

(ORDER LIST: 607 U.S.)

MONDAY, MARCH 2, 2026

ORDERS IN PENDING CASES

24A475 HAMILTON, RUEL M. V. UNITED STATES

The application for stay addressed to Justice Jackson and referred to the Court is denied.

25A171 MONTEIRO, ROBERT V. UNITED STATES

The application for bail addressed to Justice Kavanaugh and referred to the Court is denied.

25A549 IN RE HENRY L. KLEIN

The application for stay addressed to Justice Gorsuch and referred to the Court is denied.

25A773 LONDON, KATHERINE V. USCA 7

The application to vacate addressed to Justice Thomas and referred to the Court is denied.

25M62 MITCHELL, CHANTEL V. OFFICE DEPOT, INC.

The motion for leave to file a petition for a writ of certiorari under seal with redacted copies for the public record is denied.

141, ORIG. TEXAS V. NEW MEXICO, ET AL.

The Fourth Interim Report of the Special Master is received and ordered filed. Exceptions to the Report, with supporting briefs, may be filed within 45 days. Replies, if any, with supporting briefs, may be filed within 30 days. Sur-replies, if any, with supporting briefs, may be filed within 30 days.

24-1260 WATSON, MS SEC. OF STATE V. REPUBLICAN NAT. COMM., ET AL.

The motion of Vet Voice Foundation, et al. for divided argument is denied. The motion of respondents for divided argument is denied. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

25-406) FCC, ET AL. V. AT&T, INC.

25-567) VERIZON COMMUNICATIONS INC. V. FCC, ET AL.

The motion to dispense with printing the joint appendix is granted.

25-5715 IN RE DANIEL E. HALL

The motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* is denied.

25-6434 BASKIN, NATASHA T. V. PITRE, ALGERNON M.

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until March 23, 2026, 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.

CERTIORARI DENIED

24-1155 VINCENT, MELYNDA V. BONDI, ATT'Y GEN.

25-255 HORTON, DION, ET AL. V. BEEMER, ADMIN. JUDGE, ET AL.

25-343 CASHCALL, INC., ET AL. V. CFPB

25-368 TAYLOR, HAL V. SINGLETON, JONATHAN

25-379 PUB. INTEREST LEGAL FOUND. V. SCHMIDT, SEC. OF PA., ET AL.

25-416 CANGREJEROS DE SANTURCE, ET AL. V. LIGA DE BéisBOL PR, INC., ET AL.

25-427 ABDELAZIZ, WALID, ET AL. V. LOLOMANIA SOAKAI, ET AL.

25-437 PUB. INTEREST LEGAL FOUND. V. BENSON, MI SEC. OF STATE, ET AL.

25-449 THALER, STEPHEN V. PERLMUTTER, SHIRA, ET AL.
25-523 UNITED WATER CONSERVATION DIST. V. UNITED STATES
25-558 HAMM, COMM'R, AL DOC V. SOCKWELL, MICHAEL
25-577 CHALDEAN COALITION, INC. V. SAN DIEGO INDEP. COMM'N, ET AL.
25-603 QUE, WENBIN V. SONG, LIHUA
25-750 COSTANZA, CALVIN M. V. FL MARINE TRANSPORTERS, LLC
25-754 WOODLAND, RODNEY V. HILL, MONTERO L.
25-760 MOHAMUD, HAMDI A. V. WEYKER, HEATHER
25-768 MAINVILLE, CHARITY V. USDC MD NC
25-769 LORILLARD TOBACCO COMPANY V. SCJARROTTA, MARITA R.
25-771 CAROLLO, JOE V. FULLER, WILLIAM O., ET AL.
25-777 THOMPSON, CHRISTOPHER L. V. ILLINOIS
25-865 PERLES LAW FIRM, P.C. V. QATAR NATIONAL BANK, ET AL.
25-911 GADDY, LAURA, ET AL. V. CORP. CHURCH OF JESUS CHRIST
25-929 SHEELY, JOSEPH, ET AL. V. FEEZLE, HAROLD R., ET AL.
25-5434 THOMPSON, CHRISTIAN L. V. UNITED STATES
25-5953 HENDERSON, CHRISTOPHER M. V. ALABAMA
25-5964 OLADOKUN, OLADAYO V. UNITED STATES
25-6217 WUCHTER, CHRISTOPHER V. UNITED STATES
25-6443 AMELIO, CARMINE V. DEUTSCHE BANK NATIONAL TRUST CO.
25-6446 BENSON, DAVID A. V. SUPERIOR COURT OF CA, ET AL.
25-6467 MORALES DIAZ, ROBERTO V. FLORIDA
25-6475 CHEN, MAY V. MFRS. & TRADERS CO., ET AL.
25-6526 WALLS-BEY, JOHNNY R. V. ARIZONA
25-6541 NICHOLS, LONZIE V. MISSISSIPPI
25-6552 LAWSON, ANGELIINA L. V. LAWSON, JONATHAN D.
25-6560 KLEIN, TONY D. V. UNITED STATES
25-6561 MAGEE, JOSHUA D. V. MISSISSIPPI

