

(ORDER LIST: 565 U.S.)

MONDAY, NOVEMBER 14, 2011

CERTIORARI -- SUMMARY DISPOSITIONS

10-851 STOVALL, WARDEN V. MILLER, SHAREE

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 Sixth Circuit for further consideration in light of *Greene v. Fisher*, 565 U.S. ____ (2011).

11-282 BRANCH BANKING AND TRUST V. GORDON, FAITH

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 Eleventh Circuit for further consideration in light of *AT&T Mobility LLC v. Concepcion*, 563 U.S. ____ (2011).

11-305 McEWEN, WARDEN V. THOMPSON, ANTWION E.

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 *Greene v. Fisher*, 565 U.S. ____ (2011).

ORDERS IN PENDING CASES

11A374 HABERMANN, CHARLES T. V. UNITED STATES

The application for bail addressed to Justice Ginsburg and referred to the Court is denied.

11M43 SLOUGH, PAUL A., ET AL. V. UNITED STATES

The motion for leave to file a petition for a writ of certiorari under seal with redacted copies for the public record is granted. Justice Kagan took no part in the consideration or decision of this motion.

11M44 DALLY, TRAVIS L. V. UNITED STATES

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

10-704 MESSERSCHMIDT, CURT, ET AL. V. MILLENDER, AUGUSTA, ET AL.

The motion of respondents and Brenda Millender, as Executor of the Estate of Augusta Millender, for substitution as respondent in place of Augusta Millender, deceased, is granted.

11-6335 DANIEL B. V. SUNAPEE SCH. DIST.

11-6728 McLAIN, FRANCIS L. V. UNITED STATES

The motions of petitioners for leave to proceed *in forma pauperis* are denied. Petitioners are allowed until December 5, 2011, 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

11-159 ASTRUE, COMM'R, SOCIAL SEC. V. CAPATO, KAREN K.

11-161 ARMOUR, CHRISTINE, ET AL. V. INDIANAPOLIS, IN, ET AL.

The petitions for writs of certiorari are granted.

- 11-393) NAT. FED'N INDEP. BUSINESS V. SEBELIUS, SEC. OF H&HS, ET AL.
)
 11-400) FLORIDA, ET AL. V. DEPT. OF H&HS, ET AL.

The petition for a writ of certiorari in No. 11-393 is granted. The petition for a writ of certiorari in No. 11-400 is granted limited to the issue of severability presented by Question 3 of the petition. The cases are consolidated and a total of 90 minutes is allotted for oral argument.

- 11-398 DEPT. OF H&HS, ET AL. V. FLORIDA, ET AL.

The petition for a writ of certiorari is granted. In addition to Question 1 presented by the petition, the parties are directed to brief and argue the following question: "Whether the suit brought by respondents to challenge the minimum coverage provision of the Patient Protection and Affordable Care Act is barred by the Anti-Injunction Act, 26 U.S.C. §7421(a)." A total of two hours is allotted for oral argument on Question 1. One hour is allotted for oral argument on the additional question.

- 11-400 FLORIDA, ET AL. V. DEPT. OF H&HS, ET AL.

The petition for a writ of certiorari is granted limited to Question 1 presented by the petition.

CERTIORARI DENIED

- 10-1285 COUNTRYWIDE HOME LOANS, INC. V. RODRIGUEZ, FRANCISCO, ET UX.
 10-10217 CUNNINGHAM, JANET B. V. KELLEY, JACK V., ET UX.
 10-10731 CARDALES-LUNA, JOSE D. V. UNITED STATES
 10-10777 ALVAREZ-CORDOVA, RICARDO V. UNITED STATES
 10-10838 MEDINA, HECTOR R. V. TEXAS
 10-10842 WILLIAMS, TYRONE D. V. UNITED STATES
 10-11210 NATHANSON, COLIN V. UNITED STATES

