

(ORDER LIST: 563 U.S.)

MONDAY, APRIL 18, 2011

**CERTIORARI -- SUMMARY DISPOSITIONS**

09-988 AZ SCH. CHOICE TRUST, ET AL. V. WINN, KATHLEEN M., ET AL.

The Court reversed the judgment below in *Arizona Christian School Tuition Organization v. Winn*, 563 U.S. \_\_\_\_ (2011).

Therefore, the petition for a writ of certiorari is granted, and the case is remanded to the United States Court of Appeals for the Ninth Circuit for further proceedings.

09-1314 RYAN, DIR., AZ DOC V. JONES, DANNY L.

The petition for a writ of certiorari is granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *Cullen v. Pinholster*, 563 U.S. \_\_\_\_ (2011).

10-305 RYAN, DIR., AZ DOC V. SCHAD, EDWARD H.

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *Cullen v. Pinholster*, 563 U.S. \_\_\_\_ (2011).

**ORDERS IN PENDING CASES**

10M94 DULLARD, ROBERT C. V. COLONIAL HEIGHTS CONDO., ET AL.

10M95 McCULLOUGH, JERALD V. UNITED STATES

10M96 CONNER, RICHIE H. V. HART, A. GENE, ET AL.

10M97 BURNS, KEVIN E., ET UX. V. BANK OF AMERICA, ET AL.

The motions to direct the Clerk to file petitions for writs of certiorari out of time are denied.

10M98 BURNS, KEVIN E. V. COMM'R OF REVENUE OF MN

10M99 IN RE KEVIN E. BURNS, ET UX.

The motions for leave to proceed *in forma pauperis* with the declaration of indigency filed under seal are denied.

10M100 PRESNELL, MORGAN V. RAY, ROBIN, ET AL.

10M101 MEHTA, SUDESH, ET AL. V. JERSEY CITY, NJ, ET AL.

10M103 CREWS, JOSEPH V. UNITED STATES

The motions to direct the Clerk to file petitions for writs of certiorari out of time are denied.

10-886 COMPTON UNIFIED SCHOOL DISTRICT V. ADDISON, STARVENIA, ET AL.

The Acting Solicitor General is invited to file a brief in this case expressing the views of the United States.

10-8576 HOWARD, GREGORY T. V. USDC SD OH, ET AL.

The motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* is denied. Justice Kagan took no part in the consideration or decision of this motion.

10-8972 CHERRY, VELDA M. V. CHERRY, JAMES A.

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until May 9, 2011, 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.

10-9436 WORMAN, JOHN V. UNITED STATES

The motion of petitioner for leave to proceed *in forma*

*pauperis* is denied. Petitioner is allowed until May 9, 2011, 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. Justice Kagan took no part in the consideration or decision of this motion.

10-9539 PRITCHARD, LONNIE V. HAYDEN, PAT

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until May 9, 2011, 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 GRANTED**

10-694 JUDULANG, JOEL V. HOLDER, ATT'Y GEN.

The petition for a writ of certiorari is granted.

**CERTIORARI DENIED**

09-1121 ) KY BAPTIST HOMES, ET AL. V. PEDREIRA, ALICIA, ET AL.

09-1295 ) PEDREIRA, ALICIA, ET AL. V. KY BAPTIST HOMES, ET AL.

10-384 WEISS, SHOLAM V. YATES, WARDEN

10-557 ABDEL-LATIF, WAEL M. V. HOLDER, ATT'Y GEN.

10-629 HEE, YOUN M. V. HOLDER, ATT'Y GEN.

10-646 HEIN, BRANDON W., ET AL. V. SULLIVAN, WARDEN, ET AL.

10-771 VALENCIA-RIASCOS, NILSON H. V. HOLDER, ATT'Y GEN

10-783 RANGEL-PEREZ, ROSENDO B. V. HOLDER, ATT'Y GEN.

10-801 VALLE, JOSE, ET AL. V. HOUSTON, TX

10-857 ORANGE COUNTY, CA, ET AL. V. FOGARTY-HARDWICK, DEANNA

10-869 HINKSON, DAVID R. V. UNITED STATES

10-881 RAAB, HENRY, ET AL. V. AVALON, NJ, ET AL.

