

(ORDER LIST: 562 U.S.)

MONDAY, NOVEMBER 15, 2010

CERTIORARI -- SUMMARY DISPOSITION

10-5610 PULIDO-ISLAS, JORGE V. UNITED STATES

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 *Carachuri-Rosendo v. Holder*, 560 U.S. ____ (2010).

ORDERS IN PENDING CASES

10M46 TAYLOR, EDDIE V. UNITED STATES

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

09-115 CHAMBER OF COMMERCE, ET AL. V. WHITING, MICHAEL B., ET AL.

09-291 THOMPSON, ERIC L. V. NORTH AMERICAN STAINLESS, LP

The motions of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument are granted. Justice Kagan took no part in the consideration or decision of these motions.

09-329 CHASE BANK USA, N.A. V. McCOY, JAMES A.

The motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

09-804 CIGNA CORP., ET AL. V. AMARA, JANICE C., ET AL.

The motion of the Acting Solicitor General for leave to

participate in oral argument as *amicus curiae* and for divided argument is granted. Justice Sotomayor took no part in the consideration or decision of this motion.

09-1036 HENDERSON, DAVID L. V. SHINSEKI, SEC. OF VA

The motion of Doretha H. Henderson, the authorized representative of David L. Henderson, to be substituted as petitioner is granted. Justice Kagan took no part in the consideration or decision of this motion.

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

The motion of appellees for divided argument is denied. An additional ten minutes are allotted to each side for oral argument.

09-1272 KENTUCKY V. KING, HOLLIS D.

The motion of respondent to dismiss the writ of certiorari as improvidently granted is denied.

09-6822 PEPPER, JASON V. UNITED STATES

The motion of the Acting Solicitor General for divided argument is granted. Justice Kagan took no part in the consideration or decision of this motion.

10-5070 DANDAR, RONALD G. V. KRYSEVIG, MARK, ET AL.

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

10-5221 ZERILLI-EDELGLASS, TERESA V. NYC TRANSIT, ET AL.

The motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* is denied. Justice Sotomayor took no part in the consideration or decision of this motion.

10-5567 MURRAY, SHARON V. AT&T MOBILITY LLC

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

10-6318 STRICKLAND, ROBERT V. BAKER, J. FRANK, ET AL.

10-6471 MILLER, EUGENE V. MARKS, JUDGE, ETC., ET AL.

The motions of petitioners for leave to proceed *in forma pauperis* are denied. Petitioners are allowed until December 6, 2010, 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

09-11556 TOLENTINO, JOSE V. NEW YORK

10-5443 FOWLER, CHARLES A. V. UNITED STATES

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

CERTIORARI DENIED

09-1110 PARK, ALEX B. V. WISCONSIN

09-1532 CLAYTON, CHARLES V. UNITED STATES

09-10905 MUSLEVE, MARGARET V. MUSLEVE, JEFFREY

09-11159 YOUNG, DONALD R. V. UNITED STATES

09-11257 DEW, GREGORY V. OHIO

09-11474 WILLIAMS, CURTIS R. V. UNITED STATES

10-31 BOATWRIGHT, WARDEN V. RAY, ELLIOT D.

10-58 ANDREWS, MARK E. V. HOWARD, D. DOUGLAS

10-176 YOUNG, TRACEY V. LOUISIANA

10-185) CORE COMMUNICATIONS, INC. V. FCC, ET AL.

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10-189) PA PUB. UTIL. COMM'N V. FCC, ET AL.

