

(ORDER LIST: 586 U.S.)

MONDAY, MARCH 18, 2019

CERTIORARI -- SUMMARY DISPOSITION

18-6612 PINKNEY, JAMES 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 Seventh Circuit for further consideration in light of *Stokeling v. United States*, 586 U. S. ____ (2019).

ORDERS IN PENDING CASES

18M112 ALFETLAWI, RAHIM V. KLEE, WARDEN

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

18M113 IN RE TWELVE GRAND JURY SUBPOENAS

18M114 RUNNELS, TRAVIS T. V. DAVIS, DIR., TX DCJ

The motions for leave to file petitions for writs of certiorari under seal with redacted copies for the public record are granted.

18M115 WEBB-EL, KEITH B. V. HURWITZ, HUGH J., ET AL.

18M116 PRICE, FELIX A. V. VANNOY, WARDEN

The motions to direct the Clerk to file petitions for writs of certiorari out of time are denied.

18-349 PATTERSON, DARRELL V. WALGREEN CO.

18-817 HIKMA PHARMACEUTICALS, ET AL. V. VANDA PHARMACEUTICALS

The Solicitor General is invited to file briefs in these

cases expressing the views of the United States.

18-6321 NGUYEN, JOSEPHLOC T. V. NIELSEN, SEC. OF HOMELAND

18-6907 KULICK, ROBERT J. V. LEISURE VILLAGE ASSN., INC.

The motions of petitioners for reconsideration of orders denying leave to proceed *in forma pauperis* are denied.

18-7369 GHOSH, RASH B. V. BERKELEY, CA, ET AL.

18-7695 WILLIAMS, LEROY O. V. WILKIE, SEC. OF VA

The motions of petitioners for leave to proceed *in forma pauperis* are denied. Petitioners are allowed until April 8, 2019, 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

17-834 KANSAS V. GARCIA, RAMIRO

The petition for a writ of certiorari is granted limited to Question 1 presented by the petition and the following question: Whether the Immigration Reform and Control Act impliedly preempts Kansas's prosecution of respondents.

18-217 MATHENA, WARDEN V. MALVO, LEE B.

The petition for a writ of certiorari is granted.

18-5924 RAMOS, EVANGELISTO V. LOUISIANA

18-6135 KAHLER, JAMES K. V. KANSAS

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

CERTIORARI DENIED

18-234 CHAIDEZ CAMPOS, GUADALUPE V. UNITED STATES

18-292 LEWIS, DETRIC V. ENGLISH, WARDEN

18-442) BENTON, JESSE R. V. UNITED STATES
)
 18-601) TATE, JOHN F. V. UNITED STATES
)
 18-606) KESARI, DIMITRIOS N. V. UNITED STATES

 18-461 HINOJOSA, RAQUEL, ET AL. V. HORN, PETRA, ET AL.
 18-472 BEHR DAYTON THERMAL, ET AL. V. MARTIN, TERRY, ET AL.
 18-499 GRIFFIOEN, MARK, ET AL. V. CEDAR RAPIDS RAILWAY, ET AL.
 18-503 N. E. L., ET AL. V. DOUGLAS COUNTY, CO, ET AL.
 18-530 CONGREGATION JESHUAT ISRAEL V. CONGREGATION SHEARITH ISRAEL
 18-539 HAWES, GEORGE T. V. REILLY, DANIEL P.
 18-576 WRIGHT, ROBERT H. V. WATSON, JERALD, ET AL.
 18-596 NEBA, MARIE V. UNITED STATES
 18-617 SPIRIT AIRLINES, INC. V. MAIZES, STEVEN, ET AL.
 18-656 HALL, JOHNATHAN V. AYERS, WILLIAM O.
 18-689 MOYA, MARIANO, ET AL. V. GARCIA, SHERIFF, ET AL.
 18-699 BROOKDALE SENIOR LIVING, ET AL. V. UNITED STATES, EX REL. PRATHER
 18-716 PETRÓLEO BRASILEIRO S.A. V. EIG ENERGY FUND, XIV, L.P.
 18-760 SAUNDERS, OBERIST L. V. IVEY, SHERIFF, ET AL.
 18-763 FATTAH, CHAKA V. UNITED STATES
 18-805 STROHMEYER, ERIC S. V. SURFACE TRANSPORTATION BOARD
 18-834 SHEIKH, FARZANA, ET VIR V. SAN JOAQUIN GENERAL HOSPITAL
 18-835 LOZANO, MARIO R. V. SUPERIOR COURT OF MA, ET AL.
 18-845 SEIDEL, SCOTT M. V. CENTURY SURETY CO.
 18-848 BISBEE, COURTNEY V. V. RYAN, DIR., AZ DOC, ET AL.
 18-859 PEEL, EARNEST V. H.E. BUTT GROCERY CO.
 18-865 VELLA, GIOVANNI V. BARR, ATT'Y GEN.
 18-867 JACKSON, MATTHEW E., ET AL. V. JACKSON, FRANCES E.
 18-869 LECUONA, SHAWN H. V. LECUONA, MARK R.
 18-870 IBRAGIMOV, ILYAS V. V. WISCONSIN

