

MONDAY, APRIL 30, 2007

CERTIORARI -- SUMMARY DISPOSITIONS

06-523

PATRICK, WARDEN V. SMITH, SHIRLEY R.

The motion of respondent for leave to proceed *in forma pauperis* is granted. 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 *Carey v. Musladin*, 549 U.S. ____ (2006).

06-7263

CHAMBERS, RONALD C. V. QUARTERMAN, DIR., TX DCJ

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Fifth Circuit for further consideration in light of *Abdul-Kabir v. Quarterman*, 550 U.S. ____ (2007).

06-9770

SHUPP, SEAN D. V. CALIFORNIA

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment is vacated and the case is remanded to the Court of Appeal of California, Fifth Appellate District for further consideration in light of *Cunningham v. California*, 549 U.S. ____ (2007).

ORDERS IN PENDING CASES

06A912

(06-10416)

METZSCH, LORI M. V. AVAYA, INC.

The application for stay addressed to The Chief Justice

and referred to the Court is denied.

06M88 TRUSS, LEARNARDO V. MITCHEM, WARDEN, ET AL.

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

CERTIORARI GRANTED

06-984 MEDELLIN, JOSE E. V. TEXAS

The petition for a writ of certiorari is granted.

CERTIORARI DENIED

06-462 TEXAS, ET AL. V. MEYERS, MARJORIE, ET AL.

06-740 LOPEZ-CANCINOS, YUMAN, ET AL. V. GONZALES, ATT'Y GEN.

06-769 WEEMS, DONALD, ET AL. V. JOHNSON, LAWRENCE, ET AL.

06-906 PRADILLA, CARLOS V. GONZALES, ATT'Y GEN., ET AL.

06-955 BUTLER, RONALD V. FLETCHER, ROBERT

06-1010) NIAGARA MOHAWK POWER, ET AL. V. FERC

)
06-1011) NEW YORK, ET AL. V. FERC

06-1110 MILLER-JENKINS, LISA V. MILLER-JENKINS, JANET

06-1121 GOODMAN, PHILLIP V. HBD INDUSTRIES, INC., ET AL.

06-1159 KAUFMANN'S CAROUSEL, ET AL. V. CITY OF SYRACUSE INDUSTRIAL DEV.

06-1160 NISSELSON, ALAN V. LERNOUT, JO, ET AL.

06-1161 P. M. REALTY & INVESTS., INC. V. TAMPA, FL

06-1165 MCGIRT, JOE L., ET AL. V. GULF INS. CO., ET AL.

06-1168 BUFFALO TEACHERS FED., ET AL. V. TOBE, RICHARD, ET AL.

06-1170 CORY, BILL J. V. AZTEC STEEL BUILDING, INC.

06-1173 FINCH, DOROTHY I. V. BUECHEL, CHARLES A., ET AL.

06-1174 HORWITZ, KAREN V. IL STATE BD. OF ED., ET AL.

06-1177 GILLESPIE, VINCENT V. GILLESPIE, PEGGY R.

06-1179 HALL, ARIC W. V. CIVIL AIR PATROL, INC., ET AL.

06-1185 MICKENS, RONALD V. POLK COUNTY SCH. BD., ET AL.