10-212 WILLIAMS, MARIA H. V. UNITED STATES

10-216 TARANTINO, FREDERICK V. HORNELL, NY, ET AL.
10-335 COTTIER, PEARL, ET AL. V. MARTIN, SD, ET AL.
10-336 GREEN, LARRY V. FIDELITY INVESTMENTS
10-343 PICCIOTTO, STEFANO, ET AL. V. APPEALS COURT OF MA
10-346 GRIFFIN, TRUDY V. HARDRICK, DARRELL
10-347 GUTTMAN, ZVI V. RAWLINGS-BLAKE, MAYOR, ET AL.
10-351 MALIK, ANJUM V. CONTINENTAL AIRLINES, INC.
10-354 APC ACQUISITION CORP., INC. V. ATLANTECH, INC.
10-356 LOCKE, LLOYD P. V. EVANS, WARDEN
10-368 MORRIS, MARILYN, ET AL. V. NUCLEAR REGULATORY COMMISSION
10-429 WALKER, JOEL D., ET UX. V. CROMARTIE, H. L., ET AL.
10-493 KATZ, HARRY M. V. UNITED STATES
10-495 L. E. K. V. D. R. S.
10-500 URCIUOLI, ROBERT A. V. UNITED STATES
10-515 PETERSON, SARAH H. V. UNITED STATES
10-5022 SNYDER, ROBIN N. V. UNITED STATES
10-5287 SMITHEY, BETTY C. V. ARIZONA
10-5432 McCORD, JOHN, ET UX. V. ALABAMA
10-5625 DAILEY, JAMES E. V. MARTEL, WARDEN
10-5720 ROBERTSON, DEBRA V. CREE, INC.
10-5867 CHAN, ELIZABETH A. V. DEPT. OF JUSTICE
10-5937 GUYTON, JAMES L. V. UNITED STATES
10-6304 DAVIS, WILLIAM F. V. WILLIAMS, WARDEN, ET AL.
10-6322 HUMPHREYS, STACEY I. V. GEORGIA
10-6332 BLACKWELL, RODNEY K. V. YORK, LUELLA
10-6333 BURTON, JOHN V. SPOKANE POLICE DEPT., ET AL.
10-6341 COOK, GOMEZ T. V. FLORIDA
10-6342 McCARTY, ROGER S. V. THALER, DIR., TX DCJ

10-6345 GUIMARAES, ALMYR V. NORS, ET AL.
10-6350 WATSON, LAVARN V. LOCKETTE, WILLIE, ET AL.
10-6351 WOJTCZAK, WALTER V. SAFECO PROPERTY, ET AL.
10-6353 TORREZ, VONNE I. V. ELEY, CLIFFORD E.
10-6360 WOOLRIDGE, JOSHUA T. V. EDWARDS, RHEA
10-6371 ROSS, CHARLES A. V. HENSE, WARDEN
10-6388 SHABAZZ, OMOWALE A. V. TENNESSEE
10-6389 ROWL, PAULINE V. SMITH DEBNAM, ET AL.
10-6391 McMULLAN, ALFRED V. ROPER, SUPT., POTOSI
10-6392 JOHNSON, ANTHONY D. V. THALER, DIR., TX DCJ
10-6393 JONES, MARLIN E. V. NORTH PLATTE, NE, ET AL.
10-6395 STRADLEY, KENNETH A. V. EAGLETON, WARDEN
10-6397 JOHNSON, RICHARD H. V. OREGON
10-6416 KEYS, TYRONE L. V. MICHIGAN
10-6420 BROWN, JIMMY LEE V. SMITH, WILLIAM
10-6429 MARTEL, RAFAEL V. McNEIL, SEC., FL DOC
10-6430 WHITE, KALA B. V. HATHAWAY, AMY, ET AL.
10-6432 WRIGHT, DANIEL V. CALIFORNIA
10-6436 McDANIEL, BRIAN L. V. MISSOURI
10-6442 TOLLIVER, KEVIN A. V. SHEETS, WARDEN
10-6443 YOH, HERMON V. PALLITO, COMM'R, VT DOC
10-6444 TRUJILLO, SAMUEL G. V. PROVINCE, WARDEN
10-6448 OBRIECHT, ANDREW V. THURMER, WARDEN
10-6454 SNIPES, BEN A. V. CALIFORNIA
10-6455 SOTO, JOSHUA A. V. CALIFORNIA
10-6457 STEVENS, RUSSELL L. V. THALER, DIR., TX DCJ
10-6458 KAPETAN, DANIEL W. V. NEVADA
10-6459 KIMBROUGH, JAMES W. V. COLSON, WARDEN

