

(ORDER LIST: 608 U.S.)

MONDAY, JUNE 15, 2026

ORDERS IN PENDING CASES

- 25A1250 CLARK, EDWARD L. V. CLARK, DEBORAH L.  
The application for injunction addressed to Justice Kavanaugh and referred to the Court is denied.
- 25A1264 BRANNBERG, JUDY V. CIMINO, JOHN, ET AL.  
The application for stay addressed to Justice Thomas and referred to the Court is denied.
- 25M84 DAVIS, BRIAN E. V. GUERRERO, DIR., TX DCJ  
The motion to direct the Clerk to file a petition for a writ of certiorari out of time is denied.
- 25M85 IN RE SEALED PETITIONER  
The motion for leave to file a petition for a writ of mandamus and/or prohibition under seal with redacted copies for the public record is denied.
- 25M86 ENDURE INDUSTRIES, INC. V. VIZIENT, INC., ET AL.  
The motion for leave to file a petition for a writ of certiorari under seal with redacted copies for the public record is granted.
- 25-7149 DEFOGGI, TIMOTHY V. UNITED STATES
- 25-7150 DeVORE, KENNETH R. V. UNITED STATES  
The motions of petitioners for reconsideration of orders denying leave to proceed *in forma pauperis* are denied.
- 25-7201 WINANS, REGINALD V. MCKAY, MICHAEL K.  
The motion of petitioner for leave to proceed *in forma*

*pauperis* is denied. Petitioner is allowed until July 6, 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 GRANTED**

25-886 GENALO, DIR., ET AL. V. BLACK, CAROL W., ET AL.

The petition for a writ of certiorari is granted as to United States Court of Appeals for the Second Circuit Case No. 22-70. In addition to the questions presented by the petition, the parties are directed to brief and argue the following question: Whether G. M.'s case is now moot.

25-1003 GUERRERO, DIR., TX DCJ V. JOHNSON, DEXTER

The motion of respondent for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted.

25-6623 KIAN, HAMED V. FLORIDA

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted.

**CERTIORARI DENIED**

25-609 SIPLES, CLINTON V. COLLINS, SEC. OF VA

25-627 MACY'S INC. V. NLRB, ET AL.

25-729 KING, JAMES V. UNITED STATES, ET AL.

25-887 SAUER WEST LLC, ET AL. V. UNITED STATES

25-958 SHEETZ, GEORGE V. COUNTY OF EL DORADO, CA

25-985 NORMAN, EVAN V. INGLE, DEPUTY, ET AL.

25-1012 HMTX INDUSTRIES, LLC, ET AL. V. UNITED STATES, ET AL.

25-1026 NAT. SHOOTING SPORTS, ET AL. V. JAMES, ATT'Y GEN. OF NY

25-1067 GOPHER MEDIA LLC, ET AL. V. MELONE, ANDREW, ET AL.

25-1073 PENNSYLVANIA, ET AL. V. MONTANEZ, JOSE, ET AL.

25-1078 NATURAL LANDS, LLC V. BOCA RATON, FL. ET AL.

25-1090 HOMEWOOD ASSOCIATES INC., ET AL. V. GOVT., ATHENS-CLARKE CTY., GA

25-1107 TATA CONSULTANCY, ET AL. V. COMPUTER SCIENCES CORP.

25-1155 NELSON, LUCAS R. V. GRIFFITH, ROBYN

25-1161 HUNTER, CHASE V. AUCLAIR, JOANNE

25-1162 GOLBERG, CHRISTOPHER J. V. NORTH DAKOTA

25-1169 KEARNS, SHAWN M. V. VIRGINIA

25-1171 PEREZ, BRYAN S., ET AL. V. PELENTAY, MARY

25-1174 CHATURVEDI, RAHUL V. BRIDGE OVER CORP., ET AL.

25-1180 REEVES, WADE R. V. REEVES, ALISHA M.