10-884 SCOTT, SAMUEL V. TEXAS

10-888 CASCIANI, JOHN V. NESBITT, RONALD, ET AL.  
10-889 BERTALAN, WES, ET AL. V. RANCHO SANTIAGO COLLEGE, ET AL.  
10-890 MIDLAND CENTRAL APPRAISAL DIST. V. BP AMERICA PRODUCTION, ET AL.  
10-896 HARRISON CENTRAL APPRAISAL V. PEOPLES GAS COMPANY  
10-902 MCGILL, WALTER V. GENERAL CONFERENCE CORP., ET AL.  
10-988 ASTER, HERMAN V. WARD, PETER A., ET AL.  
10-994 BAILEY, DON V. SMITH, JESSE, ET AL.  
10-1005 PRINE, BENNON L. V. CHAILLAND INC., ET AL.  
10-1008 LAL, AMRIT V. GOUERT, TREVOR  
10-1011 WINNEMUCCA COLONY COUNCIL V. WASSON, SHARON, ET AL.  
10-1013 CORMIER, DENNY C. V. HORKAN, JUDGE, ETC., ET AL.  
10-1021 BENLOLO, PATRICK, ET AL. V. FRENCH BD. PHYSICIANS, ET AL.  
10-1023 TABB, DAVID C. V. BORDIER, MARY R.  
10-1028 JAMES T. PANAGOS, LLC V. HOUSKA, GINA M.  
10-1033 JARVIS, DOROTHY M., ET VIR V. LOWNDES CTY. SHERIFF'S DEPT.  
10-1035 LOYE, KEVIN, ET AL. V. DAKOTA COUNTY, MN  
10-1046 BICKERSTAFF, CHARLES L. V. ILLINOIS  
10-1048 ZHANG, JIEN-RON V. HOLDER, ATT'Y GEN.  
10-1067 SMITH, ANDY V. ILLINOIS  
10-1073 CYDRUS, PATRICIA D. V. OH PUB. EMPLOYEES, ET AL.  
10-1074 KIMBLE, FLORA L. V. DONAHOE, POSTMASTER GEN.  
10-1082 HILL, JEWEL D. V. MUWAKKIL, NISAA N.  
10-1097 TECO BARGE LINE, INC. V. WILSON, JUSTIN P., ET AL.  
10-1098 THREATT, KENIKA M. V. DONOVAN, SEC. OF HUD  
10-1105 KEEFE, JOSEPH, ET AL. V. UNITED STATES  
10-1109 DEULEY, MICHELLE, ET AL. V. DYNCORP INTERNATIONAL, INC.  
10-1114 GLOVER, RICARDO V. McCAUGHTRY, WARDEN  
10-1120 MILES, CORRIE V. CIR

10-1130 FONT RUIZ, JEFF V. UNITED STATES  
 10-1145 BANISTER, JOSEPH R. V. CA BD. OF ACCOUNTANCY  
 10-6987 HOLMES, CYNTHIA V. EAST COOPER HOSPITAL, ET AL.  
 10-7240 BILLIAN, LARRY V. UNITED STATES  
 10-7260 VENCES, JAVIER V. UNITED STATES  
 10-7628 ALLEN, THURMOND V. UNITED STATES  
 10-7664 STANLEY, AUBREY V. VINING, RANDY, ET AL.  
 10-7971 TERRELL, RAYFORD L. V. UNITED STATES  
 10-7974 AREVALOS-BARRIOS, ABEL V. UNITED STATES  
 10-8014 DEEGAN, DANA V. UNITED STATES  
 10-8034 SILVA-GAYTAN, JUAN P. V. UNITED STATES  
 10-8039 OLVERA-CAMPOS, FELIPE D. V. UNITED STATES  
 10-8045 BENITEZ, VICTORIANO V. MARYLAND  
 10-8094 HENDERSON, GREGORY O. V. DUMPHY, FREDERICK, ET AL.  
 10-8102 GUEITS, JOHNNY V. KIRKPATRICK, SUPT., WENDE  
 10-8263 HESTER, H. R. V. TENNESSEE  
 10-8318 ) LETNER, RICHARD L. V. CALIFORNIA  
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 10-8427 ) TOBIN, CHRISTOPHER A. V. CALIFORNIA  
 10-8335 TAYLOR, LEE A. V. THALER, DIR., TX DCJ  
 10-8370 ROLLINS, SAHARRIS V. WETZEL, ACTING SEC., PA DOC  
 10-8403 BARNETT, LEE M. V. SUPERIOR COURT OF CA, ET AL.  
 10-8439 PITCHFORD, TERRY V. MISSISSIPPI  
 10-8465 WILLIAMS, DERWAYNE V. UNITED STATES  
 10-8516 SEISMAN, JOHN V. CONSUMER PROTECTION DIVISION  
 10-8530 RUDY B. V. NEW MEXICO  
 10-8546 HERNANDEZ, RODRIGO V. THALER, DIR., TX DCJ  
 10-8594 SELVY, TRACY L. V. UNITED STATES  
 10-8808 VO, HUNG LE V. KIRKLAND, WARDEN

