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Jan 10 2022

S.C. SUPREME COURT

(ORDER LIST: 595 U.S.)

MONDAY, JANUARY 10, 2022

CERTIORARI -- SUMMARY DISPOSITION

21-428 ROCKET MORTGAGE, LLC, ET AL. V. ALIG, PHILLIP, 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 Fourth Circuit for further consideration in light of *TransUnion LLC v. Ramirez*, 594 U. S. ____ (2021).

ORDERS IN PENDING CASES

21A159 TOLLE, JAMES V. NORTHAM, GOV. OF VA, ET AL.

The application for injunctive relief addressed to Justice Alito and referred to the Court is denied.

21A190 GUPTA, ANESH V. GARLAND, ATT'Y GEN., ET AL.

The application for stay addressed to Justice Barrett and referred to the Court is denied.

21M49 TERRELL, ANDRE V. SHELDON, WARDEN

21M50 GLADNEY, BEVERLY A. V. KIJAKAZI, COMM'R, SOCIAL SEC.

21M51 JONES, SAM V. DIXON, SEC., FL DOC, ET AL.

21M52 SHRADER, THOMAS C. V. UNITED STATES

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

21M53 LARSON, KRISTINA M. V. AMERICAN HOME PRODUCTS, ET AL.

The motion for leave to file a petition for a writ of certiorari under seal is denied.

21M54 SEALS, CURTIS B. V. SMITH, WARDEN

21M55 SHOPHAR, JOREL V. JOHNSON COUNTY, KS, ET AL.

21M56 SEQUEIRA, HORACIO V. GATE SAFE, INC.

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

21M57 YOUNG, CARLA V. LUNDSTROM, BRIAN, ET AL.

21M58 A. M. V. COLORADO

The motions for leave to file petitions for writs of certiorari with the supplemental appendices under seal are granted.

21M59 BOLLINGER, LARRY M. V. UNITED STATES

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

21M60 JENNINGS, BRAD V. NASH, DANIEL F., ET AL.

The motion for leave to file a petition for a writ of certiorari with the supplemental appendix under seal is granted.

21M61 WILLIAMS, LEE V. BURGESS, DAWN, ET AL.

The motion for leave to file a petition for a writ of certiorari with the supplemental appendix under seal is denied.

20-8142 ROSA, CHARLENE W. V. FINKELSTEIN, HOWARD, ET AL.

20-8331 ROSA, CHARLENE W. V. SATZ, MICHAEL J.

20-8454 IN RE RANDY D. JACKSON

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

21-382 STRAUSS, MOSES, ET AL. V. CREDIT LYONNAIS, S.A.

21-438 OLAF SÖÖT DESIGN, LLC V. DAKTRONICS, INC., ET AL.

The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

21-6159 SKINNER, MICHAEL V. FLORIDA

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until January 31, 2022, 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 GRANTED

21-404 UNITED STATES V. WASHINGTON, ET AL.

21-441 SIEGEL, ALFRED H. V. FITZGERALD, JOHN P.

The petitions for writs of certiorari are granted.

21-5726 KEMP, DEXTER E. V. UNITED STATES

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted.

CERTIORARI DENIED

20-1737 WILSON, LUKE N. V. CALIFORNIA

20-1790 CAMPBELL, ALSTON V. UNITED STATES

20-7674 REEDER, KUANTAU V. VANNOY, WARDEN

20-8213 ATWOOD, JAMES V. UNITED STATES

20-8284 GASHE, HAROLD V. UNITED STATES

20-8345 PARKERSON, RICKY V. UNITED STATES

21-84 FOUND. INDIVID. RIGHTS, ET AL. V. VICTIM RIGHTS LAW CENTER, ET AL.

21-130 HEARN, JACK D., ET AL. V. McCRAW, STEVEN C., ET AL.

21-133 ROJAS, JORGE A. V. FAA

21-175 P. Z. V. NEW JERSEY

21-243 WARNER, JAMES V. UNITED STATES

21-270 BNSF RAILWAY CO. V. DANNELS, ROBERT

21-273 BRUNE, BUCK G. V. UNITED STATES

21-279 GRAND RIVER ENTERPRISES V. BOUGHTON, MARK

21-310 ROMAN-VEGA, ERICK A. V. GARLAND, ATT'Y GEN.

21-315 BOUAZIZI, JACQUELYN V. HILLSBOROUGH CTY. SERV., ET AL.

21-340 CARTER, ORLANDO V. DISTRICT OF COLUMBIA

21-374 STRUVE, STEVEN E. V. IOWA

21-396 DELTA AIR LINES, INC. V. OMAN, DEV A., ET AL.

21-433 CORTEZ-RAMIREZ, MELVIN A. V. GARLAND, ATT'Y GEN.

21-465 KISOR, JAMES L. V. McDONOUGH, SEC. OF VA

21-467 PARISH, CLIFTON M. V. OKLAHOMA, ET AL.

21-469 JOBE, TONY B. V. NTSB

21-470 BROWN, ERIC L. V. UNITED STATES

21-478 LIANG, EE HOONG V. KALIANNAN, PANIRCELVAN, ET AL.

21-479 NICOLE K., ET AL. V. STIGDON, TERRY J., ET AL.

21-489 MUTHANA, AHMED A. V. BLINKEN, SEC. OF STATE, ET AL.

21-490 COFFEY, JUDITH S., ET AL. V. CIR

21-505 BANK OF AMERICA CORP., ET AL. V. FUND LIQUIDATION, ET AL.

21-506 AMEC FOSTER WHEELER V. ENTERPRISE PRODUCTS OPERATING

21-516 HAGGERTY, JUSTIN V. UNITED STATES

21-519 GROWTH ENERGY V. AMERICAN FUEL, ET AL.

