

(ORDER LIST: 559 U.S.)

MONDAY, MAY 3, 2010

**CERTIORARI -- SUMMARY DISPOSITIONS**

07-1489 TRAINER WORTHAM & CO., ET AL. V. BETZ, HEIDE

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 *Merck & Co. v. Reynolds*, 559 U.S. \_\_\_\_ (2010).

08-1473 AM. EXPRESS CO., ET AL. V. ITALIAN COLORS RESTAURANT, ET AL.

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 Second Circuit for further consideration in light of *Stolt-Nielsen S.A. v. AnimalFeeds Int'l Corp.*, 559 U.S. \_\_\_\_ (2010). Justice Sotomayor took no part in the consideration or decision of this petition.

**ORDERS IN PENDING CASES**

09A886 DOE, J. V. DUNCAN, RICHARD L., ET AL.

Application for a stay addressed to Justice Stevens and referred to the Court is denied.

09M89 JONES, DIONNE R. V. VA DEPT. OF SOCIAL SERVICES

The motion to direct the Clerk to file a petition for a writ of certiorari out of time is denied.

09M90 BROWN, BRYCESON W. V. BANK OF AMERICA, ET AL.

The motion to direct the Clerk to file a petition for a writ of certiorari out of time under Rule 14.5 is denied.

09M91

IN RE JANE DOE

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

09M92

GRANDOIT, GERARD D. V. BANE, MICHAEL J., ET AL.

The motion to direct the Clerk to file a petition for a writ of certiorari out of time is denied.

08-1457

NEW PROCESS STEEL, L.P. V. NLRB

The motion of Michigan Regional Council of Carpenters for leave to file a supplemental brief after argument is denied.

09-920

SIMMONS, PAUL, ET AL. V. GALVIN, WILLIAM F.

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

09-5801

FLORES-VILLAR, RUBEN V. UNITED STATES

The motion of petitioner for appointment of counsel is granted. Steven F. Hubachek, Esquire, of San Diego, California, is appointed to serve as counsel for the petitioner in this case.

09-9464

MUSALL, JULIA L. V. OWENS, STELLA, ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until May 24, 2010, 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.

09-9669

GAINES, SHAWN V. NYC TRANSIT AUTHORITY, ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until May 24, 2010, 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 Sotomayor took no part in the consideration or decision of this motion.

**CERTIORARI DENIED**

08-1222 BOY SCOUTS OF AMERICA, ET AL. V. BARNES-WALLACE, LORI, ET AL.  
09-740 HILL, ANTOINE V. UNITED STATES  
09-766 PALMYRA PACIFIC SEAFOODS, ET AL. V. UNITED STATES  
09-771 ACCEPTANCE INSURANCE CO., INC. V. UNITED STATES  
09-772 WESTERN RADIO SERVICES, ET AL. V. U.S. FOREST SERVICE, ET AL.  
09-900 CARTY, LINDA A. V. THALER, DIR., TX DCJ  
09-910 ATTEA, ELIAS H. V. DEPT. OF TAXATION, ET AL.  
09-912 GHAZALI, ISSAM M. V. HOLDER, ATT'Y GEN.  
09-914 MARKELL, GOV. OF DE, ET AL. V. OFFICE OF COMM'R OF BASEBALL  
09-1008 SCOTT, MICHAEL, ET UX. V. SAMUEL I. WHITE, P.C., ET AL.  
09-1022 BAYER SCHERING, ET AL. V. BARR LABORATORIES, INC.  
09-1025 MONCIER, HERBERT S. V. USDC ED TN  
09-1029 MASSI, GUY V. FLYNN, EDWARD, ET AL.  
09-1030 KOEHNKE, SHERRI V. McKEESPORT, PA, ET AL.  
09-1033 HUJAZI, MONICA V. CALIFORNIA  
09-1038 WAGNER, ARTHUR C., ET AL. V. LIVE NATION MOTOR SPORTS, ET AL.  
09-1047 TEKILA FILMS, INC., ET AL. V. NEW FORM INC.  
09-1048 LIGGINS, KENNETH D. V. WILLIAM A. HAZEL, INC., ET AL.  
09-1050 MARINE EXPRESS, INC. V. KARMIN, JERROD  
09-1053 WALKER, TIMOTHY D., ET AL. V. WATERBURY, CT  
09-1070 HARDY, GARY V., ET UX. V. MI DEPT. OF TREASURY  
09-1075 MARYANYAN, MERSEN G., ET AL. V. HOLDER, ATT'Y GEN.  
09-1160 J.P. MORGAN CHASE & CO. V. WHALEN, ANDREW  
09-7778 RAY, SHEENA D. V. UNITED STATES