10-11225 TINSLEY, EDWARD J. V. CLARKE, DIR., VA DOC
11-57 HARPER EXCAVATING, INC. V. HANSEN, JEFFREY
11-169 TENNESSEE, EX REL. WATSON V. WATERS, LARRY, ET AL.
11-252 LEE INVESTMENT LLC V. U.S. FIDELITY & GUARANTY, ET AL.
11-295 HARVEY, HAROLD L. V. REDDISH, WARDEN, ET AL.
11-298 CLAMPITT, ROSEMARIE V. GEURIN, JAMES P., ET UX.
11-300 SEBBA, MICHAEL D. V. LITTLETON, LINDA
11-304 CRAWFORD, PETER A. V. WOLVERINE, PROCTOR & SCHWARTZ
11-312 JOY, GAILON A., ET AL. V. THREE ANGELS BROADCASTING
11-313 DO, TUAN A. V. DANG, PHUONG D., ET AL.
11-314 BODNAR, KIM A. V. LESTITIAN, JAMES J.
11-315 YOONESSI, MAHMOOD V. RATAJCZAK, RANDY, ET AL.
11-322 GRAY, CHERYL, ET AL. V. CORONA CONSTRUCTION, ET AL.
11-324 ONG, JOHANNA V. NEW JERSEY
11-327 BABB, MALCOLM M. V. ANGELL, JAMES B.
11-344 CALIX, CRISTOBAL V. HOLDER, ATT'Y GEN.
11-356 LUFKIN INDUSTRIES, INC. V. McCLAIN, SYLVESTER, ET AL.
11-365 KARPEEVA, SVETLANA, ET AL. V. DEPT. OF HOMELAND SEC., ET AL.
11-367 DAVIDSON, DONALD V. VASQUEZ, WARDEN
11-368 COLLIS, TORINA A. V. BANK OF AMERICA, N.A.
11-380 WORKMAN, JENNIFER V. MINGO COUNTY BOARD OF EDUCATION
11-384 SILGAN CONTAINERS CORP. V. NATIONAL UNION FIRE
11-402 VICTORY THROUGH JESUS SPORTS V. LEE'S SUMMIT R-7 SCHOOL DISTRICT
11-447 HOLLAND, DANA V. CHICAGO, IL, ET AL.
11-486 DAIDONE, LOUIS V. UNITED STATES
11-5073 KINANE, EDWARD F., ET AL. V. UNITED STATES
11-5174 IRICK, BILLY R. V. BELL, WARDEN
11-5325 HUDSON, LISHON M. V. UNITED STATES

11-5385 MALY, ROBERT D. V. ARIZONA
11-5417 BAFFORD, FRANK M. V. MIDFIRST BANK, ET AL.
11-5433 TRAN, VAN J. V. NEWPORT NEWS HOLDING CORPORATION
11-5664 OCHOA, MICHAEL R. V. RUBIN, ERIN
11-5687 EWING, PAUL A. V. UNITED STATES
11-5762 WINFIELD, LORENZO L. V. UNITED STATES
11-5798 THOMAS, LORENZO A. V. UNITED STATES
11-5799 DARCUS, ERNEST C. V. UNITED STATES
11-5886 BROWN, HORACE L. V. UNITED STATES
11-6117 LOPEZ, SAMUEL V. V. RYAN, DIR., AZ DOC
11-6201 JILES, ROLAND V. ORLEANS PARISH PRISON, ET AL.
11-6230 WIGGINS, THOMAS V. THALER, DIR., TX DCJ
11-6231 WILLIAMS, JOSEPH M. V. NATCHITOCHEs, LA, ET AL.
11-6232 WILLIAMS, CRAIG V. ADAMS, WARDEN
11-6234 VENTA, GUSTAVO V. TUCKER, SEC., FL DOC
11-6245 POYDRAS, DAVID W. V. MARTIN, KEVIN J., ET AL.
11-6246 PETTERWAY, PAMPER V. NEW JERSEY
11-6247 LEVI, AHIMAAZ B. V. ILLINOIS
11-6253 McBRIDE, KIRK W. V. THALER, DIR., TX DCJ
11-6255 MURPHY, JERMAINE S. V. ILLINOIS
11-6256 McCLENDON, ENJOLI E. V. CALIFORNIA
11-6262 NASH, ANNETTE V. PTASHNINK, NEIL B., ET AL.
11-6266 THEER, MICHELLE C. V. HARVEY, WARDEN
11-6270 WITHROW, JON M. V. TEXAS
11-6272 ABRAMS, TORREY D. V. RUDEK, WARDEN
11-6278 SIMS, ANTONIO T. V. HANLON, SUPT., IN
11-6288 SULLIVAN, MONTY D. V. WYOMING
11-6293 PRINCE, WAYNE B. V. ARIZONA

