

(ORDER LIST: 564 U.S.)

MONDAY, JUNE 13, 2011

CERTIORARI -- SUMMARY DISPOSITIONS

10-868 CATE, SEC., CA DOC, ET AL. V. PIRTLE, JOHN H.

The motions of respondents John H. Pirtle, Robert Johnson, Anthony Sneed, and Michael C. Slater for leave to proceed *in forma pauperis* are granted. The petition for a writ of certiorari as to John H. Pirtle, Robert Johnson, Anthony Sneed, and Michael C. Slater is granted. The judgments are vacated, and the cases are remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *Swarthout v. Cooke*, 562 U.S. ____ (2011) (*per curiam*). The petition for a writ of certiorari as to Ron Mosley is denied.

10-987 AFFILIATED COMPUTER SERVICES V. FENSTERSTOCK, JOSHUA G.

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 *AT&T Mobility LLC v. Concepcion*, 563 U.S. ____ (2011).

10-1070 EISAI CO., LTD., ET AL. V. TEVA PHARMACEUTICALS USA, INC.

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 Federal Circuit with instructions to dismiss the case as moot. See *United States v. Munsingwear, Inc.*, 340 U.S. 36 (1950).

ORDERS IN PENDING CASES

10M113 SALT RIVER PROJECT, ET AL. V. ARIZONA, ET AL.

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

10-947 BANK MELLI IRAN NY REP. OFFICE V. WEINSTEIN, SUSAN, ET AL.

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

10-8820 GONZALEZ LORA, WILFREDO V. UNITED STATES

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.

10-9938 ADAMS, JESSICA C. V. MERCK & COMPANY, INC.

10-10051 ALBAHRI, YASER A. V. FLORIDA

10-10150 MBAKPUO, CHUKWUJINDU V. V. COMM. ON ADMISSIONS, DC

The motions of petitioners for leave to proceed *in forma pauperis* are denied. Petitioners are allowed until July 5, 2011, 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.

CERTIORARI GRANTED

10-875 HALL, LYNWOOD D., ET UX. V. UNITED STATES

The petition for a writ of certiorari is granted.

10-895 GONZALEZ, RAFAEL A. V. THALER, DIR., TX DCJ

The petition for a writ of certiorari is granted limited to the following questions: 1. Was there jurisdiction to issue a certificate of appealability under 28 U.S.C. §2253(c) and to adjudicate petitioner's appeal? 2. Was the application for a

writ of habeas corpus out of time under 28 U.S.C. §2244(d)(1) due to “the date on which the judgment became final by the conclusion of direct review or the expiration of the time for seeking such review”?

10-7387 SETSER, MONROE A. V. UNITED STATES

10-8145 SMITH, JUAN V. LOUISIANA

The motions of petitioners for leave to proceed *in forma pauperis* and the petitions for writs of certiorari are granted.

CERTIORARI DENIED

10-1020 CONSOLIDATION COAL CO., ET AL. V. UNITED STATES

10-1117 NAGLICH, RUTH, ET AL. V. CAMP, LARRY, ET AL.

10-1214 FREEDOM FROM RELIGION FOUNDATION V. UNITED STATES, ET AL.

10-1225 BOMBARDIER INC., ET AL. V. DOW CHEMICAL CANADA ULC, ET AL.

10-1227 JOHNSON, CHRIS V. ROBERTS, DENNIS, ET AL.

10-1235 KOVACIC, DAN, ET AL. V. VILLARREAL, JUAN, ET AL.

10-1255 COWITT, RICHARD L., ET UX. V. REILLY, MARK, ET UX.

10-1258 LEDBETTER, RAYMOND A., ET AL. V. FAA

10-1260 GARD, CLINTON, ET UX. V. OMAHA, NE

10-1296 COATES, THEODORE P. V. OFFICE OF ATT'Y REG. OF CO

10-1324 HANNAN, JEFFREY V. PHILADELPHIA, PA, ET AL.

