

(ORDER LIST: 548 U.S.)

MONDAY, JUNE 26, 2006

CERTIORARI -- SUMMARY DISPOSITIONS

04-1657 CRUZ, JULIA V. BLUE CROSS AND BLUE SHIELD OF IL

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 Seventh Circuit for further consideration in light of *Empire HealthChoice Assurance, Inc. v. McVeigh*, 547 U.S. ____ (2006).

05-623 GERKE EXCAVATING, INC. V. UNITED STATES

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 Seventh Circuit for further consideration in light of *Rapanos v. United States*, 547 U.S. ____ (2006).

05-776 DISHER, RICHARD V. CITIGROUP GLOBAL MARKETS INC.

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 Seventh Circuit for further consideration in light of *Kircher v. Putnam Funds Trust*, 547 U.S. ____ (2006). The Chief Justice took no part in the consideration or decision of this petition.

05-1092 MOUELLE, JEAN, ET UX. V. GONZALES, ATT'Y GEN.

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 Eighth Circuit for further

consideration in light of 71 Fed. Reg. 27,585.

05-9171 CASTELLANOS, GEORGE M. V. CALIFORNIA

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 Court of Appeal of California, Second Appellate District, for further consideration in light of *Davis v. Washington*, 547 U.S. ____ (2006).

ORDERS IN PENDING CASES

05A1067 JONES, JEFFREY F. V. BAKER & HOSTETLER, LLP, ET AL.

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

05M90 PERKINS, KING V. CHICAGO, IL, ET AL.

05M91 McFARLAND, KELLEY A. V. QUARTERMAN, DIR., TX DCJ

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

05-1076 PADOT, KEVIN Y. V. PADOT, BRENDA G.

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

05-9739 WILLIAMS, DIANA R. V. DEPT. OF LABOR, ET AL.

05-10494 DeLUCA, KAREN A. V. KATCHMERIC, DENIS

The motions of petitioners for leave to proceed *in forma pauperis* are denied. Petitioners are allowed until July 17, 2006, 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.

05-10787 MURPHY, PATRICK D. V. OKLAHOMA

The Solicitor General is invited to file a brief in this

case expressing the views of the United States.

CERTIORARI GRANTED

- 05-381 WEYERHAEUSER CO. V. ROSS-SIMMONS HARDWOOD LUMBER CO.
05-1074 LEDBETTER, LILLY M. V. GOODYEAR TIRE & RUBBER, CO.
05-1120 MASSACHUSETTS, ET AL. V. EPA, ET AL.
05-1126 BELL ATLANTIC CORP., ET AL. V. TWOMBLY, WILLIAM, ET AL.

The petitions for writs of certiorari are granted.

- 04-1350 KSR INTERNATIONAL CO. V. TELEFLEX, INC., ET AL.

The motion of Progress & Freedom Foundation for leave to file a brief as *amicus curiae* is granted. The motion of Twenty-Four Intellectual Property Law Professors for leave to file a brief as *amici curiae* is granted. The motion of Cisco Systems Inc., et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is granted.

CERTIORARI DENIED

- 04-8888 PAYAN, ROBERT C. V. CALIFORNIA
05-646 DAVALOS, RALPH M. V. CALIFORNIA
05-952 MAGLUTA, SALVADOR V. UNITED STATES
05-1058 VA LERIE, KEITH A. V. UNITED STATES
05-1090 SYNERGY STAFFING, INC. V. UNITED STATES
05-1095 IN WATER QUALITY COALITION V. EPA
05-1116 FLURY, BRYANT V. DAIMLERCHRYSLER CORP.
05-1177 AM. TRUCKING ASS'N, INC., ET AL. V. OR DEPT. OF TRANSPORTATION
05-1209 ASHLEY CREEK PHOSPHATE CO. V. SCARLETT, ACTING SEC. OF INT.
05-1221 MARTIN, PRESTON, ET AL. V. UNITED STATES, ET AL.
05-1222 KEELER, DOREEN, ET AL. V. STALDER, SEC., LA DOC, ET AL.
05-1223 SINGH, HARINDER JEET V. U.S. SECURITY ASSOCIATES, INC.
05-1225 MEMBERS OF PEANUT QUOTA, ET AL. V. UNITED STATES

05-1120 MASSACHUSETTS, ET AL. V. EPA

LOWER COURT CASE NUMBER: 03-1361

DECISION BELOW: 415 F.3d 50 (D.C. Cir. 2005)

QUESTIONS PRESENTED

1. Whether the EPA Administrator may decline to issue emission standards for motor vehicles based on policy considerations not enumerated in section 202(a)(1).
2. Whether the EPA Administrator has authority to regulate carbon dioxide and other air pollutants associated with climate change under section 202(a)(1).

Cert. Granted 6/26/06