

(ORDER LIST: 589 U.S.)

MONDAY, NOVEMBER 18, 2019

ORDERS IN PENDING CASES

19M63 MOORE, WILLIE V. CARR, ATT'Y GEN. OF GA

19M64 WOJNAROWSKI, THOMAS W. V. MAHALLY, SUPT., DALLAS, ET AL.

19M65 MALACHOWSKI, MARCEL V. UNITED STATES

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

18-1109 MCKINNEY, JAMES E. V. ARIZONA

The motion of Criminal Justice Legal Foundation for enlargement of time for oral argument, for leave to participate in oral argument as *amicus curiae*, and for divided argument is denied.

18-1323) JUNE MEDICAL SERV., ET AL. V. GEE, SEC., LA DEPT. OF HEALTH

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18-1460) GEE, SEC., LA DEPT. OF HEALTH V. JUNE MEDICAL SERV., ET AL.

The motion of petitioners for leave to file the joint appendix pursuant to Rule 33.2 with one volume under seal is granted.

19-5213 ARMSTRONG, ARTHUR O. V. USDC ED PA

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

19-5519 WEEKS, RUBIN R. V. LEWIS, WARDEN

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

19-5967 THOMAS, CAMERON V. NEVADA

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until December 9, 2019, 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

18-1424 THOMAS, MICHAEL N. V. ANDERSON, RAYMOND, ET AL.

18-9337 BARNES, RONNIE V. WORKERS' COMPENSATION, ET AL.

18-9665 HERNANDEZ-DELGADO, ALEJANDRO V. CALIFORNIA

18-9687 LUCIO-GARZA, CANDELARIO V. UNITED STATES

18-9744 QUINN, LONDON V. VANNOY, WARDEN

19-68 UNITY HEALTHCARE V. AZAR, SEC. OF H&HS

19-197 BEHM, LAVERN V. MONTANA-DAKOTA UTILITIES CO.

19-253 STRAIGHT PATH IP GROUP, LLC V. APPLE INC., ET AL.

19-279 JOHNSON, SHIRLEY V. NEW DESTINY CHRISTIAN, ET AL.

19-289 COUNTY OF SAN DIEGO, CA, ET AL. V. SOLER, JAMES

19-332 DAVIS, STEVEN E., ET AL. V. BANK OF AMERICA CORP., ET AL.

19-335 CHAWLA, JAIDEEP S. V. COURT OF APPEALS OF MA

19-339 SONNIER, EUGENE J. V. CATHOLIC FOUNDATION, ET AL.

19-340 EBERT, CAREY D. V. DeJORIA, JOHN P., ET AL.

19-342 McCAFFREY, MARK F. V. CHAPMAN, MICHAEL, ET AL.

19-354 EASTERDAY, COLLEEN A. V. ESTATE OF MICHAEL J. EASTERDAY

19-356 ROBINSON, SAMUEL C. V. ROBINSON, KATHERINE L.

19-362 JONES, PATRICK K. V. JONES, ALLEN

19-363 NASH, JIM R. V. NASH, NORMA, ET AL.

19-375 NEWMAN, LAWRENCE T. V. YORK, ROBERT W., ET AL.

19-383 RAIMONDO, JOSEPH V. HOOD, CHIEF JUDGE, ET AL.

19-384 TAYLOR, HARMON L. V. SHERMAN, TX, ET AL.
19-390 JAMES, WILLIAM, ET AL. V. HUNT, BARBARA, ET AL.
19-396 SIMON, CHARLES V. DEPT. OF JUSTICE, ET AL.
19-397 LEVY, SUSAN V. BASF METALS LIMITED, ET AL.
19-408 NEHRKE, GAREY R. V. WELLS FARGO BANK, N.A.
19-424 JAMES, JOEL H. V. MICHIGAN
19-443 KINNEY, CHARLES G. V. GUTIERREZ, JUDGE, USDC
19-444 HOCH, ROBERT V. MBI ENERGY SERVICES
19-489 HUTCHINS, LAWRENCE G. V. UNITED STATES
19-491 KUMAR, NILESH B. V. UNITED STATES
19-495 SHKRELI, MARTIN V. UNITED STATES
19-499 POSADA, HENRY V. UNITED STATES
19-535 FLOWERS, PATRICIA A. V. CT LIGHT AND POWER CO.
19-5085 LEE, DARREN L. V. UNITED STATES
19-5089 GANDY, CLIFFORD B. V. UNITED STATES
19-5171 SALDANO, VICTOR H. V. DAVIS, DIR., TX DCJ
19-5182 LOYOLA-VILLEGAS, GEOVANNY A. V. UNITED STATES
19-5512 GREEN, GREGORY V. BECKWITH, WARDEN
19-5553 ROY, ANGELA V. UNITED STATES
19-5570 BARTON, WALTER V. STANGE, WARDEN
19-5914 LASHER, LENA V. STAVIS, ROGER, ET AL.
19-5925 RHODES, KAVIN M. V. SWARTH, PETER C.
19-5927 RIVERA, CUITLAHUAC T. V. CALIFORNIA
19-5934 MERRYMAN, BRUCE R. V. DAVIS, DIR., TX DCJ
19-5935 BROWN, RACHEL C. V. CIVIL SERVICE COMMISSION
19-5937 JOHNSON, RAYMOND V. CREDIT ONE BANK, ET AL.
19-5945 SAMPSON, TIMOTHY E. V. GARRETT, CATHY M., ET AL.
19-5947 KENNEDY, MICHAEL P. V. DAVIS, DIR., TX DCJ

