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S.C. Supreme Court

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Robert M. Dudek, Chief Appellate Defender
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June 1, 2015

Honorable Daniel Shearouse
Clerk, Supreme Court of South Carolina
P.O. Box 11330
Columbia, S.C. 29211

Re: State v. Tavarío Brunson, Appellate Case No. 2012-211593

Dear Mr. Shearouse:

On March 4, 2015, this Court reversed Mr. Brunson's case, but stayed relief "until all stays issued in Aiken are lifted." Today, the United States Supreme Court denied a writ of certiorari in Aiken v. Byars, Docket No. 14-1021. Please find the online docket sheet and the first six pages of the orders list enclosed noting the denial. I hope this information assists the Court in resolving Mr. Brunson's appeal. It is my understanding that the state's petition for rehearing remains pending in this case, however.

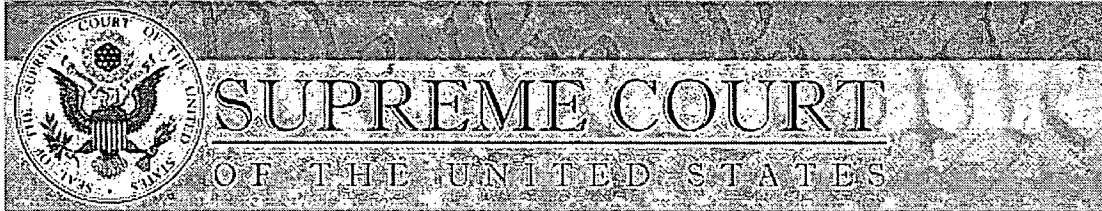
Sincerely,

Susan B. Hackett
Appellate Defender

SBH/

Enclosures: Docket sheet
Orders list

cc: Tavarío Brunson (w/ enclosures)
Donald Zelenka, Esquire (w/ enclosures)



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No. 14-1021

Title: William R. Byars, Jr., Director, South Carolina Department of Corrections, et al., Petitioners

v.

Tyrone Aiken, et al.

Docketed: February 20, 2015

Lower Ct: Supreme Court of South Carolina

Case Nos.: (27465)