18-876 ALMOND, CYNTHIA N., ET AL. V. SINGING RIVER HEALTH, ET AL.
18-880 SURESHOT GOLF VENTURES, INC. V. TOPGOLF INTERNATIONAL, INC.
18-886 JONES, LILLIAN M. V. HAWAII RESIDENCY PROGRAM, ET AL.
18-887 CALIFORNIA TRUCKING ASSOCIATION V. SU, JULIE A.
18-889 SMITH, DAWN, ET VIR V. WEBER, STEPHEN P.
18-890 D'ADDARIO, DAVID, ET AL. V. D'ADDARIO, VIRGINIA A.
18-901 SIMMONS, KAYLEN D. V. TEXAS
18-905 MASTROGIOVANNI SCHORSCH & MERSKY V. MANDEL, EDWARD
18-906 KINNEY, CHARLES G. V. CANTIL-SAKAUYE, TANI G., ET AL.
18-907 KINNEY, CHARLES G. V. THREE ARCH BAY COMMUNITY, ET AL.
18-908 KINNEY, CHARLES G. V. ROTHSCHILD, FRANCES, ET AL.
18-909 DAVIS, VALARIE V. FIAT CHRYSLER AUTOMOBILES U.S.
18-912 AMERICARE MEDSERVICES, INC. V. ANAHEIM, CA, ET AL.
18-915 CHRISTIAN, GREGORY T. V. PAYNE, K. A., ET AL.
18-917 BENT, MICHAEL S. V. TALKIN, MARSHAL, USSC, ET AL.
18-922 FISCHE, ABRAHAM M. V. TEXAS
18-925 A-1 PREMIUM ACCEPTANCE, INC. V. HUNTER, MEEKA
18-934 PROSTERMAN, CYNTHIA, ET AL. V. AMERICAN AIRLINES INC., ET AL.
18-939 ORTEGA-MORALES, DINORA V. BARR, ATT'Y GEN.
18-947 BARTH, MICHAEL S. V. BERNARDS, NJ, ET AL.
18-950 FREEMAN, LaTASHA V. AMERICAN K-9 DETECTION, ET AL.
18-951 T&T ROCK DISTRIBUTION, LLC V. VELASCO, RUTILIO I.
18-955 FERNANDEZ, ALBERTO V. SCHOOL BOARD OF MIAMI-DADE CTY.
18-985 BMP FAMILY PARTNERSHIP, ET AL. V. UNITED STATES
18-986 HUCKABY, SARA, ET AL. V. HALLEY, FRANK
18-988 RPD HOLDINGS, L.L.C. V. TECH PHARMACY SERVICES
18-994 WILLIAMS, DIRK V. INCH, SEC., FL DOC, ET AL.
18-997 WILLIAMS, OLIVER, ET AL. V. NATIONAL GALLERY, ET AL.

18-1001 SIBLEY, CASEY B. V. ARIZONA
18-1003 SLONE, NORMA L., ET AL. V. CIR
18-1016 BEAM, LLOYD G. V. MICHIGAN
18-1029 GHOSH, SUJIT V. DISH NETWORK
18-1075 RPX CORPORATION V. APPLICATIONS INTERNET, ET AL.
18-5773 DELANCY, MICHAEL V. PASTRANA, WARDEN
18-5781 DUSENBERY, LARRY D. V. HOLT, WARDEN
18-5969 FUENTES-CANALES, CARLOS A. V. UNITED STATES
18-6237 SMITH, JACOB L. V. UNITED STATES
18-6265 SILVA, SAMUEL V. UNITED STATES
18-6310 LAWSON, LeSHAWN V. UNITED STATES
18-6319 REID, WILLIAM S. V. UNITED STATES
18-6377 WOODSIDE, RASHAD V. UNITED STATES
18-6481 FONTANEZ, JEREMY V. COAKLEY, WARDEN
18-6533 LEWALLYN, ANTHONY V. UNITED STATES
18-6550 THOMAS, ANTHONY V. VANNOY, WARDEN
18-6667 ELBEBLAWY, KHALED V. UNITED STATES
18-6671 MALONE, JIMMY D. V. UNITED STATES
18-6771 GARDNER, JOHNY V. UNITED STATES
18-6904 ROBERSON, OREE V. UNITED STATES
18-6913 SOWELL, LAMAR V. UNITED STATES
18-6914 ROJAS, DANIEL V. UNITED STATES
18-6979 JACKSON, LEWIS C. V. UNITED STATES
18-6989 SMITH, JESSIE L. V. UNITED STATES
18-7000 JIMENEZ, LUIS R. V. UNITED STATES
18-7022 ZATER, RYAN L. V. ATKINSON, WARDEN
18-7224 ACUNA VALENZUELA, JOSE A. V. ARIZONA
18-7242 SANDERS, DAUNTORIAN L. V. ARIZONA

18-7246 SIMS, HAROLD S. V. KING, ET AL.