10-6463 SMITH, VINCENT G. V. THALER, DIR., TX DCJ
10-6467 MAJORS, TIMOTHY S. V. TEXAS
10-6472 JONES, DENARD L. V. FLORIDA
10-6474 JACKSON, RONALD V. PEOPLE OF OCTOBER 19-20, 1994
10-6478 TAYLOR, RAHEEM V. NEW JERSEY, ET AL.
10-6480 WASHINGTON, ROOSEVELT V. WILSON, MICHAEL
10-6483 GARVINS, ANTHONY V. BURNETT, DAVE, ET AL.
10-6484 LEBBOS, BETSEY W. V. SCHUETTE, LINDA
10-6486 CARSON, DAVID V. NEW JERSEY
10-6492 GRANGER, HUEY G. V. SLADE, WILLIAM B., ET AL.
10-6493 HINKLE, ERIC R. V. TEXAS
10-6495 FRAZIER, ANDRE T. V. MICHIGAN
10-6502 HOWELL, JEROME V. HEATH, SUPT., SING SING
10-6505 SNIPES, BEN A. V. CALIFORNIA
10-6513 MOOR, MARK V. PALMER, WARDEN, ET AL.
10-6541 KENNEWAY, BRUCE J. V. ASTRUE, COMM'R, SOCIAL SEC.
10-6586 KARIMZADA, MOHAMMED V. CUNNINGHAM, SUPT., WOODBURN
10-6611 BRYANT, MARVIN V. ILLINOIS
10-6614 STONE, MARVIN E. V. McNEIL, SEC., FL DOC, ET AL.
10-6619 KALU, NDUKWE U. V. HOLDER, ATT'Y GEN.
10-6623 CAMPER, FELICIA G. V. ASTRUE, COMM'R, SOCIAL SEC.
10-6655 THOMAS, MARCELLUS V. UNITED STATES
10-6726 PROSSER, CHRISTOPHER L. V. HENDRICKS, LAURAIN C., ET AL.
10-6749 ARCHER, JERMAINE V. HEATH, SUPT., SING SING
10-6763 JONES, MARLIN E. V. HUD, ET AL.
10-6839 RAINEY, CLYDE J. V. KNOWLES, WARDEN
10-6857 EL SHABAZZ, WENDELL V. COMM. ON CHARACTER AND FITNESS
10-6908 GREGG, GERALD V. UNITED STATES

10-6923 WOLFORD, RANDALL H. V. UNITED STATES
10-6932 CAYETANO-CAMACHO, GUADENCIO V. UNITED STATES
10-6933 CARR, LEROY V. UNITED STATES
10-6938 KNOWLES, COURTNEY V. UNITED STATES
10-6946 PEOPLES, ROBIN L. V. UNITED STATES
10-6949 HARRIS, MONELLE T. V. UNITED STATES
10-6951 FEW, LAWRENCE W. V. UNITED STATES
10-6965 BIGGS, MARC A. V. UNITED STATES
10-6967 WATSON, DENANDIAS V. UNITED STATES
10-6970 WILLIAMS, VERNELL D. V. UNITED STATES
10-6971 WILLIAMS, ELTON V. UNITED STATES
10-6972 McMICHAEL, RAYMOND V. UNITED STATES
10-6973 PUGH, EDDIE J. V. UNITED STATES
10-6977 BUTLER, PHILANDER V. CASTILLO, WARDEN
10-6981 GOLDEN, PAUL S. V. UNITED STATES
10-6982 GAMBOA, EDGAR M. V. NORWOOD, WARDEN
10-6983 GEHRINGER, TODD R. V. UNITED STATES
10-6984 GOGGANS, LACY J. V. UNITED STATES
10-6995 ARELLANO-ARELLANO, ISRAEL V. UNITED STATES
10-7008 DUHART, DONALD V. UNITED STATES
10-7010 DAVIS, ARMARD J. V. UNITED STATES
10-7012 LEVY, STEPHEN M. V. UNITED STATES
10-7014 ROE, JOHN A. V. UNITED STATES
10-7015 REDDICK, DIVINE J. V. UNITED STATES
10-7019 EYSTER, DANIEL E. V. UNITED STATES
10-7022 LEDET, LARRY W. V. UNITED STATES
10-7023 LAWSON, GYPSY, ET AL. V. UNITED STATES
10-7024 MAHER, LAWRENCE V. UNITED STATES