25-1183 CICHOWSKI, KEVIN, ET AL. V. KES, ET AL.

25-1194 MIGLIORE, EVA V. SUNLIGHT FIN. LLC, ET AL.

25-1214 KLEIN, HENRY L., ET AL. V. LEWIS TITLE INS. CO., ET AL.

25-1261 CORBETT, JONATHAN V. HOCHUL, GOV. OF NY, ET AL.

25-1276 WARNER, RICHARD E., ET AL. V. MARATHON, FL

25-1278 RAMM, JEROMY L. V. ILLINOIS

25-1282 BROGSDALE, MALCOLM J. V. TORRES-CORONA, ANNETTE, ET AL.

25-6372 BELOUS, ANDRE V. BATTLE CREEK, MI

25-6622 NELSON, ALANTE M. V. UNITED STATES

25-6714 GRANILLO, IVAN V. UNITED STATES

25-6756 CHERAMY, JACKLIN V. UNITED STATES

25-6774 FLORES, CHARLES D. V. TEXAS

25-6778 RAMADON, JASIM M. H. V. COLORADO

25-7055 MCKANE, OTIS T. V. TEXAS

25-7164 ALCOSER, DANNY W. V. GUERRERO, DIR., TX DCJ

25-7169 DANIELS, GABRYELLE V. TX DEPT. OF FAMILY, ET AL.

25-7179 EDWARDS, ROGER T. V. CALIFORNIA

25-7185 SIPULT, RAYMOND V. LONARD, KERRIE

25-7186 GONZALES, DAVID L. V. MAYES, ATT'Y GEN. OF AZ, ET AL.  
25-7188 RAY, JOSEPH W. V. TEXAS  
25-7189 ROBINSON, EDWARD E. V. VALDEZ, ACTING WARDEN  
25-7191 WALKER, CALVIN G. V. TEXAS  
25-7204 TORRES, RUTH V. FRAZIER, JUDGE, ET AL.  
25-7206 GIACCIO, HUONG G. V. LYON, MEREDITH, ET AL.  
25-7209 LOWERY, MARGARET J. V. IL ATT'Y REGISTRATION  
25-7217 LEFTRIDGE, VERNON J. V. CT JUDICIAL BRANCH, ET AL.  
25-7231 GLASS, ALBERT V. OFFICE OF CHIEF MEDICAL EXAMINER  
25-7247 DIGGS, ANTHONY C. V. UNITED STATES  
25-7252 PRICOP, VIOREL V. UNITED STATES  
25-7254 LLOYD, SUSAN V. LANCASTER CTY. HOUSING AUTH.  
25-7256 MILLER, ALONZO V. UNITED STATES  
25-7257 REYNOLDS, MALIK V. UNITED STATES  
25-7269 FELDER, BRITTNEY V. MGM NATIONAL HARBOR, LLC  
25-7276 PHILLIPS, ERNEST V. REYNOLDS, WARDEN  
25-7285 PERRYMAN, LAURA V. UNITED STATES  
25-7290 VILLARREAL, GERARDO V. UNITED STATES  
25-7372 MOCK, TYRONE V. DAVIS, WARDEN  
25-7379 MAJTYKA, THADDEUS J. V. FLORIDA

The petitions for writs of certiorari are denied.

25-705 PAGE, CARTER V. COMEY, JAMES B., ET AL.

The petition for a writ of certiorari is denied. Justice Jackson took no part in the consideration or decision of this petition. See 28 U. S. C. §455 and Code of Conduct for Justices of the Supreme Court of the United States, Canon 3B(2)(e) (prior judicial service).

25-847 ALABAMA V. SYKES, BRANDON D.

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied. Justice Thomas and Justice Alito would grant the petition for certiorari and summarily reverse for the reasons stated in *Alabama v. Powell*, 608 U. S. \_\_\_\_ (2026) (Alito, J., dissenting from denial of certiorari).