19-5950 MEDINA-MARTINEZ, ROBERTO V. ARIZONA
19-5952 GORDON, KEITH A. V. LEE, CENEDRA D., ET AL.
19-5957 HAYNES, TWILA V. RIVERSIDE PRESBYTERIAN APTS.
19-5965 HILL, ROBERT J. V. WASHINGTON
19-5972 ROBINSON, DIMITRI B. V. MICHIGAN
19-5973 SHEPPARD, WILFRED W. V. TEXAS
19-5978 CHANCELLOR, TERENCE S. V. SELECT PORTFOLIO SERVICING, INC.
19-5985 CARBALLO, LEEROY C. V. DAVIS, DIR., TX DCJ
19-5987 BROWN, RONALD R. V. WASHINGTON
19-5991 WHITE, HOWARD L. V. ARANAS, ROMEO, ET AL.
19-5994 BROWNLEE, BENJAMIN J. V. CALIFORNIA
19-5997 WILLIAMS, ROBERT V. MASSACHUSETTS
19-6000 KELLEY, KEVIN V. ILLINOIS
19-6001 PACKER, GREGORY L. V. CAPOZZA, SUPT., FAYETTE, ET AL.
19-6004 TAYLOR, LYNN V. USDC ND TX
19-6007 DeLIMA, NATASHA V. MASSACHUSETTS, ET AL.
19-6013 DANIEL, OTIS A. V. T&M PROTECTION RESOURCES, LLC
19-6026 SIMON, ROLAND M. V. CALIFORNIA, ET AL.
19-6028 LANE, ADAM V. NADING, ADAM, ET AL.
19-6040 WEEMS, RUTHEN J. V. BAYLOR SCOTT & WHITE
19-6051 WHITFIELD, HEZEKIAH V. BROOKHART, WARDEN
19-6080 MARCUS H. V. CONNECTICUT
19-6085 AMODEO, FRANK V. UNITED STATES
19-6102 MOORE, ROOSEVELT B. V. ASUNCION, WARDEN
19-6109 MATA, JAMES A. V. UNITED STATES
19-6117 ESTRADA, JAIME I. V. BITER, WARDEN
19-6133 COCHRAN, JEREMY S. V. MARYLAND
19-6160 CASWELL, REGGIE D. V. NEW YORK

19-6167 SAUNDERS, THADDEUS V. PENNSYLVANIA
19-6211 CLARK, BARRY L. V. GWYN, MARK, ET AL.
19-6231 CHAPMAN, WILLIAM D. V. UNITED STATES
19-6243 PATRICK, JACKIE R. V. MISSISSIPPI
19-6244 WILLIAMS, EUGENE V. CLARKE, DIR., VA DOC
19-6254 SHANAHAN, CHRISTOPHER T. V. IDAHO
19-6262 YOUNG, LIDDON V. UNITED STATES
19-6267 GOYNES, MICHAEL E. V. NEBRASKA
19-6268 GRIMON, ISABEL Y. V. UNITED STATES
19-6269 MARTINEZ, EDUARDO R. V. UNITED STATES
19-6270 ODELL, DARREN P. V. MINNESOTA
19-6272 LARA-BONILLA, MAURICIO V. UNITED STATES
19-6275 JONES, DENNIS V. MASSACHUSETTS
19-6276 WILSON, ROBERT W. V. CALIFORNIA
19-6278 SPANGLE, KENNETH L. V. UNITED STATES
19-6280 SOTO, JOSE V. UNITED STATES
19-6283 SCOTT, DARYL V. UNITED STATES
19-6284 CABRERA-COSME, JOSE L. V. UNITED STATES
19-6292 MUHAMMAD, MALCOLM V. TAYLOR, Y., ET AL.
19-6295 FLORES, ANTONIO V. UNITED STATES
19-6301 JENKINS, JERRY W. V. UNITED STATES
19-6305 SORIANO NUNEZ, ILMA A. V. UNITED STATES
19-6307 ORECKINTO, ANDREW V. UNITED STATES
19-6309 BAGWELL, CHARLES B. V. UNITED STATES
19-6310 VELASQUEZ PEREZ, MARILIS Y. V. PALENCIA, JOSE C.
19-6311 BOYLEN, ADAM D. V. UNITED STATES
19-6312 SMITH, BRYAN T V. UNITED STATES
19-6313 SMITH, MARIO R. V. UNITED STATES

19-6315 STAHLMAN, JOHN D. V. UNITED STATES
19-6331 DELANCY, JOSEREN D. V. FLORIDA
19-6334 ARELLANO-BANUELOS, IGNACIO V. UNITED STATES
19-6335 BALAGIA, JAMES M. V. UNITED STATES
19-6338 NELSON, GERALD V. CIR
19-6341 STAGNER, CHARLES R. V. UNITED STATES
19-6353 BULUC, BEKIR V. UNITED STATES
19-6364 DUFFY, EDUARDO V. UNITED STATES
19-6384 JACQUES, DIEUGRAND V. JONES, SEC., FL DOC, ET AL.

