COMMUNICATIONS, INC. v. HAWAIIAN TELCOM INC. ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5594. *CARPENTER v. UNITED STATES.* C. A. 7th Cir. Certiorari denied.

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No. 24–5608. *SMITH v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 24–5615. *SIMPSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5679. *SEVIER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5697. *DEVILLE v. PENSION BENEFIT GUARANTY CORPORATION*. C. A. D. C. Cir. Certiorari denied.

No. 24–5717. *DEVANEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5794. *SIERRA-JIMENEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 24–5802. *FREDERICK v. COLLINS, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied.

No. 24–5837. *AGUILERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5910. *FRAZIER v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 24–5943. *STRADFORD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–5944. *REYES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6042. *WOOD v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 24–6054. *STOCKTON v. PAYNE, DIRECTOR, ARKANSAS DIVISION OF CORRECTION, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 24–6070. *LETTIERI v. AURICCHIO*. C. A. 2d Cir. Certiorari denied.

No. 24–6073. *SAMUEL v. DELAWARE COUNTY HOUSING AUTHORITY ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–6074. *ROGERS v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied.

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No. 24–6085. *TYSON v. WINNINGHAM ET AL.* Sup. Ct. Okla. Certiorari denied.

No. 24–6087. *PEREZ v. DEPARTMENT OF EMPLOYMENT SECURITY ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied.

No. 24–6088. *MERKLE v. THOMAS, CHAPTER 7 TRUSTEE.* C. A. 5th Cir. Certiorari denied.

No. 24–6091. *FUENTES v. HARPE, DIRECTOR, OKLAHOMA DEPARTMENT OF CORRECTIONS.* C. A. 10th Cir. Certiorari denied.

No. 24–6092. *RUSSELL M. GRIMES v. DELAWARE, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–6095. *LEMATTY v. GEORGIA.* Sup. Ct. Ga. Certiorari denied.

No. 24–6102. *WILSON v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 24–6110. *LUMUMBA, FKA PUGHSLEY v. KISER.* C. A. 4th Cir. Certiorari denied.

No. 24–6113. *HAMMETT v. PORTFOLIO RECOVERY ASSOCIATES, LLC, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 24–6115. *MARTINEZ PERALEZ v. TEXAS.* Ct. App. Tex., 2d Dist. Certiorari denied.

No. 24–6117. *PENNINGTON v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 24–6118. *DELGADO v. MCDOWELL, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 24–6119. *SMITH v. LOUISIANA.* Ct. App. La., 2d Cir. Certiorari denied.

No. 24–6122. *REID v. CORIZON HEALTH SERVICES ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–6123. *SENN v. GUERRERO, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 24–6124. *DORMAN v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 24–6133. *WOLFE v. KROWINSKI*. Sup. Ct. Vt. Certiorari denied.

No. 24–6136. *COUGHLIN v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 6. Certiorari denied.

No. 24–6137. *EPPS v. POAH COMMUNITIES, LLC*. Ct. App. Ohio, 1st App. Dist., Hamilton County. Certiorari denied.

No. 24–6138. *LOVE v. ROBERTSON*. C. A. 9th Cir. Certiorari denied.

No. 24–6139. *BENSON, INDIVIDUALLY AND ON BEHALF OF K. C. J., ET AL. v. LANCASTER COUNTY SCHOOL DISTRICT ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–6140. *LAVOLL v. HOWELL ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–6142. *WEISMAN v. CLARK*. Sup. Ct. Wash. Certiorari denied.

No. 24–6144. *FULLER v. DOTSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied.

No. 24–6145. *CAMPBELL v. GITTERE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–6147. *MOHAMUD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6152. *POMPEY v. ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–6153. *MALENA v. GUERRERO, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 24–6157. *TYSON v. GAY ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–6160. *ESCOBEDO v. GUERRERO, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 24–6162. *TOLLIVER v. MOODY, ATTORNEY GENERAL OF FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 24–6163. *LILLARD ET AL. v. HENDRIX, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 24–6165. *DRUMGO v. KUSCHEL*. C. A. 3d Cir. Certiorari denied.

No. 24–6166. *CAMPOS v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 24–6167. *LASS v. BUESGEN, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 24–6169. *JOHNSON v. DOTSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied.

No. 24–6171. *ELLIS v. CARPER ET AL.* C. A. 7th Cir. Certiorari denied.

No. 24–6172. *JOHNSON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied.

No. 24–6173. *LANGE v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 24–6174. *LETTIERI v. FEDERAL MARSHALS*. C. A. 6th Cir. Certiorari denied.

No. 24–6175. *JOHNSON v. PALMER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 24–6176. *GONZALES v. NEW MEXICO ET AL.* Sup. Ct. N. M. Certiorari denied.

No. 24–6180. *HUBBARD v. TANNER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 24–6182. *CONAHAN v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–6184. *WASHINGTON v. WASHINGTON*. Ct. App. Cal., 1st App. Dist., Div. 4. Certiorari denied.

No. 24–6195. *MCCRAY v. TANNER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 24–6205. *BRUCE v. WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF STANWICH MORTGAGE LOAN TRUST C, ET AL.* Ct. App. S. C. Certiorari denied.

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No. 24–6208. *MOLINA RIOS v. WASHINGTON*. Ct. App. Wash. Certiorari denied.

No. 24–6209. *SANTIAGOMAZARIEGOS v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 24–6214. *CAMBEL v. CITY OF CHARLESTON, ILLINOIS, ET AL.* App. Ct. Ill., 5th Dist. Certiorari denied.

No. 24–6216. *CRAIN v. NEAL, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 24–6218. *MCCARARY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6219. *COWAN v. FURLOW*. Sup. Ct. Del. Certiorari denied.

No. 24–6223. *EDWARDS v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 24–6224. *MENA-RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6226. *CABEZAS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–6228. *FUHAI LI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 24–6229. *ARMSTRONG v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–6231. *TOTAYE v. IOWA*. Ct. App. Iowa. Certiorari denied.

No. 24–6233. *SMITH v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–6235. *LUSK v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–6237. *HARRIS v. GASS ET AL.* Sup. Ct. Ark. Certiorari denied.

No. 24–6240. *BORDEAUX v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

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No. 24–6241. *BUEHLER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–6242. *BOOHER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–6244. *SMITH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–6245. *SMITH v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 24–6247. *BECKMAN v. ARNOLD, COMMISSIONER, INDIANA DEPARTMENT OF CORRECTION*. C. A. 7th Cir. Certiorari denied.

No. 24–6251. *KIDDEY v. TRANSPORTATION SECURITY ADMINISTRATION*. C. A. 8th Cir. Certiorari denied.

No. 24–6252. *WU v. CARREON ET AL.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 24–6253. *CLAYTON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 24–6254. *VANDYCK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6258. *IHEME v. MINNESOTA*. Ct. App. Minn. Certiorari denied.

No. 24–6259. *GILMORE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–6260. *WALKER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6261. *CULPEPPER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6262. *MULL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–6264. *MUNSHANI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–6265. *FLEMING v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

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No. 24–6267. *MOORE v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied.

No. 24–6271. *FRANCISCO PEREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6274. *RIAZ v. ALTURA CENTERS FOR HEALTH*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 24–6277. *MORALES-HUERTA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6279. *ETIENNE v. EDMARK, WARDEN*. C. A. 1st Cir. Certiorari denied.

No. 24–6281. *AZUCENAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6282. *DRAKE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6283. *JOHNSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6284. *DUNCAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6286. *JAMES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–6287. *TRAHAN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 24–6288. *ESTRADA-AGUIRRE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6290. *HOWARD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6291. *GARDUNO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–6292. *COTTON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 24–6294. *BURNELL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

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No. 24–6295. *PERKINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–6298. *ESPINOZA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6299. *FISHER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–6301. *HESTER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–6304. *PEREDES-HINOJOSA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6305. *VILLANUEVA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–6306. *CALIXTE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–6309. *DEFOGGI v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–6311. *BUTLER ET AL. v. HARRY, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–6317. *GRAY v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied.

No. 24–6322. *BECKER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–6323. *GREEN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–6326. *HAYDEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6329. *IVORY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–6330. *CAPPS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 24–6331. *GAMEZ-REYES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

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No. 24–6333. *CLOUD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–6334. *FREDENBURGH v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 24–6335. *FARMER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–6337. *SIRHAN v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist., Div. 5. Certiorari denied.

No. 24–6340. *ALEXANDER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–6341. *ELLISON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–6343. *SWEET v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 24–6344. *ABDULLAH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–6345. *JONES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6348. *HOWARD v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–6352. *MURIA-PALACIOS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6353. *NASSAR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6357. *SNUGGS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–6362. *JONES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 24–6363. *CORTORREAL v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–6371. *GIST-HOLDEN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 24–6372. *ROMERO-CORONA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

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No. 24–6374. *GOODWIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6381. *GRAHAM v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–6390. *LOGSDON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6392. *MCCOY v. GONZALES ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–6395. *DEAR v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 24–6398. *CORONA-GALINDO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6400. *TRAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6404. *MOLINA VILLATORO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6407. *CRITTENDEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6408. *FOLKES v. SOUTH CAROLINA ET AL.* Sup. Ct. S. C. Certiorari denied.

No. 24–6409. *GOODALL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6412. *BRUNSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–6414. *PINEDO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6416. *MEEKS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6421. *STRONG v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied.

No. 24–6433. *GONZALEZ v. CROMWELL, WARDEN*. C. A. 7th Cir. Certiorari denied.

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No. 23–1189. *TURCO v. CITY OF ENGLEWOOD, NEW JERSEY*. C. A. 3d Cir. Certiorari denied. JUSTICE THOMAS and JUSTICE ALITO would grant the petition for writ of certiorari.

No. 23–1281. *CARTER ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

JUSTICE THOMAS, dissenting.

The Federal Tort Claims Act (FTCA or Act) makes the Federal Government liable for tort claims to the same extent as private individuals, subject to certain enumerated exceptions. 28 U. S. C. §§ 2674, 2680. In *Feres v. United States*, 340 U. S. 135 (1950), this Court created an additional, atextual exception for claims based on “injuries incident to military service.” *Id.*, at 144. The Court has never articulated a coherent justification for this exception, and the lower courts for decades have struggled to apply it. The result is that courts arbitrarily deprive injured servicemembers and their families of a remedy that Congress provided them.

As I have said before, we should fix the mess that we have made. See *Clendening v. United States*, 598 U. S. 1045 (2022) (opinion dissenting from denial of certiorari); *Doe v. United States*, 593 U. S. 979 (2021) (same); *Daniel v. United States*, 587 U. S. 1020 (2019) (same); *Lanus v. United States*, 570 U. S. 932 (2013) (same). Because this case cleanly presents an opportunity to overrule, or at least limit, *Feres*, I would grant the petition for certiorari.

I

The FTCA generally makes the United States liable for suits in tort “in the same manner and to the same extent as a private individual under like circumstances.” § 2674. It contains a number of enumerated exceptions, several of which preclude liability for sensitive military decisions. In particular, the Act bars claims based on “combatant activities . . . during time of war,” claims “arising in a foreign country,” and claims based on an employee’s “execution of a statute or regulation” or performance of “a discretionary function.” §§ 2680(a), (j), (k). But, it contains no general exception for claims by military personnel.

In its first encounter with an FTCA claim by a servicemember, this Court applied the Act as written. Two brothers in the Army were driving together while on furlough when an Army truck collided with their car, injuring one and killing the other. *Brooks*

v. *United States*, 337 U.S. 49, 50 (1949). When the surviving brother and the deceased brother's estate sued the United States for negligence, the Government asserted sovereign immunity, arguing that the brothers' status as servicemen took them outside the FTCA. *Ibid.* This Court disagreed, holding that the text of the FTCA was "clear," and that none of the Act's enumerated exceptions excluded petitioners' claims. *Id.*, at 51. The Court explained that it would be "absurd" to read in an implicit exception for servicemembers, because "[t]he overseas and combatant activities exceptions make . . . plain" that "Congress . . . ha[d] the servicemen in mind . . . when this statute was passed." *Ibid.* The brothers' claims could therefore proceed. *Id.*, at 54.

The following year in *Feres*, however, this Court carved out a broad new exception. The decision concerned two medical-malpractice claims regarding soldiers harmed by Army surgeons, and one negligence claim by the widow of a soldier killed during a barracks fire. 340 U.S., at 136–137. This time, the Court held that sovereign immunity barred the claims because the soldiers' "injuries" were "incident to military service." *Id.*, at 144. This fact, in the Court's view, marked a "vital distinction" from *Brooks*, where the soldiers' "injury . . . did not arise out of or in the course of military duty" because they were "on furlough." *Feres*, 340 U.S., at 146.

The Court gave three rationales for its new rule. *First*, it explained that the FTCA permits suits against the Government only to the extent that a "'private individual'" would be liable "'under like circumstances.'" *Id.*, at 141 (quoting § 2674). In the military context, the Court reasoned, no such individual exists, because "no private individual has power to conscript or mobilize a private army." 340 U.S., at 141. *Second*, state law generally governs FTCA suits, and it would be irrational to subject the "'distinctively federal'" "relationship between the Government and members of its armed forces" to variations in state law. *Id.*, at 143. *Third*, servicemembers do not need a remedy under the FTCA because veterans' benefits statutes (consolidated in the present day in the Veterans' Benefits Act (VBA), 38 U.S.C. § 101 *et seq.*) provides compensation for servicemembers injured while performing their duties. 340 U.S., at 144–145.

The Court abandoned each of these rationales in short order. It rejected the first rationale by holding that civilians could sue when injured by the military, even when the military is engaged

in activity that no private individual is authorized to perform. *Indian Towing Co. v. United States*, 350 U.S. 61, 64–69 (1955). It rejected the second rationale by holding that federal prisoners could sue under the FTCA, even though doing so would subject the federal prison system to “variations in state law.” *United States v. Muniz*, 374 U.S. 150, 161–162 (1963). And, it rejected the third rationale by holding that servicemembers not otherwise barred by *Feres* can sue under the FTCA despite being entitled to VBA benefits because “Congress ha[s] given no indication that it made the right to compensation” under the VBA a servicemember’s “exclusive remedy.” *United States v. Brown*, 348 U.S. 110, 113 (1954).

But, the Court did not abandon *Feres* itself. Instead, later decisions adopted a new rationale for its judge-created exception: that permitting suits for injuries arising out of military service “would involve the judiciary in sensitive military affairs at the expense of military discipline and effectiveness.” *United States v. Shearer*, 473 U.S. 52, 59 (1985); accord, *Stencel Aero Engineering Corp. v. United States*, 431 U.S. 666, 671–672 (1977); *Muniz*, 374 U.S., at 162; *Brown*, 348 U.S., at 112. Thus, when determining whether *Feres* bars a suit, the key consideration is “whether the suit requires the civilian court to second-guess military decisions, and whether the suit might impair essential military discipline.” *Shearer*, 473 U.S., at 57 (citation omitted). In making this shift, the Court forthrightly acknowledged that *Feres*’s original rationales were “no longer controlling.” 473 U.S., at 58, n. 4.

This modified approach, focused solely on protecting “essential military discipline,” *id.*, at 57, did not last either. In *United States v. Johnson*, 481 U.S. 681 (1987), the Court confronted whether *Feres* barred the suit of a widow of a Coast Guard pilot allegedly killed by the negligence of *civilian* air traffic controllers. 481 U.S., at 682–683. Under *Shearer*, the answer would seem to be no; the widow’s suit would not call into question any *military* decisionmaking. See *Johnson*, 481 U.S., at 683–685. But, rather than accept this conclusion, the Court resurrected two of the *Feres* rationales it had previously discarded. Specifically, the Court claimed that the *Feres* doctrine rests on “three broad rationales”: *Shearer*’s protection of military discipline, and the earlier justifications about the irrationality of subjecting the military to variations in state law and the adequacy of VBA benefits, 481 U.S., at 688–691 (emphasis added). The

Court deemed these considerations, viewed together, sufficient to bar suit. *Id.*, at 691–692.

For now, *Johnson* remains this Court’s last word on *Feres*.

II

This Court should overrule *Feres*. The *Feres* doctrine has no basis in the text of the FTCA, and its policy-based justifications make little sense. It has been almost universally condemned by judges and scholars. And, it is difficult for lower courts to apply, leading to several splits in the Courts of Appeals. At minimum, the Court should impose clear limitations on the *Feres* doctrine’s scope.

A

Feres is indefensible as a matter of law, and senseless as a matter of policy. Under the plain terms of the FTCA, there is no broad exception for injuries incident to military service. See 28 U. S. C. §2680. The only “rationales” currently propping the doctrine up—avoiding varying state-law standards, the adequacy of VBA benefits, and preventing judicial interference in military affairs—are naked policy considerations. *Johnson*, 481 U. S., at 688–691. Of course, “[a]s this Court has explained, ‘even the most formidable’ policy arguments cannot ‘overcome’ a clear statutory directive.” *BP p.l.c. v. Mayor and City Council of Baltimore*, 593 U. S. 230, 245 (2021); see also *Rayonier Inc. v. United States*, 352 U. S. 315, 320 (1957) (holding that courts may not “read exemptions into the Act beyond those provided by Congress”). But, *Feres*’s policy rationales are hardly formidable, depriving injured servicemembers and their families of a remedy for no good reason at all.

Feres’s concern about avoiding variations in state law proves too much. See *Muniz*, 374 U. S., at 161–162. The Federal Government comprises many “‘distinctively federal’” entities beyond the military, such as the Census Bureau and Immigration and Customs Enforcement, that are subject to a patchwork of state-law tort standards under the FTCA. *Stencel Aero*, 431 U. S., at 674–675 (Marshall, J., dissenting). If consistently applied, the uniformity rationale would thus exempt much of the Federal Government from liability, contrary to the manifest purpose of the FTCA. This Court has recognized as much, refusing to rely on this rationale outside of claims made by servicemembers. See *Muniz*, 374 U. S., at 161–162.

Nor does the *Feres* doctrine even succeed in subjecting the military to a uniform standard of law. If military negligence injures a civilian, veteran, or servicemember outside the course of military duty, *Feres* does not bar recovery under the FTCA. See *Indian Towing*, 350 U.S., at 62, 69; *Brown*, 348 U.S., at 113; *Brooks*, 337 U.S., at 54. If the military wishes to avoid liability, it has no choice but to conform to local tort law.

Similarly, the availability of VBA benefits cannot justify *Feres*. As this Court has already recognized, nothing in the VBA or FTCA indicates that Congress meant to make VBA benefits the exclusive remedy for injured servicemembers. *Brown*, 348 U.S., at 113; *Brooks*, 337 U.S., at 53. Nor can VBA benefits make sense of the line *Feres* drew, because “the VBA compensates servicemen without regard to whether their injuries occur ‘incident to service’ as *Feres* defines that term.” *Johnson*, 481 U.S., at 698 (Scalia, J., dissenting) (citing 38 U.S.C. § 105); see, e.g., *Brooks*, 337 U.S., at 53 (permitting soldiers injured on furlough to receive VBA benefits *and* recover under the FTCA). And, VBA benefits are not a reliable substitute for tort liability, since they are often “a fraction of the recovery [the servicemember] might otherwise have received.” *Johnson*, 481 U.S., at 703 (Scalia, J., dissenting); see, e.g., *Siddiqui v. United States*, 783 Fed. Appx. 484, 489 (CA6 2019) (observing that the family of the deceased servicemember received \$500,000 in benefits when they could reasonably have expected a \$2 million to \$3 million wrongful death award); J. Wells, Comment, Providing Relief to the Victims of Military Medicine: A New Challenge to the Application of the *Feres* Doctrine in Military Medical Malpractice Cases, 32 *Duquesne L. Rev.* 109, 123 (1993) (Wells) (“[N]o one would seriously contend that the provisions for veterans disability payments have kept pace with the medical malpractice award explosion”).