18-7248 ANTHONY, VERTIS V. BOYD, WARDEN, ET AL.

18-7252 WIESE, EDDIE R. V. UNITED STATES

18-7257 DIAKITE, AMADOU V. ASUNCION, WARDEN

18-7258 THOMASON, CLAYTON V. JACKSON, JOY, ET AL.

18-7259 ALLEN, JACK E. V. SMITH, SUPT., SCI HOUTZDALE

18-7261 CUMBEE, KEITH S. V. DAVIS, DIR., TX DCJ

18-7265 ARMSTRONG, RODNEY S. V. MICHIGAN

18-7271 JOHNSON, RICHARD S. V. McDOWELL, WARDEN

18-7273 BLAKE, SHaidon V. FISH, BRIAN, ET AL.

18-7279 THOMAS, CHRISTIAN V. DIST. ATT'Y OF LANCASTER CTY.

18-7280 WAPPLER, MICHAEL V. IVEY, WAYNE, ET AL.

18-7281 WORKMAN, OLANDIO R. V. VANDERMOSTEN, JOHN, ET AL.

18-7283 BARTLETT, ANGEL V. KALAMAZOO MENTAL HEALTH, ET AL.

18-7285 BURCH, BRENDA J. V. ATLANTA CITY COURT, ET AL.

18-7288 HARRISON, JAMIE R. V. CALIFORNIA

18-7290 AJVAZI, MUHAMET V. DAVIS, DIR., TX DCJ

18-7291 THOMPSON, DILLON W. V. DAVIS, DIR., TX DCJ

18-7299 PARKER, LEON T. V. TEXAS

18-7301 J. C. V. TX DEPT. OF FAMILY

18-7302 BARTLETT, ANGEL V. GORSALITZ, STEPHEN, ET AL.

18-7312 TRAN, DANNY D. V. KANSAS

18-7314 THOMAS, DEONTAE V. FLORIDA

18-7315 ARMISTEAD, JAMES G. V. BOWEN, JENNIE, ET AL.

18-7318 GOMEZ, JESUS V. CALIFORNIA

18-7321 YOUNG, MICHAEL A. V. CHAPDELAINÉ, WARDEN

18-7322 YERTON, ROBERT R. V. BRYANT, WARDEN

18-7324 GIL, ROBERTO V. FLORIDA

18-7328 SHEELY, ANTHONY, ET UX. V. BANK OF AMERICA, N.A.
18-7332 DELLINGER, JAMES V. TENNESSEE
18-7334 PEREZ, JESSE R. V. ILLINOIS
18-7335 MCKAY, ALONZO A. V. CLARKE, DIR., VA DOC
18-7336 HILL, JONATHAN H. V. MICHIGAN
18-7338 JONES, CRYSTAL N. V. OFFICE OF ADMINISTRATIVE HEARING
18-7342 GROSS, ROBERT V. DANNATT, JEANINE
18-7343 ISRAEL, ALBERIC V. NORTH MIAMI, FL, ET AL.
18-7349 HICKS, KEVIN V. CALIFORNIA
18-7353 JACKSON, NATHANIEL V. OHIO
18-7357 FRAZIER, DAVID T. V. CRUMP, STEPHEN, ET AL.
18-7359 GREENWOOD, BILLY J. V. TN BOARD OF PAROLE
18-7363 KROHE, CHRISTOHER D. V. STEINHARDT, ZANDRA
18-7364 CHAMBERS, BRANDON M. V. DAVIS, DIR., TX DCJ
18-7366 GRAY, FREDERICK V. SORRELS, PATRICIA, ET AL.
18-7370 GIPSON, SKYE E. V. TAMPKINS, WARDEN
18-7373 PATTON, WARREN R. V. TEXAS
18-7380 GLOVER, RICARDO V. WISCONSIN
18-7381 HERNANDEZ, ANTHONY C. V. CALIFORNIA
18-7382 HERBIN, JERVON L. V. VIRGINIA
18-7383 FELDMAN, JENNIFER V. ADOPTION STAR AGENCY, ET AL.
18-7384 DEUSCHEL, MICHAEL V. USC FACULTY DENTAL, ET AL.
18-7386 ARMANDO, OSCAR V. WHIFIELD, GERALD W., ET AL.
18-7389 SMITH, SCOTT V. JACKSON, WARDEN
18-7396 FISHBACK, ALONZO V. PARRIS, WARDEN
18-7398 KRUSKAL, KERRY V. SPRUNT, PETER
18-7399 CARTER, GENE D. V. PENNSYLVANIA
18-7401 SHAPIRO, ROBERT V. UNITED STATES