11-6297 JONES, MARY V. WINTER, SUSAN, ET AL.
11-6311 ASSA'AD-FALTAS, MARIE V. COLUMBIA, SC
11-6316 MALDONADO, ALEX V. RUNNELS, WARDEN, ET AL.
11-6317 THORNTON, WILLIAM C. V. CALIFORNIA
11-6319 SALAZAR, ROLAND V. THALER, DIR., TX DCJ
11-6322 RAMER, RANDY A. V. LONG, MARY, ET AL.
11-6323 VICTOR O. V. CONNECTICUT
11-6324 MOUTON, DENNIS V. THALER, DIR., TX DCJ
11-6336 BRADLEY, ANNE M. V. CONNECTICUT
11-6345 PONCE, RAFAEL V. CALIFORNIA
11-6349 WRIGHT, ERIC M. V. SYMMES, WARDEN
11-6353 DYDZAK, DANIEL D. V. GEORGE, CHIEF JUSTICE, ETC.
11-6354 DORF, HEIDI V. GRIGGS, JANA, ET AL.
11-6356 LEE, JAI D. V. UPTON, WARDEN
11-6360 BOWEN, CRAIG S. V. GEORGIA
11-6366 HINTON, GREGORY S. V. CALIFORNIA
11-6383 BRADLEY, MICHAEL P. V. BARROW, WARDEN
11-6384 BROWN, WILLIE M. V. MISSISSIPPI
11-6386 McDOWELL, GABRIEL V. MISSISSIPPI, ET AL.
11-6387 ORTEGA, WILSON C. V. CALIFORNIA
11-6390 HURTADO, RENNIE V. RUNNELS, WARDEN, ET AL.
11-6393 FOWLER, LEON V. HOWELL, STEVEN
11-6395 HOLLINS, JOHNNIE A. V. FULTON COUNTY, GA, ET AL.
11-6397 GARRISON, DWIGHT V. ROCK, SUPT., UPSTATE
11-6400 FUQUA, KEVIN L. V. FINN, WARDEN
11-6403 JACOBS, DEAN V. CALIFORNIA
11-6405 GARY, GREGORY T. V. CLARKE, DIR., VA DOC
11-6408 MARTIN, MATTHEW B. V. TEXAS