Decision Date: November 12, 2014

~~~Date~~~ ~~~~~Proceedings and Orders~~~~~

Feb 9 2015 Petition for a writ of certiorari filed. (Response due March 23, 2015)

Mar 13 2015 Order extending time to file response to petition to and including April 22, 2015.

Apr 22 2015 Brief of respondents Tyrone Aiken, et al. in opposition filed.

Apr 22 2015 Motion for leave to proceed in forma pauperis filed by respondents Tyrone Aiken, et al.

May 12 2015 DISTRIBUTED for Conference of May 28, 2015.

Jun 1 2015 Motion for leave to proceed in forma pauperis filed by respondent GRANTED.

Jun 1 2015 Petition DENIED.

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~~~~Name~~~~~Address~~~~~Phone~~~~

Attorneys for Petitioners:

| | | |
|-------------------|---|----------------|
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Party name: William R. Byars, Jr., Director, South Carolina Department of Corrections, et al.

Attorneys for Respondents:

| | | |
|-------------------|---|----------------|
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Party name: Tyrone Aiken, et al.

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Supreme Court of the United States

(ORDER LIST: 575 U. S.)

MONDAY, JUNE 1, 2015

CERTIORARI -- SUMMARY DISPOSITION

14-238 UNITED STATES, EX REL. SHEA V. CELLCO PARTNERSHIP, ET AL.

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 District of Columbia Circuit for further consideration in light of *Kellogg Brown & Root Services, Inc. v. United States ex rel. Carter*, 575 U. S. ____ (2015).

ORDERS IN PENDING CASES

14M119 CARTER, MITCHELL M., ET UX. V. HOUSTON BUSINESS DEVELOPMENT

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

14M120 CHARNOCK, DOUGLAS C. V. VIRGINIA, ET AL.

The motion for leave to proceed as a veteran is denied.

14M121 SCHAFLEER, PEPI V. BANK OF AMERICA MERRILL LYNCH

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

14-1168 SMITH, ROGER L. V. AEGON COMPANIES PENSION PLAN

The Solicitor General is invited to file a brief in this case expressing the views of the United States.

14-8491 WHITE, BRENDA V. SOUTHEAST MI SURGICAL, ET AL.

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

14-9078 BARRY, MAMADOU V. DIALLO, AISSATO

The motion of petitioner for leave to proceed *in forma*

pauperis is denied. Petitioner is allowed until June 25, 2015, 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.

CERTIORARI DENIED

14-384 DIAZ-BARBA, ALEJANDRO, ET AL. V. KISMET ACQUISITION, LLC
14-740 MASSI, MATTHEW J. V. UNITED STATES
14-790 BRIDGESTONE RETAIL OPERATIONS V. BROWN, MILTON, ET AL.
14-932 FARMINGTON HILLS, MI, ET AL. V. MARSHALL, DAVID, ET UX.
14-1000 MURPHY, PHILIP A., ET AL. V. VERIZON COMMUNICATIONS, ET AL.
14-1004 PYSARENKO, VITALII V. CARNIVAL CORP.
14-1005 SECURITY HEALTH CARE, ET AL. V. BOLER, JOHNNIE
14-1008 HARDIN, JEFFREY V. OHIO
14-1028 DUBLE, MICHAEL V. FEDEX GROUND PACKAGE SYSTEM
14-1040 WATCHTOWER BIBLE & TRACT, ET AL. V. GARCIA PADILLA, GOV. OF PR
14-1154 UNITED STATES, EX REL. MASTEJ V. HEALTH MGMT. ASSOC., ET AL.
14-1166 TRAVERS, PATRICIA A. V. CELLCO PARTNERSHIP