18-7403 BLACKWELL, KEITH L. V. DOOLEY, CHARLIE A., ET AL.
18-7406 BOATMAN, BENJAMIN J. V. DIAZ, ACTING SEC., CA DOC
18-7407 BLANKUMSEE, AZANIAH V. CIRCUIT COURT OF MD, ET AL.
18-7409 LEONARD, STEPHEN D. V. FLORIDA, ET AL.
18-7411 JACOB, DAVID H. V. COTTON, ROSALYN, ET AL.
18-7413 SMITH, BILLY D. V. CORCORAN, ROBERT, ET AL.
18-7416 SOLIS, JAVIER V. JONES, SEC., FL DOC
18-7422 WILLIAMS, DAVID L. V. VANNOY, WARDEN
18-7423 WASHINGTON, RODNEY V. BOUGHTON, WARDEN
18-7425 COOPER, JOVAN V. ILLINOIS
18-7428 JONES, HARRY V. FLORIDA
18-7429 LOPEZ, ADAM L. V. MONTGOMERY, WARDEN
18-7433 ARDANEH, HAMID R. V. MASSACHUSETTS, ET AL.
18-7435 BIGGINS, JAMES A. V. DANBERG, CARL C., ET AL.
18-7437 ANIMASHAUN, DAMILOLA V. SCHMIDT, WILLIAM, ET AL.
18-7438 VILLA, ARMANDO A. V. KOWALSKI, ROBERT J.
18-7442 UNDERWOOD, KEVIN V. CARPENTER, WARDEN
18-7446 HOPKINS, ANTHONY J. V. WARDEN, VCF
18-7450 MILLER, BRADLEY B. V. TEXAS, ET AL.
18-7457 CASE, CHARLES E. V. CALIFORNIA
18-7458 TAYLOR, SAMUEL L. V. MILLER, MICHAEL, ET AL.
18-7459 GREENE, MICHAEL J. V. HUFFMAN, WILLIAM O., ET AL.
18-7460 HORVATT, CLINT V. JONES, SEC., FL DOC, ET AL.
18-7464 GARY, CARLTON E. V. FLORIDA
18-7465 BOYKIN, MARSHAUN V. ILLINOIS
18-7480 WILEY, KARREEM T. V. CARTLEDGE, WARDEN
18-7483 FRANK, ROBERT J. V. FLORIDA
18-7492 FEREBEE, LORENZO G. V. CLARKE, DIR., VA DOC

18-7508 BROOKS, PATRICK V. PINNACLE FINANCIAL CORP., ET AL.
18-7517 JOHNSON, DONELLE L. V. McDERMOTT, WARDEN
18-7519 DUNCAN, DALTONIA V. UNITED STATES
18-7521 KING, FREDDIE V. VANNOY, DARREL
18-7525 HARRIS, DELEXSIA V. UNITED STATES
18-7535 CHALFANT, TIMOTHY S. V. BERRYHILL, NANCY A.
18-7558 HAWKINS, BRANDON L. V. FLORIDA
18-7559 DALEY, SHOMARI V. BERRYHILL, NANCY A.
18-7570 HARDEMAN, ANTHONY E. V. UNITED STATES
18-7577 CASTRO, ROLAND V. UNITED STATES
18-7586 FREY, ZACHARY T. V. UNITED STATES
18-7592 HUBBARD, ZANE V. BROWN, EDMUND G.
18-7601 CHHIM, JOSEPH V. GOLDEN NUGGETT LAKE CHARLES
18-7606 DAVIS, SAMUEL V. FLORENCE, SERGEANT, ET AL.
18-7617 HINTON, TALBERT V. NEW JERSEY
18-7626 HAYNES, GREGORY V. ILLINOIS
18-7628 BEVAN, ANTHONY B. V. FLORIDA
18-7634 FOX, LINCOLN E. V. TURNER, WARDEN
18-7635 HALL, HAROLD V. ALABAMA
18-7672 MOODY, LESTER V. MARYLAND
18-7684 BROWN, RAYNARD R. V. VIRGINIA
18-7689 JAMES, FRANK V. KAPUSTA, REBECCA
18-7698 INGRAM, LAWRENCE A. V. INCH, SEC., FL DOC, ET AL.
18-7702 REESE, GEORGE V. ZATECKY, SUPT., PENDLETON
18-7706 ALI, SYED N. V. INTERACTIVE BROKERS LLC
18-7714 GRANDISON, ANTHONY V. MARYLAND
18-7720 WEBBER, HOWARD V. UNITED STATES
18-7722 ESCOBEDO-CORONADO, RODRIGO V. UNITED STATES

