

(ORDER LIST: 560 U.S.)

MONDAY, JUNE 14, 2010

**ORDERS IN PENDING CASES**

09M102 NOBLE, BRYAN V. UNITED STATES

The motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner is denied.

09-9281 SHAHIN, NINA V. DELAWARE, ET AL.

The motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* is denied.

09-10203 MITRANO, PETER P. V. D. C. BAR

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until July 6, 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.

**JURISDICTION POSTPONED**

09-1233 SCHWARZENEGGER, GOV. OF CA V. PLATA, MARCIANO, ET AL.

Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits.

**CERTIORARI GRANTED**

09-520 CSX TRANSPORTATION, INC. V. AL DEPT. OF REVENUE, ET AL.

The petition for a writ of certiorari is granted limited to the following question: "Whether a State's exemptions of rail carrier competitors, but not rail carriers, from generally applicable sales and use taxes on fuel subject the taxes to

challenge under 49 U. S. C. §11501(b)(4) as 'another tax that discriminates against a rail carrier.'”

09-1088 CULLEN, ACTING WARDEN V. PINHOLSTER, SCOTT L.

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

09-1156 MATRIX INITIATIVES, ET AL. V. SIRACUSANO, JAMES, ET AL.

The petition for a writ of certiorari is granted.

**CERTIORARI DENIED**

08-11034 TABLADA, ISMAEL V. THOMAS, WARDEN

09-866 PENDERGRASS, RICHARD V. INDIANA

09-992 PARLAK, IBRAHIM V. HOLDER, ATT'Y GEN.

09-1074 JUSTICE, JOHN C., ET AL. V. CICERO, IL, ET AL.

09-1079 RIVAS-RODRIGUEZ, MAYRA V. HOLDER, ATT'Y GEN.

09-1098 LEVINE, JOSEPH A. V. GREECE CENT. SCH. DIST., ET AL.

09-1213 LAMB, TIMOTHY C. V. ND STATE BOARD OF LAW EXAMINERS

09-1219 BAILEY, CECIL G. V. CALDWELL, LORRAINE

09-1222 SINGH, RAHUL V. REED, CHARLES, ET AL.

09-1225 WILLIAMS, WILBERT V. VI BD. OF MED. EX., ET AL.

09-1226 SOWERS, DAVID J. V. POWHATAN COUNTY, VA, ET AL.

09-1228 KIRKLAND, DWAIN L. V. GUARDIAN LIFE INS. CO. OF AM.

09-1234 CHONTOS, JOSEPH V. BERGHUIS, WARDEN

09-1240 DOUGLAS ASPHALT COMPANY, ET AL. V. ARCH INSURANCE COMPANY

09-1249 HARRIS, JEAN L. V. WITTMAN, SANDRA, ET AL.

09-1251 PRADHAN, DHRUBA V. HOLDER, ATT'Y GEN.

09-1264 McNEIL, PAUL J. V. HOLDER, ATT'Y GEN.

09-1340 RICHMAN, MARCELLA V. BURGESSON, BRIAN, ET AL.