25-1101 NEWMAN, JUDGE, USCA FED. CIR. V. MOORE, CHIEF JUDGE, ET AL.

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

25-1160 KOREAN CLAIMANTS V. DOW SILICONES CORP., ET AL.

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

**HABEAS CORPUS DENIED**

25-7448 IN RE MICHAEL SAMPSON

The petition for a writ of habeas corpus is denied.

**MANDAMUS DENIED**

25-7167 IN RE ELI ANGELINO

The petition for a writ of mandamus is denied.

**PROHIBITION DENIED**

25-1178 IN RE JOSEPH RUED, ET AL.

The petition for a writ of prohibition is denied.

**REHEARINGS DENIED**

24-276 CROWNHOLM, RYAN, ET AL. V. MOORE, RICHARD B., ET AL.

24-279 360 VIRTUAL DRONE SERV., ET AL. V. RITTER, ANDREW L., ET AL.  
24-1209 JONES, DARYLL B. V. NEW YORK, ET AL.  
25-995 ARNOLD, VENISHA V. 1600 WEST LOOP SOUTH, ET AL.  
25-1021 JACKSON, RICHARD C. V. DEPT. OF HOMELAND SEC.  
25-6559 KAFEITI, CHARLES V. UNITED STATES  
25-6825 LAWLESS, RICHARD R. V. UNITED STATES, ET AL.

The petitions for rehearing are denied.

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**SUPREME COURT OF THE UNITED STATES**

ALABAMA *v.* MICHAEL ANTHONY POWELL

ON PETITION FOR WRIT OF CERTIORARI TO THE COURT OF  
CRIMINAL APPEALS OF ALABAMA

No. 25–848. Decided June 15, 2026

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

JUSTICE ALITO, with whom JUSTICE THOMAS joins, dissenting from the denial of certiorari.

A prosecutor in this capital case made a statement in closing argument that the trial judge interpreted as a comment on properly admitted evidence. On appeal, however, the Alabama Court of Criminal Appeals interpreted the statement as a comment on the defendant’s failure to take the stand, and on that basis it reversed the defendant’s conviction. The State asks us to summarily reverse the decision below based on *United States v. Robinson*, 485 U. S. 25 (1988), which found no violation of the Fifth Amendment right against compulsory self-incrimination in a case with very similar facts. The State is right: The decision below contravenes *Robinson*, and this Court should summarily reverse it.

I

Michael Powell was convicted of first-degree murder and sentenced to death for shooting a gas station attendant during a robbery. The State connected Powell to the murder through security-camera footage and eyewitness testimony. Nearby security cameras provided footage of a man walking to the gas station from an apartment building just before the robbery and murder and then returning quickly to the apartment building. When the police released photos of the suspect, two employees at the apartment building identi-

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fied Powell as the person of interest. Separately, a driver who saw the suspect running away from the gas station picked Powell out of a photographic lineup. Although the State never found the murder weapon, it discovered a box of ammunition at Powell's girlfriend's house that matched a shell casing from the scene of the murder.

Faced with this evidence, Powell concocted a far-fetched scheme to point the finger at someone else. While in pre-trial detention, Powell hired a fellow inmate, David Jackson, to write a letter confessing to the crime. Powell told Jackson that another detainee wanted to confess but could not write the letter himself. Powell therefore instructed Jackson to leave a blank where this person's name would later be inserted. Jackson complied, but Powell then inserted Jackson's name in the blank space. The letter purported to exonerate Powell but stated that Powell knew where to find the murder weapon.