Nor can the Court justify *Feres* on the theory that it would cause civilian courts to disrupt military discipline and decisionmaking. Through its choice of enumerated exceptions, Congress already determined which military activities are too sensitive to permit the intrusion of tort liability. See 28 U.S.C. §§ 2680(a), (j), (k); *supra*, at 1139–1140. There is no need for an additional exception to insulate military decisionmaking from judicial interference.

In any event, the *Feres* doctrine is not a rational way of protecting military discipline and decisionmaking. Whether a suit requires questioning military orders or decisionmaking usually

turns on “the government’s control of the *tortfeasor* rather than the victim.” *Taber v. Maine*, 67 F. 3d 1029, 1042 (CA2 1995) (emphasis added). In other words, when a lawsuit challenges the legality of an officer’s orders, the court must second-guess those orders regardless of whether the plaintiff is a soldier or a civilian. Yet, *Feres* turns on the status of the victim, barring suits by servicemembers when a “civilian” would be allowed to challenge “the same acts, by the same injurer, in the same disciplinary relationship to the government.” *Taber*, 67 F. 3d, at 1042.

Moreover, “servicemen ‘routinely sue their government and bring military decision-making and decision-makers into court’ seeking injunctive relief.” *Clendening*, 598 U. S., at 1047–1048 (opinion of THOMAS, J.); see, e.g., *Austin v. U. S. Navy Seals*, 595 U. S. 1300 (2022) (partially leaving in place an injunction precluding the Navy from taking adverse personnel actions based on the plaintiff soldiers’ “vaccination status”); *National Coalition for Men v. Selective Serv. System*, 593 U. S. 1039 (2021) (statement of SOTOMAYOR, J., joined by Breyer and KAVANAUGH, JJ., respecting denial of certiorari) (suggesting that it may be appropriate to enjoin enforcement of the all-male draft should Congress refuse to eliminate it); *Singh v. Berger*, 56 F. 4th 88, 97–98, 110 (CADC 2022) (enjoining boot-camp grooming requirements that the Marine Corps deemed essential for unit cohesion because they likely violated the Religious Freedom Restoration Act). Tort suits seeking compensation for noncombat, nondiscretionary acts committed domestically are far less intrusive than many of the claims courts already entertain.

The *Feres* doctrine is an undisguised act of judicial legislation, and a poor one at that. Its purported rationales have no basis in the text or logic of the FTCA. Instead, the doctrine unjustifiably deprives the injured servicemember of a tort remedy simply “because [he] devoted his life to serving in his country’s Armed Forces.” *Johnson*, 481 U. S., at 703 (Scalia, J., dissenting).

B

I am not the first to offer these critiques. The *Feres* doctrine has received “‘widespread, almost universal criticism.’” *Johnson*, 481 U. S., at 700 (Scalia, J., dissenting). Concern about *Feres* has come from Members of this Court across the jurisprudential spectrum. See *Daniel*, 587 U. S. 1020 (noting vote of Ginsburg, J.,

to grant certiorari to limit or overrule *Feres*); *Bork v. Carroll*, 449 Fed. Appx. 719, 721 (CA10 2011) (majority opinion of Gorsuch, J.) (observing that *Feres* created a bar to relief “despite the FTCA’s language suggesting a waiver of immunity”); *Johnson*, 481 U.S., at 703 (Scalia, J., joined by Brennan, Marshall, and Stevens, JJ., dissenting) (*Feres* is a “clearly wrong decision” that “has bred” much “unfairness and irrationality”); *Lombard v. United States*, 690 F. 2d 215, 233 (CA10 1982) (Ginsburg, J., concurring in part and dissenting in part) (*Feres* is “a problematic court precedent” that imposed a “limitation . . . upon remedial legislation ordered by Congress”); *Stencel Aero*, 431 U.S., at 674 (Marshall, J., dissenting) (deeming *Feres* a “judicially created exception to the waiver of sovereign immunity contained in the [FTCA]” that should “be strictly limited”); *Peluso v. United States*, 414 U.S. 879 (1973) (noting votes of Douglas, Brennan, and Blackmun, JJ., to grant certiorari to consider whether to overrule *Feres*).

Lower courts and academic commentators have been equally unsparing. Since Justice Scalia in 1987 collected a long list of Circuit decisions and law-review articles attacking *Feres*, see *Johnson*, 481 U.S., at 701, n. (dissenting opinion), the criticism has continued apace. Lower courts have reiterated that *Feres*’s “reading of the FTCA was exceedingly willful, and flew directly in the face of a relatively recent statute’s language.” *Taber*, 67 F. 3d, at 1038. And, academic commentators have said that, “[a]t a minimum, *Feres* represented a total departure from principles of judicial restraint and deference to the political branches.” J. Turley, *Pax Militaris: The Feres Doctrine and the Retention of Sovereign Immunity in the Military System of Governance*, 71 Geo. Wash. L. Rev. 1, 68 (2003).

When “forced to apply the *Feres* doctrine,” lower courts have “frequently do[ne] so with . . . regret.” *Ortiz v. United States ex rel. Evans Army Community Hosp.*, 786 F. 3d 817, 822–823 (CA10 2015) (collecting cases); accord, *Bowers v. United States*, 904 F. 2d 450, 452 (CA8 1990) (applying *Feres* as “obligated” and “with a pronounced lack of enthusiasm”). Courts have called the results “harsh,” “inequitable,” “counter-intuitive,” “curious,” “unjust,” and “far removed from the doctrine’s original purposes.” See *Clendenning v. United States*, 19 F. 4th 421, 431 (CA4 2021); *Costo v. United States*, 248 F. 3d 863, 869 (CA9 2001); *Richards v. United States*, 176 F. 3d 652, 657 (CA3 1999); *Cutshall v. United*

States, 75 F. 3d 426, 429 (CA8 1996).¹ There is near-universal consensus that the *Feres* doctrine is wrong on the law, incoherent in justification, and unjust in practice.

C

Compounding the problem, lower courts have struggled to apply *Feres* in a consistent manner. Our case law provides “no clear-cut answer as to when a serviceman’s death, injury, or loss is ‘incident to service.’” L. Jayson & R. Longstreth, *Handling Federal Tort Claims: Administrative and Judicial Remedies* § 5A.02, p. 5A–6 (2024). As a result, lower courts “have consistently wrestled with the mechanics of [the *Feres* doctrine’s] application to particular facts.” *Ortiz*, 786 F. 3d, at 821; see also *Costo*, 248 F. 3d, at 867 (“[W]e have reached the unhappy conclusion that the cases applying the *Feres* doctrine are irreconcilable”); *Taber*, 67 F. 3d, at 1032 (“[W]e would be less than candid if we did not admit that the *Feres* doctrine has gone off in so many different directions that it is difficult to know precisely what the doctrine means today”). Faced with almost four decades of silence from this Court on the *Feres* doctrine, lower courts have developed an array of tests for determining when it is triggered, leading to inconsistent results on similar facts.

The Courts of Appeals are split on whether and how to take into account the three policy justifications—avoiding varying

¹ For additional Circuit decisions and academic articles leveling and noting criticism of *Feres v. United States*, 340 U.S. 135 (1950), after *United States v. Johnson*, 481 U.S. 681 (1987), see, e.g., *In re Energetic Tank, Inc.*, 110 F. 4th 131, 160 (CA2 2024); *Jackson v. Modly*, 949 F. 3d 763, 775 (CA10 2020); *Daniel v. United States*, 889 F. 3d 978, 982 (CA9 2018); *Ritchie v. United States*, 733 F. 3d 871, 874 (CA9 2013); *Purcell v. United States*, 656 F. 3d 463, 465–466 (CA7 2011); *Regan v. Starcraft Marine, LLC*, 524 F. 3d 627, 633 (CA5 2008); *McConnell v. United States*, 478 F. 3d 1092, 1098 (CA9 2007); *Mackey v. United States*, 226 F. 3d 773, 777 (CA6 2000); *Day v. Massachusetts Air Nat. Guard*, 167 F. 3d 678, 683 (CA1 1999); *O’Neill v. United States*, 140 F. 3d 564, 566 (CA3 1998) (Becker, C. J., statement sur denial of petition for rehearing); *Selbe v. United States*, 130 F. 3d 1265, 1266 (CA7 1997); *Uhl v. Swanstrom*, 79 F. 3d 751, 755 (CA8 1996); *Persons v. United States*, 925 F. 2d 292, 299 (CA9 1991); *Appelhans v. United States*, 877 F. 2d 309, 313 (CA4 1989); *Loughney v. United States*, 839 F. 2d 186, 187, and n. 2 (CA3 1988); D. Brou, *Alternatives to the Judicially Promulgated Feres Doctrine*, 192 Mil. L. Rev. 1, 4–5 (2007); Wells 120–128; J. Tomes, *Feres to Chappell to Stanley: Three Strikes and Servicemembers Are Out*, 25 U. Rich. L. Rev. 93, 133–134 (1990).

state-law standards, the adequacy of VBA benefits, and preventing judicial interference in military affairs—that this Court articulated in *Johnson*. Circuit decisions have taken many different paths. Some continue to focus primarily on judicial interference, framing the inquiry as whether the “‘particular sui[t] would call into question military discipline and decisionmaking.’” *Clendenning*, 19 F. 4th, at 427 (CA4); see also *Ritchie v. United States*, 733 F. 3d 871, 874–875 (CA9 2013). Others insist that the court must examine all “three *Feres* rationales, putting no special weight on whether resolution would involve the judiciary in sensitive military affairs.” *Beck v. United States*, 125 F. 4th 887, 891 (CA8 2025); see also *Lovely v. United States*, 570 F. 3d 778, 783 (CA6 2009). Still others do not consider “the presence or absence of the [three] *Feres* rationales” at all. *Tootle v. USDB Commandant*, 390 F. 3d 1280, 1282 (CA10 2004). Of those, some decisions simply ask whether the alleged injuries arose incident to service, while others have developed their own set of factors to guide that inquiry.² Some decisions use a hybrid standard, drawing in part on *Johnson*’s policy rationales and in part on other considerations.³ Finally, some decisions despair of identifying a governing standard, concluding that the “‘most appropriate’” method is simply to “‘“compar[e]”’” the present case to the “‘“fact patterns”’” of previous cases. *Daniel*, 889 F. 3d, at 982 (CA9); *Costo*, 248 F. 3d, at 867 (CA9).

These differing approaches have led to divergent outcomes in factually similar cases. For example, the Circuits have split on:

- whether a sexual assault by another soldier is incident to military service, compare *Doe v. Hagenbeck*, 870 F. 3d 36, 49–

² Compare *Tootle*, 390 F. 3d, at 1282 (CA10) (framing “the relevant question” as simply “whether [the plaintiff]’s alleged injuries arose ‘incident to service’”), with *Regan*, 524 F. 3d, at 637 (CA5) (“This Circuit uses a three-factor analysis for whether a service member’s injury was incident to military service: (1) duty status, (2) site of injury, and (3) activity being performed”).

³ See, e.g., *McConnell*, 478 F. 3d, at 1095 (CA9) (considering “four factors”—the three factors articulated in *Regan*, see n. 2, *supra*, and “the benefits accruing to the plaintiff because of the plaintiff’s status as a service member”); *Taber v. Maine*, 67 F. 3d 1029, 1050 (CA2 1995) (holding that *Feres* is triggered if the plaintiff was “engaged in activities that fell within the scope of the plaintiff’s military employment” or there were “unusual circumstances that would call into play the *Feres* discipline rationale”).

50 (CA2 2017) (yes), with *Spletstoser v. Hyten*, 44 F. 4th 938, 958–959 (CA9 2022) (no);

- whether injuries arising during recreational activities with military-owned equipment are incident to service, compare *Costo*, 248 F. 3d, at 864 (CA9) (yes), with *Regan*, 524 F. 3d, at 645–646 (CA5) (no);
- whether the children of servicewomen can sue for injuries sustained *in utero* from negligent prenatal care, compare *Del Rio v. United States*, 833 F. 2d 282, 287–288 (CA11 1987) (yes), with *Ortiz*, 786 F. 3d, at 832–833 (CA10) (no);
- whether exposure to toxic chemicals in one’s on-base home is an injury incident to service, compare *Gros v. United States*, 232 Fed. Appx. 417, 418–419 (CA5 2007) (*per curiam*) (yes), with *Elliott v. United States*, 13 F. 3d 1555, 1556, 1563 (CA11 1994) (no); and
- whether the *Feres* doctrine extends to dual-status technicians, *i.e.*, civilian employees of the military required as a condition of employment to maintain membership in the military reserves, compare *Zuress v. Donley*, 606 F. 3d 1249, 1253–1254 (CA9 2010) (yes), with *Jentoft v. United States*, 450 F. 3d 1342, 1348–1349 (CA Fed. 2006) (no).

So long as this Court refuses to revisit *Feres*, these divergences are bound to continue. At minimum, this Court should articulate some clear limiting principles on the doctrine to minimize its absurdity and allow courts to apply it in a consistent and predictable way. “Because we caused this chaos, it is our job to fix it.” *Clendenning*, 598 U. S., at 1048 (opinion of THOMAS, J.).

III

The facts of this case illustrate the problems with the *Feres* doctrine. Petitioner Ryan Carter was a dual-status military technician and inactive-duty Staff Sergeant in the Air National Guard reserves. Carter suffered from a degenerative neck condition. To alleviate chronic pain caused by this condition, he underwent elective surgery at a military hospital in 2018. During surgery, Carter sustained an injury to his spinal cord that left him permanently disabled and paralyzed in all four limbs.

Following the surgery, Carter and his wife sued the United States under the FTCA, alleging that the Government is vicari-

ously liable for its medical staff's negligence and failure to obtain informed consent. But, the Fourth Circuit held that *Feres* barred their suit because Carter "was a member of the military" being treated at a military hospital "by military doctors" at the time of his injury. 2024 WL 982282, *1 (Mar. 7, 2024).

Carter's suit should be allowed to proceed. None of the FTCA's enumerated exceptions bars an ordinary medical-malpractice suit for treatment received at a domestic hospital. See §2680. In fact, had Carter been a veteran rather than an inactive-duty reservist, he unquestionably could have filed suit for the same injuries arising from the same treatment by the same military staff at the same military hospital. See *Brown*, 348 U. S., at 112 (holding that *Feres* did not apply to a veteran suing for negligent treatment at a military hospital "after his discharge"). No command of the FTCA—and no unique military interest—is honored by treating Carter's claim differently.

At the very least, Carter's case shows why this Court should clarify the scope of the *Feres* doctrine. Because Carter was a dual-status technician rather than a full-time soldier at the time of his injury, his case could have proceeded had it been heard in the Federal Circuit. *Jentoft*, 450 F. 3d, at 1348–1349. And, given that Carter was on inactive duty at the time of his surgery, perhaps his case also could have proceeded in a circuit that places weight on a plaintiff's duty status. See, e. g., *Regan*, 524 F. 3d, at 637 (including "duty status" as one of three factors relevant to determining "whether a service member's injury was incident to military service"). It is hard to see why an inactive-duty reservist should be treated so differently from a soldier on furlough or a veteran. Even if the Court wants to keep *Feres* in some form, I cannot see why claims with such a tenuous connection to military activity should fall within its reach.

* * *

I hope that this Court will one day overrule *Feres*. Until then, I offer this advice to lower courts: Do not look for a principled explanation for our *Feres* case law; there is nothing to find. Instead, simply ask whether a controlling decision has held that the *Feres* doctrine barred suit under materially indistinguishable circumstances. If not, allow the suit to proceed. See *Lombard*, 690 F. 2d, at 233 (opinion of Ginsburg, J.) ("While lower courts

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are bound by the Supreme Court's decision in *Feres*, they are hardly obliged to extend the limitation *Feres* placed upon remedial legislation ordered by Congress").

As for this Court, we should realign our case law with the text of the FTCA. I respectfully dissent from the denial of certiorari.

No. 24–23. RIMLAWI *v.* UNITED STATES;

No. 24–25. SHAH *v.* UNITED STATES; and

No. 24–5032. JACOB *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 95 F. 4th 328.

JUSTICE GORSUCH, dissenting.

The Fifth Circuit held that a judge may order restitution in a criminal case based on his own factual findings, without the aid of a jury. 95 F. 4th 328, 389 (2024). About that, I have my doubts. See *Hester v. United States*, 586 U. S. 1104, 1106–1107 (2019) (GORSUCH, J., dissenting from denial of certiorari).

Consistent with the Sixth Amendment's promise of a trial by jury, this Court has held that "[o]nly a jury may find 'facts that increase the prescribed range of penalties to which a criminal defendant is exposed.'" *Erlinger v. United States*, 602 U. S. 821, 833 (2024) (quoting *Apprendi v. New Jersey*, 530 U. S. 466, 490 (2000)). That means a jury must find both those facts that increase a criminal defendant's exposure to imprisonment and any facts that increase his exposure to monetary fines. See *Southern Union Co. v. United States*, 567 U. S. 343 (2012). If all that is true, it is difficult to see how a judge's factual findings might suffice to increase a criminal defendant's exposure to a restitution award. As this Court has recognized, "the scope of the constitutional jury right must be informed by the historical role of the jury at common law." *Id.*, at 353 (internal quotation marks omitted). And more than a little evidence suggests that, at the time of the founding, juries found the facts needed to justify criminal restitution awards. See *Hester*, 586 U. S., at 1107 (opinion of GORSUCH, J.); see also *Apprendi*, 530 U. S., at 502 (THOMAS, J., concurring); Pet. for Cert. 10–12.

I would have granted review in this case to resolve whether the Fifth Circuit's decision comports with this Court's precedents and the Constitution's original meaning. In the absence of this Court's review, I can only hope that federal and state courts will continue to consider carefully the Sixth Amendment's application to criminal restitution orders. Cf. *State v. Davison*, 973 N. W. 2d

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276, 279 (Iowa 2022) (“restitution must be based on jury findings”). The right to trial by jury should mean no less today than it did at the Nation’s founding. See *Hester*, 586 U. S., at 1107 (opinion of GORSUCH, J.).

No. 24–57. COALITION LIFE v. CITY OF CARBONDALE, ILLINOIS. C. A. 7th Cir. Certiorari denied. JUSTICE ALITO would grant the petition for writ of certiorari.

JUSTICE THOMAS, dissenting.

In *Hill v. Colorado*, 530 U. S. 703 (2000), this Court upheld a state law restricting peaceful speech within 100 feet of abortion clinics. It was clear at the time that *Hill*’s reasoning “contradict[ed] more than a half century of well-established First Amendment principles.” *Id.*, at 765 (Kennedy, J., dissenting); see also *id.*, at 742 (Scalia, J., joined by THOMAS, J., dissenting). A number of us have since described the decision as an “absurd,” “defunct,” “erroneous,” and “long-discredited” “aberration” from the rest of our First Amendment jurisprudence. See *City of Austin v. Reagan Nat. Advertising of Austin, LLC*, 596 U. S. 61, 86–87, 92, 103–104 (2022) (THOMAS, J., joined by GORSUCH and BARRETT, JJ., dissenting) (internal quotation marks omitted). We have long stopped applying *Hill*. See, e. g., *City of Austin*, 596 U. S., at 76. And, a majority of this Court recently acknowledged that *Hill* “distorted [our] First Amendment doctrines.” *Dobbs v. Jackson Women’s Health Organization*, 597 U. S. 215, 287, and n. 65 (2022). Following our repudiation in *Dobbs*, I do not see what is left of *Hill*. Yet, lower courts continue to feel bound by it. The Court today declines an invitation to set the record straight on *Hill*’s defunct status. I respectfully dissent.