21-522 SIMKO, MICHAEL V. U.S. STEEL CORP.

21-529 BAILEY, BATASKI V. FAIR & WALKER ASSOC., ET AL.

21-540 WARSAW ORTHOPEDIC, ET AL. V. SASSO, RICK C.

21-551 WATFORD, JOHN J. V. UNITED STATES

21-565 BLAKLEY, OLGA P. V. MILLING, BENSON, WOODWARD

21-568 JARVIS, JASON V. UNITED STATES

21-570 KELLER, RALPH V. CHIPPEWA COUNTY BD., ET AL.

21-571 INFOWARS, LLC, ET AL. V. FONTAINE, MARCEL

21-573 ROSEMAN, JOHN L. V. INTERNATIONAL UNION, ET AL.

21-578 RAYNOR, JOHN V. WALKER, DENNIS, ET AL.

21-580 KORCHEVSKY, VITALY V. UNITED STATES, ET AL.
21-585 RIGGIN, KARI L. V. NORTH DAKOTA
21-586 DAZA, PETER V. INDIANA, ET AL.
21-592 ISAACS, JEFFREY V. KECK SCH. OF MEDICINE, ET AL.
21-600 GARDNER, WADE S., ET AL. V. MUTZ, WILLIAM, ET AL.
21-607 WAHLBERG, MAURA L. V. GREVER, ROY
21-609 ANDERSON, LORIANN, ET AL. V. SEIU LOCAL 503, ET AL.
21-611 HAMILTON, GERTRUDE, C. F. V. UNITED STATES, ET AL.
21-621 FLAHERTY, VINCE, ET AL. V. HOLLY HILL INVESTMENTS
21-625 PALMER, ROBERT V. SOUTH CAROLINA
21-631 WILSON, EMILY S., ET AL. V. UNITED STATES
21-635 FIELDS, LARRY V. CINCINNATI POLICE DEPT., ET AL.
21-636 ASPILAIRE, RUBENS V. GARLAND, ATT'Y GEN.
21-638 WATKINS, DAVID R., ET AL. V. SPECTOR, BRIAN F., ET AL.
21-647 PERDUE, JANET V. SANOFI-AVENTIS U.S. LLC
21-649 WALDER VACUFLO, INC. V. IL HUMAN RIGHTS COMM'N, ET AL.
21-650 DURRANI, ARIF A. V. GARLAND, ATT'Y GEN.
21-652 DUNCAN, LYNETTE V. LIBERTY MUTUAL INS. CO.
21-654 FREI, JUDITH, ET AL. V. TARO PHARMACEUTICALS INC.
21-655 BUTLER, MAX R. V. PORTER, S., ET AL.
21-656 OIRYA, JOHN V. BRIGHAM YOUNG UNIVERSITY
21-660 FREELANCER INTERNATIONAL, ET AL. V. UPWORK GLOBAL, INC., ET AL.
21-662 BRIGHT-ASANTE, MICHAEL V. SAKS & CO., INC., ET AL.
21-664 DOWNEY, PATRICK J. V. TOLEDO, OH
21-665 TERRY, JAMES V. KIJAKAZI, COMM'R, SOCIAL SEC.
21-666 PARKER WAICHMAN, LLP, ET AL. V. LEVIN, ARNOLD, ET AL.
21-667 HATCH, NATHAN E. V. MINNESOTA
21-668 KINNEY, CHARLES G. V. UNITED STATES, ET AL.

21-670 GONZALEZ, GUSTAVO G. V. QUALITY LOAN SERVICE CORP.
21-671 EVANS, TORI V. COOPERATIVE RESPONSE CENTER
21-672 BARGER, STEVEN B. V. FIRST DATA CORP.
21-673 AUSTIN, ROBERT A. V. McCANN, JAMES, ET AL.
21-680 SALISBURY, LAWRENCE V. SANTA MONICA, CA
21-685 KHOCHINSKY, ALEXANDER V. POLAND
21-689 TAVERAS, ORLANDO F. V. GARLAND, ATT'Y GEN.
21-691 FG SRC LLC V. MICROSOFT CORP.
21-695 ANDERSON, BENNIE V. NEW JERSEY
21-696 STAND UP FOR CALIFORNIA!, ET AL. V. DEPT. OF INTERIOR, ET AL.
21-697 CLARK, PAUL C., ET AL. V. HARBORVIEW DRIVE CONDOMINIUM
21-698 BUTLER COUNTY, PA, ET AL. V. WOLF, GOV. OF PA, ET AL.
21-701 OAKLEY GRAIN, INC., ET AL. V. RICE, M. RANDY, ET AL.
21-709 CLARK, JACOB, ET UX. V. STONE, BERNADETTE, ET AL.
21-712 JENKINS, DERRICK T. V. FLORIDA
21-714 WRIGHT, JUDY M., ET VIR V. BUYER, MATTHEW G., ET AL.
21-720 RATHEAL, RODNEY S. V. UNITED STATES
21-722 SALVESON, MELVIN, ET AL. V. JPMORGAN CHASE & CO., ET AL.
21-732 JAMA, ABULLAHI J. V. GARLAND, ATT'Y GEN.
21-733 DANDRIDGE, CLYDE V. WALMART STORES, INC.
21-736 SANCHEZ, ARISTEO V. GARLAND, ATT'Y GEN.
21-737 BAGLEY, DAVID S. V. RAMONA ROGERS, M.D., ET AL.
21-743 LEMPAR, DONALD V. LUMPKIN, DIR., TX DCJ
21-745 ALEXANDER, ROBERT L., ET AL. V. PSFS 3 CORP.
21-748 NWOKE, CHINYERE U. V. UNIV. OF CHICAGO MED. CTR.
21-749 TANNER, HOWARD, ET AL. V. CAYUGA NATION, ET AL.
21-750 KNABB, JASPER V. UNITED STATES
21-751 SLAUGHTER, RALPH V. LOUISIANA EMPLOYEES' RETIREMENT