25-6593 JONES, JASON V. FLORIDA
25-6610 BROWN, ROBERT F. V. ARIZONA
25-6662 BURNS, PIERRE V. UNITED STATES
25-6664 REED, FREDDRICK V. UNITED STATES
25-6665 BOYER-LETLOW, TRA'VEN V. UNITED STATES
25-6667 NEGRÓN-CRUZ, ALEXIS D. V. UNITED STATES
25-6668 DAVIS, MATTHEW E. V. CURTIS, DOUGLAS
25-6674 EATON, JUSTIN K. V. UNITED STATES
25-6675 WRIGHT, PAUL V. COLLINS, SEC. OF VA
25-6677 MORGAN, JOHN W. V. UNITED STATES
25-6682 ARAMBOLES, FIDEL V. UNITED STATES
25-6691 McLEAN, NEDRY V. UNITED STATES
25-6692 MANCIO, ANA R. V. PARKER, ACTING WARDEN
25-6694 MORENO, DONNY R. V. UNITED STATES
25-6698 GARNER, DALANDO T. V. UNITED STATES
25-6699 GUTIERREZ-BARBA, MARTIN V. UNITED STATES
25-6700 GURUNG, AITA V. VERMONT
25-6701 GETACHEW, ESKENDER V. UNITED STATES
25-6702 KOKINDA, JASON S. V. UNITED STATES
25-6703 VILLALOBOS-ESPINOZA, PEDRO C. V. UNITED STATES
25-6715 CHAVERRA MORENO, CRISTIAN V. UNITED STATES
25-6716 ORTEGA-BORUNDA, RAMON M. V. UNITED STATES
25-6724 KING, DIAMOND V. USPS, ET AL.
25-6755 FELDMAN, ROBERT W. V. COLORADO

The petitions for writs of certiorari are denied.

25-517 MARYLAND, ET AL. V. 3M CO.

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

petition.

25-6450 SMITH, SAMUEL L. V. ROSADO, CARLOS, ET AL.

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

HABEAS CORPUS DENIED

25-6768 IN RE MARK A. MORRIS

25-6769 IN RE DAVID J. GOTTORFF

The petitions for writs of habeas corpus are denied.

REHEARINGS DENIED

24-858 BEEMAN, KARI, ET AL. V. MUSKEGON CTY. TREASURER

24-1095 KOETTER, CHELSEA V. MANISTEE CTY. TREASURER, ET AL.

24-7002 IN RE CLIFFORD L. NOLL

25-203 MCGEE, JOHANNA, ET AL. V. ALGER CTY. TREASURER, ET AL.

25-451 HOWARD, FAYTIMA V. MACOMB COUNTY, MI

25-506 STROMA MEDICAL CORP., ET AL. V. BLUMBERG, SAMUEL

25-562 AHMAD, MAHFOOZ V. DAY, COLIN, ET AL.

25-5461 MADDOX, GARY E. V. UNITED STATES

25-5642 MCGEE, TONNERRIOUS J. V. TEXAS

The petitions for rehearing are denied.

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SUPREME COURT OF THE UNITED STATES

TOPAZ JOHNSON, ET AL. *v.* HIGH DESERT
STATE PRISON, ET AL.

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

No. 25–457. Decided March 2, 2026

The petition for a writ of certiorari is denied. JUSTICE KAGAN would grant the petition for a writ of certiorari.

JUSTICE SOTOMAYOR, with whom JUSTICE JACKSON joins, dissenting from denial of certiorari.