09-1369 CANO, ROBERTA R. V. GEITHNER, SEC. OF TREASURY

09-1382 HAHN, KRIS A. V. UNITED STATES  
09-1385 ROSSI, TRICIA V. UNITED STATES  
09-8722 SANTORO, MARIO F. V. WELLS, WARDEN  
09-8948 JOHNSON, EARL V. UNITED STATES  
09-9032 DOTSON, JAMES B. V. UNITED STATES  
09-9480 ELLMAKER, ANDREW R. V. KANSAS  
09-9635 WILLIAMS, ANTONIO L. V. TEXAS  
09-10067 MILLS, RASHEEN V. BELLNIER, SUPT., UPSTATE  
09-10068 MOORE, LARRY V. CA FRANCHISE TAX BOARD  
09-10071 CANALES, JAVIER O. V. THALER, DIR., TX DCJ  
09-10075 FLAHERTY, RICHARD A. V. TEXAS  
09-10076 WILLIAMS, KEITH V. HARRISON, WARDEN  
09-10080 TORRES, FELIX V. USCA 9, ET AL.  
09-10081 GEORGE, LARRY V. SMITH, WARDEN  
09-10083 GOVAN, RANDY V. SINGLETON, SHIRLEY, ET AL.  
09-10084 HINDAOUI, TAYSSIR V. THALER, DIR., TX DCJ  
09-10085 HEARNS, LARRY V. WOLFENBARGER, WARDEN  
09-10086 FISHER, KENDRICK V. CAIN, WARDEN  
09-10087 GRIMES, URAL V. McNEIL, SEC., FL DOC, ET AL.  
09-10095 HALL, ROBERT A. V. THALER, DIR., TX DCJ  
09-10096 HURT-WHITMIRE, JUDITH V. GEORGIA, ET AL.  
09-10102 JONES, KEVIN V. DiGUGLIELMO, SUPT., GRATERFORD  
09-10107 ALLEN, SANDRA J. B. V. STEWART TITLE GUARANTY CO.  
09-10112 HILL, JOHN C. V. TEXAS  
09-10114 BROWN, NORMAN V. USCA 9  
09-10117 NYAMBAL, EUGENE V. MILLER, WILLIAM H., ET AL.  
09-10118 BEIGHTLER, STEPHEN V. SUNTRUST BANKS, INC.  
09-10119 BEIGHTLER, STEPHEN V. ESSEX CTY. PROSECUTOR, ET AL.

09-10121 HURNS, VICTOR V. ANDERSON, SUPT., MS  
09-10123 FUSELIER, DAVID V. MANCUSO, TONY, ET AL.  
09-10124 HENDERSON, RONALD V. ALEXANDER & BALDWIN, ET AL.  
09-10125 FOSTER, RONALD V. MERAZ, E., ET AL.  
09-10128 HOUSTON, MICHAEL V. McNEIL, SEC., FL DOC, ET AL.  
09-10132 TOLIVER, JOHNATHAN V. TEXAS  
09-10134 HARRIS, REGINALD L. V. GUTIERREZ, SERGEANT, ET AL.  
09-10136 HERNANDEZ, EDWARD V. HARTLEY, WARDEN  
09-10138 HERNANDEZ, ARAMIS V. FLORIDA  
09-10142 HEDGESPETH, FREDERICK V. HENDRICKS, FORMER ADM'R, NJ  
09-10143 HUGHES, ANTHONY D. V. POTTER, POSTMASTER GEN., ET AL.  
09-10149 WILLIS, KAREEM V. GRAHAM, SUPT., AUBURN, ET AL.  
09-10151 WINSTON, STANLEY E. V. GRICE, CHARLENE, ET AL.  
09-10152 ZHAO, QIAN V. HOLDER, ATT'Y GEN.  
09-10154 TOLBERT, NELSON V. STANG, CAPTAIN, ET AL.  
09-10155 WOODRUFF, DONALD V. IL DOC, ET AL.  
09-10156 WILLIAMS, BRIAN V. AYERS, WARDEN  
09-10163 GRAY, RICHARD E. V. KERNAN, WARDEN  
09-10167 PRIETO, ALFREDO R. V. VIRGINIA  
09-10171 JACKSON, RAY V. FLORIDA  
09-10173 KELLER, PETER V. FLORIDA  
09-10174 KRIST, JOSEPH V. TX DEPT. FAMILY PROTECTIVE SERV.  
09-10175 MUNIZ, EDWARD V. KASPAR, NURSE, ET AL.  
09-10176 PEREZ, ROBERT D. V. THALER, DIR., TX DCJ  
09-10183 WISE, GARY L. V. SC DOC  
09-10185 TAYLOR, DANIEL E. V. WILLIAMS, WARDEN  
09-10194 BARNES, DIONDRE V. ROPER, SUPT., POTOSI  
09-10195 PERRY, RAYMOND V. McNEIL, SEC., FL DOC