I

Hill involved a 1993 Colorado statute that established “buffer zones” around abortion clinics. The law made it a crime for any person, within 100 feet of any “health-care facility” entrance, to “knowingly approach” within 8 feet of another person, without that person’s consent, “for the purpose of passing a leaflet or handbill to, displaying a sign to, or engaging in oral protest, education, or counseling with such other person.” Colo. Rev. Stat. § 18–9–122(3) (2024). Put another way, Colorado’s law—still in effect today—prohibits unconsented “sidewalk counseling” within 100 feet of abortion clinics.

Shortly after the law's enactment, a group of self-described sidewalk counselors who sought to peacefully "educate" and "counsel" "passersby about abortion and abortion alternatives" challenged the law under the First Amendment. *Hill*, 530 U. S., at 708, 710 (internal quotation marks omitted). This Court upheld the law as a content-neutral time, place, and manner restriction. *Id.*, at 725.

Hill's errors were numerous. Whether Colorado's law applies to a given speaker undeniably turns on "*what he intends to say*." *Id.*, at 742 (Scalia, J., dissenting) (emphasis in original). "A speaker wishing to approach another for the purpose of communicating *any* message except one of protest, education, or counseling may do so without first securing the other's consent." *Ibid.* Nevertheless, the Court deemed the law content neutral on the theory that it does not prohibit a particular viewpoint or a particular subject matter. *Id.*, at 723. But, this Court had never—and since *Hill*, has never—taken such a narrow view of content-based speech restrictions. Buffer zones like the one at issue in *Hill* are "obviously and undeniably content based." *Id.*, at 742 (Scalia, J., dissenting); accord, *id.*, at 767 (Kennedy, J., dissenting).

As a result of this error, the Court purported to subject the Colorado law to so-called "intermediate scrutiny," a standard far more lenient than the "strict scrutiny" we apply to content-based restrictions. And, the Court applied an unusually flexible version of intermediate scrutiny. Ordinarily, any content-neutral burden on protected speech must be narrowly tailored to serve a significant state interest, and it must leave open ample alternative means of communication. See *id.*, at 749 (Scalia, J., dissenting). The *Hill* majority first minimized the burden imposed on First Amendment rights by demoting the right to speak in public forums to a mere "interest." *Id.*, at 714. The Court then declared that Colorado had a substantial interest in protecting its citizens' "right to avoid unwelcome speech." *Id.*, at 717. But, as Justice Scalia explained, the State had expressly disclaimed that interest in its briefs before the Court. *Id.*, at 750 (dissenting opinion). And with good reason, because "[w]e have consistently held that 'the Constitution does not *permit* government to decide which types of otherwise protected speech are sufficiently offensive to require protection *for the unwilling listener or viewer*.'" *Id.*, at 751 (quoting *Erznoznik v. Jacksonville*, 422 U. S. 205, 210 (1975); emphasis in original). Nevertheless, that expressly disclaimed

state interest became the “linchpin” of the Court’s analysis. *Hill*, 530 U. S., at 750 (Scalia, J., dissenting).

Justice Scalia could identify only one explanation for the majority’s anomalous decision: “[T]he jurisprudence of this Court has a way of changing when abortion is involved.” *Id.*, at 742. *Hill* reflects “the ‘ad hoc nullification machine’” that this Court “set[s] in motion to push aside whatever doctrines” happen to “stand in the way” of abortion. *Id.*, at 741.

Hill’s abortion exceptionalism turned the First Amendment upside down. As *Hill*’s author once explained, the First Amendment reflects a “‘profound national commitment’ to the principle that ‘debate on public issues should be uninhibited, robust, and wide-open.’” *NAACP v. Claiborne Hardware Co.*, 458 U. S. 886, 913 (1982) (majority opinion of Stevens, J.). That principle applies with perhaps its greatest force to speech that society finds “offensive” or “disagreeable.” *Texas v. Johnson*, 491 U. S. 397, 414 (1989). Yet, *Hill* manipulated this Court’s First Amendment jurisprudence precisely to disfavor “opponents of abortion” and their “right to persuade women contemplating abortion that what they are doing is wrong.” 530 U. S., at 741–742 (Scalia, J., dissenting).

II

It is unclear what, if anything, is left of *Hill*. As lower courts have aptly observed, *Hill* is “incompatible” with our more recent First Amendment precedents. *Price v. Chicago*, 915 F. 3d 1107, 1117 (CA7 2019) (opinion of Sykes, J., joined by Barrett, J.).

Start with *McCullen v. Coakley*, 573 U. S. 464 (2014). There, this Court unanimously held unconstitutional a Massachusetts law that prohibited anyone from entering a 35-foot buffer zone around an abortion facility. *Id.*, at 471–472, 497. In doing so, the Court determined that the law was content neutral because—rather than targeting certain kinds of speech such as protest, education, and counseling—the law prohibited virtually any speech within the buffer zone. *Id.*, at 479. The Court made clear, however, that the law “*would* be content based if it required ‘enforcement authorities’ to ‘examine the content of the message’” to determine whether the law applied. *Ibid.* (emphasis added). That position is irreconcilable with *Hill*, which the Court did not even bother to cite.

Hill is likewise at odds with *Reed v. Town of Gilbert*, 576 U. S. 155 (2015). *Reed* involved a First Amendment challenge to a town’s sign code that regulated various categories of signs based

on “the type of information they convey.” *Id.*, at 159. Relying on *Hill*, the Ninth Circuit concluded that the sign code was content neutral, reasoning that the town “‘did not adopt its regulation of speech because it disagreed with the message conveyed’” and its “‘interests in regulat[ing] temporary signs are unrelated to the content of the sign.’” 576 U. S., at 162. That court then applied a lower level of scrutiny and upheld the code. *Ibid.* We reversed, holding that a speech regulation is content based—and thus “presumptively unconstitutional”—if it “draws distinctions based on the message a speaker conveys.” *Id.*, at 163.

McCullen and *Reed* “establish that strict scrutiny is the proper standard of review when a law targets a ‘specific subject matter . . . even if it does not discriminate among viewpoints within that subject matter.’” *Bruni v. Pittsburgh*, 592 U. S. 1191, 1192 (2021) (THOMAS, J., statement respecting denial of certiorari). That proposition presents “glaring tension” with *Hill*. 592 U. S., at 1192; see also *Price*, 915 F. 3d, at 1118 (“In the wake of *McCullen* and *Reed*, it’s not too strong to say that what *Hill* explicitly rejected is now prevailing law”).

Our post-*Reed* decisions have firmly established *Hill*’s diminished status. In *City of Austin*, for example, the majority ran as far as it could from *Hill*, even though *Hill* was the one “case that could possibly validate the majority’s aberrant analysis” on the constitutionality of restrictions on billboard advertising. 596 U. S., at 86, 102 (opinion of THOMAS, J.). The majority nonetheless insisted that any alleged similarity was “a straw man,” rejecting the notion that its opinion had “‘resuscitat[ed]’” *Hill*, and reminding readers that it did “not cite” the decision at all. 596 U. S., at 76.

Our latest word on *Hill*—expressed in a majority opinion joined by five Members of this Court—is that the decision “distorted [our] First Amendment doctrines.” *Dobbs*, 597 U. S., at 287, and n. 65. If *Hill*’s foundation was “deeply shaken” before *Dobbs*, see *Price*, 915 F. 3d, at 1119, the *Dobbs* decision razed it.

This trajectory calls to mind the story of *Lemon v. Kurtzman*, 403 U. S. 602 (1971), which had created a three-part test to determine whether a law violated the Establishment Clause. While this Court had not by any one statement overruled *Lemon*, for many years it either “expressly declined to apply the test” or “simply ignored it.” *American Legion v. American Humanist Assn.*, 588 U. S. 29, 49 (2019) (plurality opinion) (collecting cases).

We were never shy about *Lemon*’s “shortcomings” and “daunting problems.” 588 U.S., at 49, 51. And, we eventually faulted lower courts for failing to notice that the “‘shortcomings’ associated with th[e] ‘ambitiou[s],’ abstract, and ahistorical” *Lemon* test had “bec[o]me so ‘apparent’ that this Court long ago abandoned” it. *Kennedy v. Bremerton School Dist.*, 597 U.S. 507, 534 (2022) (second alteration in original). In other words, we explained, *Lemon* had long been dismantled by our precedents, and lower courts should have recognized its demise. Given that prior to *Kennedy*, a decision of the Court had never outright condemned *Lemon* as a “distort[ion],” *Dobbs*, 597 U.S., at 287, and n. 65, *Hill*’s abandonment is arguably even clearer than *Lemon*’s.

To be sure, this Court has not uttered the phrase “we overrule *Hill*.” For that reason, some lower courts have felt compelled to uphold *Hill*-like buffer zones around abortion clinics. See, e.g., *Vitagliano v. County of Westchester*, 71 F. 4th 130, 141 (CA2 2023). This case is another prime example of that trend, and “[o]ne can hardly blame [lower courts] for misunderstanding” when “[w]e [have] created . . . confusion.” *Gee v. Planned Parenthood of Gulf Coast, Inc.*, 586 U.S. 1057, 1059 (2018) (THOMAS, J., dissenting from denial of certiorari). We are responsible for resolving that confusion, and we should have done so here.

III

Six months after this Court decided *Dobbs*, the city council of Carbondale, Illinois, passed Ordinance No. 2023–03, a buffer-zone restriction that copied nearly verbatim the Colorado law at issue in *Hill*. See Carbondale, Ill., City Code § 14–4–2(H) (2023). The city council explicitly invoked *Hill* as a justification for enacting the ordinance. See *Coalition for Life St. Louis v. Carbondale*, No. 3:23–cv–1651 (SD Ill.), Doc. 1–1, p. 3.

Petitioner Coalition Life is a Missouri nonprofit that organizes sidewalk counselors to counsel, educate, pray, display signs, and distribute literature outside abortion clinics. Their goal is to engage in “one-on-one conversation in a calm, intimate manner,” as they find that approach most effective. Complaint in No. 3:23–cv–1651, p. 3, ¶10. The organization prohibits its counselors from engaging in intimidating or threatening behavior.

Until the passage of Ordinance No. 2023–03, Coalition Life counselors engaged in sidewalk counseling outside abortion facilities in Carbondale. But, the new ordinance “severely hinder[ed]”

their ability to do so. *Id.*, at 11, ¶48. The newly enacted 100-foot buffer zone meant that Coalition Life counselors were forced to stand far away from those with whom they wished to speak. In some cases, sidewalk counselors had nowhere to stand but in the middle of busy roads, rendering intimate counseling activities effectively impossible.

Coalition Life sued the city of Carbondale, alleging, among other things, that the ordinance violates the First Amendment. When Carbondale moved to dismiss the suit under *Hill*, Coalition Life responded that over the years *Hill* has been eroded, but it nevertheless conceded that its claims were foreclosed insofar as *Hill* remains good law. The District Court dismissed the suit on the ground that *Hill* and binding Seventh Circuit precedent controlled. *Coalition for Life St. Louis v. Carbondale*, 2023 WL 4681685, *1 (SD Ill., July 6, 2023). The Seventh Circuit affirmed on the same ground, acknowledging the plaintiffs’ assertion that Carbondale’s buffer zone was “‘modeled after and nearly identical’” to the one upheld in *Hill*. 2024 WL 1008591, *1 (Mar. 8, 2024). Because *Hill* was the exclusive basis for both decisions below, this case clearly and cleanly presents the question of *Hill*’s viability.*

This Court has received a number of invitations to make clear that *Hill* lacks continuing force. Some of those invitations have arisen in cases with thorny preliminary issues or other obstacles to our review. See, e.g., *Bruni*, 592 U.S. 1191 (opinion of THOMAS, J.). But, no such obstacles are present here. It is undisputed that Carbondale’s ordinance is identical to Colorado’s law in all material respects. It is likewise undisputed that both the District Court and the Seventh Circuit dismissed Coalition Life’s suit exclusively on the ground that those courts felt bound by *Hill*. This case would have allowed us to provide needed clarity to lower courts.

*Carbondale repealed Ordinance 2023–03 in the summer of 2024. See An Ordinance Repealing Ordinance No. 2023–03, Carbondale, Ill., Ordinance No. 2024–23 (July 13, 2024). But, this fact is not fatal to petitioner’s claims. The ordinance was in effect for over a year and a half, and Coalition Life sought nominal damages for the infringement of First Amendment rights. A plaintiff’s request for nominal damages can satisfy the redressability requirement for Article III standing and keep an otherwise moot case alive. See *Uzuegbunam v. Preczewski*, 592 U.S. 279, 293 (2021).

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Hill has been seriously undermined, if not completely eroded, and our refusal to provide clarity is an abdication of our judicial duty. “We are responsible for the confusion among the lower courts, and it is our job to fix it.” *Gee*, 586 U. S., at 1059 (opinion of THOMAS, J.). I would have taken this opportunity to explicitly overrule *Hill*. For now, we leave lower courts to sort out what, if anything, is left of *Hill*’s reasoning, all while constitutional rights hang in the balance. I respectfully dissent.

No. 24–152. PINA *v.* ESTATE OF DOMINGUEZ. C. A. 9th Cir. Certiorari denied.

JUSTICE ALITO, with whom JUSTICE THOMAS joins, dissenting.

To overcome qualified immunity, a party must show that an official violated a federal right that “was ‘clearly established’ at the time of [the] alleged misconduct.” *Pearson v. Callahan*, 555 U. S. 223, 232 (2009). This requirement ensures that officials are not subject to the burdens of litigation or held liable for conduct without notice that such conduct is unlawful. See *Kisela v. Hughes*, 584 U. S. 100, 104 (2018) (*per curiam*); *Hope v. Pelzer*, 536 U. S. 730, 739 (2002). Needless to say, a judicial decision postdating an official’s alleged misconduct is of no use in determining what was “clearly established” at the time. The courts below badly fumbled this basic tenet of our qualified-immunity doctrine by treating a later-in-time Circuit precedent as a basis for the existence of “clearly established law.” I would grant the petitioner’s request for summary reversal to correct this flagrant error.

In 2017, officers of the San Jose Police Department procured an arrest warrant for Jacob Dominguez, a suspect in an armed robbery of a gas station. Based on information from a confidential informant, officers believed Dominguez was armed with a revolver. Once the officers had found Dominguez in his vehicle, Officer Michael Pina ordered him to put his hands up. Dominguez complied, but he then “‘quickly dropped his hands’” out of sight and “‘moved forward.’” App. to Pet. for Cert. 43a. That led Officer Pina to believe Dominguez was reaching for a firearm. And when Dominguez quickly leaned back, Officer Pina shot and killed him. The whole encounter lasted less than one minute.

Dominguez's estate sued Officer Pina under Rev. Stat. § 1979, 42 U. S. C. § 1983, and a jury found Officer Pina liable for excessive force in violation of the Fourth Amendment. The jury also returned a special interrogatory, answering "yes" to the question, "Did decedent Jacob Dominguez drop his hands and lean forward before Michael Pina fired his weapon?" App. to Pet. for Cert. 58a. Following trial, Officer Pina moved for judgment as a matter of law on qualified-immunity grounds, but the District Court denied his motion, anchoring its clearly-established-law inquiry in *Peck v. Montoya*, 51 F. 4th 877 (CA9 2022). See App. to Pet. for Cert. 47a–49a.

The Ninth Circuit affirmed in an unpublished decision. Like the District Court, the Ninth Circuit relied on its decision in *Peck*. It viewed that decision as providing sufficient evidence that Officer Pina "violated Dominguez's Fourth Amendment right under clearly established law" and was thus "not entitled to qualified immunity." App. to Pet. for Cert. 7a.

The lower courts made a serious misstep in their analysis. Even if it is assumed that controlling Circuit precedent may constitute clearly established law, *Peck*, a 2022 decision, was not the law in the Ninth Circuit when the events of this case unfolded in 2017. As such, *Peck*, "decided after the shooting at issue, is of no use in the clearly established inquiry." *City of Tahlequah v. Bond*, 595 U. S. 9, 13 (2021).

Perhaps realizing that reliance on *Peck* was anachronistic, the lower courts tried to backpedal. The District Court acknowledged that "*Peck* was decided after the events that occurred in our case," but it asserted that "*Peck* looked to *Cruz v. City of Anaheim*," a 2014 decision. App. to Pet. for Cert. 47a–48a (citing 765 F. 3d 1076 (CA9 2014)). And the Ninth Circuit sneaked into a footnote of its unpublished decision the same suggestion that *Peck* merely identified "the law that *Cruz* clearly established." App. to Pet. for Cert. 7a, n. 1.

Those ham-fisted rescue efforts rest on a misreading of *Cruz*. If *Cruz* itself could serve as the basis for clearly established law, then the Ninth Circuit presumably could have cited it directly instead of shunting it to a footnote. But unsurprisingly, *Cruz* alone does not suffice. In that case, officers stopped an allegedly armed suspect in his vehicle and used deadly force when the suspect reached for his waistband. There, the Ninth Circuit held

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that “[i]t would be unquestionably reasonable for police to shoot a suspect . . . if he reaches for a gun in his waistband, or even if he reaches there for some other reason.” 765 F. 3d, at 1078. In the lower courts’ view, *Peck* simply restated *Cruz*’s conclusion “that officers may not fire at a suspect . . . absent some reason to believe that the suspect will soon access or use [a] weapon.” 51 F. 4th, at 888. But that is not a mere gloss on *Cruz*. Rather, *Peck* narrowed *Cruz*’s holding by eliminating the suggestion that an officer’s use of force may be reasonable if a suspect “reaches” for his waistband “for some other reason.” *Cruz*, 765 F. 3d, at 1078. That alteration may very well have made a difference here.* Read in its proper light, *Peck* is not a restatement of the law set forth in *Cruz*. If *Peck* is removed from the picture, the lower courts would have failed to identify any clearly established law that Officer Pina allegedly violated.

* * *

The decisions below made more than a trifling mistake. In the Fourth Amendment context, the clearly-established-law requirement provides essential notice at the “‘hazy border between excessive and acceptable force.’” *Kisela*, 584 U. S., at 105 (quoting *Mullenix v. Luna*, 577 U. S. 7, 18 (2015) (*per curiam*)). But by holding an officer liable based on a judicial precedent issued after the events in question, the courts below ran roughshod over this key notice-bearing feature of our qualified-immunity jurisprudence.

I would summarily reverse the judgment below and reiterate a point that this Court has made time and again: a judicial decision can serve as a basis for clearly established law only if it predates the allegedly unlawful conduct. See *Bond*, 595 U. S., at 13; *Brosseau v. Haugen*, 543 U. S. 194, 198, 200, n. 4 (2004) (*per curiam*);

*Although the courts below did not directly rely on it as a basis of clearly established law, *Cruz* lends support to Officer Pina’s use of force. To start, I am skeptical that the Ninth Circuit gave adequate weight to the jury’s special interrogatory that Dominguez dropped his hands and leaned forward. Even assuming Dominguez was not reaching for a firearm as the Ninth Circuit assumed, App. to Pet. for Cert. 4a, the fact that he was reaching down “for some other reason” could certainly constitute the sort of furtive movement that justifies the use of force in a fast-moving police encounter, *Cruz v. Anaheim*, 765 F. 3d 1076, 1078 (2014).