21-754 PARROTT, TRAVIS L. V. TATUM, WARDEN
21-755 PAGE, CARTER, ET AL. V. DEMOCRATIC NAT. COMM., ET AL.
21-756 DOUNG, SAMATH V. GARLAND, ATT'Y GEN.
21-774 MUNGER, MICHELLE, ET AL. V. DAVIS, BRENDA, ET AL.
21-776 DUNCAN, BILLY, ET AL. V. BARINA, TONYA, ET AL.
21-780 MARTINEZ, EWIN O. V. UNITED STATES
21-785 RICCARDI, RICHARD V. UNITED STATES
21-799 PRITCHARD, KENNETH V. MWAA
21-809 GALLO, ALEXANDER V. DISTRICT OF COLUMBIA
21-812 WHITSERVE LLC V. DROPBOX, INC.
21-822 PATRICK, DONNA, ET AL. V. AK PUBLIC OFFICES COMMISSION
21-827 KITLINSKI, DAREK J., ET UX. V. DEPT. OF JUSTICE, ET AL.
21-829 HARDIN, TIMOTHY S. V. UNITED STATES
21-830 IN RE SPECIAL INVESTIGATION MISC. 1064
21-834 LIBERTARIAN PARTY OF MN, ET AL. V. SIMON, MN SEC. OF STATE
21-836 GONZALEZ FLAVELL, SARA V. INT'L BANK FOR DEVELOPMENT
21-849 SLIDEWATERS LLC V. WA DEPT. OF LABOR, ET AL.
21-872 LEE, AMONEO V. MEYER, WARDEN, ET AL.
21-873 GOODLOE, DAMON V. BRANNON, WARDEN
21-876 WILLIAMS, JOHN G. V. UNITED STATES
21-5104 TOMES, JOHN G. V. UNITED STATES
21-5109 TRIPODIS, EVERETT J. V. UNITED STATES
21-5226 WARDRIP, FARYION E. V. LUMPKIN, DIR., TX DCJ
21-5274 SMITH, MICHAEL R. V. GARLAND, ATT'Y GEN.
21-5305 ROSALES-GONZALEZ, ALEJANDRO V. UNITED STATES
21-5307 STRICKLAND, MILLARD V. UNITED STATES
21-5426 SHOCKLEY, STEPHEN C. V. LUMPKIN, DIR., TX DCJ
21-5458 DuLAURENCE, HENRY J. V. WOODLOCK, JUDGE, USDC MA

21-5561 CADE, TYRONE V. TEXAS
21-5633 McLAIN, ROLAND J. V. UNITED STATES
21-5634 FORBES, MICHAEL D. V. UNITED STATES
21-5657 COSNER, CHRIS E. V. UNITED STATES
21-5666 CAMPBELL, WILLIAM M. V. UNITED STATES
21-5711 RAMIREZ, IRVING A. V. CALIFORNIA
21-5731 SISK, SHERIDAN V. UNITED STATES
21-5754 CARTER, CEDRIN F. V. UNITED STATES
21-5778 HUTCHINSON, JEFFREY G. V. DIXON, SEC., FL DOC
21-5795 GUILLEN, ETHAN V. UNITED STATES
21-5804 DOOR, KENNETH R. V. UNITED STATES
21-5886 McGARITY, SASHA T. V. BIRMINGHAM PUBLIC SCHOOLS
21-5889 HERNANDEZ, ANIBAL A. V. LUMPKIN, DIR., TX DCJ
21-5911 HERMAN, MICHAEL V. UNITED STATES
21-5926 KUNIK, RIMMA V. NYC DEPT. OF EDUCATION, ET AL.
21-5933 LOGGINS, KEVIN D. V. KANSAS
21-5941 MORELLI, ANGELA M. V. HYMAN, JOSHUA B., ET AL.
21-5942 WOOLEN, MICHAEL V. CALIFORNIA
21-5943 WARD, BRANDON V. DIXON, SEC., FL DOC
21-5951 BAUMGARTEN, STEVEN B. V. EVANS, ERIKA
21-5959 FIFIELD, DARWIN J. V. DIXON, SEC., FL DOC, ET AL.
21-5961 HORSLEY, DAVID K. V. OHIO
21-5968 STEMEN, TIMOTHY V. FLORIDA
21-5979 SULLIVAN, LEIHINAHINA V. KENNEDY, RENEAU, ET AL.
21-5981 SARABIAN, RAY V. HALLIBURTON LOGGING SERVICES
21-5983 KAMMERER, JENNIFER L. V. STATE BAR OF CA
21-5988 JONES, STEPHEN B. V. MARYLAND
21-5990 ALANA, RANDY V. MARTEL, WARDEN

21-5994 WASHBURN, CHOO V. NUNEZ, JOHN, ET AL.

21-5996 WEISS, JAYSON T. V. CALIFORNIA

21-6008 PORTER, KEYAIRA V. ARIZONA

21-6012 RIMMER, MICHAEL V. TENNESSEE

21-6013 REED, ZACHARY S. V. DIXON, MICHAEL, ET AL.

21-6015 WALDEN, ROBERT L. V. SHINN, DIR., AZ DOC

21-6016 WARE, ZELDA V. ATLANTA, GA, ET AL.