06-1186 RHODES, ANTHONY V. ALABAMA
06-1256 ADAMS, EDWARD, ET AL. V. CHICAGO, IL
06-1259 NASCIMENTO, JOSEPH F. V. SUPREME COURT OF MT
06-1280 SHAPIRO, DAVID M. V. INGRAM, JUDGE
06-1297 KHOROZIAN, ANGELA V. UNITED STATES
06-1301 GURR, BERNARD V. UNITED STATES
06-8034 RANGEL-TOVAR, JAIME A. V. UNITED STATES
06-8507 CONSTANT, IVAN V. UNITED STATES
06-8710 GARZA-REYNA, CELEDINO V. UNITED STATES
06-8936 ROGERS, DAVID K. V. CALIFORNIA
06-9036 AMADOR, JOHN J. V. QUARTERMAN, DIR., TX DCJ
06-9074 DOLINSKA-MADURA, ANNA V. FULL SPECTRUM LENDING, INC.
06-9083 SANDERS, LUMMIE V. UNITED STATES
06-9089 SANDRES, NAOMI V. STATE OFFICE OF GENERAL COUNSEL
06-9146 OLIVER, ANTHONY C. V. CALIFORNIA
06-9173 LEWIS, ALBERT V. CALIFORNIA
06-9651 GUADALUPE, EDELMIRO V. PATRICK, SUPT., HOUTZDALE
06-9654 HURLSTON, KRISTOFFER V. McDONOUGH, SEC., FL DOC
06-9658 HARRIS, EDWARD E. V. CAIN, WARDEN
06-9660 IBEABUCHI, IKEMEFULA V. PALMER, WARDEN, ET AL.
06-9663 GILLIS, JOHN A. V. MICHIGAN
06-9664 HALES, MICHAEL V. BROOKS, SUPT., ALBION, ET AL.
06-9667 COOK, DARRELL W. V. JOHNSON, DIR., VA DOC
06-9670 COPLEY, DONALD R. V. MOORE, SUPT., NORTHEAST
06-9672 LEE, BOBBY V. DOTSON, WARDEN
06-9677 EARP, ALAN V. LAVAN, SUPT., DALLAS, ET AL.
06-9678 MITCHELL, ALBERT D. V. MICHIGAN
06-9682 ST. AUBIN, KEITH M. V. QUARTERMAN, DIR., TX DCJ

06-9696 PERKIS, ROBERT H. V. SIRMONS, WARDEN, ET AL.
06-9698 LUGO, EVANGELISTA V. CARRANZA, RODOLFO, ET AL.
06-9701 MACKEY, JOSEPH V. McDONOUGH, SEC., FL DOC
06-9702 JACKSON, WARREN L. V. McDONOUGH, SEC., FL DOC
06-9704 KING, GERALD V. LIVINGSTON, EXEC. DIR., TX DCJ
06-9705 BLANKENSHIP, SHAWN J. V. LOUISIANA
06-9709 WILLIAMS, ARTHUR L. V. GIURBINO, WARDEN
06-9711 McBRIDE, CHARLES E. V. McDONOUGH, SEC., FL DOC
06-9714 McNEIL, JAMAL V. FOLINO, SUPT., GREENE, ET AL.
06-9716 WITKOWSKI, BRUCE A. V. LAFLER, WARDEN
06-9717 WORRELL, DAVID P. V. MARYLAND
06-9724 HELMIG, DALE V. KEMNA, SUPT., CROSSROADS
06-9727 LOVETT, JOSEPH V. NEW JERSEY
06-9734 HOUGHTON, HENDERSON D. V. HURD, MARCIA
06-9736 GRAVES, JOMOKO T. V. WILLIAMS, WARDEN
06-9739 HOLLEY, GARFIELD W. V. JOHNSON, DIR., VA DOC
06-9743 FRIERSON, THIEL C. V. AVILES, J., ET AL.
06-9750 PERRY, LAURENCE B. V. HOREL, WARDEN
06-9755 SWEET, WILLIAM E. V. McDONOUGH, SEC., FL DOC, ET AL.
06-9757 SCOTT, JAMES D. V. OZMINT, DIR., SC DOC, ET AL.
06-9761 YOUNG, GREGORY L. V. SISTO, WARDEN
06-9763 ANDERSON, ERIC V. McDONOUGH, SEC., FL DOC
06-9766 BURDEN, SHANE V. CO DOC
06-9777 DeYOUNG, LARRY D. V. SCHRIRO, DIR., AZ DOC, ET AL.
06-9780 TILLMAN, TRAVIS V. HOFBAUER, WARDEN
06-9789 CLAYTON, FRANKLIN V. MI DOC
06-9791 ECHOLS, CARL V. KNIGHT, SUPT., PENDLETON
06-9798 LACEFIELD, PHILLIP V. NEW YORK TIMES, ET AL.