10-7028 RODRIGUEZ, HENRY Z. V. UNITED STATES
10-7034 VALLIN-JAUREGUI, VICTOR V. UNITED STATES
10-7035 VERNIER, JONATHAN L. V. UNITED STATES
10-7038 POWELL, DEWEY B. V. UNITED STATES
10-7040 McCASLAND, CHARLIE R. V. UNITED STATES
10-7045 ACOSTA, HANOI B. V. UNITED STATES
10-7046 BING, ANTONIO M. V. UNITED STATES
10-7052 PACK, KEVIN A. V. UNITED STATES
10-7053 MERIDYTH, JAMES E. V. UNITED STATES
10-7055 RENDON, KEVIN V. UNITED STATES
10-7056 CELIS, JOSE A., ET AL. V. UNITED STATES
10-7061 SMITH, DARRYL V. UNITED STATES
10-7064 SANCHEZ, RUBEN V. UNITED STATES
10-7066 KONSHUK, DONALD J. V. UNITED STATES
10-7067 KALCHSTEIN, MARTIN V. UNITED STATES
10-7070 LITTRELL, ANTHONY C. V. UNITED STATES
10-7071 MARTINEZ, SALVADOR S. V. UNITED STATES
10-7072 GENTLES, LEROY V. UNITED STATES
10-7073 FORREST, JOHN V. UNITED STATES
10-7074 HERNANDEZ-VARGAS, ANDRES V. UNITED STATES
10-7081 LADNER, JAMES V. UNITED STATES
10-7086 BLADE, RONNIE V. UNITED STATES
10-7088 AVINA-MARTINEZ, GERARDO V. UNITED STATES
10-7089 WANKO, FRANK V. UNITED STATES
10-7090 BLOCKER, JOHN T. V. UNITED STATES

The petitions for writs of certiorari are denied.

09-1285 PAPPAS, TED L. V. UNITED STATES

09-10488 FRECHETTE, DOUGLAS V. UNITED STATES

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

10-204 E. S. H. V. K. D., ET AL.

The motion of Center for Arizona Policy, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

10-205 U.S. INFO. SYSTEMS, INC., ET AL. V. INT'L BHD. OF ELEC. WKRS.

10-214 FRATERRIGO, RICHARD V. AKAL SECURITY, INC.

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

10-512 IN RE GRAND JURY PROCEEDINGS

The motion of petitioners to unseal the petition for a writ of certiorari is denied. The petition for a writ of certiorari is denied.

10-6347 ODOM, CHRISTOPHER A. V. MT. PLEASANT POLICE, 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. 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*).

10-6354 JONES, LARRY V. KRAMER, WARDEN

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

10-6396 DAVID, TALAKKOTTUR R. V. FIDELITY INVESTMENTS, ET AL.

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

10-6403 WILLIAMS, THELMA V. HARDIN, OFFICER, ET AL.

10-6404 WILLIAMS, THELMA V. HICKS, L., ET AL.

10-6422 MILLER, ERNEST V. CALIFORNIA

10-6470 SABEDRA, RICKEY V. USCA 5

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.

10-6616 GORDON, TROY A. F. V. HOLDER, ATTY GEN.

10-6936 LI, XIANG V. UNITED STATES

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

10-6939 MAYBERRY, DOUGLAS G. V. SANDERS, 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*).