21-6018 COMPELLEEBEE, GARY F. V. OKLAHOMA

21-6021 ROBINSON, ELROY W. V. HOLBROOK, WARDEN

21-6026 GAINES, BARTON R. V. TEXAS

21-6030 DAVIS, KEITH E. V. OKLAHOMA

21-6031 THOMAS, WILLIAM G. V. MOODY, ATT'Y GEN. OF FL, ET AL.

21-6039 HILL, STANLEY B. V. TENNESSEE

21-6040 HOLGER, LOUIS V. ALASKA, INC., ET AL.

21-6043 SYMONETTE, VEDRICK L. V. FLORIDA

21-6047 JEANFORT, FORTUNO V. FL ATLANTIC UNIV. BD. OF TRUSTEE

21-6057 KORTE, EUGENE V. CALIFORNIA, ET AL.

21-6058 LOLA, DAVID J. V. FLORIDA

21-6061 JOHNSON, JOHN R. V. AMES, SUPT., MOUNT OLIVE

21-6065 BELCHER, MICHAEL V. ALABAMA

21-6066 WOODS, R. SUSAN V. ALINA'S REAL ESTATE, LLC

21-6067 WILLS, JOHNNIE F. V. PSZCZOLKOWSKI, SUPT., NORTHERN

21-6072 SAKUMA, PATSY N. V. APARTMENT OWNERS, ET AL.

21-6074 GACHO, NIKOLAS V. ILLINOIS

21-6083 OSGOOD, JAMES V. ALABAMA

21-6084 JONES, JACQUELYNE V. JOBE, NICOLE

21-6085 KNECHT, ROBERT G. V. FL DOC, ET AL.

21-6088 BRASS, GEORGE V. FORD, ATT'Y GEN. OF NV, ET AL.

21-6093 LEISER, JEFFREY D. V. HOFFMANN, KARL, ET AL.

21-6094 JOHNSON, JABARI J. V. BABCOCK, JUDGE, USDC CO

21-6095 JOHNSON, JABARI J. V. NUNEZ, DONALD, ET AL.

21-6097 HINES, DASHON V. OFFICE OF DISABILITY ASSISTANCE

21-6101 TIMMS, PAUL D. V. LUMPKIN, DIR., TX DCJ

21-6103 ESTRADA, MOSES D. V. CALIFORNIA

21-6104 HITT, CHRISTOPHER M. V. VIRGINIA

21-6108 PARADISE L. V. AZ DEPT. OF CHILD SAFETY, ET AL.

21-6114 GRANT, HEWITT A. V. FLORIDA

21-6121 LARIO-RIOS, LUIS E. V. UNITED STATES

21-6125 JIMENEZ, ROBERTO G. V. TEXAS

21-6129 RAGIN, JOHN V. SUPREME COURT OF VA

21-6134 ROSALES, VICTOR V. LUMPKIN, DIR., TX DCJ

21-6138 CORTINAS, ARMANDO B. V. GENTRY, JO, ET AL.

21-6149 PALMA, DOMINGO V. MASSACHUSETTS

21-6151 TERRY, GARY D. V. STIRLING, COMM'R, SC DOC, ET AL.

21-6153 WIJE, SURAN V. BURNS, DAVID A., ET AL.

21-6158 COLARTE, DELILAH V. FLORIDA

21-6163 LYNCH, GERARD M. V. NEW YORK STATE JUSTICE CENTER

21-6165 ASH, DAVENELL L. V. MINNESOTA, ET AL.

21-6167 JAMES, HARRY S. V. COOPER, ROY, ET AL.

21-6168 WHITE, VANCE L. V. LUMPKIN, DIR., TX DCJ

21-6169 YAAG, DONALD S. V. BAKER, WARDEN, ET AL.

21-6170 WEBB, MICHAEL D. V. NORTHAM, GOV. OF VA, ET AL.

21-6172 SULZNER, JUSTIN P. V. USDC ND IA

21-6173 SALU, ROTIMI V. NEW YORK STATE JUSTICE CENTER

21-6174 SMITH, ANTONIO V. ARKANSAS

21-6182) LARIOS, ERICK A. V. UNITED STATES
)
 21-6225) GUZMAN, EDWIN, ET AL. V. UNITED STATES
)
 21-6268) MARTINEZ, CESAR V. UNITED STATES

 21-6188 DOODY, JOHNATHAN A. V. ARIZONA

 21-6189 TURNBULL, MICHAEL J. V. GARLAND, ATT'Y GEN.

 21-6194 HIKMATOV, RAHMATULLO F. V. GARLAND, ATT'Y GEN.

 21-6195 FAIRCHILD, RONALD C. V. KENTUCKY

 21-6197 KINGBIRD, LANCE A. V. JANSSEN, WARDEN

 21-6198 SMITH, BILLY D. V. EINERSON, SUPT., SPRING CREEK

 21-6199 SAMSON, ROBERT M. V. NORTH CAROLINA, ET AL.

 21-6206 BARCELONA, JOEL V. PARISH, SERGEANT, ET AL.

 21-6209 COBBINS, ANGELO V. ILLINOIS

 21-6213 MERGENTHALER, ROSEMARY I. V. BARNARD, R. KENNETH

 21-6214 OYIBO, USMAN V. NORTH SHORE UNIV., ET AL.

 21-6216 KULICK, ROBERT J. V. LEISURE VILLAGE ASSN., ET AL.

 21-6218 BARNETT, MATTHEW M. V. COLORADO

 21-6219 LINDSTEDT, MARTIN, ET AL. V. REO, BRYAN A.