In his closing argument at trial, Powell's counsel pointed out that the State never uncovered the murder weapon. So in rebuttal, the prosecutor told the jury, "[y]ou know there is only one person in this room who knows where the gun is. One person, he is sitting over there. That guy knows where the gun is." No. CR-20-727 (Ala. Ct. Crim. App., May 3, 2024), App. to Pet. for Cert. 12a (App.). Defense counsel objected on the ground that the prosecutor had impermissibly commented on his client's decision not to testify. Outside the presence of the jury, the prosecutor explained that he had referred only to the false confession letter, not to Powell's silence. *Id.*, at 12a-13a ("The David Jackson letter says that David Jackson told him where the gun is"). The trial court accepted that explanation "'depending on what comes next of course.'" *Id.*, at 13a. Then, back in the presence of the jury, the prosecutor said "[t]here is one man in this courtroom who knows where that gun is, one man and he is sitting right over there next to that jury box. You remember that letter from David

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Jackson?” *Ibid.* (emphasis deleted). Defense counsel once again objected, and the trial court overruled the objection.

The Alabama Court of Criminal Appeals reversed because, in its view, the prosecutor had impermissibly commented on the defendant’s silence. In its discussion, the Alabama Court cited both the United States and Alabama Constitutions. *Id.*, at 16a. It also cited both Alabama and federal case law. *Id.*, at 16a–21a. Ultimately, the court concluded that the “State’s direct comment on Powell’s right not to testify requires this Court to reverse” because this “type of comment . . . is forbidden under the Constitution.” *Id.*, at 24a. The court did not specify which Constitution it meant.

## II

The Fifth Amendment protects a criminal defendant from being “compelled in any criminal case to be a witness against himself.” In *Griffin v. California*, 380 U. S. 609 (1965), we held that a prosecutor’s comment on a defendant’s failure to testify can violate the Fifth Amendment privilege against self-incrimination. Then, in *Robinson*, this Court clarified the narrow scope of *Griffin*’s rule. We explained that “[w]here the prosecutor on his own initiative asks the jury to draw an adverse inference from a defendant’s silence, *Griffin* holds that the privilege against compulsory self-incrimination is violated.” *Robinson*, 485 U. S., at 32. But when the “prosecutor’s reference to the defendant’s opportunity to testify is a fair response to a claim made by defendant or his counsel, we think there is no violation of the privilege.” *Ibid.*

In this case, the Alabama Court of Criminal Appeals charted a different course. Even though the trial court interpreted the prosecutor’s statement as a reference to the false confession letter, App. 12a–13a, the appellate court interpreted the statement as a “direct comment on Powell’s right not to testify.” *Id.*, at 24a. This holding ignores *Rob-*

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*inson*'s instruction that an appellate court may not "substitute its reading of ambiguous language for that of the trial court and counsel." 485 U. S., at 31. Likewise, the Alabama Court of Criminal Appeals held that the "State's direct comment on Powell's right not to testify requires this Court to reverse." App. 24a. Yet *Robinson* rejected the "view that any 'direct' reference by the prosecutor to the failure of the defendant to testify violates the Fifth Amendment." 485 U. S., at 31. Because the Alabama Court of Criminal Appeals' decision contradicted *Robinson*, I would grant certiorari and summarily reverse.

Respondent defends the judgment below as resting on Alabama law. But the Alabama Court of Criminal Appeals cited the United States and Alabama Constitutions alongside federal and state case law. App. 16a–21a. The decision below never suggested that the "federal cases [we]re being used only for the purpose of guidance" or that they did "not themselves compel the result that the court . . . reached." *Michigan v. Long*, 463 U. S. 1032, 1041 (1983). In such situations, where federal and state law are "interwoven," we "accept as the most reasonable explanation that the state court decided the case the way it did because it believed that federal law required it to do so." *Florida v. Powell*, 559 U. S. 50, 56–57 (2010) (quoting *Long*, 463 U. S., at 1040–1041). I would follow that presumption here and summarily reverse the decision below because it contradicts our Fifth Amendment precedent.

If there were any lingering doubt about the basis for the judgment below, we could remand for the Alabama Court to clarify whether its decision rested on federal or state law. See, e.g., *Capital Cities Media, Inc. v. Toole*, 466 U. S. 378 (1984) (*per curiam*). But this Court does not take even that minimal step. Thus, I respectfully dissent from the denial of certiorari.