09-10201 LEVI, HUNTER R. V. ANHEUSER-BUSCH CO., INC., ET AL.  
09-10202 PROCTOR, JAMES E. V. NEVADA  
09-10208 REDMAN, DEBORAH A. V. GRAHAM, PHILIP A., ET AL.  
09-10210 ELLIS, RONNIE J. V. MARIETTA, DOCTOR, ET AL.  
09-10222 MUNIZ, EDWARD V. USDC D CO  
09-10230 PARKER, JAMES V. ERCOLE, SUPT., GREEN HAVEN  
09-10232 McDANIEL, MARSHALL V. ILLINOIS  
09-10240 HAKIMI, SALIM V. HOLDER, ATT'Y GEN.  
09-10247 CARTER, CLARENCE V. ANDERSON, WARDEN  
09-10256 KNOWLES, RANDALL G. V. MONTANA, ET AL.  
09-10286 DWYER, DANIEL W. V. ST. JOSEPH, MO, ET AL.  
09-10293 KALU, AKWARI V. HOLDER, ATT'Y GEN.  
09-10314 NELLUMS, JAMES V. NEVEN, WARDEN  
09-10319 MOSLEY, ROBERT M. V. SCRIBNER, WARDEN  
09-10334 ROTEN, JESSY J. V. FLORIDA  
09-10353 CONTANT, ISAN V. HOLDER, ATT'Y GEN., ET AL.  
09-10366 COBURN, KIM V. LAFLER, WARDEN  
09-10370 CALHOUN, RICKEY V. KING CTY. PROSECUTING ATT'YS  
09-10380 REBERGER, LANCE V. NEVADA  
09-10400 ANDERSON, LEVONZEL V. MISSISSIPPI  
09-10418 TAYLOR, DEVERY L. V. UNITED STATES  
09-10447 PECK, FRANK M. V. WARDEN, NEVIN, ET AL.  
09-10516 RONWIN, EDWARD V. AMEREN, MISSOURI CORP., ET AL.  
09-10525 GARCIA, CARLOS O. V. SCRIBNER, WARDEN  
09-10526 GASTON, JAMES W. V. UNITED STATES  
09-10532 CARRILLO, FAUSTINO V. UNITED STATES  
09-10536 McCANN, PATRICK L. V. TROMBLEY, WARDEN  
09-10539 JACKSON, STEVEN V. UNITED STATES

09-10540 JOHNSON, RONALD V. UNITED STATES  
09-10542 LAWSON, SEDRICK V. UNITED STATES  
09-10543 NELSON, CORNELIUS V. UNITED STATES  
09-10545 ZIMMERMAN, ALLEN V. CASON, WARDEN  
09-10546 WILSON, ROBERT V. UNITED STATES  
09-10547 TENUTO, VINCENT J. V. UNITED STATES  
09-10548 WHITAKER, DOUGLAS W. V. NORTH CAROLINA  
09-10554 MERCER, KELLY G. V. UNITED STATES  
09-10557 BETANCORT-SALAZAR, ARNULFO V. UNITED STATES  
09-10561 KINZER, COLBURN V. UNITED STATES  
09-10563 COX, JON M. V. SCHWARTZ, WARDEN  
09-10564 CONTRERAS, JESUS L. V. UNITED STATES  
09-10566 MITCHELL, PHILLIP V. VASBINDER, WARDEN  
09-10571 PRINCE, JUDAH V. UNITED STATES  
09-10575 VALENZUELA, ALBERTO A. V. UNITED STATES  
09-10577 BOOTH, ROBERT E. V. WISCONSIN  
09-10578 ARIEGWE, KINGSLEY V. FERRITER, DIR., MT DOC, ET AL.  
09-10579 GIANNONE, JONATHAN V. UNITED STATES  
09-10581 GILLARD, LISA J. V. NORTHWESTERN UNIV.  
09-10585 ELLIOTT, DAMON V. DEPARTMENT OF AGRICULTURE  
09-10587 SARTORI, ROBERT V. NORTH CAROLINA  
09-10591 WILLIS, RANDALL D. V. UNITED STATES  
09-10593 KINARD, JOSEPH V. UNITED STATES  
09-10595 PEREZ, YUSEMEL V. UNITED STATES  
09-10602 DOYLE, MICHAEL V. ARCHULETA, LOU, ET AL.  
09-10622 SUAREZ, SORGA V. UNITED STATES  
09-10636 TANCHAK, WILLIAM S., ET UX. V. UNITED STATES  
09-10642 PITCHFORD, FREDERICK L. V. TURBITT, DANIEL M.