 21-6220 WILLIAMS, JEHONI K. V. UNITED STATES

 21-6222 BERCOON, MARC E. V. UNITED STATES

 21-6227 CORDERO, MISAEL V. GRAMP, ADM'R, E. JERSEY

 21-6240 CLEMONS, MICHAEL R. V. UNITED STATES

 21-6249 ROSA, DANIEL V. GELB, SUPT., SOUZA BARANOWSKI

 21-6253 AGUIRRE-RIVERA, BALTAZAR V. UNITED STATES

 21-6255 ARVIZU-LOREDO, OFELIO V. UNITED STATES

 21-6256 GOMEZ, MACARIO A. V. UNITED STATES

 21-6259 ARNDT, SHELLY M. V. WOFFORD, SUPT., WCCW

 21-6262 PADILLA, GUADALUPE V. TEXAS

 21-6272 PERLOV, IGOR V. CALIFORNIA

21-6273 ROLLINS, NATHAN R. V. UNITED STATES
21-6274 RIVERA, RICKY V. UNITED STATES
21-6275 DOOLEY, DAVID W. V. KENTUCKY
21-6284 BACCUS, MARC B. V. UNITED STATES
21-6286 HENDERSON, PATRICK L. V. UNITED STATES
21-6287 HERNANDEZ-GALARZA, MARIO V. UNITED STATES
21-6290 BURCH, GEORGE S. V. WISCONSIN
21-6292 BOHLINGER, JASON R. V. NEAL, WARDEN
21-6296 DESPER, JAMES P. V. CLARKE, DIR., VA DOC
21-6300 CARDENAS, RICKY V. UNITED STATES
21-6305 VOLK, ERIC V. STATE BAR OF CA
21-6308 SANDERS, IONA V. CHRISTWOOD
21-6310 SANTOS, CARLOS V. BRANNON-DORTCH, WARDEN
21-6312 MELGAR-DIAZ, MANUEL V. UNITED STATES
21-6314 CUSHING, CARL A. V. UNITED STATES
21-6318 ALDRIDGE, MICHAEL A. V. UNITED STATES
21-6320 JORDAN-McFEELY, DEVON C. V. UNITED STATES
21-6321 RODRIGUEZ-MACEDO, FERNANDO V. UNITED STATES
21-6322 TREJO-RAMOS, GUSTAVO V. UNITED STATES
21-6323 WILLIAMS, D'ARDE L. V. UNITED STATES
21-6324 RAMIREZ, JESUS A. V. UNITED STATES
21-6325 REED, LESLIE V. VANNOY, WARDEN
21-6327 FERRARA, FRANK P. V. VIRGINIA
21-6329 BLAKENEY, STEVEN V. UNITED STATES
21-6332 MERRETT, DAERON J. V. UNITED STATES
21-6333 PHILIPPEAUX, EDDY J. V. UNITED STATES
21-6334 HENRY, CHRISTOPHER J. V. UNITED STATES
21-6335 MAK, CHI V. UNITED STATES

21-6336 BETTS, DARRIN L. V. UNITED STATES
21-6338 FANNING, DANQUAN A. V. UNITED STATES
21-6339 GAUR, SUSHILA V. DEPT. OF DEFENSE
21-6341 FOLTZ, DONALD D. V. WY DOC, ET AL.
21-6342 HERNANDEZ, BELINDA V. KIJAKAZI, COMM'R, SOCIAL SEC.
21-6343 ROBINS, JONATHAN V. SALAMON, SUPT., ROCKVIEW, ET AL.
21-6345 SCHENCK, JEREMY V. UNITED STATES
21-6346 REED, JASON W. V. DIXON, SEC., FL DOC
21-6347 SHOLLEY-GONZALEZ, JUSTIN D. V. UNITED STATES
21-6351 HARVEY, HOLLY V. GEORGIA
21-6352 ISRAEL, ALBERIC V. GARLAND, ATT'Y GEN.
21-6353 ALLWINE, STEPHEN V. MINNESOTA
21-6355 PARKER, EVERETT E. V. UNITED STATES
21-6357 REID, KENNETH R. V. UNITED STATES
21-6360 WILLIAMS, QIAN V. UNITED STATES
21-6361 CRAWLEY, MARCUS V. UNITED STATES
21-6362 KRUPA, ROCKY V. UNITED STATES
21-6364 FRIEND, KENNETH R. V. UNITED STATES
21-6366 CERON-ORTIZ, JUAN A. V. UNITED STATES
21-6367 WOOTEN, DACOBY R. V. FLORIDA
21-6368 WEXLER, SUZANNE E. V. TEXAS
21-6369 DENSON, JEREMY V. TEXAS
21-6370 COTTO, OMIL V. UNITED STATES
21-6371 DARME, BOUBAKF V. GARLAND, ATT'Y GEN.
21-6372 BARTLEY, JAMES M. V. UNITED STATES
21-6378 GARCIA-MEZA, SEVERO V. UNITED STATES
21-6379 GOMEZ, KEITH R. V. HAYNES, SUPT., STAFFORD CREEK
21-6380 GIBBS, SAMMY L. V. HAMILTON, WARDEN