14-1170 GUERRA-DELGADO, ALFREDO, ET AL. V. POPULAR, INC., ET AL.
14-1178 KAMPS, C. MICHAEL V. BAYLOR UNIVERSITY, ET AL.
14-1186 SCIENTIFIC PLASTIC PRODUCTS V. BIOTAGE AB
14-1187 HRALIMA, MAIGA V. BACA, WARDEN
14-1195 DOWNEY, MELISSA A., ET VIR V. FEDERAL NAT. MORTGAGE ASSOC.
14-1213 WETHERBE, JAMES C. V. SMITH, BOB, ET AL.
14-1215 JONES, DENISE V. JONES, ELMER
14-1228 JACKSON, WILLIAM V. OWENS CORNING/FIBERBOARD
14-1243 MEINTS, DANIEL V. BEATRICE, NE
14-1256 KAZZAZ, AHMED S. V. UNITED STATES
14-1282 BOSHEARS, RAYMOND V. MASSACHUSETTS

14-1283 ADMIRALTY CONDOMINIUM ASSOC. V. DIR., FEMA, NAT'L FLOOD INS.
14-1303 PARAMOUNT CONTRACTORS, ET AL. V. LOS ANGELES, CA
14-8011 LESTER, DE V. LONG, WARDEN
14-8107 CAMILLO-AMISANO, PHILLIP V. UNITED STATES
14-8204 MANGUM, GARY, ET UX. V. RENTON SCHOOL DISTRICT #403
14-8381 MODANLO, NADER V. UNITED STATES
14-8413 SMITH, NARY V. ST. MARTINVILLE, LA
14-8840 GUARASCIO, JOSEPH M. V. UNITED STATES
14-9020 WRIGHT, JOEL D. V. JONES, SEC., FL DOC
14-9047 ZAMORA, JOSE V. FLORIDA
14-9052 THEMEUS, YVON V. JONES, SEC., FL DOC, ET AL.
14-9053 ZINK, DAVID S. V. MISSOURI
14-9067 SALGADO, LUIS A. V. BITER, WARDEN
14-9071 WEDGEWORTH, JAMES V. KELLEY, DIR., AR DOC
14-9072 JACOBS, ERIKA V. BIANDO, TRICIA, ET AL.
14-9074 McELFRESH, RONALD L. V. OHIO
14-9080 JONES, TROY R. V. WOLFE, WARDEN, ET AL.
14-9084 McMANUS, KIM V. JUSTICE OF THE PEACE COURT #13
14-9085 DAWSON, WILLIAM D. V. ABSTON, RHONDA, ET AL.
14-9088 DOSS, HAROLD D. V. TENNESSEE
14-9093 BURNS, CLINTON V. FOX, WARDEN, ET AL.
14-9097 ROBINSON, ARTHUR R. V. BENJAMIN, KEVIN
14-9098 DINGLE, LAMARR B. V. VIRGINIA
14-9101 ROBBINS, EDWARD D. V. BOULDER COUNTY, CO, ET AL.
14-9110 TROY, JOHN V. JONES, SEC., FL DOC, ET AL
14-9115 WEST, MARQUIS B. V. MAGRUDER, ANDREW M., ET AL.
14-9117 WILLIAMS, LARRY V. ARTUS, M., ET AL.
14-9120 PARKER, JACK V. BURT, WARDEN

14-9129 LANZA, ENRICO F. V. DIST. ATT'Y OF DELAWARE CTY.
14-9131 AVILA, DANIEL V. CALIFORNIA
14-9134 MURFF, ANTHONY V. CORIZON MEDICAL SERVICES, ET AL.
14-9136 VALENZUELA, MELINDA G. V. CORIZON HEALTH CARE, ET AL.
14-9137 LUCAS, DAVID A. V. CALIFORNIA
14-9141 COAKLEY, JAMES T. V. JONES, SEC., FL DOC, ET AL.
14-9143 COLLINS, BILLY M. V. TEXAS
14-9179 DOWNING, BRYAN L. V. FLORIDA
14-9181 PETERKA, DANIEL J. V. JONES, SEC., FL DOC
14-9189 PREACELY, RAYMANDA V. DEPT. OF TREASURY
14-9212 BENEFIELD, KEVIN M. V. CONNECTICUT
14-9234 CABEZA, ROBERT V. GRIFFIN, SUPT., SULLIVAN
14-9237 MOELLER, DAVID D. V. GILBERT, MARGARET
14-9241 FOSTER, JORDY V. FL DOC
14-9243 DICH, JOHN V. V. JACQUEZ, WARDEN
14-9257 SALARY, MARK T. V. NUSS, LAWTON R., ET AL.
14-9279 DAVIS, KENNETH D. V. KEITH, WARDEN
14-9287 PENA, ROBERT D. V. WASHINGTON
14-9319 JAMISON, MATTHEW V. SOUTH CAROLINA
14-9322 KRATOCHVIL, JOHN V. TENNESSEE
14-9340 JACKSON, JOEY V. DOMZALSKI, MARY
14-9352 BEARD, MICHAEL W. V. LIZARRAGA, WARDEN
14-9356 CARRASCOSA, MARIA J. V. ARTHUR, ADMINISTRATOR
14-9379 HINGLE, DANIELLE V. MISSISSIPPI
14-9384 GUO, SHI W. V. LYNCH, ATT'Y GEN.
14-9387 LYON, LeFLORIS V. WISE CARTER CHILD, ET AL.
14-9398 GIBSON, JOHNNY M. V. PAQUIN, JOHN, ET AL.
14-9400 HAMPTON, TERENCE V. NEW YORK

14-9403 REECE, CHARLES G. V. DICKENSON, TERRY, ET AL.