The petitions for writs of certiorari are denied.

18-9201 AMERSON, GALEN L., ET AL. V. USBC CO

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

19-239 BENZON, WARDEN V. KELL, TROY M.

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

19-498 ROGERS, RAYMOND L. V. UNITED STATES

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

19-5940 PETERS, SCOTT V. KIM, YOUNG S.

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.

19-5942 LAY, WADE V. OK DOC, ET AL.

The petition for a writ of certiorari is denied. Justice

Gorsuch took no part in the consideration or decision of this petition.

19-6293 KNOWLES, DWIGHT 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.

MANDAMUS DENIED

19-5980 IN RE SANG H. WONG, JR.

The petition for a writ of mandamus is denied.

18-9582 IN RE E. EDWARD ZIMMERMANN

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

REHEARINGS DENIED

18-1536 COX, KIMBERLY V. OLD REPUBLIC NAT. TITLE, ET AL.

18-9045 ROBINSON, KEVIN V. JOHNSON, ADM'R, NJ

18-9246 BRYANT, ANTHONY G. V. DEPARTMENT OF EDUCATION, ET AL.

18-9401 JONES, DANIEL H. V. KENTUCKY, ET AL.

18-9538 HEAD, MARK A. V. UNITED STATES

18-9561 IN RE BENNY STEWART

18-9829 WILMORE, HERVE V. UNITED STATES

19-104 TAMEZ, FLAVIO V. UNITED STATES

19-143 GOSSAGE, HENRY E. V. MERIT SYSTEMS PROTECTION BOARD

19-5119 ARUCAN, JOHANA C. V. CAMBRIDGE E. HEALTHCARE, ET AL.

19-5199 ROBERSON, BILLY J. V. ROWLETT POLICE DEPARTMENT

19-5285 MEIER, DANIEL L. V. BERGER, AMANDA M., ET AL.

19-5292 JOSEPH, FRANKY V. FLORIDA

19-5295 IN RE LARRY CHARLES

19-5416 WILSON, JOHN J. V. APEX REPORTING GROUP, ET AL.

19-5661 ROBINSON, DAVID M. V. WARDEN, FORT DIX FCI, ET AL.

The petitions for rehearing are denied.

18-9490 BROWN, DANIEL G. V. UNITED STATES

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

18-9255 RAM, SANTOSH V. UNITED STATES

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

SOTOMAYOR, J., dissenting

SUPREME COURT OF THE UNITED STATESALLEN E. PEITHMAN, JR., ET AL. *v.* UNITED STATESON PETITION FOR WRIT OF CERTIORARI TO THE UNITED
STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT

No. 19–16. Decided November 18, 2019

The petition for a writ of certiorari is denied.

JUSTICE SOTOMAYOR, dissenting from denial of certiorari.

In *Honeycutt v. United States*, 581 U. S. ____ (2017), this Court held that joint-and-several liability is not permitted under 98 Stat. 2045, 21 U. S. C. §853(a)(1), which mandates forfeiture of “property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of” certain drug crimes. 581 U. S., at ____ (slip op., at 1). The Court of Appeals for the Third Circuit has since held that the reasoning of *Honeycutt* “appl[ies] with equal force” to 18 U. S. C. §981(a)(1)(C), which is worded almost identically to 21 U. S. C. §853(a)(1). *United States v. Gjeli*, 867 F. 3d 418, 428 (2017).

In this case, the Court of Appeals for the Eighth Circuit reached a contrary conclusion. 917 F. 3d 635, 652–653 (2019). It upheld a joint-and-several forfeiture order against petitioners under §981(a)(1)(C), reasoning that *Honeycutt* does not apply to that provision. See 917 F. 3d, at 652–653. The Government now concedes error. According to the Government, there is no “distinguishing 18 U. S. C. 981 from 21 U. S. C. 853 for purposes of joint and several liability.” Brief in Opposition 6; see also *id.*, at 10 (“[T]he government has agreed that *Honeycutt*’s reasoning applies to Section 981(a)(1)(C)”). Nevertheless, the Government maintains that there is an independent ground for the imposition of joint-and-several liability under §981(a)(1)(C). See *id.*, at 6–9. The Eighth Circuit, however, never addressed that proffered alternative ground for affirmance.

SOTOMAYOR, J., dissenting

Because the Government now concedes that the rationale of *Honeycutt* applies equally to §981(a)(1)(C) as it does to §853(a)(1), I would grant the petition for certiorari, vacate the judgment below, and remand the case to allow the Eighth Circuit to reconsider its decision in light of the Government's concession.