06-9803 TASKER, TINA E. V. MI DEPT. OF HUMAN SERVICES
06-9807 SCOTT, LUSTER V. ILLINOIS
06-9811 FOSTER, RONALD V. BUCHANAN, JUDGE, ETC.
06-9842 VILLAMIZAR-RAMIREZ, DANIEL V. GONZALES, ATT'Y GEN.
06-9951 SIMPSON, CHAD E. V. UNITED STATES
06-10052 HICKS, DAVID V. FENTY, MAYOR, ET AL.
06-10069 LITWA, ALAN V. REYNOLDS, SUPT., MOHAWK
06-10101 SNIPES, LEON V. PIERCE, WARDEN
06-10102 STANLEY, ALEXANDER V. COLORADO
06-10115 HILSKA, JOUKO M. V. SUTER, CLERK, USSC, ET AL.
06-10128 WIMS, JOHN C. V. UNITED STATES
06-10137 HOLLIMAN, FREDRICK M. V. UNITED STATES
06-10151 THRIFT, DANIEL J. V. UNITED STATES
06-10165 BROWN, JAMES D. V. UNITED STATES
06-10171 MONTAGUE, RAMON V. ILLINOIS
06-10175 OTTO, FRED J. V. UNITED STATES
06-10185 WILLIAMS, BOBBY A. V. RIDLEY-TURNER, EVELYN, ET AL.
06-10214 CLARK, TERRELL M. V. UNITED STATES
06-10225 WADE, CHARLES E. V. UNITED STATES
06-10258 DIAZ, RENE J. V. UNITED STATES
06-10271 LE, NGHIA V. UNITED STATES
06-10272 JORDAN, ERIC V. UNITED STATES
06-10274 LEDESMA, DIODAYAN V. UNITED STATES
06-10275 KLOSZEWSKI, GUSTAV V. DEPT. OF JUSTICE, ET AL.
06-10276 MASON, ALFONZO V. UNITED STATES
06-10278 NIGRO, JOHN V. UNITED STATES
06-10279 McDONALD, IAN V. UNITED STATES
06-10284 SCHUMANN, CARL E. V. UNITED STATES

06-10286 ROBINSON, CHARLES R. V. REVELL, WARDEN
06-10287 KIMBLE, DERRICK V. LAMANNA, WARDEN
06-10288 WELLS, DAMION V. UNITED STATES
06-10289 CHRISTIAN, RICKY D. V. UNITED STATES
06-10291 SIMS, PATRICK L. V. SHERMAN, WARDEN
06-10295 BOKMAN, SHAWN D. V. UNITED STATES
06-10297 PEREZ, ANDREW A. V. UNITED STATES
06-10308 BROWN, RICHARD O. V. UNITED STATES
06-10310 ASKEW, MAURICE V. UNITED STATES
06-10313 LUNA-RODRIGUEZ, ENRIQUE V. UNITED STATES
06-10318 VALENCIA, ALFREIDA B. V. UNITED STATES
06-10321 PERRY, PAUL F. V. UNITED STATES
06-10325 WEATHERSPOON, FLOYD V. UNITED STATES
06-10326 INGRAM, ERIC J. V. UNITED STATES
06-10327 HOUSTON, ALONZO V. UNITED STATES
06-10329 FUENTES, JOSEPH N. V. UNITED STATES
06-10331 GUERRA-MESTA, GUADALUPE V. UNITED STATES
06-10334 HICKS, ANTONIA D. V. UNITED STATES
06-10337 PORTER, HOWARD T. V. UNITED STATES
06-10339 PEREZ, MICHAEL V. UNITED STATES
06-10341 COLON, JESSE J. V. UNITED STATES
06-10344 GARRISON, LAWRENCE B. V. UNITED STATES
06-10348 BRAND, MATTHEW A. V. UNITED STATES
06-10349 GONZALEZ, LUIS M. V. UNITED STATES
06-10350 VUOLO, GERARD M. V. UNITED STATES
06-10351 ZAKHAROV, ANATOLI V. UNITED STATES
06-10352 HISHAW, CARLOS D. V. UNITED STATES
06-10354 GWATHNEY, CHARLES E. V. UNITED STATES