10-8811 RANA, KAMLESH V. GEORGIA  
10-8822 JOHNSON, DANIEL K. V. THALER, DIR., TX DCJ  
10-8845 MCGIRTH, RENALDO D. V. FLORIDA  
10-8852 LINK, GUSTAVE V. CALIFORNIA, ET AL.  
10-8853 JONES, ROBERT E. V. NEVADA  
10-8857 PEREZ-MENDEZ, HUGO V. FRANKE, SUPT., TWO RIVERS  
10-8862 JACKSON, ARTHUR D. V. SUPERIOR COURT OF CA, ET AL.  
10-8867 WIDNER, JERRY D. V. AGUILAR, ALEXANDRA, ET AL.  
10-8870 KETCHUM, BOB V. PUEBLO POLICE DEPT., ET AL.  
10-8875 SAVSELL, WILLIAM D. V. MISSISSIPPI  
10-8879 LANE, ADEVIES V. ILLINOIS  
10-8880 REDMOND, GREGORY T. V. SEPTA  
10-8886 PERRY, RAYMOND V. BUSS, SEC., FL DOC  
10-8891 HARPER, CHUCK L. V. THALER, DIR., TX DCJ  
10-8893 GREEN, EDMOND W. V. PALMER, WARDEN  
10-8896 HALLEY, LOUIS D. V. THALER, DIR., TX DCJ  
10-8902 BROWN, REGINALD V. BODISON, WARDEN  
10-8904 GATTIS, ROBERT A. V. SNYDER, WARDEN  
10-8909 FLOR, ROBERT A. V. PENNSYLVANIA  
10-8914 JONES, FORREST L. V. CATE, SEC., CA DOC  
10-8917 QUINONEZ, JORGE V. THALER, DIR., TX DOC  
10-8919 McCOO, WILLIE J. V. WASHINGTON  
10-8922 NIFAS, RASHEED V. WETZEL, ACTING SEC., PA DOC  
10-8923 MCGUIRE, DENNIS B. V. OHIO, ET AL.  
10-8925 JONES, DONALD V. WALKER, WARDEN  
10-8927 CALDERON, JUAN V. FLORIDA, ET AL.  
10-8931 PRICE, JOSEPH V. PIERCE, WARDEN  
10-8932 MEADOR, WILLIAM L. V. CA CORRECTIONAL INST., ET AL.

10-8933 DECKER-WEGENER, JUDITH A. V. WEGENER, MICHAEL H., ET AL.  
10-8940 PARKER, JONATHAN V. LEE, SUPT., GREEN HAVEN  
10-8944 KOLOSHA, VITALY B. V. OKLAHOMA  
10-8945 HALL, KEVIN D. V. ALBRECHT, WILLIAM  
10-8946 HOLMES, GREIGORY V. CHANDLER, WARDEN  
10-8949 WOLDE-GIORGIS, ARAYA V. ARISS, AMY L.  
10-8955 HALL, TONITA V. FAIRFAX COUNTY DETENTION, ET AL.  
10-8960 LEBBOS, BETSEY W. V. SCHUETTE, LINDA  
10-8963 LEWIS, ALLAN V. NH JUDICIAL BRANCH, ET AL.  
10-8965 JOHNSON, JAMES V. DISTRICT ATT'Y OF LAWRENCE CTY.  
10-8968 TAYLOR, JASON V. ARKANSAS  
10-8970 WATSON, EUGENE V. PA DOC, ET AL.  
10-8975 MILLIGAN, KAQUWAN V. LAWLER, SUPT., HUNTINGDON  
10-8977 MORALES, EFRAIN V. CALIFORNIA  
10-8982 ADDISON, MICHAEL V. NEW HAMPSHIRE  
10-8986 SATERSTAD, EDWARD V. KLUGH, HENRY, ET AL.  
10-8987 BUNCH, JEFFREY L. V. BONDI, ATT'Y GEN. OF FL, ET AL.  
10-8988 FULLER, CHARLES A. V. SMITH, LEWIS D.  
10-8993 FERGUSON, DONALD L. V. SHERRY, WARDEN  
10-8994 HANCOCK, MICHAEL T. V. WATSON, WARDEN, ET AL.  
10-8999 LIN, HAIYAN V. COLUMBIA, SC  
10-9000 LEWIS, RONALD V. RICCI, ADM'R, NJ, ET AL.  
10-9001 JOSEPH, RICARDO V. GRIFFIN, SUPT., SOUTHPORT  
10-9006 HAMILTON, JEFFREY V. BERGHUIS, WARDEN  
10-9008 GREGG, DAVID E. V. McCALL, WARDEN  
10-9009 GRAY, RICKY D. V. COOPER, WARDEN  
10-9012 GARCIA, DAVID V. NEW YORK  
10-9014 KALALO, FRANSYE, ET AL. V. HOLDER, ATT'Y GEN.