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**SUPREME COURT OF THE UNITED STATES**

E. D., A MINOR, BY HER PARENT AND NEXT FRIEND, LISA  
DUELL, ET AL. *v.* NOBLESVILLE SCHOOL  
DISTRICT, ET AL.

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

No. 25–906. Decided June 15, 2026

The petition for a writ of certiorari is denied.

JUSTICE ALITO, dissenting from denial of certiorari.

E. D., a high-school freshman, founded the student-run Noblesville Students For Life club at her school. When she sought approval to hang flyers at school to advertise club meetups, school administrators would not approve the flyers because they contained pictures of students with “Defund Planned Parenthood” placards. E. D., through her parents, brought this suit challenging the school’s speech restriction under the First Amendment.

The panel below rejected petitioners’ claim. In doing so, the panel began by asking “whether *Tinker v. Des Moines Independent Community School District*, 393 U. S. 503 (1969) or *Hazelwood School District v. Kuhlmeier*, 484 U. S. 260 (1988) supplies the governing standard.” 151 F. 4th 907, 914 (CA7 2025) (some citations omitted). That question is pivotal because *Tinker* and *Hazelwood* set forth vastly different standards of review for school censorship.

In *Tinker*, the Court addressed a school policy restricting students’ own speech—in that case, the wearing of arm-bands protesting the Vietnam War. Because students do not “shed their constitutional rights to freedom of speech or expression at the schoolhouse gate,” the Court held that a school could not censor students’ individual expression unless the school met the high bar of showing that the censored speech “would materially and substantially disrupt

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the work and discipline of the school.” 393 U. S., at 506, 513.

*Hazelwood*, by contrast, concerned the regulation of “school-sponsored publications, theatrical productions, and other expressive activities that students, parents, and members of the public might reasonably perceive to bear the imprimatur of the school.” 484 U. S., at 271. When regulating the content of such activities, the Court held, a school need only meet the low bar of showing that the censorship is “reasonably related to legitimate pedagogical concerns.” *Id.*, at 273. Applying this test, the Court held that a school could, consistent with the First Amendment, “exercise editorial control over the contents of a high school newspaper produced as part of the school’s journalism curriculum.” *Id.*, at 262; see also *Morse v. Frederick*, 551 U. S. 393, 423 (2007) (ALITO, J., concurring).

Since *Hazelwood* was decided, lower courts have struggled to ascertain its precise limits, and in my view, clarification by this Court is in order. The question addressed in that case is closely related to the question whether expression is “government speech” or private expression. And in the nearly four decades since *Hazelwood*, this Court has decided a series of cases that addressed the latter question. See, e.g., *Garcetti v. Ceballos*, 547 U. S. 410 (2006); *Pleasant Grove City v. Summum*, 555 U. S. 460 (2009); *Walker v. Texas Div., Sons of Confederate Veterans, Inc.*, 576 U. S. 200 (2015); *Matal v. Tam*, 582 U. S. 218 (2017); *Shurtleff v. Boston*, 596 U. S. 243 (2022); *Kennedy v. Bremerton School Dist.*, 597 U. S. 507 (2022). The distinction between private speech and government speech is critical because the Free Speech Clause of the First Amendment constrains censorship of the first category only. See *Shurtleff*, 596 U. S., at 247–248. Accordingly, “courts must be very careful when a government claims that speech by one or more private speakers is actually government speech,” because “it can be difficult to tell whether the government is using the

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doctrine ‘as a subterfuge for favoring certain private speakers over others based on viewpoint.’” *Id.*, at 262 (ALITO, J., concurring in judgment) (quoting *Summum*, 555 U. S., at 473). When *Hazelwood* was decided, this Court’s decisions had never even mentioned the term “government speech.”

I would grant the petition to clarify the relationship between *Hazelwood* and our subsequent government-speech decisions. In an appropriate case, we should do so.