This case asks whether federal law prohibits the poorest prisoners from splitting the \$350 fee required to file a federal lawsuit when it allows everyone else to do so. The answer statutorily appears to be no. Because the decision below held otherwise and deepened a split among the Courts of Appeals, the Court should grant the petition for a writ of certiorari.

I
A

Filing a federal lawsuit costs money. Title 28 U. S. C. §1914(a) provides that “parties instituting any civil action” must “pay a filing fee of \$350.” Because that fee is assessed per case, if multiple plaintiffs file one case, they can split the fee among themselves. See §1914(a).

Not everyone, whether filing alone or together, can pay \$350. Rather than close the courthouse doors to those facing financial hardship, federal law permits indigent plaintiffs to proceed “*in forma pauperis*,” or IFP. §1915(a). District courts may except IFP plaintiffs from paying the full filing fee and other fees if they make a sufficient showing of financial need when they initiate their lawsuit. *Ibid.*

There is an exception to this exception. Under the Prison Litigation Reform Act of 1995 (PLRA), federal courts may

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not waive or reduce the filing fee for an indigent prisoner proceeding IFP. §1915(b)(1). Instead, the statute provides that a prisoner proceeding IFP “shall be required to pay the full amount of a filing fee,” and instructs courts to deduct the fee in installments from the prisoner’s account. *Ibid.* At the same time, the PLRA specifies that “[i]n no event shall the filing fee collected exceed the amount of fees permitted by statute for the commencement of a civil action.” §1915(b)(3).

B

Petitioners Topaz Johnson and Ian Henderson were incarcerated at High Desert State Prison in California when they filed this lawsuit in federal court. According to their complaint, corrections officers forced them and a third prisoner to stand in filthy cages that reeked of urine and measured 2.5 feet by 2.5 feet. They alleged that the officers forced them to stand in those cages for nearly nine hours with their hands cuffed behind their backs.

Petitioners and the third prisoner then jointly sued, contending that their treatment violated the Eighth Amendment. They also sought leave to proceed IFP and filed affidavits stating that they had no money in their accounts and no income.

The District Court ordered the three prisoners to file three separate lawsuits. It concluded that, because the PLRA requires IFP prisoners to pay “the full amount of a filing fee,” but also prohibits federal courts from collecting more than “the amount of fees permitted by statute,” each plaintiff had to file his own lawsuit and pay the full \$350 fee in order to proceed IFP. §§1915(b)(1), (3). The District Court therefore severed petitioners from the case. Petitioners then appealed.

The Ninth Circuit reversed the decision to sever, but affirmed as to the filing fee, holding that the three plaintiffs could proceed in one suit but each needed to pay \$350. 127

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F. 4th 123, 134 (2025). Agreeing with the Third, Seventh, and Eleventh Circuits, the Ninth Circuit held that the PLRA requires each individual prisoner to pay the full filing fee. Judge Graber dissented as to the filing fee. *Id.*, at 137. The full Ninth Circuit denied en banc review. 145 F. 4th 1052 (2025). Judge Fletcher, joined by Judge Graber, issued a statement in which he expressed “the hope the Supreme Court will grant certiorari.” *Id.*, at 1058.

II

The Ninth Circuit’s decision is likely incorrect. Starting with the text, §§1915(a)(1) and (b)(1) create an exception to the usual IFP rule for indigent plaintiffs. Section 1915(a)(1) sets forth the general rule that courts may allow an indigent person to commence a suit “without prepayment of fees.” It also says that this rule is “[s]ubject to subsection (b).” Section 1915(b)(1), in turn, specifies that, “[n]otwithstanding subsection (a), if a prisoner brings a civil action . . . in forma pauperis, the prisoner shall be required to pay the full amount of a filing fee.” In other words, §1915(b)(1) denies to a prisoner one usual benefit of proceeding IFP: a waived or reduced filing fee. Prisoners proceeding IFP still receive some benefit, however: Under §§1915(b)(1) and (2), they can pay most of the filing fee in monthly installments over time, rather than all at once up front.

The question then becomes whether, by denying prisoners one of the benefits of IFP status (waiver or reduction of the filing fee), Congress also silently denied to indigent prisoners the ability to split the fee. It did not.