09-10661 DE LA CRUZ-DIAZ, ANASTACIO V. UNITED STATES  
09-10662 CARDONA-RAMIREZ, GABRIEL V. UNITED STATES  
09-10666 QUINONES, GUILLERMO V. OUTLAW, WARDEN  
09-10671 LOPEZ-JACOBO, ANTONIO V. UNITED STATES  
09-10673 KHAMMANIVONG, VANG V. UNITED STATES  
09-10679 TUCKER, LORENZO V. UNITED STATES  
09-10680 SANCHEZ-LEYVA, JOSE M. V. UNITED STATES  
09-10681 SHENANDOAH, PAUL V. UNITED STATES  
09-10682 OSAHON, ETINOSA V. UNITED STATES  
09-10687 ARROYO-CARBAJAL, NICOLAS V. UNITED STATES  
09-10688 BARRAZA-MONTES DE OCA, NOE R. V. UNITED STATES  
09-10689 ANGIANO, JUAN V. V. UNITED STATES  
09-10692 RICE, CHERYL L. V. POTTER, POSTMASTER GEN.  
09-10695 THOMPSON, BOBBY V. UNITED STATES  
09-10699 NICHOLSON, LORENZO R. V. UNITED STATES  
09-10703 SMITH, BENJAMIN V. UNITED STATES  
09-10707 MAYES, RAYMOND V. UNITED STATES  
09-10708 JONES, BRANDON M. V. UNITED STATES  
09-10714 WILLIAMS, CLINTON V. UNITED STATES  
09-10716 TOMPKINS, DAN C. V. UNITED STATES  
09-10720 ACHRUM, MICHAEL D. V. UNITED STATES  
09-10721 ANTONUCCI, DOMINIC V. UNITED STATES  
09-10722 AS-SADIQ, RUHULLAH V. UNITED STATES  
09-10725 IRISH, LORI V. UNITED STATES  
09-10726 HARDISON, STEPHEN V. UNITED STATES  
09-10728 HAIRSTON, BARION L. V. UNITED STATES  
09-10729 GERALD, EMMA V. UNITED STATES  
09-10730 FIORELLA, HEATHER V. UNITED STATES

09-10731 FAJARDO-FAJARDO, CARLOS J. V. UNITED STATES  
09-10733 NARCE, ALVIN V. UNITED STATES  
09-10735 DELGADO, DAVID V. UNITED STATES  
09-10736 CRUZ, HECTOR V. UNITED STATES  
09-10743 KINSEY, ELISE M. V. DEPT. OF JUSTICE, ET AL.  
09-10746 VEAL, JANISON V. UNITED STATES  
09-10747 TURNER, DESMOND D. V. UNITED STATES  
09-10748 BURROWES, CLINTON E. V. UNITED STATES  
09-10749 BARON, JORGE V. UNITED STATES  
09-10750 SMITH, KEVIN K. V. UNITED STATES  
09-10752 RODRIGUEZ, ALFREDO V. UNITED STATES  
09-10754 MILLER, KELVIN V. UNITED STATES  
09-10756 GONZALEZ-GARZA, JOSE V. UNITED STATES  
09-10757 FLOWERS, EMERT R. V. UNITED STATES  
09-10759 HARRISON, WILLIAM H. V. UNITED STATES  
09-10766 GENTILE, SAMUEL J. V. UNITED STATES  
09-10767 WILLIAMS, SHAWN V. UNITED STATES  
09-10768 GARCIA-GRACIAN, JOSE A. V. UNITED STATES  
09-10770 NENNINGER, TONY V. U.S. FOREST SERVICE, ET AL.  
09-10772 HERDER, KINSEY C. V. UNITED STATES  
09-10773 ROBINSON, JOHN A. V. UNITED STATES  
09-10775 HENOUD, JOHN M. V. UNITED STATES  
09-10779 SIMMONS, LAWRENCE V. UNITED STATES  
09-10789 ELLIS, EUGENE T. V. UNITED STATES  
09-10796 LEWIS, CHARLES V. UNITED STATES  
09-10800 GREEN, CHARLES L. V. UNITED STATES  
09-10802 SANCHEZ, URIEL V. UNITED STATES  
09-10803 BYNUM, MARQUES V. UNITED STATES