14-9423 JONES, CHARLES E. V. WILSON, WARDEN
14-9429 HAMMONDS, ANTHONY D. V. BO'S FOOD STORE
14-9431 HILL, FRANK V. ILLINOIS
14-9437 BASNIGHT, TYRONE V. UNITED STATES
14-9493 POWELL, JOEL D. V. UNITED STATES
14-9494 ONCIU, MOSES V. UNITED STATES
14-9502 VELAZQUEZ-CORCHADO, BRENDA V. UNITED STATES
14-9503 WARREN, CHRISTIAN D. V. UNITED STATES
14-9507 ROBISON, ALLEN M. V. UNITED STATES
14-9510 ARMSTRONG, JAMES B. V. UNITED STATES
14-9511 BEJARANO-ORDONEZ, ERIK D. V. UNITED STATES
14-9512 BAILEY, ROBERT V. UNITED STATES
14-9514 COX, ANDREW V. UNITED STATES
14-9520 ALEXANDER, DONALD S. V. UNITED STATES
14-9522 DUNGY, MONTREAIL D. V. UNITED STATES
14-9529 DANIEL, MAX V. UNITED STATES
14-9537 TRUMAN, JEFFREY E. V. UNITED STATES
14-9538 THOMAS, JODY C. V. UNITED STATES
14-9546 NAILON, SHAE F. V. UNITED STATES
14-9547 McMILLIAN, TYRONE V. UNITED STATES
14-9551 McDUFFIE, HAROLD V. UNITED STATES
14-9553 WALKER, SAMUEL V. UNITED STATES
14-9557 BRYANT, EDDIE D. V. UNITED STATES
14-9558 GALLEGOS-HERNANDEZ, JOSE C. V. UNITED STATES

The petitions for writs of certiorari are denied.

13-1162 PURDUE PHARMA L.P., ET AL. V. UNITED STATES, EX REL. MAY

The motion of The Pharmaceutical Research and Manufacturers

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

14-631 MANZANO, JUAN V. INDIANA

The petition for a writ of certiorari is denied. Justice Sotomayor dissents.

14-954 ANIMAL CARE TRUST, ET AL. V. UNITED PET SUPPLY, INC.

The motion of International Municipal Lawyers Association, et al. for leave to file a brief as *amici curiae* is granted. The motion of American Society for the Prevention of Cruelty to Animals for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

14-1021 BYARS, DIR., SC DOC, ET AL. V. AIKEN, TYRONE, ET AL.

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

14-9089 MARIN, MEL M. V. RICE, CHARLES

14-9144 DIXON, MICHAEL A. V. HART, WARDEN

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.

HABEAS CORPUS DENIED

14-1334 IN RE SRINIVAS V. VADDE

14-9667 IN RE LLOYD W. SHEPPARD

The petitions for writs of habeas corpus are denied.

14-9683 IN RE EDWARD N. CARLTON

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. 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*).

MANDAMUS DENIED

14-9075 IN RE SERGEI PORTNOY

The petition for a writ of mandamus is denied.

14-9126 IN RE ANDREW R. SPENGLER

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

REHEARINGS DENIED

13-10787 HOVARTER, JOHN S. V. CALIFORNIA, ET AL.

14-1026 GOSSAGE, HENRY E. V. OPM, ET AL.

14-7635 GREENFIELD, JOZETTE V. DEUTSCHE BANK AG, ET AL.

14-7765 BURGEST, EARL H. V. CARAWAY, WARDEN

14-8157 MURRAY, JOANNE H. V. MIDDLETON, D. A., ET AL.

14-8234 REED-RAJAPAKSE, SAMANTHA V. MEMPHIS LIGHT, ET AL.

14-8261 LOVE, DONTE D. V. DUCART, WARDEN

14-8340 JONES, ALICIA V. ANDO, SCOTT

14-8370 HUANG, DONGSHENG V. DEPT. OF LABOR, ET AL.

14-8495 SLEDGE, SAMUEL V. ILLINOIS

14-8616 OYELAKIN, MUTIU A. V. RENO, JANET, ET AL.

14-8653 JOHNSON, STEVEN R. V. FARM CREDIT OF FLORIDA, ET AL.

14-8774

ADAMS, JACOB S. V. UNITED STATES

The petitions for rehearing are denied.