To start, the ability to split filing fees does not come from IFP status or from §1915. Instead, it comes from §1914(a), which requires “the parties . . . to pay a filing fee of \$350” when initiating a civil lawsuit. That provision makes two things clear: first, that the filing fee is assessed per case, and second, that “the parties” are collectively responsible for paying “a filing fee.” *Ibid.* There is no dispute among

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courts that §1914(a) works in this way: All district courts collect a single fee per case, no matter how many plaintiffs filed it. So under §1914(a)'s default rule, when multiple prisoners file one lawsuit, the prisoners together must pay \$350.

That default rule matters because Congress passed the PLRA knowing how civil litigation and IFP status ordinarily work. See *Jones v. Bock*, 549 U. S. 199, 216 (2007). Accordingly, this Court has explained, “when Congress meant” for the PLRA “to depart from the usual procedural requirements, it [said] so expressly.” *Ibid.*

Here, the PLRA does not expressly instruct courts to collect multiple fees for one suit from indigent prisoners. In fact, it says the exact opposite: “In no event shall the filing fee collected exceed the amount of fees permitted by statute for the commencement of a civil action.” §1915(b)(3). This unequivocal prohibition makes clear that, even when multiple prisoners proceed IFP in a single lawsuit (an “event” in §1915(b)(3)'s terms), courts cannot collect more than what federal law permits them to charge when “parties institut[e] any civil action”: \$350, per case. §1914(a). Thus, if anything, Congress explicitly forbade the result that the panel below reached: requiring collection of \$1,050 in one case when §1914(a) permits collection of only \$350 per case.

In holding otherwise, the panel extended §1915(b)(1) to provide that *each* “prisoner shall be required to pay the full amount of a filing fee,” and recast §1915(b)(3) to “refe[r] to the filing fee paid by each prisoner,” 127 F. 4th, at 129. Respondents here echo that §1915(b)(3) simply prevents courts from charging IFP prisoners more than a single filing fee each. Brief in Opposition 7–8. The upshot of these positions, however, is to leave §1915(b)(3) a dead letter and only the poorest prisoners, alone among all litigants, to pay multiple times the ordinary filing fee otherwise set by federal law. There is no indication that Congress intended to accomplish either absurd result here.

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The panel’s reading of §1915(b)(1) also produces unfair results. As §1915(b)(1) applies only to prisoners who proceed IFP, all agree that non-IFP prisoners can share the filing fee. The result is that two prisoners with enough money can sue together and pay \$175 each. Two prisoners without enough money, however, must each pay \$350 even if they sue together. If Congress meant to change civil procedure to make those with less pay more, it would have said so. Without such a command, it makes no sense to think that Congress intended for non-IFP prisoners to pay a fraction of what IFP prisoners must pay.

The panel suggested that these unfair results were justified as a means of advancing Congress’s goal of reducing frivolous prisoner litigation. See 127 F. 4th, at 131–132. As Judge Graber pointed out, however, requiring each prisoner to pay the full filing fee removes any incentive to file jointly and may lead to prisoners filing additional, duplicative lawsuits. *Id.*, at 139. Permitting prisoners to split filing fees thus serves judicial economy by encouraging them to file a single suit. In any event, even if treating the poorest prisoners in this way is consistent with Congress’s purpose, “[n]o legislation pursues its purposes at all costs.” *Bowe v. United States*, 607 U. S. ____, ____ (2026) (slip op., at 19) (alteration in original).

The only reasonable way to make sense of the statutory scheme in its entirety is to recognize that courts may not, under §1915(b)(1), waive or reduce a prisoner’s filing fee, but also may not, under §§1914(a) and 1915(b)(3), collect more than a single filing fee for the whole case. What that means is that indigent prisoners must be allowed to share the cost of a single filing fee. The Ninth Circuit likely erred in holding otherwise.¹

¹Recognizing the tension between §§1914(a), 1915(b)(1), and 1915(b)(3), the District Court attempted to harmonize the three by