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Kisela, 584 U. S., at 104; *Ashcroft v. al-Kidd*, 563 U. S. 731, 741 (2011). The Court unfortunately fails to take that step, so I must respectfully dissent.

No. 24–227. *WOODWARD v. CALIFORNIA ET AL.* Ct. App. Cal., 6th App. Dist. Certiorari denied. Reported below: 100 Cal. App. 5th 679, 319 Cal. Rptr. 3d 488.

Statement of JUSTICE SOTOMAYOR respecting the denial of certiorari.

The Double Jeopardy Clause of the Fifth Amendment provides that “[n]o person shall . . . be subject for the same offence to be twice put in jeopardy of life or limb.” “[A]ny ruling that the prosecution’s proof is insufficient to establish criminal liability for an offense” is therefore “a bar to a subsequent prosecution for the same offence.” *McElrath v. Georgia*, 601 U. S. 87, 94 (2024) (internal quotation marks omitted). This case raises an important question about whether California’s approach to construing trial court dismissals under Cal. Penal Code Ann. § 1385(a) (West Cum. Supp. 2025) as acquittals comports with the Double Jeopardy Clause. I nevertheless concur in the Court’s denial of certiorari today because the California Supreme Court should first address this question in light of this Court’s more recent double jeopardy precedent.

I

In 1992, California charged John Kevin Woodward with the murder of Laurie Houts. At the time, Woodward lived with Houts’s boyfriend, Brent Fulmer. In support of the murder charge, the State alleged that Woodward displayed possessive behavior toward his roommate and that he became jealous when Fulmer began spending time with Houts. The State’s physical evidence tying Woodward to the crime included two latent fingerprints on the outside of Houts’s car and fibers resembling Woodward’s sweatpants, collected from the rope used to strangle Houts.

The State tried Woodward twice for Houts’s murder. Each time, a majority of jurors (8 of 12 in the first trial, and 7 of 12 in the second) voted to acquit. After discharging the second deadlocked jury in August 1996, the trial court dismissed in open court the murder charge pursuant to Cal. Penal Code Ann. § 1385(a). That provision allows a trial judge, “of his or her own motion or upon the application of the prosecuting attorney, and in furtherance of justice,” to “order an action to be dismissed.” App. to

Pet. for Cert. 72a (quoting Cal. Penal Code Ann. § 1385(a) (West 1996)).* The minute order memorializing the hearing states that, “[i]n open court at 9:49 [a.m.] with above-named counsel and defendant present,” “the court rea[d] the written decision into the record dismissing this case pursuant to Penal Code [s]ection 1385 based on insufficient evidence.” *People v. Superior Ct. of Santa Clara Cty.*, 100 Cal. App. 5th 679, 688, 319 Cal. Rptr. 3d 488, 494 (2024) (alterations in original).

The trial court’s written decision, filed that same day, recounted that “the prosecution has been given two opportunities to convict the defendant and serve the public interest,” but “[b]oth trials have resulted in hung juries, with the majority of jurors voting for acquittal.” App. to Pet. for Cert. 74a. The court observed, moreover, that “the vast majority of the evidence does not point to the defendant’s guilt” and concluded that, “absent new evidence,” the prosecution would be “unable” to meet its burden of proof “in subsequent trials.” *Id.*, at 75a–76a. Dismissing the charge at this point would further the interests of justice, the court explained, because “[r]epeated prosecution would create a risk of conviction through sheer governmental perseverance” and “risk convicting an innocent citizen by wearing down the defendant through repeated trials while it perfects its case.” *Id.*, at 76a (citing *Tibbs v. Florida*, 457 U.S. 31, 41–42 (1982)).

In the end, the court summarized its ruling as follows:

“A dismissal of this case is not meant to criticize the work done by the prosecution or deprive the victim’s family of an opportunity to see their daughter’s killer brought to justice. There is simply a lack of evidence on which to convict the defendant. Without new evidence, the result of this case will be the same at each successive trial. Due to the lack of evidence in this case, a jury will never be able to reach a unanimous verdict of guilty. It appears that justice would best be served if the charges were dismissed.” App. to Pet. for Cert. 76a–77a.

Twenty-six years later, the State filed another indictment against Woodward, alleging that newly tested DNA evidence supported a finding of Woodward’s guilt. Woodward moved to dis-

*California Penal Code Ann. § 1385(a) (West Cum. Supp. 2025) has since been amended, but the quoted language remains the same.

miss, arguing that the 1996 dismissal functioned as an acquittal and that the Double Jeopardy Clause therefore barred his retrial.

The trial court agreed and dismissed the charge. The court recognized that, under the California Supreme Court's decision in *People v. Hatch*, 22 Cal. 4th 260, 991 P. 2d 165 (2000), "Section 1385 dismissals should not be construed as an acquittal for legal insufficiency unless the record clearly indicates the trial court applied the substantial evidence standard." App. to Pet. for Cert. 59a. The trial court reasoned that the earlier dismissal satisfied the requirements of *Hatch* because it was "due to the 'insufficiency of the evidence,'" and "[i]nsufficient evidence' is a term of art" that, absent contrary indication, "'means the evidence was insufficient to support a conviction as a matter of law.'" App. to Pet. for Cert. 61a. "Further," the court observed, "the trial court's written order repeatedly referred to the lack of evidence to convict" Woodward. *Id.*, at 65a.

The California Court of Appeal vacated the trial court's dismissal, reasoning that, under *Hatch*, a dismissal does not meet the standard for acquittal merely because it cites "'insufficiency of the evidence'" as the basis for dismissal. 100 Cal. App. 5th, at 704, 319 Cal. Rptr. 3d, at 507. Instead, the Court of Appeal held that *Hatch* requires courts to assume a dismissal is not an acquittal unless the dismissing court clearly applies the substantial evidence standard. *Ibid.* (citing *Hatch*, 22 Cal. 4th, at 273, 991 P. 2d, at 174). The dismissal here did not qualify, the Court of Appeal explained, because the record did not "'clearly indicate[]'" that the trial court had "conclude[d] the evidence was insufficient as a matter of law to support a conviction" or that it had "'viewed the evidence in the light most favorable to the prosecution.'" 100 Cal. App. 5th, at 704, 319 Cal. Rptr. 3d, at 508.

Justice Lie concurred to explain her concern that decisions of this Court "have eroded the analytical foundations of the rule announced in *Hatch*" and to urge the California Supreme Court to reexamine that rule's continuing vitality. *Id.*, at 710, 715, 319 Cal. Rptr. 3d, at 513, 517. In her view, the Court of Appeal's application of *Hatch* was "a determination that the trial court's dismissal[,] expressly based on the 'insufficiency of the evidence[,] failed to conform to a state-law standard even though it is an acquittal as defined by the United States Supreme Court.'" 100 Cal. App. 5th, at 714, 319 Cal. Rptr. 3d, at 516. The California Supreme Court declined review. App. to Pet. for Cert. 1a.

II

This Court has “defined an acquittal” for purposes of double jeopardy to include not only “‘a ruling by the court that the evidence is insufficient to convict,’” but also a “‘factual finding [that] necessarily establish[es] the criminal defendant’s lack of criminal culpability,’ and any other ‘rulin[g] which relate[s] to the ultimate question of guilt or innocence.’” *Evans v. Michigan*, 568 U.S. 313, 318–319 (2013) (quoting *United States v. Scott*, 437 U.S. 82, 91, 98, and n. 11 (1978); alterations in original). “[W]hether an acquittal has occurred for purposes of the Double Jeopardy Clause is a question of federal, not state, law.” *McElrath*, 601 U.S., at 96. Thus, state-law labels “‘do not control’” the double jeopardy analysis, nor is it “dispositive whether a factfinder ‘incanted the word “acquit.””” *Ibid.* (quoting *Evans*, 568 U.S., at 322, 325). Instead, “an acquittal has occurred if the factfinder ‘acted on its view that the prosecution had failed to prove its case,’” regardless of how it characterizes that ruling. *McElrath*, 601 U.S., at 96 (quoting *Evans*, 568 U.S., at 325); see also *Smalis v. Pennsylvania*, 476 U.S. 140, 144, n. 5 (1986).

There is reason to think that California’s *Hatch* rule, at least as applied in this case, conflicts with this Court’s double jeopardy precedents. In the 1996 dismissal order, the trial court stated that the dismissal was “for insufficiency of the evidence” and that “[t]here is simply a lack of evidence on which to convict the defendant.” App. to Pet. for Cert. 76a–77a. Yet, under *Hatch*, California courts apparently must assume that dismissals like this one are not acquittals unless the trial court makes unmistakably clear, in its order, that it has drawn all inferences in favor of the prosecution and concluded that no reasonable trier of fact could find guilt beyond a reasonable doubt. See 22 Cal. 4th, at 273, 991 P. 2d, at 174. This Court has not defined an acquittal in this way. See *Evans*, 568 U.S., at 318–319.

Nor has this Court demanded, in evaluating whether a dismissal constituted an acquittal, proof that the acquitting court applied the sufficiency of the evidence standard by construing the evidence in the light most favorable to the prosecution. To the contrary, this Court has stated that the Double Jeopardy Clause “bars retrial following a court-decreed acquittal, even if the acquittal is ‘based upon an egregiously erroneous foundation.’” *Id.*, at 318 (quoting *Fong Foo v. United States*, 369 U.S. 141, 143 (1962) (*per curiam*)).

The State defends *Hatch* as no more than the California Supreme Court's approach to "interpreting ambiguous Section 1385 dismissals," Brief in Opposition 18, emphasizing that "the meaning attached to an ambiguous prior reversal is a matter of state law," *id.*, at 17–18 (quoting *Tibbs*, 457 U. S., at 47, n. 24). That may well be the case. There is a fine line, however, between a rule of judicial interpretation designed to help courts ascertain whether a dismissal relates to guilt or innocence and the state court's imposition of a different standard for acquittals under the Double Jeopardy Clause. The latter is impermissible: "[W]hether an acquittal has occurred for purposes of the Double Jeopardy Clause is a question of federal, not state, law." *McElrath*, 601 U. S., at 96. To the extent the California Supreme Court adopted a different standard in order to "properly balance the competing interests embodied in the constitutional prohibitions against double jeopardy," *Hatch*, 22 Cal. 4th, at 273, 991 P. 2d, at 174, it had no discretion to do so.

The Court of Appeal's application of *Hatch* to Woodward's 1996 dismissal order suggests that the *Hatch* rule is, at least as applied here, more than an instruction to trial courts to "make their [§ 1385] rulings clear" so that reviewing courts may later determine whether such dismissals were, in fact, related to guilt or innocence. *Ibid.* The trial court's 1996 dismissal predated *Hatch* by four years, so to the extent that *Hatch* imposed such a clear-statement rule, the trial court would not have been aware of it.

All that said, Woodward's assertion that *Hatch* conflicts with this Court's double jeopardy precedents was not presented to the Court of Appeal before it issued the opinion on review. It was not until he filed his petition for review in the California Supreme Court that Woodward pressed this point. Woodward is hardly to blame for that litigation choice, as *Hatch* itself left open the question whether a dismissal order that (like his) included the phrase "insufficient evidence" sufficed to establish "that the dismissal was equivalent to an acquittal." *Id.*, at 276, 991 P. 2d, at 176. The California Supreme Court should assess, in the first instance, how to reconcile *Hatch* with this Court's intervening decisions in *McElrath* and *Evans*, among others. For that reason, I concur in the Court's denial of certiorari and encourage the California Supreme Court to address this question.

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No. 24–473. *JIMERSON ET AL. v. LEWIS*. C. A. 5th Cir. Certiorari denied. JUSTICE SOTOMAYOR and JUSTICE JACKSON would grant the petition for writ of certiorari.

No. 24–5577. *GRANDIA GONZALEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 107 F. 4th 1304.

Statement of JUSTICE SOTOMAYOR, with whom JUSTICE GORSUCH joins, respecting the denial of certiorari.

Founding-era common law gave officers no authority to make an “arrest without a warrant, for a mere misdemeanor not committed in [their] presence.” *Bad Elk v. United States*, 177 U.S. 529, 534–535 (1900) (collecting sources). This petition asks the Court to decide whether the Fourth Amendment incorporates that “in-the-presence” limitation on warrantless misdemeanor arrests. There is reason to think it might. After all, the in-the-presence requirement existed in some form at the founding. *Ibid.* This Court has often held, moreover, that the Fourth Amendment “must provide *at a minimum* the degree of protection” the common law afforded at the time of its adoption. *Lange v. California*, 594 U.S. 295, 309 (2021) (quoting *United States v. Jones*, 565 U.S. 400, 411 (2012)).

Important questions about the in-the-presence rule and its scope remain, and in this case they impede the Court’s review of the question presented. In an appropriate case, however, the Court should grant review to consider whether and to what extent the Fourth Amendment incorporates the in-the-presence rule.

I

On an early July morning, around 5 o’clock, two Miami Dade police officers encountered petitioner Victor Gonzalez “‘walking in the middle of the street’” in a residential neighborhood. 107 F. 4th 1304, 1306 (CA11 2024). The officers, who had received a 911 call reporting a “‘white male casing the area,’” *ibid.*, engaged Gonzalez in brief conversation and arrested him for the Florida misdemeanor of “loitering and prowling,” *id.*, at 1307; see Fla. Stat. Ann. §856.021 (2014). They performed a search incident to the arrest, which revealed several pieces of mail addressed to neighborhood residents. 107 F. 4th, at 1307. A grand jury thereafter charged Gonzalez with possessing stolen mail, a federal felony. See 18 U.S.C. §1708.

Gonzalez moved to suppress the evidence against him, appealing to the in-the-presence rule. Because he did not commit any misdemeanor in the officers' presence, he argued, they lacked probable cause to arrest him, and thus to conduct the search. When the District Court rejected that argument, Gonzalez pleaded guilty but reserved his right to appeal.

The Eleventh Circuit affirmed. It acknowledged that the common law permitted warrantless arrests for misdemeanors "in narrower circumstances than warrantless arrests for felonies," because, unlike in the case of misdemeanors, "an officer [could] conduct warrantless arrests for felonies committed outside of their presence." 107 F. 4th, at 1308 (citing 1 M. Hale, *History of the Pleas of the Crown* 587–590 (1736); 2 *id.*, at 86–90; 4 W. Blackstone, *Commentaries on the Laws of England* 288–292 (1772)). The court nonetheless held that "the Fourth Amendment does not require a misdemeanor to occur in an officer's presence to conduct a warrantless arrest." 107 F. 4th, at 1310. As the Eleventh Circuit saw things, the Fourth Amendment does not incorporate the in-the-presence rule because (1) the rule was subject to exceptions at common law, (2) "the technicalities of distinguishing between misdemeanors and felonies appea[r] impracticable in today's legal environment," and (3) the Fourth Amendment is "properly protect[ive]" even "absent a presence criterion." *Ibid.*

II

A

"By the common law of England, neither a civil officer nor a private citizen had the right, without a warrant, to make an arrest for a crime not committed in his presence, except in the case of felony." *Kurtz v. Moffitt*, 115 U. S. 487, 498–499 (1885) (collecting authorities); see also *Bad Elk*, 177 U. S., at 534 (same). Instead, as Sir Matthew Hale summarized the rule, a warrantless arrest could be made only "[i]f an affray be made in the presence of a justice of peace, or if a felon be in his presence," and was prohibited "if there be only an affray . . . not in view of the constable." 1 *History of the Pleas of the Crown*, at 587; see also 4 Blackstone, *Commentaries*, at 289 (justice of the peace could arrest felons "upon probable suspicion," but could arrest for breach of the peace only if committed "in his presence"); W. Schroeder, *Warrantless Misdemeanor Arrests and the Fourth Amendment*, 58 Mo. L. Rev.

771, 787–789 (1993) (reviewing English jurisprudence establishing the in-the-presence rule).*

After the founding, American States continued to abide by the in-the-presence rule almost without exception. See, *e.g.*, *id.*, at 847–848; 1 J. Archbold & T. Waterman, *Criminal Procedure, Pleading and Evidence*, in *Indictable Cases* 103–104 (7th ed. 1860) (summarizing state of the English common law and the law in the American States). Indeed, during the 19th and 20th centuries, state courts repeatedly reaffirmed the rule’s continued vitality in the face of attempts to expand warrantless arrest powers. See, *e.g.*, *Commonwealth v. Carey*, 66 Mass. 246 (1853) (“A constable cannot, without a warrant, arrest a person guilty of a past offence, unless such offence amounts to a felony”); *In re Way*, 41 Mich. 299, 304, 1. N. W. 1021, 1024 (1879) (“An arrest without warrant has never been lawful except . . . in felony and in breaches of the peace committed in presence of the officer”); *In re Kellam*, 55 Kan. 700, 41 P. 960 (1895) (invalidating as unconstitutional a law permitting warrantless arrest on mere suspicion of misdemeanor); *Ex parte Rhodes*, 202 Ala. 68, 73, 79 So. 462, 467 (1918) (“[N]o municipal ordinance could authorize . . . or make . . . reasonable” warrantless arrest for a misdemeanor not committed in the presence); *Hughes v. State*, 145 Tenn. 544, 569, 238 S. W. 588, 595 (1922) (“An officer cannot lawfully arrest a person without a warrant . . . where the facts constituting the offense are incapable of being observed or are not observed by the officer”); *Orick v. State*, 140 Miss. 184, 200, 105 So. 465, 469 (1925) (“[T]he statement that an officer at common law could not arrest a person for a misdemeanor not committed in his presence without a warrant is sustained by the overwhelming weight of authority”). Today, most States continue to “hold to the view that a warrantless misdemeanor arrest may be made only for an offense committed ‘in the presence’” of the arresting officer. 3 W. LaFave, *Search and Seizure* § 5.1(c) (6th ed. 2020) (footnote omitted).

Florida, too, retains an in-the-presence rule. See Fla. Stat. Ann. § 901.15(1) (“A law enforcement officer may arrest a person without a warrant when . . . [t]he person has committed a felony

*Some of these authorities can be read more narrowly as authorizing warrantless misdemeanor arrests only for breaches of the peace, but this Court declined to adopt that more limiting reading in *Atwater v. Lago Vista*, 532 U.S. 318 (2001), because of disagreement among common-law authorities.

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or misdemeanor or violated [an ordinance] in the presence of an officer”). Its loitering and prowling statute, however, provides that officers “may arrest any suspected loiterer or prowler without a warrant in case delay in procuring one would probably enable [the loiterer] to escape arrest.” § 856.031. That provision apparently allowed the officers here to arrest Gonzalez as a “suspected loiterer or prowler,” *ibid.*, despite the fact that “all [they] saw was a man walking down a neighborhood street in the early morning,” 107 F. 4th, at 1312.

B

The Eleventh Circuit thought Gonzalez’s arrest permissible because, in its view, the Fourth Amendment does not incorporate the in-the-presence rule in any form. There is a serious question about whether that categorical holding is consistent with this Court’s precedent. To be sure, this Court left open “whether the Fourth Amendment entails an ‘in the presence’ requirement for purposes of misdemeanor arrests” in *Atwater v. Lago Vista*, 532 U. S. 318, 340, n. 11 (2001), where that question was not presented. Since then, however, the Court has several times said that the Fourth Amendment “‘must provide *at a minimum* the degree of protection it afforded when it was adopted.’” *Lange*, 594 U. S., at 309 (quoting *Jones*, 565 U. S., at 411); *Torres v. Madrid*, 592 U. S. 306, 316–317 (2021) (“Our precedent protects ‘that degree of privacy against government that existed when the Fourth Amendment was adopted’” (quoting *Kyllo v. United States*, 533 U. S. 27, 34 (2001))); *Virginia v. Moore*, 553 U. S. 164, 168 (2008) (“We look to the statutes and common law of the founding era to determine the norms that the Fourth Amendment was meant to preserve”). Precedent and historical evidence suggest, moreover, that the common law included at least some form of in-the-presence requirement for warrantless misdemeanor arrests. See *supra*, at 1167. If that is right, it follows that the Fourth Amendment likely does as well. *Lange*, 594 U. S., at 309.