10-9015 LLOYD, VERNELL B. V. NEW HANOVER REGIONAL MED. CTR.  
10-9018 McGUIRE, TOMMY V. BUSS, SEC., FL DOC, ET AL.  
10-9026 WALKER, LENNY V. CURTIN, WARDEN  
10-9030 FORD, EDWARD V. BUSS, SEC., FL DOC  
10-9031 FLORES, ISAAC V. JACQUEZ, WARDEN, ET AL.  
10-9032 GUYTON, DENNIS V. HUNT, SCOTT  
10-9033 HARDEMAN, JOHNNY L. V. SANDERS, CHARLES, ET AL.  
10-9038 COOPER, JASON D. V. OWENS, COMM'R, GA DOC  
10-9043 STUDY, JOHN O. V. UNITED STATES  
10-9044 RAMIREZ, ISIDRO V. AULT, WARDEN  
10-9048 ROGERS, RUSSELL V. BUSS, SEC., FL DOC, ET AL.  
10-9050 ALEXANDER, ANDRE S. V. CALIFORNIA  
10-9051 BERTHEY, OTIS T. V. HALL, WARDEN  
10-9057 DOUGLAS, RONALD C. V. WOODS, WARDEN, ET AL.  
10-9062 WINFIELD, JOHN E. V. MISSOURI  
10-9065 JOHNSON, ANTHONY W. V. HEDGPETH, WARDEN, ET AL.  
10-9066 BULL, EMMANUEL T. V. SMALL, WARDEN  
10-9067 ADAMS, BARRY W. V. MICHIGAN  
10-9071 COTTMAN, DONALD R. V. ASTRUE, COMM'R, SOCIAL SEC.  
10-9072 CARTER, WILLIE C. V. NEVADA  
10-9103 JENKINS, DAVID V. BODISON, WARDEN  
10-9105 JOHNSON, CHRISTOPHER V. FRAKES, SUPT., MONROE  
10-9115 BOYD, JOHN V. ILLINOIS  
10-9121 McGEE, FRANK V. CONNECTICUT  
10-9122 DANIEL, CANDY S. V. KANSAS  
10-9127 VALENTE, JOHN V. USDC SD OH  
10-9133 JOHNSON, DAMARLIN V. ILLINOIS  
10-9134 PEREZ, STALIN E. V. HOLDER, ATT'Y GEN.