18-7723 DEMPSEY, RANDY V. UNITED STATES
18-7726 WILLIAMS, CARLTON V. UNITED STATES
18-7727 HATT, GREGORY V. UNITED STATES
18-7734 CANNON, JOE W. V. DIST. CT. OF IA, DES MOINES CTY.
18-7735 DAVIS, MICHAEL K. V. ANDREWS, WARDEN
18-7736 DAVIS, ROBERT V. NEW YORK
18-7738 FARRISH, KUKIA R. V. NAVY FEDERAL CREDIT UNION
18-7741 SILLS, ROBERT V. UNITED STATES
18-7746 DAVIS, JOSEPH V. UNITED STATES
18-7748 FREEMAN, JAMES V. UNITED STATES
18-7751 BOLTON, BRIAN V. UNITED STATES
18-7755 GARCIA, PAULINE V. WILKIE, SEC. OF VA
18-7758 CUMMINS, MARY V. LOLLAR, AMANDA
18-7760 GISH, GEOFFREY A. V. UNITED STATES
18-7762 FAUCONIER, DOUGLAS V. CLARKE, DIR., VA DOC, ET AL.
18-7763 ADAMS, CHARLES D. V. DEPT. OF DEFENSE
18-7764 FRENCH, MARCELLUS V. ILLINOIS
18-7765 MASSEY, BURGESS V. UNITED STATES
18-7768 STRAUSS, JON M. V. KY BD. OF MEDICAL LICENSURE
18-7776 OLVERA-CRUZ, MIGUEL A. V. UNITED STATES
18-7778 ZEMLYANSKY, MIKHAIL V. UNITED STATES
18-7779 KIRKLAND, KENNETH W. V. UNITED STATES
18-7781 LOPEZ, JUAN R. V. NOBLE, WARDEN
18-7783 CANNADY, TODD E. V. UNITED STATES
18-7784 DAVID, LISTON V. UNITED STATES
18-7788 ROBINSON, SUNNY V. UNITED STATES
18-7790 SIMPSON, MARCUS V. COOPER, JUDGE, ETC.
18-7792 DONATO, ANTHONY V. UNITED STATES

18-7795 LANIEUX, MARKUS D. V. LOUISIANA
18-7799 CUTULLE, JOEL S. V. UNITED STATES
18-7800 AGUILAR, RENE A. V. UNITED STATES
18-7801 TANNEHILL, CALVIN F. V. UNITED STATES
18-7802 HOPSON, MICHAEL V. UNITED STATES
18-7804 WATSON, DENANDIAS V. UNITED STATES
18-7812 WILCOX, RAHEEM V. NEW JERSEY
18-7814 BROWN, WILLIAM E. V. UNITED STATES
18-7817 CEBALLOS, ANDREW P. V. CALIFORNIA
18-7818 CASTANEDA, MARCOS V. UNITED STATES
18-7821 MIXON, DARRYL V. MISSISSIPPI
18-7823 NORWOOD, EDWARD N. V. UNITED STATES
18-7824 KILLINGBECK, JOHN C. V. UNITED STATES
18-7830 JOHNSON, RHEUBEN V. KANSAS
18-7836 MOORE, MICHAEL T. V. UNITED STATES
18-7838 MOORE, WILLIAM F. V. UNITED STATES
18-7839 BYERS, ERIC M. V. WHITE, WARDEN
18-7841 ADETILOYE, ADEKUNLE O. V. UNITED STATES
18-7842 BURTON, BRIAN M. V. UNITED STATES
18-7843 GIBSON, PATRICK K. V. BOE, SUPT., CLALLAM BAY
18-7844 HARTLEY, MALCOLM J. V. UNITED STATES
18-7846 HOUGH, REGINALD V. UNITED STATES
18-7848 FISHER, DARREL V. UNITED STATES
18-7849 ESTUDILLO, JESUS P. V. UNITED STATES
18-7858 MAJID, ARIF V. NOBLE, WARDEN
18-7859 MONSEGUE, FRANK D. V. UNITED STATES
18-7861 GRAVES, GARY D. V. UNITED STATES
18-7862 BEATTY, VINCENT V. UNITED STATES