The federal and state courts have reached diverging conclusions about the continued vitality of the in-the-presence rule. As explained earlier, most States continue to abide by the in-the-presence rule, see *supra*, at 1167 and this page, and several state courts have continued to accord it constitutional weight. See, e. g., *State v. Barton*, 669 S. W. 3d 661, 665 (Mo. 2023) (this Court’s precedent leaves “no doubt” that the Fourth Amendment incorporates the

in-the-presence requirement for warrantless misdemeanor arrests); *Pacheco v. State*, 465 Md. 311, 330–331, 214 A. 3d 505, 516–517 (2019) (reaffirming in-the-presence rule); *Ewing v. State*, 300 So. 2d 916, 919 (Miss. 1974) (similar); see also *State v. Ochoa*, 2008–NMSC–023, 143 N. M. 749, 182 P. 3d 130 (discussing scope of in-the-presence rule). By contrast, “every circuit to face [the] issue has held that the Fourth Amendment does not include an in-the-presence requirement for warrantless misdemeanor arrests.” 107 F. 4th, at 1309 (internal quotation marks omitted).

As the Eleventh Circuit recognized, each Circuit to have considered the issue relied on *Street v. Surdyka*, 492 F. 2d 368 (1974), a case out of the Fourth Circuit that rejected the in-the-presence rule as “impractical and illogical.” *Id.*, at 371–373. *Surdyka*, however, crucially rested on the premise that this Court had not given “constitutional force” to the common-law rule. *Id.*, at 371. That may have been true at the time. This Court’s intervening decisions in *Kyllo*, *Madrid*, *Jones*, *Moore*, and *Lange* all say, however, that the Fourth Amendment must protect at minimum those rights recognized by the founding-era common law. Because the Fourth Circuit did not consider that possibility in *Surdyka*, it is unclear whether that decision remains good law today.

The Eleventh Circuit decision, too, failed adequately to address this Court’s recent Fourth Amendment precedents. Two of its three reasons for rejecting Gonzalez’s arguments relied on its independent assessment of reasonableness and practicality. 107 F. 4th, at 1310. For example, the Court simply asserted that “Fourth Amendment rights are properly protected absent a presence criterion.” *Ibid.* Yet Fourth Amendment questions cannot be resolved simply by asking whether, in the courts’ view, a criterion is necessary to protect one’s privacy interests. To be sure, courts today may have to confront questions about “how to apply the Fourth Amendment to a new phenomenon.” *Carpenter v. United States*, 585 U. S. 296, 309 (2018). As explained, however, this Court has said that the Fourth Amendment must at minimum provide those protections that the common law guaranteed. *Lange*, 594 U. S., at 309.

In rejecting the in-the-presence rule altogether, the Eleventh Circuit also remarked that the misdemeanor-felony distinction has shifted dramatically since the founding. 107 F. 4th, at 1310. That is true, but it cuts in favor of Gonzalez, not against him. Even very serious crimes that are now felonies were misdemean-

ors at common law. “For example, all attempt crimes were only misdemeanors . . . as were assaults, batteries, woundings, and even kidnappings.” T. Davies, *Recovering the Original Fourth Amendment*, 98 Mich. L. Rev. 547, 630, n. 220 (1999) (citing 4 W. Blackstone, *Commentaries on the Laws of England* 216 (1769)). In light of the modern expansion of the class of felony crimes, even a categorical in-the-presence rule would be substantially less protective than it was at the founding. That a majority of States retain the in-the-presence requirement for misdemeanor arrests, moreover, is in tension with the Eleventh Circuit’s concern that “[i]ncorporating a presence requirement for misdemeanor arrests would likely muddy the waters more than it would protect any additional privacy interests.” 107 F. 4th, at 1310.

C

The Eleventh Circuit correctly recognized that the in-the-presence requirement does not appear to have been absolute. *Ibid.* Most notably, “[f]rom the enactment of the Statute of Winchester in 1285, through its various readoptions and until its repeal in 1827, night watchmen were authorized and charged” to arrest suspicious “‘nightwalkers.’” *Atwater*, 532 U.S., at 333 (footnote omitted).

The degree to which that exception made it to the early American States is unclear, and it complicates Gonzalez’s case. After all, the Florida statute at issue here arguably resembles the old nightwalker statutes. It makes it a misdemeanor for:

“any person to loiter or prowl in a place, at a time or in a manner not usual for law-abiding individuals, under circumstances that warrant a justifiable and reasonable alarm or immediate concern for the safety of persons or property in the vicinity.” Fla. Stat. Ann. § 856.021(1).

Whether a warrantless arrest under such a provision is consistent with a historical “nightwalker” exception, and whether founding-era common law incorporated that exception, are difficult questions. On the one hand, English law permitted the arrest of “‘any suspicious night-walker’” who could be detained “‘till he give good account of himself.’” *Atwater*, 532 U.S., at 333. On the other, by the 19th century some American state courts had rejected as unlawful warrantless arrests even under circumstances where the nightwalker statutes might have permitted

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them. See, e.g., *In re Way*, 41 Mich., at 301, 1 N. W., at 1021 (granting habeas relief to one arrested on suspicion of “loitering and rambling about . . . and not giving a good account of herself”); *In re Kellam*, 55 Kan., at 701, 41 P., at 961 (invalidating statute authorizing arrest of “‘persons found under suspicious circumstances, who cannot give a good account of themselves’”); *Pinkerton v. Verberg*, 78 Mich. 573, 584–585, 44 N. W. 579, 583 (1889) (invalidating nighttime arrest of a woman found under circumstances raising a suspicion of prostitution who “failed to take account of herself”).

Because it is an open question whether Gonzalez’s arrest falls within a historical exception to the in-the-presence requirement, this is an unsuitable case to consider the general rule. This case is complicated for another reason, too: The police may have had probable cause to arrest Gonzalez for felony trespass, and all agree that the in-the-presence rule does not apply to felonies. The petition nonetheless illustrates the need for percolation on the in-the-presence rule’s scope. As some of the Courts of Appeals have recognized, it remains an open question whether and to what extent the Fourth Amendment incorporates the in-the-presence rule. See, e.g., *Graves v. Mahoning County*, 821 F. 3d 772, 780 (CA6 2016); *Gilmore v. Minneapolis*, 837 F. 3d 827, 834 (CA8 2016). This Court would benefit from further consideration of that question by the lower courts. In considering the issue, courts should give due regard to the full scope of the common-law rights now secured by the Fourth Amendment.

No. 24–6183. *JOOST v. MASSACHUSETTS BOARD OF BAR EXAMINERS*. Sup. Jud. Ct. Mass. Certiorari denied. JUSTICE KAGAN took no part in the consideration or decision of this petition. See 28 U. S. C. § 455(b)(3) and Code of Conduct for Justices of the Supreme Court of the United States, Canon 3B(2)(e) (prior government employment).

No. 24–6319. *SHENG-WEN CHENG v. UNITED STATES*. C. A. 2d Cir. Certiorari before judgment denied.

No. 24–6377. *GIBSON v. UNITED STATES*. C. A. 5th Cir. Certiorari before judgment denied.

Rehearing Denied

No. 23–7412. *ROONEY v. GEORGIA*, 604 U. S. 926;

No. 23–7428. *PANN v. ULMER*, 604 U. S. 926;

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- No. 23–7586. *BROWN v. KERN*, 604 U. S. 932;
No. 23–7639. *BOUIE v. PENNSYLVANIA DEPARTMENT OF CORRECTIONS*, 604 U. S. 935;
No. 23–7769. *IN RE SMITH*, 604 U. S. 907;
No. 24–161. *NEW YORK STATE TELECOMMUNICATIONS ASSN., INC., ET AL. v. JAMES, ATTORNEY GENERAL OF NEW YORK*, 604 U. S. 1066;
No. 24–184. *XUEJIE HE v. UNITED STATES ET AL.*, 604 U. S. 978;
No. 24–263. *IN RE BEGGS ET VIR*, 604 U. S. 1016;
No. 24–305. *SAVAGE v. GEORGIA OFFICE OF ADMINISTRATIVE HEARINGS*, 604 U. S. 1024;
No. 24–364. *FUTIA v. UNITED STATES*, 604 U. S. 1032;
No. 24–399. *ALLEN v. FORD MOTOR CO.*, 604 U. S. 1025;
No. 24–5251. *DAVIS v. CLOSE, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HOUTZDALE*, 604 U. S. 981;
No. 24–5287. *BENDER v. TEXAS*, 604 U. S. 982;
No. 24–5374. *RAILBACK v. CITY OF DES MOINES, IOWA, ET AL.*, 604 U. S. 1000;
No. 24–5425. *ANDERSON v. DAVIS, WARDEN*, 604 U. S. 983;
No. 24–5427. *STAPLETON v. UNITED STATES*, 604 U. S. 983;
No. 24–5582. *MOSSERI v. 7 WEST 21 LI LLC*, 604 U. S. 1026;
No. 24–5622. *MICKMAN v. SUPERIOR COURT OF PENNSYLVANIA*, 604 U. S. 1033;
No. 24–5632. *BALDWIN v. DEVINE ET AL.*, 604 U. S. 1068;
No. 24–5635. *BOWERS v. PAYSON CITY, UTAH*, 604 U. S. 1033;
No. 24–5655. *CRUZADO LAUREANO v. POPULAR DEMOCRATIC PARTY AND ITS GOVERNING BOARD*, 604 U. S. 1033;
No. 24–5669. *PETERSON v. NEBRASKA*, 604 U. S. 1046;
No. 24–5682. *NGUYEN v. LUEBCKE ET AL.*, 604 U. S. 1046;
No. 24–5703. *BOCHRA v. DEPARTMENT OF EDUCATION ET AL.*, 604 U. S. 1034;
No. 24–5742. *OLIVER v. AMAZON.COM SERVICES LLC*, 604 U. S. 1069;
No. 24–5781. *ROBINSON v. HOLMAN ET AL.*, 604 U. S. 1047;
No. 24–5798. *COOPER v. LANGDON, WARDEN*, 604 U. S. 1028;
No. 24–5809. *FIGARO v. UNITED STATES*, 604 U. S. 1028;
No. 24–5817. *AFOLABI v. WARDEN, FEDERAL CORRECTIONAL INSTITUTION, FORT DIX*, 604 U. S. 1028;
No. 24–5834. *HERNANDEZ v. UNITED STATES*, 604 U. S. 1034;
No. 24–6037. *MURPHY v. COLLINS, SECRETARY OF VETERANS AFFAIRS, ET AL.*, 604 U. S. 1091, *sub. nom. Murphy v. McDonough*; and

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No. 24–6043. *HACKETT v. IOWA*, 604 U. S. 1091. Petitions for rehearing denied.

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Miscellaneous Orders

No. 24A658. *AKERMAN v. WARDEN*. C. A. 9th Cir. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. D–3141. *IN RE DISBARMENT OF STARK*. Disbarment entered. [For earlier order herein, see 602 U. S. 1012.]

No. D–3142. *IN RE DISBARMENT OF FINE*. Disbarment entered. [For earlier order herein, see 603 U. S. 938.]

No. D–3143. *IN RE DISBARMENT OF O’NEILL*. Disbarment entered. [For earlier order herein, see 603 U. S. 941.]

No. D–3144. *IN RE DISBARMENT OF HARRISON*. Disbarment entered. [For earlier order herein, see 603 U. S. 941.]

No. D–3145. *IN RE DISBARMENT OF AUCOIN*. Disbarment entered. [For earlier order herein, see 603 U. S. 941.]

No. D–3146. *IN RE DISBARMENT OF CAMMARANO*. Disbarment entered. [For earlier order herein, see 603 U. S. 941.]

No. 24M61. *IN RE SEALED PETITIONER*. Motion for leave to file petition for writ of certiorari under seal with redacted copies for the public record denied.

No. 24M62. *CELLSPIN SOFT, INC. v. FITBIT LLC ET AL.*; and *CELLSPIN SOFT, INC. v. FITBIT LLC ET AL.* Motion for leave to file petition for writ of certiorari with supplemental appendix under seal granted.

No. 24M63. *AKERMAN v. DEPARTMENT OF THE ARMY*; and *AKERMAN v. DEPARTMENT OF THE AIR FORCE*. Motion for leave to proceed as a veteran denied.

No. 23–1270. *RILEY v. BONDI, ATTORNEY GENERAL*. C. A. 4th Cir. [Certiorari granted *sub nom. Riley v. Garland*, 604 U. S. 1007.] Motion of the Acting Solicitor General for divided argument granted.

No. 24–6512. *IN RE STAHLMAN*. Petition for writ of habeas corpus denied.

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Certiorari Granted

No. 24–5774. *BARRETT v. UNITED STATES*. C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted limited to Question 1 presented by the petition. Reported below: 102 F. 4th 60.

Certiorari Denied

No. 24–483. *SANDHILLS MEDICAL FOUNDATION, INC. v. FORD ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–494. *AMERICAN WARRIOR, INC., ET AL. v. FOUNDATION ENERGY FUND IV–A, L. P., ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–576. *NUTRAMAX LABORATORIES, INC., ET AL. v. LYTLE ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–587. *SCANDINAVIAN AIRLINES SYSTEM, AKA SAS, DBA SCANDINAVIAN AIRLINES OF NORTH AMERICA, INC. v. HARDY*. C. A. 5th Cir. Certiorari denied.

No. 24–601. *DOE RUN RESOURCES CORP. ET AL. v. REID ET AL.* C. A. 8th Cir. Certiorari denied.

No. 24–680. *COLLINS ET AL. v. METROPOLITAN LIFE INSURANCE CO.* C. A. 8th Cir. Certiorari denied.

No. 24–689. *DALAVAI, AS SUCCESSOR IN INTEREST TO DECEDENT DALAVAI AND SON OF DALAVAI v. THE REGENTS ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–691. *BROWN v. BANK OF AMERICA CORP. ET AL.* C. A. 1st Cir. Certiorari denied.

No. 24–696. *SAHA THAI STEEL PIPE PUBLIC CO. LTD. v. WHEATLAND TUBE CO.* C. A. Fed. Cir. Certiorari denied.

No. 24–697. *CLARK v. TAYLOR ET AL.* C. A. 8th Cir. Certiorari denied.

No. 24–700. *BRANTLEY v. UNITED STATES ET AL.* C. A. 6th Cir. Certiorari denied.

No. 24–708. *IQBAL v. PENNSYLVANIA BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS STATE BOARD OF MEDICINE ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 24–709. *KNOPP v. CSX TRANSPORTATION INC.* C. A. 6th Cir. Certiorari denied.

No. 24–716. *PROWS v. CITY OF OXFORD, OHIO, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 24–733. *SNYDER v. ARCONIC, CORP., ET AL.* C. A. 8th Cir. Certiorari denied.

No. 24–756. *NATIONAL FEDERATION OF THE BLIND OF TEXAS, INC., ET AL. v. CITY OF ARLINGTON, TEXAS.* C. A. 5th Cir. Certiorari denied.

No. 24–775. *SOUTHERN CALIFORNIA EDISON CO. ET AL. v. ORANGE COUNTY TRANSPORTATION AUTHORITY.* C. A. 9th Cir. Certiorari denied.

No. 24–776. *ASTRUP v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

No. 24–787. *MARCO DESTIN, INC., ET AL. v. LEVY, INDIVIDUALLY AND AS AGENT OF L&L WINGS, INC., ET AL.* C. A. 2d Cir. Certiorari denied.

No. 24–797. *SPEER, SUPERINTENDENT, STAFFORD CREEK CORRECTIONS CENTER, ET AL. v. WELLER ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–804. *BIBEAU v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 8th Cir. Certiorari denied.

No. 24–807. *STANLEY v. MORGAN ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–815. *FRANCISCAN ALLIANCE, INC., ET AL. v. INDIANA.* Sup. Ct. Ind. Certiorari denied.

No. 24–816. *YELLIN v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 24–823. *BENFER v. CITY OF BAYTOWN, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–836. *IMPACT ENGINE, INC. v. GOOGLE LLC.* C. A. Fed. Cir. Certiorari denied.

No. 24–842. *SHRYOCK v. COLORADO EX REL. WEISER, ATTORNEY GENERAL OF COLORADO.* Ct. App. Colo. Certiorari denied.

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No. 24–5714. *FARIAS-CONTRERAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–5844. *EDELSTEIN v. EDELSTEIN*. Ct. App. Ohio, 12th App. Dist., Warren County. Certiorari denied.

No. 24–5939. *HERARD v. FLORIDA*. Sup. Ct. Fla. Certiorari denied.

No. 24–6032. *REGA v. HARRY, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–6217. *KAMDEM-OUAFFO v. COLGATE PALMOLIVE CO. ET AL.* C. A. 3d Cir. Certiorari denied.

No. 24–6220. *POLICASTRO v. NEVADA EMPLOYMENT SECURITY DIVISION ET AL.* Certiorari denied.

No. 24–6227. *LETTIERI v. UNIVERSITY OF ROCHESTER*. C. A. 2d Cir. Certiorari denied.

No. 24–6230. *COBBS v. SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY, ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 24–6232. *BURKE v. MASTERS ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–6273. *REINER v. WISCONSIN*. Ct. App. Wis. Certiorari denied.

No. 24–6285. *SANTIBANEZ SANCHEZ v. BONDI, ATTORNEY GENERAL*. C. A. 5th Cir. Certiorari denied.

No. 24–6302. *HEARNS v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 24–6332. *PETERSON v. WISCONSIN*. Ct. App. Wis. Certiorari denied.

No. 24–6339. *REGAN v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied.

No. 24–6346. *MOORE v. MACKEY, ACTING WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 24–6379. *REESE v. OHIO*. Ct. App. Ohio, 7th App. Dist., Mahoning County. Certiorari denied.

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No. 24–6383. *RICKER v. INDIANA*. Ct. App. Ind. Certiorari denied.

No. 24–6388. *TAIMING ZHANG v. X CORP., FKA TWITTER, INC.* C. A. 9th Cir. Certiorari denied.

No. 24–6411. *HIBBLER v. HOWARD, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 24–6423. *CHANEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 24–6427. *MEDINA-CANTU v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6431. *BOWERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–6435. *WOMACK v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6441. *BUNEVACZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6460. *MASON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 24–6462. *ULLMAN v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied.

No. 24–361. *SPEECH FIRST, INC. v. WHITTEN ET AL.* C. A. 7th Cir. Certiorari denied. JUSTICE ALITO would grant the petition for writ of certiorari.

JUSTICE THOMAS, dissenting.

More than 450 of our Nation’s colleges and universities have “bias response teams.” These teams “encourag[e] students to report one another for expressions of ‘bias,’” and then review and act upon reports. *Speech First, Inc. v. Sands*, 601 U.S. 1060, 1061 (2024) (THOMAS, J., dissenting). In reviewing First Amendment challenges to bias response teams, the Courts of Appeals have split as to whether they “objectively chill” student speech for purposes of Article III standing. I would grant certiorari to resolve that important split.