10-9136 WILLIAMS, EUGENE V. ILLINOIS  
10-9142 ROBINSON, ROBERT V. ILLINOIS  
10-9146 ADKINS, RODNEY V. ILLINOIS  
10-9151 MANNING, SYRAN V. ILLINOIS  
10-9158 ROUZER, GALE V. WENEROWICZ, SUPT., GRATERFORD  
10-9160 DUPREE, CEDRIC V. LASTER, EARLY, ET AL.  
10-9172 RICE, ANTOINE V. ILLINOIS  
10-9177 ROLLINS, TOMMY R. V. MISSOURI  
10-9180 VENKATARAM, NATARAJAN R. V. NEW YORK, NY  
10-9187 ALSPA W, RENA G. V. CALIFORNIA  
10-9218 MATHIS, RONALD V. BELL, WARDEN  
10-9242 WILLIAMS, RICHARD V. BUSS, SEC., FL DOC  
10-9255 PYLE, CHARLIE W. V. CALIFORNIA  
10-9274 GABRIEL, GAIL V. WASHINGTON  
10-9276 HOFFNER, TIMOTHY V. BRADSHAW, WARDEN  
10-9280 BLACK, JAMEL V. NEW YORK  
10-9288 RITTNER, DANIEL L. V. HUGGINS, GEORGE, ET AL.  
10-9291 SMITH, ROBERT V. GLEBE, SUPT., STAFFORD CREEK  
10-9292 KWASNIK, MAREK A. V. ME DEPT. OF H&HS  
10-9306 RIGGINS, DAVID V. VAIL, SEC., WA DOC, ET AL.  
10-9312 FISCHER, KEVIN V. RICHLAND CHILDREN'S ADMIN.  
10-9317 HUNTER, WALTER J. V. DENNEY, WARDEN  
10-9323 GAINES, GREG V. SOUTH CAROLINA, ET AL.  
10-9335 VIEAU, ROBERT V. METRISH, WARDEN  
10-9340 WHEELER, LeROY K. V. SCMALENBERGER, WARDEN  
10-9346 KELLY, KENNETH V. MARYLAND  
10-9350 KING, JOHN V. FISHER, SUPT., SMITHFIELD  
10-9356 OVERBY, DANTE V. LAWLER, SUPT., HUNTINGDON

10-9359 CERVANTES, ANGEL A. V. VASQUEZ, WARDEN  
10-9369 LOWERY, RICK W. V. CARTLEDGE, WARDEN  
10-9371 KILLION, KIM V. DAWSON, ALEX  
10-9381 BABICK, ANDREW J. V. BERGHUIS, WARDEN  
10-9384 SHABAZZ, ISMAIL V. BUSS, SEC., FL DOC  
10-9393 PERRY, SHERWANDA L. V. MSPB  
10-9405 FLOYD, ISAAC V. LAWLER, SUPT., HUNTINGDON  
10-9408 MITTS, HARRY V. BOBBY, WARDEN  
10-9409 BELL, CHRISTOPHER V. UNITED STATES  
10-9411 LEAF, JAMES E. V. ASTRUE, COMM'R, SOCIAL SEC.  
10-9412 BARR, HARRY F. V. SABOL, WARDEN  
10-9417 WILLIAMS, DURRELL V. UNITED STATES  
10-9418 WILSON, ANTHONY V. UNITED STATES  
10-9419 TRAN, VINH HOANG V. UNITED STATES  
10-9426 BRAMLETT, MARK A. V. UNITED STATES  
10-9430 COOPER, TERESA W. V. DALLAS, TX  
10-9432 HALL, DARRELL V. UNITED STATES  
10-9433 RIOS, RAMON L. V. UNITED STATES  
10-9434 BUSSARD, STEVEN J. V. UNITED STATES  
10-9438 FIGUEROA-PEREZ, RAFAEL A. V. UNITED STATES  
10-9440 MILES, DAMIENE V. UNITED STATES  
10-9441 MURILLO-PEREZ, JOSE L. V. UNITED STATES  
10-9442 ORTIZ-MALDONADO, ERICK V. UNITED STATES  
10-9444 PFEIFERLING, CRAIG A. V. UNITED STATES  
10-9446 LOPEZ-CRUZ, JUAN M. V. UNITED STATES  
10-9449 HERNANDEZ, JACINTO V. UNITED STATES  
10-9450 GIBSON, VANCE M. V. UNITED STATES  
10-9451 FOSTER, MAURICE V. UNITED STATES