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III

The remaining certiorari factors also favor granting this petition. See this Court’s Rule 10. First, there is an entrenched split on this issue. Before the decision below, the Third, Seventh, and Eleventh Circuits all had held that prisoners proceeding IFP cannot split fees when joining in one lawsuit. See *Hagan v. Rogers*, 570 F. 3d 146, 155 (CA3 2009); *Boriboune v. Berge*, 391 F. 3d 852, 856 (CA7 2004); *Hubbard v. Haley*, 262 F. 3d 1194, 1195 (CA11 2001). The Sixth Circuit, on the other hand, permits IFP prisoners to split fees. *In re Prison Litigation Reform Act*, 105 F. 3d 1131, 1138 (1997) (*In re PLRA*).² The Ninth Circuit’s decision here deepened that entrenched split. See 127 F. 4th, at 130, n. 6 (declining to follow the Sixth Circuit’s approach); see also *Hagan*, 570 F. 3d, at 154 (noting disagreement between the Sixth and Seventh Circuits).

prohibiting IFP prisoners from joining together in multiple-plaintiff lawsuits at all. *Jones v. High Desert State Prison*, 2022 WL 3969635, *1 (ED Cal., Aug. 31, 2022). As the Ninth Circuit recognized, this reasoning runs into a distinct problem: Federal Rule of Civil Procedure 20(a)(1) allows parties like petitioners to “join in one action,” while the District Court’s reasoning prohibits such joinder. That amounts to a determination that the PLRA (which does not mention Rule 20) implicitly repealed Rule 20(a)(1) as to prisoner litigants. “[R]epeals by implication,” however, “‘are not favored’ and will not be presumed unless the ‘intention of the legislature to repeal [is] clear and manifest.’” *National Assn. of Home Builders v. Defenders of Wildlife*, 551 U. S. 644, 662 (2007) (quoting *Watt v. Alaska*, 451 U. S. 259, 267 (1981)). No such intention is apparent here.

²The panel below noted that District Courts in the Sixth Circuit “are split on the precedential effect” of *In re PLRA*. 127 F. 4th 123, 130, n. 6 (CA9 2025). Although *In re PLRA* was an administrative order issued by the Sixth Circuit’s Chief Judge, that Circuit has affirmed its rule and treated the order as binding in other cases. See, e.g., *Talley-Bey v. Knebl*, 168 F. 3d 884, 885 (1999) (“We . . . take this occasion to affirm the position that, for the purposes of the [PLRA], when a district court imposes fees and costs upon multiple prisoners, the fees and costs are to be proportionally assessed among the prisoners”); see also *Singleton v. Smith*, 241 F. 3d 534, 543 (CA6 2001) (treating *In re PLRA* as binding).

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Second, this case presents an important, recurring issue of federal law. According to petitioners' estimate, federal courts denied fee splitting at least 84 times in a 12-month span. Pet. for Cert. 17. Had those cases been brought in the Sixth Circuit, those plaintiffs could have divided the fees up among themselves.³

The ability to split fees matters because \$350 is a significant amount of money, particularly to indigent prisoners. On average, prisoners make between \$0.13 to \$1.30 per hour. Brief for Public Justice et al. as *Amici Curiae* 12. Paying the full \$350 fee therefore requires prisoners to work for hundreds, if not thousands, of hours. Prisoners also cannot put every cent of their wages toward paying a filing fee. Instead, they must also spend their meager earnings on basic necessities: food to supplement prisons' inadequate portions, phone calls to loved ones that must be paid for by the minute, clothing, hygiene products, medical care, and more. See *id.*, at 4–11. Requiring indigent prisoners each to pay the full \$350 filing fee needlessly and unfairly makes it harder for them to vindicate their rights, challenge conditions of confinement, and (like petitioners) obtain redress for alleged mistreatment.

To add to their financial burdens, prisoners who wish to appeal the initial filing fee must pay an additional \$600. See §1915(b)(1); Administrative Office of the U. S. Courts, Court of Appeals Miscellaneous Fee Schedule (Dec. 1, 2023), <https://www.uscourts.gov/court-programs/fees/court-appeals-miscellaneous-fee-schedule>. That considerable sum makes it even harder for prisoners earning cents on the hour to obtain justice. One of the three plaintiffs in this case chose not to appeal at all. I can only hope that the next time indigent prisoners facing this issue raise

³The real number of denials is likely higher, given limitations in federal courts' recordkeeping and the fact that many orders denying fee splitting are likely unavailable in commercial databases. See Pet. for Cert. 16–17.

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nearly \$1,000 each just for the opportunity to knock on this Court's door, my colleagues will choose to open it. I respectfully dissent.