10-1347 FREEMAN, ROBERT L. V. MILLER-STOUT, SUPT., AIRWAY

10-1372 FULL VALUE ADVISORS V. SEC

10-1376 LeBLANC, ELWOOD J., ET AL. V. UNITED STATES

10-1379 DAVIS, JOHN V. UNITED STATES

10-1386 HOFFMAN, BERNIE L. V. UNITED STATES

10-7592 DOE, JOHN V. UNITED STATES

10-8832 HERNANDEZ, JOSE C. V. UNITED STATES

10-8907 GALLAHER, JAMES H. V. UNITED STATES

10-8908 GARCIA, ELIZZ V. UNITED STATES
10-9076 LAWRENCE, JIMMIE W. V. COOPER, ATT'Y GEN. OF NC, ET AL.
10-9176 BURDETT, MARK V. REYNOSO, RAMON, ET AL.
10-9209 PURVIS, GINA V. OEST, DANIEL, ET AL.
10-9334 ROSS, CHARLENE V. FDIC
10-9555 ERVIN, ASHLEY V. TEXAS
10-9758 BALENTINE, JOHN L. V. THALER, DIR, TX DCJ
10-9886 FLEMING, BEATRICE V. CHICAGO TRANSIT AUTHORITY
10-9887 GLENN, DEVERICK V. FLORIDA
10-9888 HENDERSON, STACEY A. V. THALER, DIR., TX DCJ
10-9895 BRIDGES, KENNETH V. DORMIRE, SUPT., JEFFERSON CITY
10-9898 GUO, GEORGE V. WAGSTAFF, MELISSA, ET AL.
10-9900 B. J. G. V. ST. CHARLES COUNTY SHERIFF
10-9908 DINGLE, RICKY V. KOPPEL, WARDEN, ET AL.
10-9920 CLARK, MICHAEL A. V. NEVADA
10-9924 STOKES, CHARLES M. V. MOORMAN, ANDREW
10-9926 MACIAS, IGNACIO V. DONAT, WARDEN, ET AL.
10-9928 KING, KELVIN D. V. TENNESSEE
10-9929 JOHNSON, CASSIE S. V. NORTH CAROLINA
10-9933 YOUNG, SHAWN V. LARKINS, WARDEN
10-9940 GRAGG, CARLIS A. V. PROSPER, WARDEN
10-9943 WAHL, ROBERT L. V. PREMO, SUPT., OR
10-9945 NORWOOD, GREGORY L. V. SULLIVAN, WARDEN
10-9953 BROWN, ROBERT F. V. THALER, DIR., TX DCJ
10-9954 SAVAGE, THORNTON D. V. BONAVITACOLA, ALEX, ET AL.
10-9958 MEDINA, WILLIAM V. RAEMISCH, RICK, ET AL.
10-9962 McGRUDER, MARQUINTA V. CALIFORNIA
10-9963 McMILLIAN, LARRY D. V. BERGHUIS, WARDEN

10-9966 PRICE, JERIOD J. V. SOUTH CAROLINA
10-9967 JACKSON, ARBARY P. V. MO BOARD OF PROBATION, ET AL.
10-9969 JONES, JEREMIAH V. MARYLAND
10-9978 TATRO, STEPHEN E. V. THALER, DIR., TX DCJ
10-9981 ANDREWS, JOSHUA W. V. VIRGINIA
10-9985 MARTIN, CARL D. V. OKLAHOMA
10-9986 MARTIN, KEITH D. V. PROVINCE, WARDEN
10-9988 S. G. V. J. H.
10-9992 NORTHUP, KIRK J. V. THALER, DIR., TX DCJ
10-10001 REIS, CATHY V. FANNIE MAE, ET AL.
10-10006 ESTRADA, ROMANO V. BUSS, SEC., FL DOC
10-10016 HERCULES-LOPEZ, MARCO A. V. MICHIGAN
10-10041 FURROW, BUFORD O. V. LAPPIN, DIR., BOP, ET AL.
10-10043 GRAVES, MAURICE V. PADULA, WARDEN
10-10053 SCARLETT, ERIC G. V. BUSS, SEC., FL DOC
10-10059 ELSTER, JERRY V. CA BOARD OF PAROLE HEARINGS
10-10079 KAFATIA, KENT W. V. USDC CD CA, ET AL.
10-10105 BERMUDEZ, ARIEL V. NEW JERSEY
10-10127 PARTOVI, ALI V. UNITED STATES
10-10135 STEWARD, CARL W. V. UNITED STATES
10-10139 PARTOVI, ALI V. MARTINEZ, UNKNOWN, ET AL.
10-10152 GILLOTT, RUSSELL B. V. RYAN, DIR., AZ DOC, ET AL.
10-10166 AKBAR, BASIL W. V. PADULA, WARDEN
10-10189 WELLMAN, JIMMIE V. COLORADO
10-10192 JASON K. V. CALIFORNIA
10-10234 JOHNSON, CHESTER V. SWARTHOUT, WARDEN
10-10237 McNAIR, WILLIAM V. COLEMAN, SUPT., FAYETTE, ET AL.
10-10277 CUEVAS-HERNANDEZ, ROBERTO V. WASDEN, ATT'Y GEN. OF ID