I

Indiana University (IU) operates a bias response team that is emblematic of the genre. IU’s team has advertised on its web-

sites and on social media that students should report “‘bias incidents’” to the school. 2024 WL 3964864, *1 (SD Ind., Aug. 28, 2024). Students can file such reports by anonymously completing an online form, emailing or calling a school administrator, or using an IU-run cellphone application.

IU loosely defines the term “bias incidents” to “include ‘any conduct, speech, or expression, motivated in whole or in part by bias or prejudice meant to intimidate, demean, mock, degrade, marginalize, or threaten individuals or groups based on that individual or group’s actual or perceived identities.’” *Ibid.* “Unsurprisingly, such an expansive policy has prompted students to report any and all perceived slights.” *Sands*, 601 U. S., at 1063 (THOMAS, J., dissenting). For example, one complainant (who was not Asian) objected to comments expressing dislike for “‘China’” or “‘Chinese things’” made in the presence of two Asian students, while another reported a Facebook post featuring a picture of a sticker reading “‘Diversity Divides Nations.’” Record in No. 1:24-cv-898 (SD Ind.), Doc. 9–30, p. 3.

When a student files a report, IU’s team reviews the submission, and has a variety of options at its disposal. For example, it may invite a student reported for an allegedly offensive comment to attend a meeting to discuss his behavior, or it may refer the impacted student to support services. And, while the bias response team cannot itself discipline students or “[c]onduct formal investigations,” it does assess whether there have been “potential violations of university policy and/or criminal law.” 2024 WL 3964864, *1 (internal quotation marks omitted). If a potential violation exists, then the team can refer the matter to other campus offices with disciplinary power. The team also logs all reports in a database, which it tracks for trends.

Speech First, a national membership organization that “seeks to protect free speech rights on college campuses,” sued to enjoin IU from enforcing this “bias incidents” policy. *Id.*, at *1–*2. Speech First’s members include five IU students who hold political “views that are unpopular . . . on campus,” including on issues such as “gender identity, immigration, affirmative action, and the Israel-Palestine conflict.” *Id.*, at *2 (internal quotation marks omitted). But, the students self-censor their discussion of these views out of fear that “others will likely report [them] to University officials for committing a bias incident.” *Ibid.* (internal quotation marks omitted). This petition arises from Speech First’s

unsuccessful motion to preliminarily enjoin IU from “‘enforcing [its bias-incident] policies during th[e] litigation.’” *Ibid.*

As the parties recognized below, Speech First’s motion was doomed under binding Circuit precedent. The Seventh Circuit had previously dismissed a similar Speech First suit against the University of Illinois at Urbana-Champaign for lack of Article III standing. See *Speech First, Inc. v. Killeen*, 968 F. 3d 628 (2020). In *Killeen*, the court held that Speech First had failed to satisfy either of two avenues for establishing standing: It had neither “demonstrated that [Illinois’s bias response] policies pose a credible threat of enforcement to any student” nor shown that “any student has faced an objectively reasonable chilling effect on his or her speech.” *Id.*, at 639. The Seventh Circuit pointed to features of the Illinois program that limited its reach: Among other things, meetings with the bias response team were technically optional, and the team could not itself sanction students. *Id.*, at 639–644. Accordingly, it concluded, Speech First lacked an injury-in-fact sufficient to confer Article III standing. *Id.*, at 643–644.

The District Court agreed that *Killeen* was controlling and denied the motion for a preliminary injunction. Given the IU program’s similar design, the District Court explained, “*Killeen* cannot be meaningfully distinguished.” 2024 WL 3964864, *3. The Seventh Circuit summarily affirmed. 2024 WL 4363740, *1 (Sept. 5, 2024). Speech First then sought certiorari.

II

This case presents an opportunity to resolve an important Circuit split. Three Circuits, when evaluating similar facts, have rejected the Seventh Circuit’s view and found that bias response policies “objectively chill” student speech. *Speech First, Inc. v. Cartwright*, 32 F. 4th 1110, 1122–1124 (CA11 2022); *Speech First, Inc. v. Fenves*, 979 F. 3d 319, 333, 338 (CA5 2020); *Speech First, Inc. v. Schlissel*, 939 F. 3d 756, 765 (CA6 2019). If this case had proceeded in those Circuits, then Speech First likely would have been able to establish Article III standing. For example, the Sixth Circuit has recognized that a bias response team’s “ability to make referrals . . . is a real consequence that objectively chills speech,” and that this “lurk[ing]” referral power causes even optional meeting invitations to “carry an implicit threat of consequence should a student decline the invitation.” *Ibid.* It makes

no difference, on the Sixth Circuit's view, if the bias response team itself "lacks any formal disciplinary power." *Ibid.*

Previously, the Fourth Circuit joined in the Seventh Circuit's contrary position. *Speech First, Inc. v. Sands*, 69 F. 4th 184, 193–197 (2023). But, based on a mid-litigation change in university policy, this Court granted the *Sands* petition, vacated the judgment below, and remanded with instructions for the Fourth Circuit to dismiss the suit as moot. See 601 U. S., at 1060 (citing *United States v. Munsingwear, Inc.*, 340 U. S. 36 (1950)). The Seventh Circuit therefore stands alone.

I would grant Speech First's petition and resolve the split. As this Court implicitly recognized when it chose to intervene in *Sands*, the split poses an important First Amendment question. I continue to believe that we should clarify the scope of a student's right to challenge university policies that "potentially pressur[e him] to avoid controversial speech." *Sands*, 601 U. S., at 1064 (THOMAS, J., dissenting).

The Seventh Circuit's approach is also very likely wrong. It is well settled that plaintiffs may establish standing based on "the deterrent, or 'chilling,' effect of governmental regulations that fall short of a direct prohibition against the exercise of First Amendment rights." *Laird v. Tatum*, 408 U. S. 1, 11 (1972). And, in assessing whether an "objective chill" exists in a particular case, see *Clapper v. Amnesty Int'l USA*, 568 U. S. 398, 418 (2013), courts must "look through forms to the substance" of the government's "informal sanctions," *Bantam Books, Inc. v. Sullivan*, 372 U. S. 58, 67 (1963). The Seventh Circuit's emphasis on the formal limits of a bias response team's power seems hard to square with this Court's framework. See *Killeen*, 968 F. 3d, at 640–643.

Common features of bias response policies suggest that they may cause "students [to] self-censor, fearing the consequences of a report to [the bias response team] and thinking that speech is no longer worth the trouble." *Sands*, 601 U. S., at 1064 (THOMAS, J., dissenting) (quoting *Sands*, 69 F. 4th, at 204 (Wilkinson, J., dissenting)). At IU as elsewhere, the bias response program combines a definition of bias that "appears limitless in scope" with a "threshold for reporting [that] is intentionally low." *Sands*, 601 U. S., at 1063 (THOMAS, J., dissenting). Compounding the problem, the option of anonymous reporting makes filing a report socially costless. *Ibid.* And, the threat that the bias response team may

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refer a report to other university officers for further action is a “weighty consequenc[e]” that “‘lurks in the background.’” *Id.*, at 1064 (quoting *Schlissel*, 939 F. 3d, at 765).

Finally, this case does not present any complicating features that would hamper review. Because IU’s bias response team remains fully in place, this case does not raise the mootness question that led the Court to avoid granting plenary review in *Sands*. See Indiana University, Bias Incident Reporting (Feb. 28, 2025), <https://reportincident.iu.edu/one-page/index.html>. There is no reason for this Court to deny certiorari.*

* * *

Given the number of schools with bias response teams, this Court eventually will need to resolve the split over a student’s right to challenge such programs. The Court’s refusal to intervene now leaves students subject to a “patchwork of First Amendment rights,” with a student’s ability to challenge his university’s bias response policies varying depending on accidents of geography. *Sands*, 601 U. S., at 1064 (THOMAS, J., dissenting). Because one of our “primary functions is to resolve ‘important matter[s]’ on which the courts of appeals are ‘in conflict,’” we should not let this confusion persist. *Gee v. Planned Parenthood of Gulf Coast, Inc.*, 586 U. S. 1057 (2018) (THOMAS, J., dissenting from denial of certiorari) (quoting this Court’s Rule 10(a)). I respectfully dissent.

No. 24–581. *UTAH v. LOVELL*. Sup. Ct. Utah. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied.

No. 24–695. *COOL, WARDEN v. JACKSON*. C. A. 6th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied.

*I continue to believe that a university’s mid-litigation alteration of a bias response policy does not generally moot a challenge to that policy and that we should have resolved the standing question in *Sands*. See 601 U. S., at 1061–1062, n. 2 (THOMAS, J., dissenting). I also continue to believe that, in an appropriate case, this Court should revisit whether “associational standing can be squared with Article III’s” limits. *FDA v. Alliance for Hippocratic Medicine*, 602 U. S. 367, 405 (2024) (THOMAS, J., concurring). But, under our precedents, an association such as Speech First can establish standing to sue on behalf of its members.

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No. 24–6213. *SIMMONS v. CONSUMER ASSISTANCE GROUP ET AL.* C. A. 5th Cir. Certiorari denied. JUSTICE ALITO took no part in the consideration or decision of this petition.

No. 24–6234. *AUGUSTO FELICIANO v. LANDRY, LOUISIANA SECRETARY OF STATE, ET AL.* C. A. D. C. Cir. Certiorari before judgment denied.

No. 24–6438. *KETCHUP v. UNITED STATES.* C. A. 11th 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 Code of Conduct for Justices of the Supreme Court of the United States, Canon 3B(2)(e) (prior government employment).

Rehearing Denied

No. 24–400. *TOM v. O'MALLEY, COMMISSIONER OF SOCIAL SECURITY,* 604 U. S. 1044;

No. 24–432. *KAETZ v. EDUCATIONAL CREDIT MANAGEMENT CORP. ET AL.,* 604 U. S. 1067;

No. 24–448. *MARINARO v. PARKS ZIEGLER, PLLC,* 604 U. S. 1032;

No. 24–491. *RUTLAND v. ROBINSON PROPERTY GROUP, L. L. C., ET AL.,* 604 U. S. 1079;

No. 24–528. *LYMAN v. COX, GOVERNOR OF UTAH, ET AL.,* 604 U. S. 1080;

No. 24–575. *HORTON v. SUPERIOR COURT OF CALIFORNIA, SOLANO COUNTY, ET AL.,* 604 U. S. 1081;

No. 24–614. *PRETE v. RHODE ISLAND,* 604 U. S. 1081;

No. 24–5469. *MOTT v. SCHREIBER, ACTING WARDEN,* 604 U. S. 1013;

No. 24–5747. *BAKER v. INDIANA,* 604 U. S. 1069;

No. 24–5789. *GROSS v. UNITED PARCEL SERVICE ET AL.,* 604 U. S. 1084;

No. 24–5840. *SCHACHTNER v. BREWER, WARDEN,* 604 U. S. 1069;

No. 24–5899. *GLOVER v. GEORGIA,* 604 U. S. 1087;

No. 24–5908. *SPURBECK v. WYNDHAM WORLDWIDE CORP. ET AL.,* 604 U. S. 1069;

No. 24–5918. *KAMDEM-OUAFFO v. BALCHEM CORP. ET AL.* (two judgments), 604 U. S. 1087;

No. 24–5992. *BELL v. FULTON COUNTY, GEORGIA, ET AL.,* 604 U. S. 1099; and

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No. 24–6055. *BART v. UNITED STATES*, 604 U. S. 1092. Petitions for rehearing denied.

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Miscellaneous Order

No. 24A831. *DEPARTMENT OF STATE ET AL. v. AIDS VACCINE ADVOCACY COALITION ET AL.* C. A. D. C. Cir. On February 13, the United States District Court for the District of Columbia entered a temporary restraining order enjoining the Government from enforcing directives pausing disbursements of foreign development assistance funds. The present application does not challenge the Government's obligation to follow that order. On February 25, the District Court ordered the Government to issue payments for a portion of the paused disbursements—those owed for work already completed before the issuance of the District Court's temporary restraining order—by 11:59 p.m. on February 26. Several hours before that deadline, the Government filed this application to vacate the District Court's February 25 order and requested an immediate administrative stay. THE CHIEF JUSTICE entered as administrative stay shortly before the 11:59 p.m. deadline and subsequently referred the application to the Court. The application is denied. Given that the deadline in the challenged order has now passed, and in light of the ongoing preliminary injunction proceedings, the District Court should clarify what obligations the Government must fulfill to ensure compliance with the temporary restraining order, with due regard for the feasibility of any compliance timelines. The order heretofore entered by THE CHIEF JUSTICE is vacated.

JUSTICE ALITO, with whom JUSTICE THOMAS, JUSTICE GORSUCH, and JUSTICE KAVANAUGH join, dissenting.

Does a single district-court judge who likely lacks jurisdiction have the unchecked power to compel the Government of the United States to pay out (and probably lose forever) 2 billion taxpayer dollars? The answer to that question should be an emphatic “No,” but a majority of this Court apparently thinks otherwise. I am stunned.

I

In capsule form, this is what happened. Respondents are a group of American businesses and nonprofits that receive foreign-

assistance funds from the State Department and the U. S. Agency for International Development. They brought suit and claimed that the current administration's temporary pause of foreign-assistance payments is unlawful. On February 13, 2025, the District Court issued a temporary restraining order (TRO) requiring the Government to halt its funding pause. It based that decision on a finding that respondents are likely to succeed in showing that the Government violated the Administrative Procedure Act (APA). After issuing the TRO, the District Judge grew frustrated with the pace at which funds were being disbursed, and on February 25, he issued a second order requiring the Government to pay out approximately \$2 billion. The judge brushed aside the Government's argument that sovereign immunity barred this enforcement order, and he took two steps that, unless corrected, would prevent any higher court from reviewing and possibly stopping the payments. First, he labeled the order as a non-appealable TRO, and second, he demanded that the money be paid within 36 hours.

This left the Government little time to try to obtain some review of what it regarded as a lawless order. The Government moved for a stay pending appeal in the District Court. But the judge shrugged off the Government's sovereign-immunity argument and ignored the Government's representation that most of the money in question, once disbursed, could probably not be recovered. See App. to Application to Vacate Order 93a.

The Government quickly filed an appeal in the United States Court of Appeals for the District of Columbia. But, with only four hours to spare before the payment deadline, the D. C. Circuit dismissed the Government's appeal because it took the District Court's "TRO" label at face value and determined it lacked appellate jurisdiction.

With nowhere else to turn and the deadline fast approaching, the Government asked this Court to intervene. At the last moment, THE CHIEF JUSTICE issued an administrative stay. Unfortunately, a majority has now undone that stay. As a result, the Government must apparently pay the \$2 billion posthaste—not because the law requires it, but simply because a District Judge so ordered. As the Nation's highest court, we have a duty to ensure that the power entrusted to federal judges by the Constitution is not abused. Today, the Court fails to carry out that responsibility.

II

Time does not allow a lengthy discussion of the legal issues presented by this case, but a brief summary suffices to show that the District Court's order should be vacated or, at the very least, stayed.

To start, it is clear that the District Court's enforcement order should be construed as an appealable preliminary injunction, not a mere TRO. A TRO, as its name suggests, is "temporary," and its proper role is to "restrain" challenged conduct for a short time while the court considers whether more lasting relief is warranted. See 16 C. Wright, A. Miller, & E. Cooper, *Federal Practice and Procedure* §3922.1 (3d ed. 2012). The order here, which commanded the payment of a vast sum that in all likelihood can never be fully recovered, is in no sense "temporary." Nor did the order merely "restrain" the Government's challenged action in order to "preserve the status quo." *Northeast Ohio Coalition for Homeless and Serv. Employees Int'l Union, Local 1199 v. Blackwell*, 467 F. 3d 999, 1006 (CA6 2006). Rather, it "act[s] as a mandatory injunction requiring affirmative action" by the Government. *Ibid.* And given its likely irreversibility, the District Court's enforcement order effectively gave respondents a portion of the ultimate relief they seek.

For these reasons, the Court of Appeals had jurisdiction to consider the Government's appeal, and we have jurisdiction to review and summarily vacate that court's erroneous judgment.

III

Even if the majority is unwilling to vacate the District Court's order, it should at least stay the District Court's enforcement order until the Government is able to petition for a writ of certiorari. In considering whether to issue such a stay, we ask, at a minimum, (1) whether the moving party is likely to prevail on the merits and (2) whether that moving party is likely to suffer irreparable harm.* See *Nken v. Holder*, 556 U. S. 418, 425 (2009);

*To the extent that likelihood of certiorari is a relevant factor, *Doe v. Mills*, 595 U. S. 1029 (2021) (BARRETT, J., concurring in denial of application for injunctive relief), it is met here. Recent years have seen a sharp increase in district-court orders enjoining important Government initiatives, and some of these have been labeled as unappealable TROs. See *Dellinger v. Bessent*, 2025 WL 559669 (CADC, Feb. 15, 2025); *id.*, at *10–*17 (Katsas, J., dissenting). Clarification of the standards for distinguishing

Grupo Mexicano de Desarrollo, S. A. v. Alliance Bond Fund, Inc., 527 U.S. 308, 327 (1999). In “close cases,” we also take into account other equitable considerations. *Hollingsworth v. Perry*, 558 U.S. 183, 190 (2010) (*per curiam*). Here, these factors weigh in favor of a stay.

Likelihood of success. The Government has shown a likelihood of success on the merits of its argument that sovereign immunity deprived the District Court of jurisdiction to enter its enforcement order.

Sovereign immunity bars “a suit by private parties seeking to impose a liability which must be paid from public funds in the . . . treasury.” *Edelman v. Jordan*, 415 U.S. 651, 663 (1974). But that is exactly what the District Court ordered here. See App. to Application to Vacate Order 85a–86a (“[T]he restrained defendants shall pay all invoices and letter of credit drawdown requests on all contracts for work completed prior to the entry of the Court’s TRO on February 13”).

Sovereign immunity may be waived, but “[t]o sustain a claim that the Government is liable for awards of monetary damages, the waiver of sovereign immunity must extend unambiguously to such monetary claims.” *Lane v. Peña*, 518 U.S. 187, 192 (1996). Attempting to satisfy this strict requirement, respondents point to the APA’s waiver of sovereign immunity for certain actions “seeking relief other than money damages.” 5 U.S.C. § 702. That language, as we have explained, distinguishes “between specific relief,” which is permitted under the APA, and “compensatory, or substitute, relief,” which is not. *Department of Army v. Blue Fox, Inc.*, 525 U.S. 255, 261 (1999). But the relief here more closely resembles a compensatory money judgment rather than an order for specific relief that might have been available in equity. See *Great-West Life & Annuity Ins. Co. v. Knudson*, 534 U.S. 204, 210–211 (2002) (“[A]n injunction to compel the payment of money past due under a contract, or specific performance of a past due monetary obligation, was not typically available in equity”). Sovereign immunity thus appears to bar the sort of compensatory relief that the District Court ordered here.

between a TRO and a preliminary injunction is a matter that deserves this Court’s attention at the present time. The same is true regarding the scope of the APA’s waiver of sovereign immunity.

Hoping to escape that conclusion, respondents point to *Bowen v. Massachusetts*, 487 U.S. 879 (1988). In that case, we held that the APA's waiver of sovereign immunity covered a District Court's judgment reversing a final order of the Secretary of Health and Human Services refusing to reimburse Massachusetts for certain Medicaid expenditures. Unlike the District Court's order here, that "judgment did not purport to . . . order that any payment be made" by the United States. *Id.*, at 888. Rather, *Bowen* simply recognized a basic reality of APA review: after a court sets aside an agency action, a natural consequence may be the release of funds to the plaintiff down the road. Indeed, we have since clarified that "*Bowen* has no bearing on the unavailability of an injunction to enforce a contractual obligation to pay money past due"—the sort of relief that appears to have been ordered here. *Knudson*, 534 U.S., at 212.