18-7863 BURRIS, JEFFREY V. UNITED STATES
18-7871 VENNINGS, EARL V. BERRYHILL, NANCY A.
18-7874 BOOZE, RICHARD V. MISSISSIPPI
18-7878 CANNON, JOHN T. V. UNITED STATES
18-7880 CLARKE, TERRANCE J. V. UNITED STATES
18-7882 GATES, CHRISTOPHER M. V. UNITED STATES
18-7883 CARTER, DANIEL A. V. UNITED STATES
18-7884 VILLALVA-PATRICIO, PAULA V. UNITED STATES
18-7886 OCEAN, AKEEN V. UNITED STATES
18-7898 REID EL BEY, LATWANG JANELL V. NORTH CAROLINA, ET AL.
18-7900 BLANCO-RODRIGUEZ, JORGE E. V. UNITED STATES
18-7903 ARRINGTON, ALBERT J. V. VIRGINIA
18-7905 HALL, CHRISTOPHER A. V. UNITED STATES
18-7910 FUENTES, RICHARD V. UNITED STATES
18-7911 KUN, ALBERT M. V. STATE BAR OF CA
18-7913 THOMAS, TRAVIS V. UNITED STATES
18-7914 THARPS, JAY M. V. UNITED STATES
18-7915 WARNER, ARTHUR S. V. UNITED STATES
18-7916 WREN, JIMMY L. V. MISSISSIPPI
18-7918 HERNANDEZ, RUTILIO V. UNITED STATES
18-7920 HABECK, HAROLD A. V. UNITED STATES
18-7921 LOOMAN, JAMES H. V. UNITED STATES
18-7922 LaFLEUR, THOMAS I. V. UNITED STATES
18-7927 ANDERSON, TYRONE V. UNITED STATES
18-7930 BUTTON, RICHARD S. V. INCH, SEC., FL DOC, ET AL.
18-7947 GARDEN, TYRONE V. MASSACHUSETTS
18-7954 BLANTON, STEPHEN V. CLARKE, DIR., VA DOC
18-7960 MARSHALL, ANDRACOS V. UNITED STATES

18-7968 RAGLAND, JOSEPH V. NORTH CAROLINA
18-7969 SMITH, WILLIE E. V. MISSISSIPPI
18-7983 LAURSON, ERIC J. V. COLORADO
18-7993 BEDFORD, RONALD V. UNITED STATES
18-8033 BORGOS, LUIS A. V. MEDEIROS, SUPT., NORFOLK
18-8100 FRANKLIN, SENICA M. V. MISSISSIPPI

The petitions for writs of certiorari are denied.

18-285 MISSOURI V. DOUGLASS, PHILLIP, ET AL.

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

18-420 UNITED STATES V. WHEELER, GERALD A.

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

18-451 ALOHA BED & BREAKFAST V. CERVELLI, DIANE, ET AL.

The motion of Foundation for Moral Law for leave to file a brief as *amicus curiae* is granted. The motion of Ethics & Religious Liberty Commission of the Southern Baptist Convention for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

18-545 FIRST ADVANTAGE CORP. V. SUPERIOR COURT OF CA, ET AL.

The motion of Washington Legal Foundation, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

18-661 ZANK, JASON M. V. LOPEZ MORENO, LIZ L.

The motion of Reunite International Child Abduction Centre for leave to file a brief as *amicus curiae* is granted. The

petition for a writ of certiorari is denied.

18-910 SAN DIEGO, CA V. PUBLIC EMPLOYMENT RELATIONS BD.

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

18-7408 LEONARD, STEPHEN D. V. GEORGE WASHINGTON UNIV., ET AL.

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

18-7441 WHEELER, JAMES L. 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.

18-7687 LEE, DRE'SHAWN M. V. MUNIZ, WARDEN

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

18-7697 YATES, DUANE V. IOWA

18-7705 YATES, DUANE V. IOWA

The motions of petitioner for leave to proceed *in forma pauperis* are denied, and the petitions for writs of certiorari are dismissed. See Rule 39.8.

18-7769 HILL, DEMETRIUS 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.

18-7840 TELFAIR, TOMMIE H. 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.

HABEAS CORPUS DENIED

18-1064 IN RE OCTAVIOUS D. WILLIAMS
18-7063 IN RE CHARLES A. DREAD
18-8080 IN RE CHARLETTE D. JOHNSON
18-8098 IN RE CHRISTOPHER HANSON
18-8110 IN RE LaSHAWN ANDERSON

The petitions for writs of habeas corpus are denied.

18-8006 IN RE CURTIS EVANS

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of habeas corpus is dismissed. See Rule 39.8.

MANDAMUS DENIED

18-7754 IN RE ARCHIE CABELLO
18-7949 IN RE REGINALD WATSON

The petitions for writs of mandamus are denied.