10-9453 COPE, TERRY W. V. UNITED STATES  
10-9455 CHU, NGUYEN N. V. WOLFENBARGER, WARDEN  
10-9456 BAEZ, CARLOS V. UNITED STATES  
10-9458 BROWN, TIMOTHY V. UNITED STATES  
10-9459 MORIN, JOSE S. V. UNITED STATES  
10-9460 NEWMAN, CLIFFORD T. V. WETZEL, ACTING SEC., PA DOC  
10-9463 LOPERA-OCHOA, BENJAMIN V. UNITED STATES  
10-9464 BAKER, ASHUNTEE D. V. UNITED STATES  
10-9466 RAINEY, BRUCE, ET AL. V. UNITED STATES  
10-9468 CANNON, HAROLD V. UNITED STATES  
10-9471 BERGER, JAY V. UNITED STATES  
10-9472 MOHAMED, OMAR V. UNITED STATES  
10-9473 BERGER, JAY V. UNITED STATES  
10-9477 JOHNSTON, GERALD D. V. WASHINGTON  
10-9478 LOWRY, ROBERT E. V. UNITED STATES  
10-9479 JONES, JIMMY A. V. UNITED STATES  
10-9483 McINTOSH, CARLTON V. UNITED STATES  
10-9484 PENDERGRASS, AARON V. UNITED STATES  
10-9492 JOHNSON, ANDRE V. UNITED STATES  
10-9494 CONTRERAS, MARCO V. UNITED STATES  
10-9495 DE MARCO, JOHN L. V. UNITED STATES  
10-9500 ROGERS, MELAINÉ D. V. UNITED STATES  
10-9503 ANGUINO-ADRIANO, JUAN A. V. UNITED STATES  
10-9505 MORALES, JUAN D. V. UNITED STATES  
10-9506 MENCHACA, BERTHA A. V. UNITED STATES  
10-9517 ALEXANDER, REX P. V. UNITED STATES  
10-9519 BURKE, ERIC R. V. UNITED STATES  
10-9523 SANDLE, JAMES V. UNITED STATES

10-9530 MARTIN, ANDRE V. UNITED STATES  
10-9536 BARBER, DAVINDA T. V. UNITED STATES  
10-9540 PEOPLES, DOMINICK V. PENNSYLVANIA  
10-9546 EDGERTON, ALBERT V. UNITED STATES  
10-9548 TAYLOR, DONNELL V. UNITED STATES  
10-9552 THOMAS, KIRTIS V. UNITED STATES  
10-9553 TITUS, CURTIS L. V. UNITED STATES  
10-9557 WHITFIELD, JOHN V. O'CONNELL, DAVID, ET AL.  
10-9559 SANTISTEVAN, ROMAN V. UNITED STATES  
10-9560 RUVALCABA, JAIME V. UNITED STATES  
10-9561 COLEMAN, PIERRE V. UNITED STATES  
10-9562 DICAPRIO-CUOZZO, WILLIAM J. V. JOHNSON, DIR., VA DOC  
10-9563 HARPER, ROBERT E. V. UNITED STATES  
10-9565 JUVENILE MALE V. UNITED STATES  
10-9566 HANTZIS, ANDREW V. UNITED STATES  
10-9570 HINES, JEROME V. UNITED STATES  
10-9573 ROBINSON, STEPHEN V. UNITED STATES  
10-9574 RICHITELLI, JAY V. UNITED STATES  
10-9575 RODRIGUEZ, JUAN V. UNITED STATES  
10-9577 GARCIA-BARAONA, PORFIRIO V. UNITED STATES  
10-9581 FLUTE, GARY V. UNITED STATES  
10-9584 HODGE, REGINALD B. V. UNITED STATES  
10-9585 GRANADOS-LOPEZ, VICTOR V. UNITED STATES  
10-9588 HILL, DAVID V. UNITED STATES  
10-9593 GARCIA-ESPARZA, JOHNNY V. UNITED STATES  
10-9595 HORNE, TOMMY J. V. UNITED STATES  
10-9605 HOUSER, SHERMAN V. UNITED STATES  
10-9608 ZARATE MENDEZ, CHRISTIAN V. UNITED STATES

10-9615 LOPEZ-DIAZ, MARIO V. UNITED STATES  
10-9618 HERNANDEZ, ISAAC B. V. UNITED STATES  
10-9619 GONZALEZ-HERNANDEZ, ANTONIO V. UNITED STATES  
10-9624 GORDON, TROY M. V. UNITED STATES  
10-9626 RODRIGUEZ, ANTHONY V. UNITED STATES  
10-9631 SALES-LOPEZ, PEDRO V. UNITED STATES  
10-9632 SUTTON, RANDALL V. UNITED STATES  
10-9652 BALDERAS, ERNESTO V. UNITED STATES  
10-9653 HOOD, CEDRICK L. V. UNITED STATES  
10-9656 WILSON, RONALD L. V. UNITED STATES  
10-9657 TUCKER, RODNEY E. V. UNITED STATES  
10-9661 GRAY, JEFFREY V. UNITED STATES  
10-9669 ARIAS, BALMES M. V. UNITED STATES  
10-9671 BLEVINS, KEVIN W. V. UNITED STATES  
10-9672 ADDERLY, NEZZY V. UNITED STATES  
10-9674 CORLEY, JAMES V. UNITED STATES  
10-9685 YORK, DONALD V. UNITED STATES  
10-9686 OLUMUYIWA, OLORUNTADE V. UNITED STATES

The petitions for writs of certiorari are denied.