10-10302 ORAL H. V. CONNECTICUT
10-10314 SMITH, PAUL A. V. STEVENSON, WARDEN
10-10388 BUCKLON, CEDRIC M. V. FLORIDA
10-10408 CAMERON, ANTONIO V. UNITED STATES
10-10411 SALINAS, GERARDO G. V. UNITED STATES
10-10413 REYES-REZENDES, JORGE V. UNITED STATES
10-10415 SMITH, JERMAINE V. UNITED STATES
10-10418 PERRY, CALVIN V. UNITED STATES
10-10425 WOLFE, RONALD W. V. WISCONSIN
10-10429 ROSS, MAURICE L. V. UNITED STATES
10-10434 WOODBURY, JERMAINE V. UNITED STATES
10-10435 SMITH, NATHAN V. UNITED STATES
10-10439 SALAZAR, MARTIN F. V. UNITED STATES
10-10440 HERNANDEZ, JOHN P. V. UNITED STATES
10-10441 ROJAS, JOSE M. V. UNITED STATES
10-10442 AMAYA-RAMOS, JOSE A. V. UNITED STATES
10-10445 WEATHERS, MARC K. V. UNITED STATES
10-10446 LINK, SANFORD T. V. UNITED STATES
10-10447 JORDAN, MARTELL V. UNITED STATES
10-10449 JACKSON, ALBERT V. MARBERRY, WARDEN
10-10454 DeLAZARO, RAFAEL V. UNITED STATES
10-10459 ANDUJAR-BASCO, JOSE R. V. UNITED STATES
10-10462 DANFORTH, STEPHEN V. THIELEN, WARDEN, ET AL.
10-10466 DUNBAR, WALTER V. UNITED STATES
10-10477 PREPETIT, RALPH J. V. UNITED STATES
10-10479 PUPOLS, JURIS Z. V. PATENT AND TRADEMARK OFFICE
10-10484 CARRINGTON, DENARD E. V. UNITED STATES
10-10490 MATEO, LAZARO V. UNITED STATES

10-10496 STACKS, JOHN H. V. UNITED STATES
10-10497 ZEMBA, JOSEPH D. V. UNITED STATES
10-10498 YOUNG, ROBERT E. V. UNITED STATES
10-10499 BEGAY, TOBY V. UNITED STATES
10-10500 BRIDGEWATER, ANTHONY A. V. UNITED STATES
10-10502 LASLEY, DERRICK V. UNITED STATES
10-10503 JACKSON, DERRICK V. UNITED STATES
10-10505 DAVIS, KRISTOPHER V. UNITED STATES
10-10512 PORTORREAL, JOSE V. UNITED STATES
10-10513 MEDINA-ESQUEDA, JUAN V. UNITED STATES
10-10514 OLIVAS, RICARDO V. UNITED STATES
10-10520 TORREZ-CHAVEZ, RODOLFO V. UNITED STATES
10-10522 HUNT, CORDERRIUS T. V. UNITED STATES
10-10523 HALL, CHRISTOPHER A. V. UNITED STATES
10-10524 N-JIE, CHENOMUSA V. UNITED STATES
10-10526 WARREN, JERMAINE A. V. UNITED STATES
10-10527 ULIMWENGU, OKERA V. UNITED STATES

The petitions for writs of certiorari are denied.

10-738 RITCHIE SPECIAL CREDIT, ET AL. V. USDC MN, ET AL.

The motion of National Crime Victim Law Institute for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

10-1119 STEINBECK, THOMAS, ET AL. V. McINTOSH & OTIS, INC., ET AL.

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

10-1124 TURLOCK IRRIGATION DISTRICT V. FERC, ET AL.

The petition for a writ of certiorari is denied. Justice

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

10-1357 AMOROSA, DOMINIC F., ET AL. V. ERNST & YOUNG, LLP

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

10-9970 LaFOUNTAIN, WAYNE E. V. BALCARCEL, ERICK

10-10027 WHEELER, GARY L. V. FLORIDA

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

10-10207 WILLIAMS, JASON V. PIERCE, WARDEN

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.