11-6409 CABALLERO, ALFRED V. HARTLEY, WARDEN
11-6410 CAMPBELL, JAMES B. V. TUCKER, SEC., FL DOC
11-6411 CODDINGTON, JAMES V. OKLAHOMA
11-6413 DARBY, MICHAEL D. V. RICCI, ADM'R, NJ, ET AL.
11-6415 PETROS, MICHAEL V. BOOS, PAUL, ET AL.
11-6426 EDWARDS, LEONARD V. RUBIN, DENNIS, ET AL.
11-6442 COLEMAN, SHAEFFER V. ALABAMA, ET AL.
11-6478 CEDRINS, INARA V. EXEC. COMM. USDC ND IL
11-6480 MORRIS, ROLON L. V. CAREY, WARDEN, ET AL.
11-6531 CEDRINS, INARA V. CITIZENSHIP AND IMMIGRATION
11-6538 CRUZ, ORLANDO V. McGRADY, SUPT., RETREAT, ET AL.
11-6548 JONES, RANDALL S. V. TUCKER, SEC., FL DOC, ET AL.
11-6554 DERRINGER, DAVID V. BAXTER, FRANCES E., ET AL.
11-6571 BORBON, DELMA V. DAVISON, WARDEN
11-6577 LANCASTER, RONALD D. V. BIGELOW, WARDEN, ET AL.
11-6581 MENDIOLA-PONCE, JOSE L. V. CALIFORNIA
11-6590 SMITH, CHRISTOPHER V. CALIFORNIA
11-6597 ZACKE, CLARENCE V. TUCKER, SEC., FL DOC
11-6663 SAVIOR, MICHAEL V. PENNSYLVANIA
11-6697 TRAVILLION, JAMAR L. V. PENNSYLVANIA
11-6703 CASTON-GOODJOHN, MARY V. SHINSEKI, SEC. OF VA
11-6770 BERNARD, FARLEY L. V. DAVIS, WILLY
11-6782 ADKINS, EBRAHIM V. CROW, JUDGE, USDC KS, ET AL.
11-6815 BROWN, LaDELL D. V. HORELL, WARDEN, ET AL.
11-6819 RAMOS, JESUS V. UNITED STATES
11-6827 STAPLES, CHRISTOPHER A. V. UNITED STATES
11-6831 BAKER, MICHAEL V. WALKER, ROGER E., ET AL.
11-6834 DeROSS, JOHN J. V. UNITED STATES

11-6837 TORRES, EDGAR C. V. UNITED STATES
11-6843 RICE, SHAWN V. UNITED STATES
11-6844 SMITH, NATHANIEL J. V. UNITED STATES
11-6846 MODENA, MICHAEL J. V. UNITED STATES
11-6853 TOOLASPRASHAD, LATCHMIE N. V. UNITED STATES
11-6855 WALKER, LAVAN M. V. UNITED STATES
11-6856 WATLINGTON, DANIEL V. UNITED STATES
11-6859 VELASCO-CASTANEDA, DAVID V. UNITED STATES
11-6860 RAMIREZ-GARCIA, EMILIANO V. UNITED STATES
11-6861 RUSAN, RICARDO L. V. UNITED STATES
11-6864 RUIZ, MIGUEL V. UNITED STATES
11-6866 HARRIS, SHELTON V. UNITED STATES
11-6868 DELGADILLO, JOSE F. V. UNITED STATES
11-6871 WILLIAMS, TERRANCE V. UNITED STATES
11-6874 GONCALVES, PEDRO M. V. UNITED STATES
11-6875 GARCIA, ARMANDO V. UNITED STATES
11-6878 HARRIS, TIMOTHY V. UNITED STATES
11-6879 AGUILAR, ANTHONY S. V. UNITED STATES
11-6880 BOOKER, RODNEY L. V. UNITED STATES
11-6883 BOOKER, CHRISTOPHER V. UNITED STATES
11-6892 JEFFERSON, SHON V. UNITED STATES
11-6894 MUNOZ, OSCAR R. V. UNITED STATES
11-6900 MIRANDA, ADAN G. V. UNITED STATES
11-6902 OWENS, CURTIS V. VAN CLEAVE HARRINGTON, KELLY
11-6906 SMITH, MARCO D. V. UNITED STATES
11-6907 SANCHEZ, MOISES C. V. UNITED STATES
11-6909 BENNETT, NOBLE L. V. UNITED STATES
11-6910 BENTON, DEREK V. UNITED STATES