09-10804 HERNANDEZ-NAVARRO, FILIBERTO V. UNITED STATES  
09-10815 HYACINTH, JOHN V. UNITED STATES  
09-10816 HICKS, DAVID V. FEDERAL BUREAU OF PRISONS  
09-10820 GULLEY, WILLIE B. V. UNITED STATES  
09-10821 HAMILTON, CLIVE A. V. UNITED STATES  
09-10825 ADLEY, CORNELL V. UNITED STATES  
09-10842 ROMAN-CARDENAS, LEONAL V. UNITED STATES  
09-10852 BELL, SAMUEL J. V. UNITED STATES  
09-10857 MEDRANO, JUAN D. V. UNITED STATES  
09-10863 ROMERO-CHAVARRIA, VICTOR M. V. UNITED STATES  
09-10864 DARTON, COREY L. V. UNITED STATES  
09-10865 CANO, LUIS H. V. MIDDLEBROOKS, WARDEN  
09-10875 AGUIRRE-GANCEDA, JOSE M. V. UNITED STATES

The petitions for writs of certiorari are denied.

09-923 ARAR, MAHER V. ASHCROFT, FORMER ATT'Y GEN.

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

09-1027 NEW ALBANY, IN V. NEW ALBANY DVD, LLC

The motion of Indiana Family Institute, et al. for leave to file a brief as *amici curiae* is granted. The motion of International Municipal Lawyers Association for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

09-1187 McBREARTY, DEANNA, ET AL. V. THE VANGUARD GROUP, INC., ET AL.

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

09-1208 RYAN, DIR., AZ DOC V. LIBBERTON, LAURENCE K.

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

09-9669 GAINES, SHAWN V. NYC TRANSIT AUTHORITY, ET AL.

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

09-10070 MATTHEWS, FELTON L. V. USCA 9

09-10141 FENLON, ROBERT M. V. THALER, DIR., TX DCJ, ET AL.

09-10184 THOMAS, ALLEN G. V. THALER, DIR., TX DCJ

09-10217 JOHNSON, RONALD W. V. TEXAS

09-10220 BARBOUR, KENNETH E. V. VA DOC

09-10284 BARBOUR, KENNETH E. V. DURHAM, J., ET AL.

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.

09-10528 GJIDIJA, NAIM 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.

09-10659 DRABOVSKIY, YAKOV G. V. YOUNG, 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. 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.

09-10693 WORJLOH, GEAGBAE V. UNITED STATES  
09-10799 JOHNSON, PEARLIE V. UNITED STATES  
09-10831 LLUBERES, EDUARDO 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**

09-10841 IN RE HOWELL W. WOLTZ  
09-10960 IN RE GEORGE CASILLAS

The petitions for writs of habeas corpus are denied.

#### **MANDAMUS DENIED**

09-10854 IN RE ERIC M. VAN BUREN

The petition for a writ of mandamus is denied.

#### **REHEARINGS DENIED**

09-7923 SCHWARTZ, STEVEN A. V. UNITED STATES  
09-9068 ZABRISKIE, SCOTT R. V. ORLANDO POLICE, ET AL.  
09-9073 MOHAMMED, FARD V. WI INS. SECURITY FUND, ET AL.  
09-9080 JUDD, KEITH R. V. NEW MEXICO  
09-9167 SEMLER, RAYMOND L. V. FINCH, DONNA  
09-9220 BARBOUR, KENNETH E. V. SCHLOBOHM, LT., ET AL.  
09-9221 BARBOUR, KENNETH E. V. VA DOC, ET AL.  
09-9233 GONZALEZ, LUIS, ET AL. V. RIDDLE, LYNNE, ET AL.  
09-9255 IN RE JEROME HENDERSON  
09-9381 BARBOUR, KENNETH E. V. STANFORD, M., ET AL.

09-9424 DuLAURENCE, HENRY J. V. LIBERTY MUTUAL INS. CO., ET AL.  
09-9439 CALLENDER, ELMINA V. ROSS STORES, INC.  
09-9616 AGUILAR, TERESA V. SELMAN BREITZMAN, LLP, ET AL.  
09-9620 AMR, SALAME M. V. VA STATE UNIV., ET AL.  
09-9622 MILLER, JENNIFER L. V. ANHEUSER-BUSCH, INC.  
09-9717 LAHERA, JUAN V. WALT DISNEY CO., ET AL.  
09-9750 IN RE WINDELL McCLAIN

The petitions for rehearing are denied.

**ATTORNEY DISCIPLINE**

D-2469 IN THE MATTER OF DISCIPLINE OF RALPH T. BYRD

Ralph T. Byrd, of Laytonsville, Maryland, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.