10-1015 WILLIAMS, THOMAS, ET AL. V. RENCHENSKI, CHARLES S.

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied.

10-1051 CHIPOTLE MEXICAN GRILL, INC. V. ANTONINETTI, MAURIZIO

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

10-1131 SMITH, MICHAEL D. V. UNITED STATES

10-1133 REDZIC, MUSTAFA V. UNITED STATES

The petitions for writs of certiorari are denied. Justice Kagan took no part in the consideration or decision of these petitions.

10-7925 SADIQ K. V. ME DEPT. OF HEALTH

The motion of respondent for leave to file a brief in opposition under seal is granted. The petition for a writ of certiorari is denied.

10-9020 OCASIO, ALEXANDER V. McDANIEL, WARDEN, 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.

10-9028 WILLS, DALE V. TILTON, JAMES, 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*).

10-9370 LEWIS, ANTHONY E. V. WASHINGTON

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.

10-9454 DANIELS, JIMMIE C. V. UNITED STATES

The petition for a writ of certiorari is denied. Justice

Kagan took no part in the consideration or decision of this petition.

10-9457 BROWN, JABORIE V. UNITED STATES, 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*). Justice Kagan took no part in the consideration or decision of this motion and this petition.

10-9482 JENNINGS, KEITH V. UNITED STATES

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

10-9528 SALDANA, FRANCISCO V. UNITED STATES

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. Justice Kagan took no part in the consideration or decision of this motion and this petition.

10-9594 HAQUE, ABRAR U. V. USDC ND OH

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

10-9596 FEUER, EDWARD C. V. UNITED STATES

The petition for a writ of certiorari is denied. Justice

Sotomayor took no part in the consideration or decision of this petition.

10-9597 CALDWELL, GREGORY V. UNITED STATES

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

10-9622 AKINS, REGINALD V. UNITED STATES

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

10-9666 RIGGS, MICHAEL V. UNITED STATES

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

**HABEAS CORPUS DENIED**

10-1169 IN RE PEPI SCHAFLER

10-9527 IN RE GILBERT ROBINSON

10-9534 IN RE JULIUS T. ANDREWS

10-9535 IN RE JULIUS T. ANDREWS

10-9571 IN RE JAMES E. BAKER

10-9580 IN RE STEVEN HOLIDAY

10-9663 IN RE JAMES SADBERRY

10-9717 IN RE LOI N. NGHIEM

10-9721 IN RE MICHAEL DOYLE

The petitions for writs of habeas corpus are denied.

**MANDAMUS DENIED**

10-8819 IN RE SHIRLEY REMMERT

10-8829 IN RE NIVEEN ISMAIL

10-8887 IN RE JASON MIEARS  
10-9010 IN RE MICHAEL HAMILTON  
10-9654 IN RE ASLLAN MUJA

The petitions for writs of mandamus are denied.

10-8837 IN RE STEVEN W. GOODMAN

The petition for a writ of mandamus and/or prohibition is denied.

#### REHEARINGS DENIED

09-10664 RIGGINS, RICHARD P. V. TEXAS  
10-817 PARISH, ANNE B. V. VIRGINIA  
10-6652 HAYDEN, CHRISTOPHER, ET UX. V. D'AMICO, ANTHONY E., ET AL.  
10-7173 DEERE, LLOYD R. V. NEVADA  
10-7274 WIDEMAN, EUGENE V. COLORADO, ET AL.  
10-7570 FORTE, ROBERT V. BARBER, CHRISTINE, ET AL.  
10-7647 CLAYTON, ROBERT G. V. McNEIL, SEC., FL DOC, ET AL.  
10-7688 KEITH, THOMAS L. V. WASHINGTON, ANTHONY  
10-7876 NORRIS, BRACH E. V. SINCLAIR, SUPT., WA  
10-7927 BROWN, KENNETH V. GAETZ, WARDEN  
10-8024 MANKO, NELLA V. MANNOR, DANA, ET AL.  
10-8026 SMITH, DONTAVIOUS S. V. SCHOOL BOARD OF BREVARD COUNTY  
10-8066 CASTRO, ALEJANDRO V. THALER, DIR., TX DCJ  
10-8130 DAVIS, BARRY E. V. UNITED STATES  
10-8269 DAVENPORT, WILLIAM L. V. FRAZIER, WARDEN  
10-8361 ASKEW, ANTHONY V. UNITED STATES  
10-8397 IN RE EVA D. AL-ZAGHARI  
10-8412 IN RE ROBERT N. SMITHBACK  
10-8443 TOLONEN, ERIC V. PUGH, WARDEN  
10-8561 BANKS, SIMON V. BROWN, DIR., DC DOC

10-8628 PERRY, KEITH O. V. SANDERS, WARDEN, ET AL.