The District Court, however, failed to mention (much less reckon with) *Bowen* or *Knudson* before plowing ahead with its \$2 billion order. Nor did it take account of our previous suggestion that the proper remedy for an agency's recalcitrant failure to pay out may be to "seek specific sums already calculated" and "past due" in the Court of Federal Claims. *Maine Community Health Options v. United States*, 590 U.S. 296, 327 (2020); *Bowen*, 487 U.S., at 890, n. 13 (invoking the First Circuit's suggestion that if an agency "'persist[s] in withholding reimbursement for reasons inconsistent with our decision'" under the APA, the "'remedy would be a suit for money past due under the Tucker Act in the Claims Court'"). The most that can be said is that in the District Court's denial of the Government's motion for a stay pending appeal, it cited but did not analyze a handful of cases echoing *Bowen*'s discussion of the APA's conscribed waiver of sovereign immunity. One might expect more care from a federal court before it so blithely discards "sovereign dignity." *Alden v. Maine*, 527 U.S. 706, 715 (1999).

Finally, the Government has a strong argument that the District Court's order violates the principle that a federal court may not issue an equitable remedy that is "more burdensome to the defendant than necessary to" redress the plaintiff's injuries. *Califano v. Yamasaki*, 442 U.S. 682, 702 (1979). In this case, the District Court's enforcement order functions as a "universal injunction def[y]ing these foundational" limits on equitable jurisdic-

tion. *Labrador v. Poe*, 601 U. S. 1110, 1113 (2024) (GORSUCH, J., concurring in grant of stay). The District Court ordered the Government to “pay all invoices and letter of credit drawdown requests on all contracts” for pre-TRO work completed. App. to Application to Vacate Order 86a. That order encompasses more than just respondents, and the District Court offered no reason why universal relief to nonparties is appropriate here. And this is not the sort of case in which only universal relief is feasible. Even supposing the APA allows universal vacatur of rules in some circumstances, the District Court’s order of direct monetary payment bears no resemblance to that. Cf. *Griffin v. HM Florida-Orl, LLC*, 601 U. S. 924, 925, n. 1 (2023) (KAVANAUGH, J., statement respecting denial of application for stay). And nobody has suggested that the Government is unable to identify respondents’ allegedly owed funds and pay out only to them. Limiting the scope of relief in that manner would be significant. Below, the Government represented respondents seek roughly \$250 million—still a large figure, but a fraction of the \$2 billion ordered. Emergency Motion for Immediate Administrative Stay and for Stay Pending Appeal in No. 25–5046 etc. (CADC), p. 9.

Harm to the parties and others. The Government has shown that it is likely to suffer irreparable harm if the District Court’s order is not stayed. The Government has represented that it would probably be unable to recover much of the money after it is paid because it would be quickly spent by the recipients or disbursed to third parties. Respondents did not credibly dispute this representation, and the District Court did not find that it is incorrect.

We usually “balance the equities and weigh the relative harms” in “close cases.” *Hollingsworth*, 558 U. S., at 190. For the reasons I have explained, this is not such a case, and our analysis could end there. Nevertheless, respondents’ equitable arguments are insufficient to justify the denial of a stay. They contend that the failure to pay the money in question would cause them irreparable harm because without those funds, they could not continue to operate or would have to reduce the work they do. As a result, they claim, recipients of their services would suffer. These potential consequences are, of course, serious. But any harm resulting from the failure to pay amounts that the law requires would have been diminished, if not eliminated, if the Court

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of Appeals had promptly decided the merits of the Government's appeal, which it should not have dismissed. If we sent this case back to the Court of Appeals, it could still render a prompt decision. If it decided in favor of respondents, the Government would be obligated to pay all the money that is due, and respondents would have suffered only a short delay in the receipt of payments. And if the Government prevailed on its sovereign-immunity argument, neither respondents nor any of the recipients of their services would have suffered any unlawful consequences.

In sum, the factors we consider in deciding whether to issue a stay weigh strongly in favor of granting that relief.

* * *

Today, the Court makes a most unfortunate misstep that rewards an act of judicial hubris and imposes a \$2 billion penalty on American taxpayers. The District Court has made plain its frustration with the Government, and respondents raise serious concerns about nonpayment for completed work. But the relief ordered is, quite simply, too extreme a response. A federal court has many tools to address a party's supposed nonfeasance. Self-aggrandizement of its jurisdiction is not one of them. I would chart a different path than the Court does today, so I must respectfully dissent.

MARCH 6, 2025

Miscellaneous Order

No. 24A790. BESSANT, SECRETARY OF THE TREASURY, ET AL. *v.* DELLINGER, SPECIAL COUNSEL OF THE OFFICE OF SPECIAL COUNSEL. C. A. D. C. Cir. Application to vacate the order of the United States District Court for the District of Columbia denied as moot.

MARCH 7, 2025

Certiorari Denied

No. 24–6709 (24A854). SIGMON *v.* SOUTH CAROLINA. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. *Certiorari* denied. Motion to file a supplemental appendix under seal granted.

MARCH 10, 2025

Certiorari Granted—Vacated and Remanded

No. 24–652. CASSIRER ET AL. *v.* THYSSEN-BORNEMISZA COLLECTION FOUNDATION. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of Assem. Bill 2867, 2023–2024 Reg. Sess. (Cal. 2024).

Certiorari Dismissed

No. 22–6500. GLOSSIP *v.* OKLAHOMA. Ct. Crim. App. Okla. Certiorari dismissed as moot. JUSTICE GORSUCH took no part in the consideration or decision of this petition.

Miscellaneous Orders

No. 24M64. JOHNSON *v.* UNITED STATES; and

No. 24M65. DALTON *v.* LACAYO. Motions for leave to file petitions for writs of certiorari with supplemental appendixes under seal granted.

No. 158, Orig. ALABAMA ET AL. *v.* CALIFORNIA ET AL. Motion for leave to file bill of complaint denied. [For earlier order herein, see 604 U. S. 905.]

JUSTICE THOMAS, with whom JUSTICE ALITO joins, dissenting.

The Court once again denies leave to file a complaint in a suit between States. Alabama and 18 other States moved for leave to file a complaint against California, Connecticut, Minnesota, New Jersey, and Rhode Island. The plaintiff States allege that the defendant States are attempting to “dictate interstate energy policy” through the aggressive use of state-law tort suits. Bill of Complaint 1–3. On the plaintiff States’ account, these suits seek to “impos[e] ruinous liability and coercive remedies on energy companies . . . based on out-of-state conduct with out-of-state effects,” for the purpose of placing a “global carbon tax on the traditional energy industry.” *Id.*, at 1–2. The plaintiff States contend that this practice violates the horizontal separation of powers, the Federal Government’s exclusive authority over interstate emissions, and the Commerce Clause. I would grant the plaintiff States leave to proceed.

As I have previously explained, the Court’s assumption that it has “discretion to decline review” in suits between States is “sus-

pect” at best. *Arizona v. California*, 589 U. S. 1199 (2020) (opinion dissenting from denial of motion for leave to file complaint); accord, *Nebraska v. Colorado*, 577 U. S. 1211, 1211–1213 (2016) (same). “The Constitution establishes our original jurisdiction in mandatory terms.” *Arizona*, 589 U. S., at 1199 (opinion of THOMAS, J.). Article III states that, “[i]n all Cases . . . in which a State shall be [a] Party, the supreme Court *shall* have original Jurisdiction.” §2, cl. 2 (emphasis added). And, Congress has made our original jurisdiction “exclusive” in “all controversies between two or more States.” 28 U. S. C. §1251(a). Given our “virtually unflagging obligation . . . to exercise the jurisdiction given” to us, our jurisdiction in this context would seem to be compulsory. *Colorado River Water Conservation Dist. v. United States*, 424 U. S. 800, 817 (1976).

Yet, the Court routinely “decline[s] to exercise its exclusive original jurisdiction in state-versus-state cases.” *Texas v. California*, 593 U. S. 954, 958 (2021) (ALITO, J., dissenting from denial of motion for leave to file complaint) (collecting cases). It has done so as part of a broader policy of making only “sparing use” of our original jurisdiction, wherein we restrict our review to “appropriate” cases. *Illinois v. Milwaukee*, 406 U. S. 91, 93–94 (1972).

This discretionary approach is a modern invention that the Court has never persuasively justified. See *Texas*, 593 U. S., at 956–958 (opinion of ALITO, J.) (chronicling history). For example, in *Ohio v. Wyandotte Chemicals Corp.*, 401 U. S. 493 (1971), the Court admitted that “it may initially have been contemplated that this Court would always exercise its original jurisdiction when properly called upon to do so.” *Id.*, at 497. But, the Court declared, “changes in the American legal system” and the “development of American society” had rendered the mandatory exercise of original jurisdiction “untenable, as a practical matter.” *Ibid.* *Wyandotte* was a case falling under our nonexclusive original jurisdiction, but the Court has made the same judgment with respect to our exclusive original jurisdiction, including in cases between States: Limiting our exercise of original jurisdiction is necessary, the Court has claimed, “‘so that our increasing duties with the appellate docket will not suffer.’” *Arizona v. New Mexico*, 425 U. S. 794, 797 (1976) (*per curiam*) (quoting *Illinois*, 406 U. S., at 93–94).

In my view, such prudential decisions are not ours to make. The Constitution and Congress have set the bounds of our original

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jurisdiction. Those parameters should be conclusive: “We have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given.” *Cohens v. Virginia*, 6 Wheat. 264, 404 (1821) (Marshall, C. J., for the Court).

The Court’s reluctance to accept jurisdiction in cases between the States is also troubling because this Court is the only court that can hear such cases. “If this Court does not exercise jurisdiction over a controversy between two States, then the complaining State has no judicial forum in which to seek relief.” *Nebraska*, 577 U.S., at 1212 (opinion of THOMAS, J.). Accordingly, the Court today leaves the 19 plaintiff States without any legal means of vindicating their claims against the 5 defendant States.

We should revisit this discretionary approach. Our exclusive original jurisdiction over suits between States reflects a determination by the Framers and by Congress about the need “to open and keep open the highest court of the nation” for such suits, in recognition of the “rank and dignity” of the States. *Ames v. Kansas ex rel. Johnston*, 111 U.S. 449, 464 (1884); see *Texas*, 593 U.S., at 959 (opinion of ALITO, J.). Yet, this Court has—essentially for policy reasons—assumed a power to summarily turn away suits between States. The Court today exercises that power to reject a suit involving nearly half the States in the Nation, which alleges serious constitutional violations. Because I would at least allow the plaintiff States to file their complaint, I respectfully dissent from the Court’s denial of leave to file.

No. 23–1345. *RIVERS v. GUERRERO, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. [Certiorari granted *sub nom. Rivers v. Lumpkin*, 604 U.S. 1041.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 24–6293. *OHIO EX REL. GOMEZ v. FAVREAU, JUDGE, ET AL.* Sup. Ct. Ohio. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until March 31, 2025, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

No. 24–6552. *IN RE LA FERNEY*; and

No. 24–6588. *IN RE RAY*. Petitions for writs of habeas corpus denied.

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No. 24–717. IN RE JONA B.; and
No. 24–6238. IN RE FELIX. Petitions for writs of mandamus denied.

Certiorari Granted

No. 24–440. BERK *v.* CHOY ET AL. C. A. 3d Cir. Certiorari granted.

No. 24–539. CHILES *v.* SALAZAR, EXECUTIVE DIRECTOR OF THE COLORADO DEPARTMENT OF REGULATORY AGENCIES, ET AL. C. A. 10th Cir. Certiorari granted. Reported below: 116 F. 4th 1178.

Certiorari Denied

No. 24–505. IGNASIAK *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 24–569. BMC SOFTWARE, INC. *v.* INTERNATIONAL BUSINESS MACHINES CORP. C. A. 5th Cir. Certiorari denied.

No. 24–613. WASHINGTON *v.* SUNFLOWER COUNTY, MISSISSIPPI. C. A. 5th Cir. Certiorari denied.

No. 24–623. LI *v.* FRESENIUS KABI USA, LLC. C. A. 7th Cir. Certiorari denied.

No. 24–626. F. W. WEBB CO. *v.* MICONE, ACTING SECRETARY, DEPARTMENT OF LABOR. C. A. 1st Cir. Certiorari denied.

No. 24–702. MIZELL *v.* CITY OF OZARK, ALABAMA. C. A. 11th Cir. Certiorari denied.

No. 24–703. HAYGOOD ET AL. *v.* CAMP MORRISON ET AL. C. A. 5th Cir. Certiorari denied.

No. 24–706. COWHY *v.* MICHIGAN. Ct. App. Mich. Certiorari denied.

No. 24–707. ARUNACHALAM *v.* INTERNATIONAL BUSINESS MACHINES CORP. ET AL. C. A. Fed. Cir. Certiorari denied.

No. 24–713. KING ET AL. *v.* FLORIDA. Sup. Ct. Fla. Certiorari denied.

No. 24–729. GEIST *v.* KANSAS STATE UNIVERSITY FOUNDATION ET AL. C. A. 10th Cir. Certiorari denied.

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No. 24–730. *GRAVATT v. MONTGOMERY COUNTY, MARYLAND, ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–747. *COOPER v. TENNESSEE ET AL.* Sup. Ct. Tenn. Certiorari denied.

No. 24–770. *CLARK ET AL. v. CITY OF ALEXANDRIA, LOUISIANA, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 24–798. *ANDERSON v. NEBRASKA.* Sup. Ct. Neb. Certiorari denied.

No. 24–825. *WC REALTY GROUP, INC., DBA CENTURY 21 WC REALTY v. AFFORDABLE AERIAL PHOTOGRAPHY, INC.* C. A. 11th Cir. Certiorari denied.

No. 24–831. *EVANS v. HIXON, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 24–837. *FRANCISCO ET AL. v. ENGLAND ET AL.* C. A. 8th Cir. Certiorari denied.

No. 24–839. *STORM v. UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK.* C. A. 2d Cir. Certiorari denied.

No. 24–850. *KAMAL v. FEMTOSENSE, INC., ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–5883. *FLINT v. UNITED STATES.* C. A. 10th Cir. Certiorari denied.

No. 24–6058. *MILAM v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 24–6066. *CABALLERO-COTO ET AL. v. BONDI, ATTORNEY GENERAL.* C. A. 7th Cir. Certiorari denied.

No. 24–6099. *HART v. ANDES, ACTING WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 24–6221. *NWOSU v. SMITH ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–6236. *RILEY v. LAZANO.* C. A. 9th Cir. Certiorari denied.

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No. 24–6239. *BOWLDS v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 24–6243. *ANDERSON v. CARDONA, SECRETARY OF EDUCATION, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–6246. *STEWART v. SALMONSEN, WARDEN*. Sup. Ct. Mont. Certiorari denied.

No. 24–6248. *BROWN v. ADAMS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 24–6249. *TAIMING ZHANG v. BONOMOLO*. C. A. 4th Cir. Certiorari denied.

No. 24–6250. *ROSADO v. BARNES ET AL.* C. A. 4th Cir. Certiorari denied.

No. 24–6255. *TAIMING ZHANG v. APPLE, INC.* C. A. 9th Cir. Certiorari denied.

No. 24–6256. *JOHNSON v. AUSTIN ET AL.* C. A. 6th Cir. Certiorari denied.

No. 24–6263. *HURT v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 24–6276. *ZACCARO v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied.

No. 24–6280. *PHILIPPE v. WELLS FARGO BANK, N. A., TRUSTEE; D’ANDREA v. JP MORGAN CHASE BANK, N. A.; and RUNGU v. DEUTSCHE BANK NATIONAL TRUST CO.* App. Ct. Mass. Certiorari denied.

No. 24–6289. *TILLMAN-CONERLY v. OFFICE OF PERSONNEL MANAGEMENT ET AL.* C. A. 9th Cir. Certiorari denied.

No. 24–6354. *CURTIS v. NEAL, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 24–6426. *POWELL v. FORSHEY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 24–6428. *HILL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

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No. 24–6437. *MOLINA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6443. *BROWN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–6449. *JONES v. HOWARD, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 24–6450. *RIOS v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

No. 24–6453. *CENEPHAT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–6455. *MURPHY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–6466. *ALCORN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 24–6467. *ROBINSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 24–6469. *COLLINS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–6470. *SANCHEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–6473. *OLSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–6474. *MORRISON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6477. *DOBLADO-PADILLA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6478. *STAPLETON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–6489. *DZUNG AHN PHAM v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6490. *CARRIZAL-OSORNIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6492. *YOUNG v. FLORIDA*. C. A. 11th Cir. Certiorari denied.

No. 24–6494. *GREEN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

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No. 24–6495. *TAYLOR v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 24–6499. *BANIEL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 24–6506. *VOLZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–6507. *LOWE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–6525. *TERRY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–6536. *BASSETT v. FLORIDA*. Sup. Ct. Fla. Certiorari denied.

No. 24–6537. *WASHINGTON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–6538. *HOFFMAN v. DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 24–6539. *LOPEZ-ARMENTA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 24–6540. *PEREZ-QUIBUS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 24–6542. *DENNIS v. ANDES, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 24–6555. *HUGHLEY v. SOUTHWEST AIRLINES*. C. A. 4th Cir. Certiorari denied.

No. 24–6573. *BRACAMONTES v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 24–427. *HITTLE v. CITY OF STOCKTON, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 101 F. 4th 1000.

JUSTICE THOMAS, with whom JUSTICE GORSUCH joins, dissenting.

To prevail on a Title VII disparate-treatment claim, a plaintiff must prove that the defendant intentionally discriminated against

him because of a protected trait. See 42 U. S. C. § 2000e–2(a)(1). In *McDonnell Douglas Corp. v. Green*, 411 U. S. 792 (1973), this Court announced a three-part burden-shifting framework to help “bring the litigants and the court expeditiously and fairly to this ultimate question” when the plaintiff relies on circumstantial evidence. *Texas Dept. of Community Affairs v. Burdine*, 450 U. S. 248, 253 (1981). Despite seemingly good intentions, this “judge-created doctrine has been widely criticized for its inefficiency and unfairness.” *Nall v. BNSF R. Co.*, 917 F. 3d 335, 351 (CA5 2019) (Costa, J., specially concurring). The doctrine has “spawn[ed] enormous confusion” in the lower courts. *Brady v. Office of Sergeant at Arms*, 520 F. 3d 490, 494 (CA DC 2008) (majority opinion of Kavanaugh, J.). And, at least some of its applications at summary judgment strike me as difficult to square with Federal Rule of Civil Procedure 56. See *Tynes v. Florida Dept. of Juvenile Justice*, 88 F. 4th 939, 952–954 (CA11 2023) (Newsom, J., concurring) (describing the problem). I would have taken this opportunity to revisit *McDonnell Douglas* and clarify what role—if any—it ought to play in Title VII litigation. Because the Court declines to do so, I respectfully dissent.

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I

The plaintiff in *McDonnell Douglas* had worked as a mechanic and laboratory technician for the McDonnell Douglas Corporation before being laid off as part of a general reduction in force. 411 U. S., at 794. After the layoff, the plaintiff participated in civil rights protests against McDonnell Douglas’s employment practices. *Id.*, at 794–795. When McDonnell Douglas posted an opening for a new mechanic position, the plaintiff applied but was not hired. *Id.*, at 796.

