

11-246 MATCH-E-BE-NASH-SHE-WISH BAND V. PATCHAK

DECISION BELOW: 632 F.3d 702

LOWER COURT CASE NUMBER: 09-5324

QUESTION PRESENTED:

I. Whether the Quiet Title Act and its reservation of the United States' sovereign immunity in suits involving "trust or restricted Indian lands" apply to all suits concerning land in which the United States "claims an interest," 28 U.S.C. § 2409a(a), as the Seventh, Ninth, Tenth, and Eleventh Circuits have held, or whether they apply only when the plaintiff claims title to the land, as the D.C. Circuit held.

II. Whether prudential standing to sue under federal law can be based on either (i) the plaintiff's ability to "police" an agency's compliance with the law, as held by the D.C. Circuit but rejected by the Fifth, Sixth, Seventh, and Eighth Circuits, or (ii) interests protected by a different federal statute than the one on which suit is based, as held by the D.C. Circuit but rejected by the Federal Circuit.

CONSOLIDATED WITH 11-247 FOR ONE HOUR ORAL ARGUMENT.

CERT. GRANTED 12/12/2011