09-8059 ROSENCRANTZ, TIMOTHY V. LAFLER, WARDEN  
09-8327 RUNGE, PAUL V. ILLINOIS  
09-8833 BROWN, WILLIAM E. V. UNITED STATES  
09-8855 MILLER, VICTOR C. V. GLANZ, STANLEY  
09-8972 DALLAL, THOMAS A. V. NEW YORK TIMES COMPANY, ET AL.  
09-9137 CALDWELL, KEITH R. V. UNITED STATES TAX COURT, ET AL.  
09-9317 DOBBINS, DEMETRIUS D. V. CARLSON, WARDEN  
09-9318 DREW, TROY D. V. MULLINS, LARRY, ET AL.  
09-9319 DREW, TROY D. V. JABE, JOHN M., ET AL.  
09-9320 COX, THOMAS F. V. ILLINOIS  
09-9321 DENNIE, BRYAN V. NEVADA  
09-9323 BROWN, JEROME J. V. HOWARD COUNTY POLICE DEPT.  
09-9324 BROWN, JEROME J. V. COUNCIL, BARADEL, KOSMERL  
09-9325 BROWN, JEROME J. V. UPPER MARLBORO POLICE, ET AL.  
09-9329 CURRY, WILEY V. GABLES RESIDENTIAL SERVICES  
09-9341 DAVILA, RUBEN T. V. CALIFORNIA  
09-9344 WENTZ, JASON V. SEVIER, SUPT., MIAMI  
09-9346 TAFARI, INJAH E. V. STEIN, SHELDON, ET AL.  
09-9359 EATO, CHARLES J. V. FLORIDA  
09-9361 EDMOND, RONALD W. V. THALER, DIR., TX DCJ  
09-9363 WEAVER, LONNIE V. MISSISSIPPI  
09-9367 DE LA CRUZ, EDWARD L. V. LARSON, WARDEN, ET AL.  
09-9370 WILLIAMS, TREMAINE D. V. OKLAHOMA  
09-9373 LANKSTER, ALBERT F. V. LINDEN, ALABAMA  
09-9377 BANKS, ANDRE V. ILLINOIS  
09-9378 ALFORD, LESTER V. POWER, ADM'R, E. JERSEY, ET AL.  
09-9379 BRUNER, JIMMIE O. V. OKLAHOMA  
09-9380 ARBUCKLE, CHRISTOPHER V. KNIGHT, SUPT., PLAINFIELD

09-9381 BARBOUR, KENNETH E. V. STANFORD, M., ET AL.  
09-9384 MENDEZ, GABRIEL V. NEVEN, WARDEN  
09-9387 DURSCHMIDT, KRIS V. CHANDLER, AZ  
09-9392 HERNANDEZ, LEANDRO R. V. RUNNELS, WARDEN  
09-9398 GURNSEY, JOSEPH L. V. CALIFORNIA, ET AL.  
09-9399 FRASER, ALFRED T. V. HIGH LINER FOODS, INC., ET AL.  
09-9403 NICHOLS, JAMES L. V. GEORGIA  
09-9407 MANTZKE, BERNARD J. V. PROVINCE, WARDEN, ET AL.  
09-9408 RENDER, DAVID V. HALL, COREY, ET AL.  
09-9414 THORNTON, LAVELL V. ILLINOIS  
09-9418 CHAPPELL, JAMES M. V. NEVADA  
09-9422 MCKINLEY, CHARLES V. THALER, DIR., TX DCJ  
09-9423 PORTLEY-EL, PATRICK D. V. STEINBECK, ROBERT, ET AL.  
09-9425 ORMOND, TERRY J. V. NEVADA  
09-9426 MCGORE, DARRYL V. LUDWICK, WARDEN, ET AL.  
09-9427 MAYES, LAWRENCE L. V. PROVINCE, WARDEN  
09-9435 RUFFIN, MANUEL T. V. NC DOC  
09-9439 CALLENDER, ELMINA V. ROSS STORES, INC.  
09-9442 YSAIS, CHRISTOPHER V. REYNOLDS, MATTHEW, ET AL.  
09-9465 CANN, SAMUEL V. HAYMAN, COMM'R, NJ DOC, ET AL.  
09-9520 THOMPSON, ANTHONY R. V. SOBINA, SUPT., ALBION  
09-9529 dE LA GARZA, CESAR V. FABIAN, COMM'R, MN DOC  
09-9532 ERBY, FRED V. BENNETT, C., ET AL.  
09-9533 SOW, MOHAMED V. HOLDER, ATT'Y GEN.  
09-9538 MENDOZA-MENDOZA, RODOLFO V. HOLDER, ATT'Y GEN.  
09-9557 BOWIE, WILLIAM B. V. NORTH CAROLINA  
09-9563 ROSARIO, NANCY V. CHAMBERLAIN, SUPT., MUNCY  
09-9604 WALDRIP, ANTHONY V. HALL, WARDEN