10-8762 TENERELLI, ANTHONY J. V. UNITED STATES

10-8767 KING, ALAN V. UNITED STATES

The petitions for rehearing are denied.

10-681 UNITED STATES V. DEWAR, DONAHUE, ET AL.

The petition for rehearing is denied. Justice Sotomayor and Justice Kagan took no part in the consideration or decision of this petition.

10-502 DIXON, JOSEPH V. DEUTSCHE BANK NATIONAL TRUST CO.

10-5913 JOHNSON, LARRY V. UNITED STATES

The motions for leave to file petitions for rehearing are denied.

Statement of BREYER, J.

**SUPREME COURT OF THE UNITED STATES**

JAMAL KIYEMBA, ET AL., PETITIONERS *v.*  
BARACK H. OBAMA, PRESIDENT OF  
THE UNITED STATES, ET AL.

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

No. 10–775. Decided April 18, 2011

The motion of petitioners for leave to file a supplemental brief under seal is granted. The petition for a writ of certiorari is denied. JUSTICE KAGAN took no part in the consideration or decision of this motion and this petition.

Statement of JUSTICE BREYER, with whom JUSTICE KENNEDY, JUSTICE GINSBURG, and JUSTICE SOTOMAYOR join, respecting the denial of the petition for writ of certiorari.

Petitioners have been held for several years in custody at Guantanamo Bay, Cuba—a detention that the Government agrees was without lawful cause. Brief in Opposition 2. They seek a judicial order that would require their release from custody *into the United States*. The District Court concluded that the law entitled petitioners to such an order. *In re Guantanamo Bay Detainee Litigation*, 581 F. Supp. 2d 33 (DC 2008). The Court of Appeals held to the contrary. *Kiyemba v. Obama*, 555 F. 3d 1022 (CADC 2009). And this Court initially granted certiorari to resolve the important question whether a district court may order the release of an unlawfully held prisoner into the United States *where no other remedy is available*. *Kiyemba v. Obama*, 558 U. S. \_\_\_\_ (2009).

The Court subsequently learned that each of the remaining petitioners had received and rejected at least two offers of resettlement. In light of these changed circumstances, the Court vacated the Court of Appeals' decision

Statement of BREYER, J.

and remanded the case to the lower courts to “determine, in the first instance, what further proceedings in that court or in the District Court are necessary and appropriate for the full and prompt disposition of the case in light of the new developments.” *Kiyemba v. Obama*, 559 U. S. \_\_\_, \_\_\_–\_\_\_ (2010) (*per curiam*) (slip op., at 1–2). The Court of Appeals found that no further proceedings were necessary and reinstated its prior opinion as modified. 605 F. 3d 1046 (CADDC 2010) (*per curiam*). Petitioners have asked this Court to review the Court of Appeals’ decision.

Judge Rogers, separately concurring in the Court of Appeals’ judgment on remand, pointed out that petitioners have “received two offers of resettlement in countries [including Palau, which] the United States determined ‘appropriate.’” *Id.*, at 1050, n. 3. She added that petitioners have “neither allege[d] nor proffer[ed]” any evidence that accepting these offers would have threatened them with a risk of “torture” or any “other harm,” the need to avoid which might provide reason to believe the offers are not appropriate. *Id.*, at 1050. At the same time, the Government tells us that “if petitioners were to express interest, the United States would again discuss the matter with the government of Palau [and that it] continues to work to find other options for resettlement.” Brief in Opposition 13, n. 7.

In my view, these offers, the lack of any meaningful challenge as to their appropriateness, and the Government’s uncontested commitment to continue to work to resettle petitioners transform petitioners’ claim. Under present circumstances, I see no Government-imposed obstacle to petitioners’ timely release and appropriate resettlement. Accordingly, I join in the Court’s denial of certiorari. Should circumstances materially change, however, petitioners may of course raise their original issue (or related issues) again in the lower courts and in this Court.