10-10401 JASSO, CARLOS R. V. UNITED STATES

10-10438 REYES-HERNANDEZ, JOSUE G. V. UNITED STATES

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

10-10443 BERRY, RALPH 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.

10-10444 ACOFF, JOSHUA V. UNITED STATES
10-10450 JACKSON, RICKEY L. V. UNITED STATES
10-10468 COOPER, MAURICE D. V. UNITED STATES

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

HABEAS CORPUS DENIED

10-10637 IN RE CARL A. ECKSTROM

The petition for a writ of habeas corpus is denied.

10-10568 IN RE BARRY R. SCHOTZ

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

MANDAMUS DENIED

10-9904 IN RE VICTOR DEL RIO

The petition for a writ of mandamus is denied.

REHEARINGS DENIED

10-880 TAYLOR, CAROLYN Y. V. COLUMBIA, SC, ET AL.
10-8789 BLAIR, JAMES M. V. ALASKAN COPPER AND BRASS CO.
10-9040 RAMEY, JOHNNY V. USDC ED, ET AL.
10-9044 RAMIREZ, ISIDRO V. AULT, WARDEN
10-9049 IN RE RICHARD ROCHE
10-9067 ADAMS, BARRY W. V. MICHIGAN
10-9094 WOODBURY, RICHARD L. V. TAMPA POLICE DEPT., ET AL.
10-9289 RITTER, MARTHA V. RITTER, E. KERFOOT, ET AL.
10-9426 BRAMLETT, MARK A. V. UNITED STATES

10-9534 IN RE JULIUS T. ANDREWS
10-9535 IN RE JULIUS T. ANDREWS
10-9661 GRAY, JEFFREY V. UNITED STATES
10-9663 IN RE JAMES SADBERRY

The petitions for rehearing are denied.

10-9482 JENNINGS, KEITH V. UNITED STATES

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

ATTORNEY DISCIPLINE

D-2570 IN THE MATTER OF DISBARMENT OF WILLIAM ANTHONY HELM

William Anthony Helm, of Bartlett, Tennessee, having been suspended from the practice of law in this Court by order of October 4, 2010; and a rule having been issued requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that William Anthony Helm is disbarred from the practice of law in this Court.

D-2581 IN THE MATTER OF DISBARMENT OF WILLIAM S. LERACH

William S. Lerach, of San Diego, California, having been suspended from the practice of law in this Court by order of November 15, 2010; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that William S. Lerach is disbarred from the practice of law in this Court.

D-2582 IN THE MATTER OF DISBARMENT OF RICHARD GLENNAN CERVIZZI

Richard Glennan Cervizzi, of Scarborough, Maine, having been suspended from the practice of law in this Court by order of

November 15, 2010; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Richard Glennan Cervizzi is disbarred from the practice of law in this Court.

D-2583

IN THE MATTER OF DISBARMENT OF PERRY S. REICH

Perry S. Reich, of Oakland Gardens, New York, having been suspended from the practice of law in this Court by order of November 15, 2010; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Perry S. Reich is disbarred from the practice of law in this Court.

D-2584

IN THE MATTER OF DISBARMENT OF MICHAEL WAYNE RYAN, JR.

Michael Wayne Ryan, Jr., of Bowie, Maryland, having been suspended from the practice of law in this Court by order of November 15, 2010; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Michael Wayne Ryan, Jr. is disbarred from the practice of law in this Court.

D-2585

IN THE MATTER OF DISBARMENT OF STEPHEN EDWARD FORD

Stephen Edward Ford, of Algonquin, Illinois, having been suspended from the practice of law in this Court by order of November 15, 2010; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Stephen Edward Ford is disbarred from the

practice of law in this Court.

D-2586

IN THE MATTER OF DISBARMENT OF STEPHEN T. MITCHELL

Stephen T. Mitchell, of New York, New York, having been suspended from the practice of law in this Court by order of November 15, 2010; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Stephen T. Mitchell is disbarred from the practice of law in this Court.

D-2587

IN THE MATTER OF DISBARMENT OF KATHLEEN KAUTH TRUM

Kathleen Kauth Trum, of Garden City, New York, having been suspended from the practice of law in this Court by order of November 15, 2010; and a rule having been issued requiring her to show cause why she should not be disbarred; and the time to file a response having expired;

It is ordered that Kathleen Kauth Trum is disbarred from the practice of law in this Court.