21-6384 STERLING, KIMANI I. V. UNITED STATES
21-6390 CARRILLO-SERNA, MARCIAL V. UNITED STATES
21-6391 DUONG, HAI A. V. VANNOY, WARDEN
21-6395 KOKAYI, SEITU S. V. UNITED STATES
21-6398 BELFAST, ROY M. V. BRECKON, WARDEN
21-6400 EDWARDS, SONYA R. V. MESQUITE INDEP. SCH. DIST.
21-6402 GIPSON, NYAMBUI J. V. UNITED STATES
21-6404 NGUYEN, NGOC H. V. UNITED STATES
21-6406 OWENS, DAMONI V. UNITED STATES
21-6407 PHILLIPS, ROY T. V. UNITED STATES
21-6409 HARMER, STEPHEN V. ARMEL, SUPT., FAYETTE, ET AL.
21-6411 SHARP, HARLEY D. V. GOODRICH, EARDEN, ET AL.
21-6415 KINCHEN, TERRIL V. UNITED STATES
21-6416 DAVIC, BRADFORD S. V. OHIO
21-6417 CARTER, MAUSEAN V. MARYLAND
21-6418 ASHEMUKE, EMMANUEL V. UNITED STATES
21-6419 AGUILAR-HERNANDEZ, ROBERTO V. UNITED STATES
21-6425 MENDEZ-MARADIAGA, MAYCOL V. UNITED STATES
21-6427 GARRIDO, ANTONIO L. V. UNITED STATES
21-6433 SIMS, JAIMIAN R. V. UNITED STATES
21-6435 WORLEY, JAMES V. OHIO
21-6436 STEWART, KOREY V. UNITED STATES
21-6437 J. S. V. KANSAS
21-6441 SCOTT, SONNY V. UNITED STATES
21-6442 CARDON-CORTEZ, ARMANDO V. UNITED STATES
21-6445 VAZQUEZ-OVALLE, RUBEN V. UNITED STATES
21-6447 LAWRENCE, LOGAN B. V. UNITED STATES
21-6449 THOMAS, PIZARRO V. UNITED STATES

21-6450 ZINNEL, STEVEN V. UNITED STATES
21-6452 MURRAY, DONNELL V. UNITED STATES
21-6454 MYERS, KYLE L. V. UNITED STATES
21-6455 PRETTY ON TOP, ANTHONY V. UNITED STATES
21-6457 LOPEZ-ORDONEZ, ERVIN A. V. UNITED STATES
21-6458 CALLISON, DAVID A. V. UNITED STATES
21-6459 LOWELL, DANIEL V. UNITED STATES
21-6460 JONES, TRUMAN V. UNITED STATES
21-6461 DUMITRU, ANDREEA V. UNITED STATES
21-6463 CRESHAM, WILLIAM M. V. CALIFORNIA
21-6465 GIBSON, ANDREW J. V. UNITED STATES
21-6467 GLENN, JOHN D. V. UNITED STATES
21-6468 FERNANDES, JOSHUA V. MASSACHUSETTS
21-6471 NOESI, JOSE F. V. UNITED STATES
21-6473 STUMPH, MICHAEL V. OHIO
21-6476 MURRAY, AARON M. V. UNITED STATES
21-6482 THOMAS, CALVIN W. V. UNITED STATES
21-6487 CANO, LISA M. V. UNITED STATES
21-6491 MONTAGNE, LUCAS V. UNITED STATES
21-6499 PRATT, HENRY V. PENNSYLVANIA
21-6500 NEAL, JERMAINE V. MISSISSIPPI
21-6501 PATTERSON, LUKE D. V. UNITED STATES
21-6510 SOLIS-VASQUEZ, LUIS V. UNITED STATES
21-6512 KIGER, JASON V. HOOPER, WARDEN
21-6514 RIVERA, JORGE H, V. UNITED STATES
21-6518 CARPENTER, KASSIE B. V. UNITED STATES
21-6520 ZIMNY, MARK J. V. UNITED STATES
21-6521 ALLEN, JAMAR V. MISSISSIPPI

21-6522 BANERJEE, MITHUN V. BANK OF AMERICA
21-6523 SOYBEL, EDWARD V. UNITED STATES
21-6524 MJONESS, JOSHUA J. V. UNITED STATES
21-6525 PATRICK, GEORGE V. UNITED STATES
21-6530 THOMPSON, TYREESE V. UNITED STATES
21-6534 RODRIGUEZ, WILFREDO V. UNITED STATES
21-6537 PETERS, STEPHEN C. V. UNITED STATES
21-6540 DAKING, ALFRED E. V. UNITED STATES
21-6542 TRUJILLO, JUAN V. UNITED STATES
21-6544 DIAZ, OMAR L. V. UNITED STATES
21-6548 CALHOUN-EL, JAMES V. MARYLAND
21-6552 CARR, KEITH V. KALLIS, WARDEN
21-6554 AMODEO, FRANK L. V. FCC COLEMAN - LOW, WARDEN
21-6555 SAUNDERS, MALIK V. UNITED STATES
21-6556 GRUNDY, RICHARD B. V. UNITED STATES
21-6557 GLOVER, TEKOA V. UNITED STATES
21-6565 MAYNOR, EDMOND V. HAYNES, SUPT., STAFFORD CREEK
21-6566 BETHEA, STEVEN C. V. UNITED STATES
21-6568 NUNEZ-GONZALEZ, MANUEL V. UNITED STATES
21-6569 McDOUGAL, JONATHAN H. V. UNITED STATES
21-6570 KELLEY, BO JACK V. UNITED STATES
21-6571 BENITEZ, RUBEN O. V. MISSISSIPPI
21-6572 RAMOS-RAMOS, JOSE L. V. UNITED STATES
21-6573 SHARPE, MICHAEL R. V. UNITED STATES
21-6576 PEACOCK, NICHOLAS G. V. UNITED STATES
21-6581 MOORE, DEREK J. V. UNITED STATES
21-6582 NUNEZ-UGARTE, GENARO A. V. UNITED STATES
21-6583 PICARD, ROGER E. V. UNITED STATES

