

(ORDER LIST: 556 U.S.)

WEDNESDAY, MARCH 25, 2009

ORDER IN PENDING CASE

08A795 FLORIDA V. RIGTERINK, THOMAS W.

The application to recall and stay the mandate of the Florida Supreme Court, case No. SC05-2162, issued February 26, 2009, presented to Justice Thomas and by him referred to the Court is granted pending the timely filing and disposition of a petition for a writ of certiorari. Should the petition for a writ of certiorari be denied, this stay shall terminate automatically. In the event the petition for a writ of certiorari is granted, the stay shall terminate upon the issuance of the mandate of this Court.

Justice Stevens, Justice Souter, Justice Ginsburg, and Justice Breyer would deny the application.