09-9612 SHERWOOD, BRENTT M. V. PENNSYLVANIA  
09-9632 JACKSON, ANARIAN C. V. HOBBS, INTERIM DIR., AR DOC  
09-9659 MURRELL, JOHNNIE K. V. SHINSEKI, SEC. OF VA  
09-9662 OLMEDO, WILMER G. V. UNITED STATES  
09-9689 BERRY, ROBERT F. V. SOUTH CAROLINA, ET AL.  
09-9782 GALLO-MORENO, ARTURO V. UNITED STATES  
09-9802 HYMAN, LOUIS A. V. UNITED STATES  
09-9803 FLYNN, DANIEL T. V. VIRGINIA  
09-9822 WILKERSON, JOHN V. UNITED STATES  
09-9850 PARMALEE, ALLAN V. UTTECHT, SUPT., WA  
09-9862 AKERS, MONTGOMERY C. V. USDC CO  
09-9878 SCINTO, PAUL V. FEDERAL BUREAU OF PRISONS  
09-9882 SYNDAB, WINSTON D. V. UNITED STATES  
09-9883 SMITH, DeCARLOS V. MARBERRY, WARDEN  
09-9892 COOPER, MARSHALL V. UNITED STATES  
09-9893 DENMARK, MICHAEL G. V. UNITED STATES  
09-9894 DISLA, EDWIN V. UNITED STATES  
09-9899 MILLER, THOMAS L. V. UNITED STATES  
09-9902 JOHNSON, CLIFFINA, ET AL. V. UNITED STATES  
09-9904 LOCKETT, BRYANT V. UNITED STATES  
09-9905 MATTHEWS, GARY A. V. UNITED STATES  
09-9909 NELSON, KRISTIAN D. V. UNITED STATES  
09-9912 MERTENS, KEVIN V. USPS  
09-9914 GARCIA-SANDOVAL, JUAN V. UNITED STATES  
09-9915 JORDAN, MICHAEL B. V. UNITED STATES  
09-9916 GARCIA-LIMONES, JOSE R. V. UNITED STATES  
09-9922 AJIJOLA, MOSHOODI E. V. UNITED STATES  
09-9924 COLEMAN, KENNETH V. UNITED STATES

09-9926 WALLACE, TYRONE V. BLEDSOE, WARDEN, ET AL.  
09-9927 PARKER, KEITH V. UNITED STATES  
09-9928 CRAIG, ANTONIO M. V. UNITED STATES  
09-9929 CHARLES, MCGHEE V. UNITED STATES  
09-9932 DOVE, DANIEL L. V. UNITED STATES  
09-9933 DYER, MARK D. V. UNITED STATES  
09-9934 GOVAN, THOMAS V. UNITED STATES  
09-9935 THOMPSON, THERON J. V. UNITED STATES  
09-9936 GREEN, QUANTRELLE V. UNITED STATES  
09-9937 HILTON, CHRISTOPHER J. V. UNITED STATES  
09-9946 CHARLES, STEVENSON V. UNITED STATES  
09-9948 HENRY, WALTER V. UNITED STATES  
09-9949 BELL, JERMAINE V. UNITED STATES  
09-9951 AITCH, MOSHE D. V. UNITED STATES  
09-9960 ESCOBAR DE JESUS, EUSEBIO V. UNITED STATES  
09-9961 CHAPMAN, GEORGE R. V. UNITED STATES  
09-9963 DYCHES, LENNELL V. UNITED STATES  
09-9964 DANIELS, DANNY V. UNITED STATES  
09-9971 MIRELES, JOSE T. V. UNITED STATES  
09-9975 BRACKEN, TIAH L. V. UNITED STATES  
09-9976 BRANCH, JASON E. V. UNITED STATES  
09-9977 PARKER, CARL A. V. UNITED STATES  
09-9978 VILLASENOR, ARTURO V. UNITED STATES  
09-9981 DAVIS, LaTOYIN V. UNITED STATES  
09-9984 ELLIOTT, DAMON E. V. UNITED STATES  
09-9985 RYAN, MICHAEL G. V. UNITED STATES  
09-9987 JONES, ERIC L. V. UNITED STATES  
09-9989 MEDINA-CASTELLANOS, CARLOS J. V. UNITED STATES

09-9990 HAMBLEN, RICHARD V. UNITED STATES  
09-9992 MASSEY, DERRICK V. UNITED STATES  
09-9997 MARSHALL, RIVIERA V. UNITED STATES  
09-9998 JUVENILE MALE V. UNITED STATES  
09-10001 BLACKMON, DERRICK D. V. UNITED STATES  
09-10002 BOYD, JESSE V. UNITED STATES  
09-10005 SMITH, TERRENCE V. UNITED STATES  
09-10006 EVANS, COREY V. UNITED STATES  
09-10007 NICHOLS, NYRON J. V. UNITED STATES  
09-10011 HALL, THERESA V. UNITED STATES  
09-10014 PINKNEY, MARCUS J. V. UNITED STATES  
09-10022 MCKNIGHT, JOSHUA A. V. UNITED STATES

The petitions for writs of certiorari are denied.