21-6585 CRESPO, FREDDY V. UNITED STATES
21-6587 DARDEN, MARCUS T. V. UNITED STATES
21-6589 GUINYARD, LAMONT V. UNITED STATES
21-6591 SPOTTSVILLE, DANIEL V. GEORGIA
21-6592 STANLEY, DONALD V. UNITED STATES
21-6597 WHREN, JASON V. UNITED STATES
21-6600 WHEELER, WILLIS V. UNITED STATES
21-6615 SANCHEZ, FABIAN I. V. UNITED STATES
21-6616 SCHAAF, GABRIEL V. SHOOP, WARDEN
21-6632 SHOEMAKE, CHARLES D. V. MISSISSIPPI
21-6638 GIBBONS, MICHAEL L. V. MISSOURI
21-6651 GARY, LAQUNN V. MISSISSIPPI
21-6659 SEALS, GLEN V. VANNOY, WARDEN
21-6667 BASTIAN, THOMAS O. V. SHINN, DIR., AZ DOC, ET AL.

The petitions for writs of certiorari are denied.

21-548 ZAWISTOWSKI, DAVID J. V. KRAMER, MICHAEL D., ET AL.
21-630 BARNETT, HARRY V. RAOUL, ATT'Y GEN. OF IL, ET AL.

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

21-659 ASOCIACIÓN DE PERIODISTAS V. PUERTO RICO, ET AL.

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

21-786 CROCKER, JAMES P. V. BEATTY, DEPUTY SHERIFF

The motion of the Rutherford Institute for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

21-6019 ARLOTTA, JAMES P. V. POPE FRANCIS, 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*).

21-6203 WALKER, MICHAEL V. SHAPIRO, ATT'Y GEN. OF PA

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

21-6505 BOSTICK, BRYAN V. UNITED STATES

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

HABEAS CORPUS DENIED

21-6536 IN RE MICHAEL R. EVERETT

The petition for a writ of habeas corpus is denied.

MANDAMUS DENIED

21-6022 IN RE ROBERT L. HEDRICK

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.

REHEARINGS DENIED

20-1719 SHAY, ALLEN B. V. SIEGEL, ALFRED H.

20-7891 SHAREEF, HASAN V. BUTLER CTY. NEWSPAPER, ET AL.
20-7933 JACOBS, ERIKA V. 35 WEST APARTMENTS
20-8012 VO, JACK V. CALIFORNIA
20-8032 GRIGALANZ, PHILLIP S. V. GRIGALANZ, KRISTI L.
20-8056 BRESSI, AARON J. V. McCLOUD, TRACY, ET AL.
20-8059 SHAREEF, HASAN V. MOORE, CAPTAIN, ET AL.
20-8068 McDANIEL, STEPHEN M. V. PHILBIN, WARDEN
20-8147 SHAREEF, HASAN V. O'DONNELL, WILLIAM, ET AL.
20-8176 WILLIS, LESLIE V. O'TOOLE, JUDGE, ETC., ET AL.
20-8358 IN RE HECTOR D. SANCHEZ
20-8426 YANG, BIN V. CA BD. OF REGISTERED NURSING
20-8427 YANG, BIN V. SUPERIOR COURT OF CA, ET AL.
21-100 LERDTHAISONG, PANYA, ET AL. V. CUNNINGHAM, BENJAMIN, ET AL.
21-190 SANTIAGO, CARLOS W. V. TOUCET, JOSEAN, ET AL.
21-232 SHARMA, VEENA V. TERRANOVA, DOMENIC S., ET AL.
21-239 LORING, DANIEL V. UNITED STATES, ET AL.
21-250 LALL, KHAMRAJ V. UNITED STATES
21-261 ELDRIDGE, CARRIE R. V. CIR
21-303 PILLAY, VIGNARAJ M. V. PUBLIC STORAGE INC.
21-304 BROWN, SHARON V. CHEROKEE CTY. SCH. DIST.
21-331 GUAN, ALICE J. V. RAN, BING
21-342 TANG, HONG V. VISNAUSKAS, RUTHANNE, ET AL.
21-360 CONSTANT, JOSEPH V. DTE ELECTRIC CO., ET AL.
21-411 COOK, DAMON B. V. CATES, WARDEN
21-425 GREEN, RICCARDO V. WA EMPLOYMENT DEPARTMENT
21-436 IN RE KEVIN D. LOGGINS, SR.
21-461 KAM, CAROL M. V. PEYTON, JOHN B.
21-472 BLANCA TELEPHONE CO. V. FCC, ET AL.

21-503 PENG, BO V. F.M. TARBELL CO.
21-715 IN RE JODY T. WAFER
21-5023 TWIGGS, DONNIE R. V. SHINN, DIR., AZ DOC, ET AL.
21-5024 MCKINLEY, GARY E. V. DISTRICT COURT OF NV, ET AL.
21-5076 ROSA, CHARLENE T. V. FLORIDA
21-5132 REYNOLDS, MICHAEL C. V. UNITED STATES
21-5213 TAYLOR, ZACHARY B. V. GEORGIA
21-5242 WASHINGTON, JOSHUA S. V. UNITED STATES
21-5281 BURDA, STEVEN V. PA DEPT. OF HUMAN SERV.
21-5351 JACKSON, CHAUNTEL V. TSA
21-5361 FLORES, EDUARDO V. SHARP GROSSMONT HOSPITAL
21-5369 RIVERA, MICHAEL A. V. UNKNOWN
21-5396 ARGUELLO, JOSEPH V. RAVNSBORG, ATT'Y GEN. OF SD
21-5403 TUMLINSON, CHARLES E. V. LUMPKIN, DIR., TX DCJ
21-5513 SECKINGTON, CHRISTOPHER V. INCH, SEC., FL DOC
21-5568 WILSON, CARL A. V. LUMPKIN, DIR., TX DCJ
21-5569 CHARLES, PATRICK V. CALIBER HOME LOANS, ET AL.
21-5594 HEFFLEY, DANIEL J. V. PENNSYLVANIA, ET AL.
21-5598 MACK, CEDRIC D. V. CARHOP FINANCE
21-5605 SELLS, MARK E. V. CROW, DIR., OK DOC
21-5606 IN RE CHARLENE ROSA
21-5662 DeWAYNE, BISHOP R. V. UNITED STATES, ET AL.
21-5673 FREDRICKSON, TIMOTHY B. V. UNITED STATES
21-5680 MATTHEWS, HEATHER V. CALIFORNIA STATE UNIVERSITY
21-5722 DEW, GREGORY V. EPPINGER, WARDEN
21-5785 DARST, GREGORY A. V. UNITED STATES
21-5850 MATTISON, LAWRENCE E. V. McDONOUGH, SEC. OF VA, ET AL.
21-5867 KENDRICK, JAMES D. V. UNITED STATES