18-7777 IN RE JARON BRICE

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*).

PROHIBITION DENIED

18-6927 IN RE JERRY URBINA

The petition for a writ of prohibition is denied.

REHEARINGS DENIED

17-5617 MORELAND, PAMELA V. LYNCHBURG DEPT. OF SOCIAL SERV.

17-8213 BREWER, BRIAN M. V. UNITED STATES

17-8593 BROOKS, KEITH C. V. RAEMISCH, EXEC. DIR., CO DOC

17-8818 BAKER, McARTHUR V. UNITED STATES

17-8962 GU, DE MIN V. FBI, ET AL.

17-9392 GRANT, PATRICIA A. V. WHITE, JAY, ET AL.

17-9477 GRANT, PATRICIA A. V. ALPEROVICH, CLAUDIO G., ET AL.

18-497 COULTER, JEAN V. BISSOON, JUDGE, USDC PA, ET AL.

18-586 KOCH, JACK R. V. ESTRELLA, A., ET AL.

18-611 TATAR, JOHN J. V. UNITED STATES

18-659 MASOMI, MOSTAFA V. MADADI, MEHRANDOKHT

18-702 YADAV, RAJESHWAR S., ET UX. V. NJ DEPT. OF ENVTL. PROTECTION

18-6245 KIRKLAND, JOHNNY V. PROGRESSIVE INS. CO., ET AL.

18-6272 STESHENKO, GREGORY V. MCKAY, THOMAS, ET AL.

18-6388 BLACKMON, RUBY V. EATON CORPORATION

18-6688 LEONARD, STEPHEN D. V. FLORIDA

18-7065 LOBO, FABIO P. V. UNITED STATES

The petitions for rehearing are denied.

17-8011 BLOUNT, CARLTON J. V. UNITED STATES

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

18-5428 BARRAQUIAS, RESTITUTO D. V. WILKIE, SEC. OF VA

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

Statement of SOTOMAYOR, J.

SUPREME COURT OF THE UNITED STATES

KEITH THARPE v. BENJAMIN FORD, WARDEN

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

No. 18–6819. Decided March 18, 2019

The petition for a writ of certiorari is denied.

Statement of JUSTICE SOTOMAYOR respecting the denial of certiorari.

Petitioner Keith Tharpe is a Georgia inmate on death row. For years, Tharpe, who is black, has asked state and federal courts to consider his claim that a white member of the jury that sentenced him to death was biased against him because of his race. Tharpe has presented a signed affidavit from the juror in question, who stated, among other things, that “there are two types of black people: 1. Black folks and 2. Niggers,” and that Tharpe, “who wasn’t in the “good” black folks category in [his] book, should get the electric chair for what he did.” *Tharpe v. Sellers*, 583 U. S. ___, ___ (2018) (*per curiam*) (slip op., at 2). Nevertheless, Tharpe has never received a hearing on the merits of his racial-bias claim.

The petition that the Court denies today does not turn on the merits of that claim, and I concur in the denial of Tharpe’s petition. I write because I am profoundly troubled by the underlying facts of this case.

I

More than seven years after he was sentenced to death, Tharpe’s attorneys uncovered evidence that a white member of his jury, Barney Gattie, harbored racist views at the time of the trial. In a sworn statement, Gattie made “repugnant comments . . . rife with racial slurs . . . and even an explicit statement that [his] decision to sentence Tharpe to death was[,] at leas[t] in part, based on race.”

Statement of SOTOMAYOR, J.

Tharpe v. Warden, 898 F.3d 1342, 1348 (CA11 2018) (Wilson, J., concurring). Tharpe sought postconviction relief in state court, arguing that racial bias tainted the jury’s deliberations in his case.

To this day, Tharpe’s racial-bias claim has never been adjudicated on its merits. The Georgia state court and the Federal District Court denied Tharpe’s requests for post-conviction relief on procedural grounds. Tharpe moved to reopen the federal proceedings in light of “‘extraordinary circumstances,’” *Gonzalez v. Crosby*, 545 U. S. 524, 536 (2005), but the District Court denied that motion. Tharpe requested a certificate of appealability (COA) from the United States Court of Appeals for the Eleventh Circuit, but the court denied his request after concluding that he had not made an adequate showing that Gattie’s racial bias affected the jury’s verdict. *Tharpe*, 583 U. S., at ___ (slip op., at 2). This Court disagreed, explaining that Tharpe had “present[ed] a strong factual basis for the argument that Tharpe’s race affected Gattie’s vote for a death verdict.” *Ibid.* We remanded for further consideration.