10-6944) AWAD, ALI V. UNITED STATES
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10-6974) MOGE, ABDI E. V. UNITED STATES

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

10-6954 HENDERSON-EL, MONCLAIR V. UNITED STATES

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

10-6986 HARRISON, RICHARD V. V. INTERNATIONAL BUSINESS MACHINES

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

10-7043 BROWN, DAMIAN 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.

10-7049 PETTIFORD, ANTOINE J. V. UNITED STATES

10-7058 AKPAN, EMMANUEL U. 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

10-7109 IN RE VERGINO L. SMITH

10-7144 IN RE EDWARD GUOAN

10-7157 IN RE DAVID E. HILL

The petitions for writs of habeas corpus are denied.

MANDAMUS DENIED

10-6369 IN RE JEFFREY SANDERS

10-7076 IN RE PAUL A. DeCOLOGERO

The petitions for writs of mandamus are denied.

10-6501 IN RE RAMON DOMINGUEZ

The petition for a writ of mandamus and/or prohibition is denied.

10-6934 IN RE JIMMY R. HUSBAND

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

PROHIBITION DENIED

10-7069 IN RE HENRY JONES

The petition for a writ of prohibition is denied.

REHEARINGS DENIED

09-1547 KELLY, TONY L. V. OLD DOMINION FREIGHT LINE

09-10685 WILLIAMS, ROY V. THALER, DIR., TX DCJ

09-11062 MILLS, RICHARD F. V. NEW YORK

09-11321 IN RE ALLAH

09-11414 MEZZULO, ROGER T. V. UNITED STATES

09-11491 BRYANT, WILLIE B. V. AVERITT EXPRESS, INC.

09-11505 DOSS, JERMAINE S. V. VIRGINIA

09-11553 TYSON, LAWTON V. THALER, DIR., TX DCJ

10-115 HAMILTON, GERTRUDE C. V. DAYCO PRODUCTS, LLC, ET AL.

10-5073 EVERSON, CHRISTOPHER V. MURPHY, COMM'R, CT DOC, ET AL.

10-5162 PINDER, STEVEN V. HOBBS, DIR., AR DOC

10-5322 CASE, BYRON V. DENNEY, WARDEN

The petitions for rehearing are denied.

ATTORNEY DISCIPLINE

D-2576 IN THE MATTER OF DISCIPLINE OF JAMES ALAN MALKUS

James Alan Malkus, of San Diego, California, 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.

D-2577 IN THE MATTER OF DISCIPLINE OF JOHN DAVID ROTHSCHILD

John David Rothschild, of Sonoma, California, 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.

D-2578 IN THE MATTER OF DISCIPLINE OF DAVID EDWARD KRONEMYER

David Edward Kronemyer, of Los Angeles, California, 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.

D-2579 IN THE MATTER OF DISCIPLINE OF ARNOLD CHIN

Arnold Chin, of San Francisco, California, 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.

D-2580 IN THE MATTER OF DISCIPLINE OF CRAIG MONARD HUNT

Craig Monard Hunt, of San Francisco, California, 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.

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

William S. Lerach, of San Diego, California, 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.

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

Richard Glennan Cervizzi, of Scarborough, Maine, 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.

D-2583 IN THE MATTER OF DISCIPLINE OF PERRY S. REICH

Perry S. Reich, of Oakland Gardens, New York, 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.

D-2584 IN THE MATTER OF DISCIPLINE OF MICHAEL WAYNE RYAN, JR.

Michael Wayne Ryan, Jr., of Bowie, 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.

D-2585 IN THE MATTER OF DISCIPLINE OF STEPHEN EDWARD FORD

Stephen Edward Ford, of Algonquin, Illinois, 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.

D-2586

IN THE MATTER OF DISCIPLINE OF STEPHEN T. MITCHELL

Stephen T. Mitchell, of New York, New York, 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.

D-2587

IN THE MATTER OF DISCIPLINE OF KATHLEEN KAUTH TRUM

Kathleen Kauth Trum, of Garden City, New York, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring her to show cause why she should not be disbarred from the practice of law in this Court.