21-5922 ANDRUS, EDWIN O. V. UNITED STATES

21-6036 HILL, BRIAN D. V. UNITED STATES

21-6037 HILL, BRIAN D. V. UNITED STATES

21-6038 IN RE BRIAN D. HILL

The petitions for rehearing are denied.

20-8031 HUDSON, MAJOR V. WHITTEN, WARDEN

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

21-5354 JOYNER, BRUCE S. V. NEWS JOURNAL

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

21-262 ROUGE HOUSE, LLC V. 308 DECATUR-NEW ORLEANS, LLC

The motion for leave to file a petition for rehearing is denied.

Statement of SOTOMAYOR, J.

SUPREME COURT OF THE UNITED STATES

THOMAS JAVION GUERRANT *v.* UNITED STATES

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

No. 21–5099. Decided January 10, 2022

The petition for a writ of certiorari is denied.

Statement of JUSTICE SOTOMAYOR, with whom JUSTICE BARRETT joins, respecting the denial of certiorari.

Defendants who have two prior felony convictions for a “controlled substance offense” qualify as “career offender[s]” under the Federal Sentencing Guidelines. See United States Sentencing Commission, Guidelines Manual §4B1.1(a) (Nov. 2021) (USSG). As a result, they generally face dramatically higher sentencing ranges for their crime of conviction.

This petition implicates a split among the Courts of Appeals over the proper definition of a “controlled substance offense,” and, accordingly, over which defendants qualify as career offenders. In relevant part, USSG §4B1.2(b) defines a “controlled substance offense” as “an offense under federal or state law . . . that prohibits the manufacture, import, export, distribution, or dispensing of a controlled substance (or a counterfeit substance) or the possession of” such substances with intent to engage in such activities. The Guidelines do not define the term “controlled substance.”

The Second and Ninth Circuits have turned to federal law to define the term: In those Circuits, a defendant has committed a controlled substance offense only if the offense involved a substance listed in the Controlled Substances Act (CSA), 21 U. S. C. §801 *et seq.* See *United States v. Bautista*, 989 F. 3d 698, 702–704 (CA9 2021); *United States v. Townsend*, 897 F. 3d 66, 68, 71 (CA2 2018). The First and Fifth Circuits have not directly resolved the question, but

Statement of SOTOMAYOR, J.

have indicated agreement with this approach. See *United States v. Crocco*, 15 F. 4th 20, 23–25 (CA1 2021) (describing reference to federal law as “appealing” and reference to state law as “fraught with peril”); *United States v. Gomez-Alvarez*, 781 F. 3d 787, 792–794 (CA5 2015) (relying on the CSA to interpret the term “controlled substance” in USSG §2L1.2). In contrast, the Fourth Circuit, where the instant petition arose, along with the Seventh, Eighth, and Tenth Circuits, defines what qualifies as a “controlled substance” based on the relevant state law. See *United States v. Jones*, 15 F. 4th 1288, 1291–1296 (CA10 2021); *United States v. Henderson*, 11 F. 4th 713, 718–719 (CA8 2021); *United States v. Ward*, 972 F. 3d 364, 371–374 (CA4 2020); *United States v. Ruth*, 966 F. 3d 642, 651–654 (CA7 2020). Defendants in those Circuits therefore qualify as career offenders for federal sentencing purposes even if their only prior offenses involved substances not prohibited under federal law. As a result, they are subject to far higher terms of imprisonment for the same offenses as compared to defendants similarly situated in the Second or Ninth Circuits.*

It is the responsibility of the Sentencing Commission to address this division to ensure fair and uniform application of the Guidelines. Cf. *Braxton v. United States*, 500 U. S. 344, 348 (1991). In March 2021, I wrote concerning an unresolved Circuit split over the proper interpretation of a Guideline. See *Longoria v. United States*, 592 U. S. _____. The Sentencing Commission lacked a quorum of voting members then, and it still does today. At this point, the Sentencing Commission has not had a quorum for three full

*The Sixth and Eleventh Circuits have issued internally inconsistent decisions on the question. See *United States v. Solomon*, 763 Fed. Appx. 442, 447 (CA6 2019) (noting inconsistency in past opinions); *United States v. Stevens*, 654 Fed. Appx. 984, 987 (CA11 2016) (federal law); *United States v. Peraza*, 754 Fed. Appx. 908, 909–910 (CA11 2018) (state law).

Statement of SOTOMAYOR, J.

years. As the instant petition illustrates, the resultant unresolved divisions among the Courts of Appeals can have direct and severe consequences for defendants' sentences. I hope in the near future the Commission will be able to resume its important function in our criminal justice system.