06-10358 GECHT, DAVID V. JONES, ASST. WARDEN
06-10360 ELSTON, JAMES E. V. UNITED STATES
06-10362 DONEL, JAMES T. V. UNITED STATES
06-10363 ERVIN, GARY V. UNITED STATES
06-10365 LIU, ZHIHAO V. UNITED STATES
06-10366 MAYERS-CARRILLO, LORENZO L. V. UNITED STATES
06-10369 ANDERSON, DON B. V. UNITED STATES
06-10377 IBARRA-GARCIA, MARTIN V. UNITED STATES
06-10381 GONZALEZ, MANUEL V. UNITED STATES
06-10383 GARCIA-ESTUPINON, EDUARDO V. UNITED STATES
06-10385 GADDY, ELIJAH J. V. UNITED STATES
06-10388 CASILLAS, JOHN A. V. UNITED STATES
06-10393 IN RE SEALED CASE
06-10394 HENDERSON, MICHAEL V. BOOKER, WARDEN
06-10397 MALLOY, GARY L. V. UNITED STATES
06-10400 WEBB, EARL V. UNITED STATES
06-10401 SPANO, MICHAEL V. UNITED STATES
06-10403 dEWILLIAMS, GARY V. MARTINEZ, WARDEN
06-10407 THORPE, JAMES V. UNITED STATES
06-10408 ANDREW, BRYSON V. UNITED STATES
06-10414 PEREZ-GONZALEZ, JUAN V. UNITED STATES
06-10418 LOPEZ, HECTOR R. V. UNITED STATES
06-10429 ARCE-LEON, SAMUEL V. UNITED STATES
06-10431 VANDRY, CYNTHIA C. V. UNITED STATES
06-10433 THOMPSON, CORRY V. UNITED STATES
06-10434 HERNANDEZ, ANDY V. UNITED STATES

The petitions for writs of certiorari are denied.

06-736) EPA V. NEW YORK, ET AL.

06-750) UTILITY AIR REGULATORY GROUP V. NEW YORK, ET AL.

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

06-1169 HAMDAN, SALIM A. V. GATES, SEC. OF DEFENSE, ET AL.

The petition for a writ of certiorari is denied. Justice Souter, Justice Ginsburg, and Justice Breyer would grant the petition for a writ of certiorari.

06-1176 HIGH COUNTRY ALLIANCE, ET AL. V. CLARKE, KATHLEEN, ET AL.

The motion of Administrative Law and Public Lands Law Professors for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

06-9729 SIVAK, LACEY M. V. SONNEN, PAM, 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.

06-9730 SIVAK, LACEY M. V. DEFENDANT A

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.

06-9737 HARRIS, DAVID G. V. QUARTERMAN, DIR., TX DCJ

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.

HABEAS CORPUS DENIED

06-10457 IN RE DAWUD H. MALIK

06-10464 IN RE AQUINO OSORIA

06-10482 IN RE RICARDO GLOVER

06-10484 IN RE GENE A. GUINN

06-10504 IN RE IGNACIO P. NEGRON

06-10512 IN RE DAVID M. CAMPBELL

06-10556 IN RE DON B. ANDERSON

06-10590 IN RE DAVID J. WARD

The petitions for writs of habeas corpus are denied.

MANDAMUS DENIED

06-9683 IN RE CAROLYN FOOSE

06-9748 IN RE WILLIAM D. DUNCAN

06-9784 IN RE WAYNE ARNOLD

06-9806 IN RE RICHARD P. RIGGINS

The petitions for writs of mandamus are denied.

06-9746 IN RE KATRINA CLARK

06-10379 IN RE ALEXANDER I. IJEMBA

The petitions for writs of mandamus and/or prohibition are denied.

REHEARINGS DENIED

06-518 CHADDA, SOLANGE V. GILLESPIE, ED, ET AL.

06-943 BROWN, ROBERT E., ET UX. V. INTERBAY FUNDING, LLC, ET AL.

06-951 RAAD, NADA V. FAIRBANKS NORTH STAR BOROUGH

06-7356 ALEX, RICKY J. V. STALDER, SEC., LA DOC
06-7606 BROOKS, NEILA J. V. SUPERVALU, INC.
06-7758 LAMBERT, MICHAEL A. V. BUSS, SUPT., IN
06-8126 STALEY, EDWARD V. HALL, WARDEN
06-8301 McGRATH, JAMES G. V. GEORGIA
06-8317 BACKMAN, PRINCE V. NEW YORK
06-8344 VANSACH, JOSEPH V. UNITED STATES
06-8602 PARADA, CARLOS V. FLORIDA
06-8673 WILLIAMS, TROY V. USPS
06-8680 STROZIER, JIMMY L. V. USPS, ET AL.
06-8765 BLACK, HAROLD J. V. FORT WADE CORRECTIONAL CENTER
06-8912 MORERA-VIGO, ELIEZER V. UNITED STATES
06-9196 CREVELING, DAVID W. V. WA DEPT. OF FISH AND WILDLIFE
06-9238 HUTSON, KENYA M. V. UNITED STATES
06-9251 IN RE RICHARD FUSELIER

The petitions for rehearing are denied.