11-6911 BUCK, DARRYL V. UNITED STATES
11-6915 TORRES, CLARENCE A. V. UNITED STATES
11-6916 WHEELER, KANE C. V. UNITED STATES
11-6920 ASIFO, GODWIN V. UNITED STATES
11-6921 BICUNA-RIOS, ESCANIO V. UNITED STATES
11-6924 MITCHELL, WILLIE V. UNITED STATES
11-6926 McDONALD, KEVIN V. UNITED STATES
11-6929 MACIAS-OVALLE, OSCAR F. V. UNITED STATES
11-6930 JACKSON, STEVE N. V. UNITED STATES
11-6940 RODRIGUEZ-QUIROS, ELVERIA V. UNITED STATES
11-6951 MINOR, RICKY G. V. UNITED STATES
11-6953 WALDRON, SEGUN V. UNITED STATES
11-6956 MAIER, MICHAEL V. UNITED STATES
11-6966 BORJA-VEGA, MANUEL V. UNITED STATES
11-6968 GEVERS, MARTIN M. V. UNITED STATES
11-6970 SHEFFIELD, DONNIE W. V. UNITED STATES
11-6972 BLANKS, RAY V. UNITED STATES

The petitions for writs of certiorari are denied.

10-1519 FLORIDA V. GARLAND, DAVID L.

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

11-293 KIVISTO, JUSSI K. V. MILLER, CANFIELD, PADDOCK, ET AL.

The motion of petitioner to defer consideration of the petition for a writ of certiorari is denied. The petition for a writ of certiorari is denied.

11-299 WEST LINN CORPORATE PARK V. WEST LINN, OR, ET AL.

The motion of National Association of Home Builders, et al.

for leave to file a brief as *amici curiae* is granted. The motion of Pacific Legal Foundation for leave to file a brief as *amicus curiae* is granted. The motion of New England Legal Foundation for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

11-359 MIRACLE STAR WOMEN'S V. JETT, KATHERINE, ET AL.

The motion of National Association for the Advancement of Colored People, Antelope Valley Branch Unit #1023 for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

11-475 TYRRELL, GENE A. V. UNITED STATES

11-6836 DAWSON, RONALD V. UNITED STATES

11-6938 SMITH, STEVEN J. 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

11-7012 IN RE DANIEL D. BENHAM

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

MANDAMUS DENIED

11-6406 IN RE HELEN M. HARRIS-SCOTT

11-6593 IN RE WILLIAM C. MACH

The petitions for writs of mandamus are denied.

11-6417 IN RE KEITH THOMAS

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of mandamus 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*).

11-6532 IN RE ANGEL R. RIVERA

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

11-6961 IN RE LESTER J. RUSTON

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of mandamus 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 Kagan took no part in the consideration or decision of this motion and this petition.

REHEARINGS DENIED

10-8903 GUILAS, SOFIA T. V. BRAUER, TOM, ET AL.

10-10659 DRAGANOV, DETELIN V. WASHINGTON

10-10688 LAMKIN, NORMAN E. V. TEXAS

10-10757 HEFLEY, LEROY V. DELAWARE

10-10791 JACKSON, ARTHUR D. V. GONZALEZ, J. P., ET AL.

10-11157 McDOWELL, JOHN V. WALSH, SUPT., DALLAS, ET AL.
11-5074 KEMPPAINEN, GORDON K. V. TEXAS
11-5177 HENDRICKS, ROBERT M., ET UX. V. STEPP, ROBERT, ET AL.
11-5201 PITTS, GEORGE W. V. DAVIS, WARDEN
11-5344 CARR, INETHA M. V. H.O.P.E. COMMUNITY SERVICE, INC.
11-5451 JARVIS, DEREK N. V. STAPLES, INC.
11-5452 ELTAYIB, ABDEL V. DeWALT, WARDEN, ET AL.
11-5555 IN RE JOSEPH G. DUNBAR
11-5740 MELTON, GARY V. GER TAYLOR GARDENS, LLC

The petitions for rehearing are denied.

10-9837 WILSON, LEVI A. V. UNITED STATES

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

ATTORNEY DISCIPLINE

D-2590 IN THE MATTER OF DISBARMENT OF RUTH MARIE POLLACK

Ruth Marie Pollack, of Riverhead, New York, having been suspended from the practice of law in this Court by order of June 20, 2011; and a rule having been issued and served upon her requiring her to show cause why she should not be disbarred; and a response having been filed;

It is ordered that Ruth Marie Pollack is disbarred from the practice of law in this Court.