On remand, the Court of Appeals again denied Tharpe’s request for a COA. It held that the District Court did not arguably abuse its discretion in denying Tharpe’s motion to reopen because two different threshold obstacles barred Tharpe’s claim. First, the court held that Tharpe’s juror-bias claim could not go forward because the claim relied on a later decided case, *Pena-Rodriguez v. Colorado*, 580 U. S. ___ (2017), which the court concluded does not apply retroactively. 898 F.3d, at 1345–1346. Second, the court decided that Tharpe had not established cause for his procedural default in state court—*i.e.*, he had not given a sufficient justification for failing to raise the juror-bias claim in a motion for a new trial or in his direct appeal. Specifically, the court rejected as unsubstantiated Tharpe’s allegation that counsel’s ineffectiveness was to blame for his not having raised the racial-bias claim sooner.

Statement of SOTOMAYOR, J.

Id., at 1347. Tharpe seeks this Court’s review.

II

Tharpe’s petition for a writ of certiorari asks us to decide only whether the Court of Appeals’ procedural rulings were correct, not whether his juror-bias claim has merit. Tharpe “faces a high bar in showing that jurists of reason could disagree whether the District Court abused its discretion in denying his motion” to reopen. *Tharpe*, 583 U. S., at ___–___ (slip op., at 2–3). And for Tharpe’s claim to proceed, he must overcome both of the Court of Appeals’ independent reasons for denying him a COA. In other words, even setting aside whether *Pena-Rodriguez* is retroactive, he would have to establish that he arguably showed sufficient cause to excuse his procedural default.

I see little likelihood that we would reverse the Court of Appeals’ factbound conclusion that Tharpe did not make that showing. Before this Court, Tharpe argues that he could not have raised his racial-bias claim in a motion for new trial or on direct appeal because he did not know—indeed, could not have known—of the predicate facts of the claim at that time. Pet. for Cert. 35. If preserved, that argument would have force. But Tharpe did not make this argument before the District Court until a footnote in his reply brief in the Federal Rule of Civil Procedure 60(b)(6) proceedings, see Reply to Brief in Opposition 12–13 (listing the reply brief as the earliest point at which this argument was made), and the District Court did not address it, see App. D. to Pet. for Cert. Given this preservation issue and the deference due to the District Court, the Court of Appeals reasonably focused on the ineffective-assistance argument that Tharpe did previously present to the District Court in deciding that Tharpe had not made the requisite showing of cause. See 898 F. 3d, at 1347.

I therefore concur in the Court’s decision to deny Tharpe’s petition for certiorari. As this may be the end of

Statement of SOTOMAYOR, J.

the road for Tharpe’s juror-bias claim, however, we should not look away from the magnitude of the potential injustice that procedural barriers are shielding from judicial review.

Tharpe has uncovered truly striking evidence of juror bias. Gattie, the juror at issue, signed an affidavit reflecting his “view that ‘there are two types of black people: 1. Black folks and 2. Niggers’; that Tharpe, ‘who wasn’t in the “good” black folks category in [his] book, should get the electric chair for what he did’; that ‘[s]ome of the jurors voted for death because they felt Tharpe should be an example to other blacks who kill blacks, but that wasn’t [his] reason’; and that, ‘[a]fter studying the Bible, [he] ha[d] wondered if black people even have souls.’” *Tharpe*, 583 U. S., at ___ (slip op., at 2) (quoting App. B to Pet. for Cert. 15–16).

These racist sentiments, expressed by a juror entrusted with a vote over Tharpe’s fate, suggest an appalling risk that racial bias swayed Tharpe’s sentencing. The danger of race determining any criminal punishment is intolerable and endangers public confidence in the law. See *Buck v. Davis*, 580 U. S. ___, ___ (2017) (slip op., at 22). That risk is especially grave here, where it may have yielded a punishment that is unique in its “complete finality.” *Turner v. Murray*, 476 U. S. 28, 35 (1986). When Tharpe went on trial for his crimes, the Constitution promised him the “fundamental ‘protection of life and liberty against race or color prejudice.’” *McCleskey v. Kemp*, 481 U. S. 279, 310 (1987) (quoting *Strauder v. West Virginia*, 100 U. S. 303, 309 (1880)). There is strong evidence that this promise went unfulfilled.

It may be tempting to dismiss Tharpe’s case as an outlier, but racial bias is “a familiar and recurring evil.” *Pena-Rodriguez*, 580 U. S., at ___ (slip op., at 15). That evil often presents itself far more subtly than it has here. Yet Gattie’s sentiments—and the fact that they went unex-

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posed for so long, evading review on the merits—amount to an arresting demonstration that racism can and does seep into the jury system. The work of “purg[ing] racial prejudice from the administration of justice,” *id.*, at ____ (slip. op., at 13), is far from done.