08-1315 PHARMACIA CORP., ET AL. V. AK ELEC. PENSION FUND, ET AL.

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

09-1042 SHAH, BHUPENDRA K. V. NY DEPT. OF CIVIL SERV., ET AL.

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

09-9332 ROBENSON, LOUIS V. HASZINGER, STEPHEN

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.

09-9336 BONILLA, OFIDIO V. JARONCZYK, JOHN, ET AL.

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



petition.

09-9362 ROBENSON, LOUIS V. McNEIL, SEC., FL DOC

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.

09-9376 KEARNEY, RICHARD V. GRAHAM, SUPT., AUBURN

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

09-9400 MATTHEWS, FELTON L. V. ENDEL, A., 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.

09-9531 ERICKSON, HEIDI K. V. LAU, JEAN

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 Stevens dissents. See *id.*, at 4, and cases cited therein.

09-9626 ABASCAL, ISIDRO V. JARKOS, STEVE, ET AL.

09-9954 RODRIGUEZ, JOSE H. V. UNITED STATES

09-9968 LIGGINS, DURRELL V. UNITED STATES

The petitions for writs of certiorari are denied.

Justice Sotomayor took no part in the consideration or decision of these petitions.

**HABEAS CORPUS DENIED**

09-10090 IN RE TIMOTHY F. FRAZIER

09-10165 IN RE JERMAINE A. YOUNG

The petitions for writs of habeas corpus are denied.

**MANDAMUS DENIED**

09-9366 IN RE HUBERT WARREN

09-9369 IN RE HUBERT WARREN

The motions of petitioner for leave to proceed *in forma pauperis* are denied, and the petitions for writs of mandamus are dismissed. See Rule 39.8.

**REHEARINGS DENIED**

08-10932 BATEKREZE, FIDELE B. V. ARIZONA

09-807 DENEAL, JAMES H. V. SHAVER, RONNY

09-7699 HOFFMAN, BRUCE W. V. HOFFMAN, FRANCES J.

09-7780 KENNEDY, RICHARD D. V. LOCKETT, JOHN R., ET AL.

09-7892 KINNARD, SAMMIE D. V. METRO. POLICE DEPT., ET AL.

09-7894 LIGGON-REDDING, ELIZABETH V. WILLINGBORO TOWNSHIP, NJ, ET AL.

09-8023 BAEZ, ROBERTO V. JAMES, JUDGE, ETC.

09-8230 WATSON, WILLIE V. NEIGHBORS CREDIT UNION, ET AL.

09-8305 WOOTEN, ANTHONY V. MICHIGAN

09-8307 TRUSS, LEARNARDO V. THOMAS, WARDEN, ET AL.

09-8333 BOWMAN-GOONE, EVELYN V. GORDON, JUSTICE, ETC., ET AL.

09-8368 MARTIN, MILTON L. V. JENKINS, WARDEN

09-8381 BRADDEN, MICHAEL L. V. THALER, DIR., TX DCJ

09-8683 BROWN, TERRY V. UNITED STATES

09-8838 McNEILL, MICHAEL V. RUFFIN, MIKE

09-8906 MILLAN, CLAUDIO V. SO. CA EDISON CO.  
09-8976 McCRAY, ELIZABETH V. FRANCIS HOWELL SCH. DIST.  
09-9131 WYATT, JOHN M. V. UNITED STATES

The petitions for rehearing are denied.

09-7853 WENDELL, DENNIS H. V. USDC ND NY

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

09-8331 RITTER, MARTHA V. RITTER, E. KERFOOT

The motion of petitioner to defer consideration of the petition for rehearing is denied. The petition for rehearing is denied.

#### **ATTORNEY DISCIPLINE**

D-2465 IN THE MATTER OF DISBARMENT OF EDDIE MICHAEL POPE

Eddie Michael Pope, of Austin, Texas, having been suspended from the practice of law in this Court by order of March 1, 2010; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and a response having been filed;

It is ordered that Eddie Michael Pope is disbarred from the practice of law in this Court.