The plaintiff sued his former employer, alleging that it had refused to rehire him because of his race. *Id.*, at 797. The employer responded that its refusal was not because of the plaintiff’s race, but because he had engaged in illegal demonstrations. See *ibid.* The District Court initially dismissed the plaintiff’s suit, but the Eighth Circuit reversed and remanded for a bench trial. *Id.*, at 797–798. To guide the District Court on remand, the Eighth Circuit “attempted to set forth standards to govern the consideration” of the claim. *Id.*, at 798. This Court granted certiorari to clarify the controlling standards. *Ibid.*

The Court explained that “the issue at the trial” would be whether the employer refused to hire the plaintiff because of his race or because of his participation in unlawful conduct. *Id.*, at 801. To help the trial court make that ultimate determination, this Court offered a three-part framework for analyzing the circumstantial evidence to determine the real reason for the employer’s actions. First, the Court explained, the plaintiff “must carry the initial burden” of “establishing a prima facie case of racial discrimination.” *Id.*, at 802. A plaintiff can make this showing with evidence that (1) “he belongs to a racial minority,” (2) “he applied and was qualified for a job for which the employer was seeking applicants,” (3) “despite his qualifications, he was rejected,” and (4) “after his rejection, the position remained open and the employer continued to seek applicants from persons of complainant’s qualifications.” *Ibid.* If the plaintiff succeeds in establishing a prima facie case, the burden then shifts to the defendant “to articulate some legitimate, nondiscriminatory reason for the employee’s rejection.” *Ibid.* If the defendant carries that burden, then the plaintiff must have an “opportunity to show that [the employer’s] stated reason for [rejecting him] was in fact pretext.” *Id.*, at 804.

This framework was designed to help the trial court evaluate the circumstantial evidence offered by both sides and make an ultimate finding as to liability. See *id.*, at 807. In other words, the framework was intended to offer “‘a sensible, orderly way to evaluate the evidence’” that “‘bears on the critical question of discrimination.’” *Postal Service Bd. of Governors v. Aikens*, 460 U. S. 711, 715 (1983).

The Court made no attempt to ground its new evidentiary framework in the text of Title VII or any other source of law. The Court appears to have made it out of whole cloth.

In the years since *McDonnell Douglas*, the doctrine has “taken on a life of its own.” *Tynes*, 88 F. 4th, at 952 (Newsom, J., concurring). Although initially developed for use in a bench trial,¹ the *McDonnell Douglas* burden-shifting framework has since become “the presumptive means of resolving Title VII cases at summary judgment.” 88 F. 4th, at 952; see also *Jackson v. VHS Detroit*

¹Title VII did not provide for jury trials until 1991. See Civil Rights Act of 1991, § 102, 105 Stat. 1073 (establishing jury trial right).

Receiving Hospital, Inc., 814 F. 3d 769, 776 (CA6 2016) (“[C]ourts typically apply the three-part burden-shifting framework developed” in *McDonnell Douglas* “to determine whether the plaintiff has proffered sufficient evidence to survive summary judgment”).

II

The application of *McDonnell Douglas* in the summary-judgment context has caused significant confusion.

Some confusion likely arises from the fact that the framework was not designed with summary judgment in mind. It was created as a tool for resolving the “ultimate question” in a Title VII case—that is, whether the defendant intentionally discriminated against the plaintiff. *Burdine*, 450 U. S., at 253. But, when a defendant moves for summary judgment, the question for the court is not whether the defendant has *in fact* engaged in unlawful discrimination. Instead, the question is whether the plaintiff has proffered enough evidence to *allow* a reasonable factfinder to find a Title VII violation. See Fed. Rule Civ. Proc. 56(a).

Because the *McDonnell Douglas* framework was designed for use in a bench trial, the language this Court has used to describe the framework does not neatly track the plaintiff’s summary-judgment task.² For example, the first step requires a plaintiff to “establis[h] a prima facie case.” 411 U. S., at 802. And, the third step requires the plaintiff to show, “by a preponderance of the evidence,” *Burdine*, 450 U. S., at 253, that the employer’s stated reason “was in fact pretext” for discrimination, *McDonnell Douglas*, 411 U. S., at 804. But, a plaintiff need not establish or prove any elements—by a preponderance or otherwise—to survive summary judgment. At that stage, he need only offer enough evidence to create a genuine dispute of material fact. See *Celotex Corp. v. Catrett*, 477 U. S. 317, 322 (1986). At least a few courts have suggested that this Court’s language “likely bears some responsibility for the continuing confusion” regarding *McDonnell Douglas*. See, e. g., *Tynes*, 88 F. 4th, at 945.

Whatever the origins of the confusion, it is producing troubling outcomes on the ground. Lower court decisions reflect “wide-

² As far as I can tell, this Court has never applied *McDonnell Douglas* in a Title VII case in the summary-judgment context. See *Tynes v. Florida Dept. of Juvenile Justice*, 88 F. 4th, 939, 952 (CA11 2023) (Newsom, J., concurring).

spread misunderstandings about the limits of *McDonnell Douglas*.” *Id.*, at 946. Our precedent makes clear that the framework is, at most, a “procedural device, designed only to establish an order of proof and production” when evaluating circumstantial evidence. *St. Mary’s Honor Center v. Hicks*, 509 U.S. 502, 521 (1993). Put another way, it is “‘merely’” a “‘way to evaluate the evidence’” that bears on the ultimate finding of liability. *Aikens*, 460 U.S., at 715. Yet, some courts treat *McDonnell Douglas* as a substantive legal standard that a plaintiff must establish to survive summary judgment or to ultimately prove a claim. See *Tynes*, 88 F. 4th, at 945 (observing that some parties and courts “wrongly treat the prima facie case as a substantive standard of liability”).

Some courts also fail to appreciate that *McDonnell Douglas* is necessarily underinclusive. The framework sets forth criteria that, if satisfied, will allow a plaintiff to prove a Title VII violation. But, satisfying *McDonnell Douglas* is not the only way or even the best way to prove a claim. The *McDonnell Douglas* Court itself explained that “[t]he facts necessarily will vary in Title VII cases” and the prima facie proof required in one case “is not necessarily applicable in every respect to differing factual situations.” 411 U.S., at 802, n. 13; see also *Furnco Constr. Corp. v. Waters*, 438 U.S. 567, 575 (1978) (explaining that *McDonnell Douglas* “was not intended to be an inflexible rule”). Yet, some courts treat the *McDonnell Douglas* framework as the exclusive method for evaluating evidence at summary judgment. As Judge Newsom has ably explained, this practice very likely runs afoul of Federal Rule of Civil Procedure 56. See *Tynes*, 88 F. 4th, at 952–953 (concurring opinion). Rule 56 requires that a claim survive summary judgment so long as the plaintiff proffers enough evidence to allow a reasonable factfinder to decide the case in his favor. Analyzing evidence exclusively under *McDonnell Douglas* may lead a court to overlook the other ways that a plaintiff can prove his claim.

Adding to the confusion, judges appear to have different views on how best to apply the framework at summary judgment. Some courts require a plaintiff to establish a prima facie case at the Rule 56 stage. See, e.g., *Everett v. Cook Cty.*, 655 F. 3d 723, 730 (CA7 2011) (“To move past summary judgment under the indirect method, a plaintiff must establish a prima facie case of discrimination”). Other courts have held that, at the summary

judgment stage, when an employee has suffered an adverse employment action and the employer has asserted a legitimate, non-discriminatory reason for the decision, “the district court need not—and *should not*—decide whether the plaintiff actually made out a prima facie case under *McDonnell Douglas*.” *Brady*, 520 F. 3d, at 494.

A remarkable number of lower court judges have gone out of their way to describe the chaos sown by *McDonnell Douglas*. See, e.g., *Walton v. Powell*, 821 F. 3d 1204, 1210 (CA10 2016) (majority opinion of Gorsuch, J.) (*McDonnell Douglas* “has proven of limited value” and invites “confusion and complexities”); *Brady*, 520 F. 3d, at 494 (majority opinion of Kavanaugh, J.) (describing the first step of *McDonnell Douglas* as “a largely unnecessary sideshow” that has “spawn[ed] enormous confusion and wast[ed] litigant and judicial resources”); *Tynes*, 88 F. 4th, at 945 (explaining that *McDonnell Douglas* has caused “continuing confusion”); 88 F. 4th, at 951 (Newsom, J., concurring) (explaining that *McDonnell Douglas* is a “judge-concocted doctrine that obfuscates the critical inquiry” at summary judgment); *Nall*, 917 F. 3d, at 351 (Costa, J., specially concurring) (explaining that *McDonnell Douglas* is a “judge-created doctrine [that] has been widely criticized for its inefficiency and unfairness”); *Coleman v. Donahoe*, 667 F. 3d 835, 863 (CA7 2012) (Wood, J., concurring) (asserting that *McDonnell Douglas* has “lost [its] utility” and has “inflicted” “snarls and knots” “on courts and litigants alike”); *Provenzano v. LCI Holdings, Inc.*, 663 F. 3d 806, 813 (CA6 2011) (arguing that *McDonnell Douglas* “often fails to fulfill its purpose” and that this failure “is particularly pronounced in the context of summary judgment”); *Griffith v. Des Moines*, 387 F. 3d 733, 746 (CA8 2004) (Magnuson, J., concurring specially) (explaining that *McDonnell Douglas* “has befuddled” the lower courts “[s]ince its inception”); *Wells v. Colorado Dept. of Transp.*, 325 F. 3d 1205, 1221 (CA10 2003) (Hartz, J., writing separately) (explaining that “[t]he *McDonnell Douglas* framework only creates confusion and distracts courts from ‘the ultimate question’” and that the doctrine “should be abandoned”); *Loeb v. Textron, Inc.*, 600 F. 2d 1003, 1016 (CA1 1979) (explaining that “the subtleties of *McDonnell Douglas* are confusing” and “have caused considerable difficulty for judges of all levels”); *Brockbank v. U. S. Bancorp*, 506 Fed. Appx. 604, 611 (CA9 2013) (Ripple, J., concurring in part and dissenting in part) (explaining that *McDonnell Douglas* causes confusion for courts);

Paup v. Gear Prods., Inc., 327 Fed. Appx. 100, 113 (CA10 2009) (*per curiam*) (joined by Gorsuch, J.) (explaining that *McDonnell Douglas* has been criticized for “improperly diverting attention away from the real question”); see also T. Tymkovich, *The Problem With Pretext*, 85 *Denver U. L. Rev.* 503, 519–529 (2008) (describing the ways in which *McDonnell Douglas* has caused confusion).

I am not aware of many precedents that have caused more confusion than this one. By my best lights, a Title VII claim should survive summary judgment so long as the plaintiff establishes a genuine dispute of material fact about each element of his claim. See Fed. Rule Civ. Proc. 56(a). I am confident that lower courts know how to apply Rule 56 and make the familiar summary-judgment determination. I am skeptical that *McDonnell Douglas* is helping anyone perform that task.³

III

This case squarely presents the question whether *McDonnell Douglas* should be overruled. Given the widespread confusion caused by *McDonnell Douglas*, and given the frequency with which courts encounter Title VII cases, it behooves us to revisit *McDonnell Douglas* and offer clear guidance on how to determine whether a Title VII claim survives summary judgment.

This petition provides an opportunity to do so. Petitioner Ronald Hittle, a devout Christian, served as fire chief for the city of Stockton, California, from 2005 to 2011. While employed by the city, Hittle’s supervisor directed him to attend a leadership training program. After Hittle did so, his supervisor chastised him for selecting a religious program. The city then hired an outside investigator to investigate, among other things, Hittle’s attendance at this religious leadership training. The investigator “interrogated Hittle at length” regarding his Christian faith and ultimately found that Hittle had committed misconduct. 101

³ *McDonnell Douglas* causes confusion beyond the summary-judgment context too. For example, the framework is so confusing that some courts do not allow any discussion of it in jury instructions. See, e.g., *Whittington v. Nordam Group Inc.*, 429 F. 3d 986, 993 (CA10 2005) (“We have repeatedly stated that juries are not to apply the *McDonnell Douglas* framework”); see also *Vance v. Ball State Univ.*, 570 U.S. 421, 444–445, and n. 13 (2013) (emphasizing the confusion caused by *McDonnell Douglas* in the jury-instruction context).

F. 4th 1000, 1008–1009 (CA9 2024). According to the investigator, two of the four “most serious acts of misconduct” were: “[i]napropriate use of City time and a City vehicle to attend a religious event,” and “[f]avoritism . . . regarding certain employees of the department in approving their inappropriate attendance on City time of a religious event.” 2 Excerpts of Record in No. 22–15485 (CA9), ECF Doc. 26–3, p. 225. After reviewing the investigator’s findings, the city sent Hittle a “notice of its intent to remove him from City service . . . for the reasons stated” in the investigator’s report. 101 F. 4th, at 1010. Hittle sued the city and its leadership, alleging that his termination was the result of unlawful religious discrimination in violation of Title VII.

The District Court analyzed Hittle’s claims under the *McDonnell Douglas* framework and entered summary judgment for the city on the ground that Hittle had “not shown sufficient evidence of pretext to survive summary judgment.” 2022 WL 616722, *8 (ED Cal., Mar. 2, 2022). The Ninth Circuit affirmed for the same reason—that Hittle had failed to “demonstrate that Defendants’ legitimate non-discriminatory reasons for firing him were mere pretext for religious discrimination.” 101 F. 4th, at 1017. Both decisions below rested on a purported failure to satisfy a component of *McDonnell Douglas*. Accordingly, this case presents us with an opportunity to revisit *McDonnell Douglas* and decide whether its use at summary judgment comports with Rule 56.

This case highlights how *McDonnell Douglas* may distort a lower court’s analysis. Hittle presented “ample” evidence of discriminatory intent on the part of those who decided to terminate him. 101 F. 4th, at 1022 (VanDyke, J., dissenting from denial of rehearing en banc). That evidence is more than likely sufficient for Hittle to establish a genuine dispute of material fact as required by Rule 56. See *id.*, at 1018–1019 (Callahan, J., dissenting from denial of rehearing en banc); *id.*, at 1019 (Ikuta, J., dissenting from denial of rehearing en banc); *id.*, at 1026 (opinion of VanDyke, J.). Yet, after applying *McDonnell Douglas*, the District Court and the Ninth Circuit ruled for the city.

* * *

I would have taken this opportunity to revisit *McDonnell Douglas* and decide whether its burden-shifting framework remains a workable and useful evidentiary tool. I respectfully dissent from the denial of certiorari.

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March 10, 18, 2025

No. 24–6464. *STINSON v. MARTINEZ, WARDEN*. C. A. 5th Cir. Certiorari before judgment denied.

No. 24–6480. *JOHNSTON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. JUSTICE BARRETT took no part in the consideration or decision of this petition.

Rehearing Denied

No. 24–267. *ABDELSAYED ET AL. v. AFFORDABLE AERIAL PHOTOGRAPHY, INC.*, 604 U. S. 1077;

No. 24–287. *BANNON, AS THE SPECIAL PERSONAL REPRESENTATIVE OF THE ESTATE OF ROOT v. GODIN ET AL.*, 604 U. S. 1077;

No. 24–389. *COULTER v. COULTER ET AL.*, 604 U. S. 1044;

No. 24–430. *IN RE STENSTROM ET AL.*, 604 U. S. 1076;

No. 24–525. *STANTON v. UNITED STATES*, 604 U. S. 1080;

No. 24–554. *YAN v. TERRY ET AL.*, 604 U. S. 1104;

No. 24–603. *DARNELL v. DEPARTMENT OF JUSTICE ET AL.*, 604 U. S. 1081;

No. 24–5725. *BARAJAS GOMEZ v. WHITE, SUPERINTENDENT, MONROE CORRECTIONAL COMPLEX*, 604 U. S. 1027;

No. 24–5733. *WEBSTER v. UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF OREGON*, 604 U. S. 1068;

No. 24–5764. *CARMACK, AKA GRANT, AKA GRANT-CARMACK v. CARMACK*, 604 U. S. 1083;

No. 24–5770. *FRANTZ v. KANSAS ET AL.*, 604 U. S. 1083;

No. 24–5866. *MOSES v. UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT*, 604 U. S. 1086;

No. 24–5876. *ORTIZ FERNANDEZ v. LA CLINICA*, 604 U. S. 1086;

No. 24–5935. *GREEMAN v. BURNETT, SUPERINTENDENT, FISH-KILL CORRECTIONAL FACILITY*, 604 U. S. 1069; and

No. 24–6093. *GREGORY v. SOUTH DAKOTA*, 604 U. S. 1100. Petitions for rehearing denied.

MARCH 18, 2025

Miscellaneous Order

No. 24A893. *HOFFMAN v. WESTCOTT, SECRETARY LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS, ET AL.* C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE ALITO, and by him referred to the Court, denied. JUSTICE SOTOMAYOR, JUSTICE KAGAN, and JUSTICE JACKSON would grant the application for stay of execution.

March 18, 19, 20, 2025

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JUSTICE GORSUCH, dissenting.

The State of Louisiana plans to execute Jessie Hoffman tonight. Mr. Hoffman is a Buddhist. And he argues that the State's chosen method of execution—nitrogen hypoxia—violates his rights under the Religious Land Use and Institutionalized Persons Act of 2000, 42 U. S. C. §2000cc *et seq.* (RLUIPA). Nitrogen hypoxia will, he says, substantially burden his religious exercise by interfering with his meditative breathing as he dies. See Complaint in No. 25–169 (MD La.), ¶¶235–236. No one has questioned the sincerity of Mr. Hoffman's religious beliefs. Yet the district court rejected his RLUIPA claim anyway based on its own “find[ing]” about the kind of breathing Mr. Hoffman's faith requires. App. to Pet. for Cert. in No. 24–6778, p. 20a.

That finding contravened the fundamental principle that courts have “no license to declare . . . whether an adherent has ‘correctly perceived’ the commands of his religion.” *Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Comm’n*, 584 U. S. 617, 651 (2018) (GORSUCH, J., concurring) (quoting *Thomas v. Review Bd. of Ind. Employment Security Div.*, 450 U. S. 707, 716 (1981)); see, e. g., *Holt v. Hobbs*, 574 U. S. 352, 361–362 (2015); *Burwell v. Hobby Lobby Stores, Inc.*, 573 U. S. 682, 724–725 (2014). The Court of Appeals failed to confront the district court's apparent legal error—or even to mention the RLUIPA claim Mr. Hoffman pressed on appeal. Perhaps that claim ultimately lacks merit. But the Fifth Circuit's unexplained omission leaves this Court poorly positioned to assess it. I would therefore grant the stay application and petition for writ of certiorari in No. 24–6778, vacate the judgment of the Fifth Circuit, and remand for that court to address Mr. Hoffman's RLUIPA claim in the first instance.

MARCH 19, 2025

Miscellaneous Order

No. 24–5774. *BARRETT v. UNITED STATES*. C. A. 2d Cir. [Certiorari granted, 604 U. S. 1174.] Charles L. McCloud, Esq., of Washington, D. C., is invited to brief and argue this case as *amicus curiae* in support of judgment below.

MARCH 20, 2025

Certiorari Denied

No. 24–6775 (24A890). *JAMES v. FLORIDA*. Sup. Ct. Fla. Application for stay of execution of sentence of death, presented

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to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied.

No. 24–6776 (24A891). JAMES *v.* DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied.

No. 24–6777 (24A892). JAMES *v.* DIXON, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied.

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