

Supreme Court, U.S.  
FILED

06-220 AUG 9 - 2006

No. OFFICE OF THE CLERK

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In the  
**Supreme Court of the United States**

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PHILIP H. SANDERSON,  
*Petitioner,*

v.

HCA-THE HEALTHCARE COMPANY;  
COLUMBIA HEALTH CARE CORPORATION;  
HOSPITAL CORPORATION OF AMERICA;  
and HEALTHTRUST INC.,  
*Respondents.*

On Petition for a Writ of Certiorari to the United  
States Court of Appeals for the Sixth Circuit

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**PETITION FOR WRIT OF CERTIORARI**

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JOHN D. SCHWALB  
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**QUESTIONS PRESENTED FOR REVIEW**

1. Whether the heightened pleadings requirement of Rule 9(b) requires a qui tam plaintiff to specifically describe more than the fraudulent accounting scheme underlying a series of continuous and ongoing false hospital cost reports which inflates the defendants' ongoing claims for reimbursement from the government?
2. Whether false claims submitted within the period of limitations, but based upon a fraudulent accounting scheme developed outside the limitations, but still in use, are time barred?

Supreme Court, U.S.  
FILED

No. 06-221 AUG 10 2006

OFFICE OF THE CLERK

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In The  
**Supreme Court of the United States**

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**VALERI BARNES,**

*Petitioner,*

v.

**THE STATE OF COLORADO,**

*Respondent.*

————— ◆ —————  
**On Petition For A Writ of Certiorari  
To The Colorado Supreme Court**

————— ◆ —————  
**PETITION FOR A WRIT OF CERTIORARI**

————— ◆ —————  
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**QUESTION PRESENTED**

Is the Thirteenth Amendment to the United States Constitution prohibiting involuntary servitude violated when a state court engrafts an exception to the plain wording of the Amendment, allegedly pursuant to its inherent powers, to compel petitioner, a former court reporter, to continue producing transcripts against her will two years after her resignation as a state employee under penalty of jail by remedial contempt if she refuses?

06-222-00000-2006

No. OFFICE OF THE CLERK

IN THE

**Supreme Court of the United States**

LYNN STUTER, BYRD STUTER and MONICA STUTER ,

*Petitioners,*

v.

STEVENS COUNTY SHERIFF DEPARTMENT,

*Respondent.*

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

**PETITION FOR A WRIT OF CERTIORARI**

MARY SCHULTZ\*  
MARY SCHULTZ & ASSOC., P.S.  
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### QUESTIONS PRESENTED

- 1) Does this Supreme Court's decision in *DeShaney v. Winnebago County Dept. of Social Services*, 489 U.S. 189 (1989) preclude municipal liability under 42 U.S.C. § 1983 if a citizen exercising First Amendment expression seeks police protection against criminal harassment directed at the citizen for the exercise of those rights, and law enforcement's response not only fails to protect constitutional rights, but increases the danger to the citizens for exercising said rights?
- 2) Does this Supreme Court's ruling in *DeShaney v. Winnebago County Dept. of Social Services*, alter this court's longstanding holdings in *Monell v. New York City Dept. of Social Services*, 436 U.S. 658 (1978), and *City of Canton, Ohio v. Harris*, 489 U.S. 378 (1989), which allow for 42 U.S.C. § 1983 liability against a municipality where that municipality's policy of inaction results in deliberate indifference to, and failure to protect, constitutional rights of citizens with whom law enforcement comes into contact?
- 3) If an affirmative municipal policy of non-enforcement of criminal law against criminal perpetrators is evidenced, while law enforcement simultaneously limits a citizen from protecting themselves from harassors, may a citizen claim a due process violation and damages under 42 U.S.C. § 1983?

Supreme Court, U.S.  
FILED

06-223 AUG 14 2006

No. OFFICE OF THE CLERK

In the  
**Supreme Court of the United States**

—◆—  
JOHN DREBICK and JANE DOE DREBICK,  
husband and wife, d/b/a DREBICK INVESTMENTS,

*Petitioners,*

v.

CITY OF OLYMPIA, a Washington code city,

*Respondent.*

—◆—  
**On Petition for Writ of Certiorari  
to the Supreme Court of Washington**

—◆—  
**PETITION FOR WRIT OF CERTIORARI**

—◆—  
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*Counsel for Petitioners  
John Drebick and Jane Doe  
Drebick, husband and wife,  
d/b/a Drebick Investments*

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**QUESTIONS PRESENTED**

1. May a local government avoid the “nexus” and “rough proportionality” tests of *Nollan v. California Coastal Commission*, 483 U.S. 825 (1987), and *Dolan v. City of Tigard*, 512 U.S. 374 (1994), by imposing development exactions in the form of “impact” fees?

2. May a local government avoid the “nexus” and “rough proportionality” tests of *Nollan v. California Coastal Commission*, 483 U.S. 825 (1987), and *Dolan v. City of Tigard*, 512 U.S. 374 (1994), by imposing development exactions by legislative enactment?



No. 06-224 AUG 19 2006

OFFICE OF THE CLERK

In The  
**Supreme Court of the United States**

DANTA DAVIS,

*Petitioner,*

v.

DENNIS STRAUB, Warden,

*Respondent.*

**On Petition For Writ Of Certiorari  
To The United States Court Of Appeals  
For The Sixth Circuit**

**PETITION FOR WRIT OF CERTIORARI**

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**QUESTION PRESENTED FOR REVIEW**

DID THE SIXTH CIRCUIT APPLY AN EXTREMELY NARROW STANDARD OF REVIEW UNDER 28 U.S.C. § 2254(d)(1) REGARDING WHAT CONSTITUTES "CLEARLY ESTABLISHED FEDERAL LAW" CONTRARY TO SUPREME COURT JURISPRUDENCE, AN ISSUE ON WHICH THERE IS CONFLICT IN THE DECISIONS OF THE COURTS OF APPEAL, AND HAD THE CORRECT STANDARD BEEN APPLIED THE WRIT WOULD HAVE BEEN GRANTED?

Supreme Court, U.S.  
FILED

No. 06-227 AUG 11 2006

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OFFICE OF THE CLERK

In The  
**Supreme Court of the United States**

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WAYNE SHATLEY,

*Petitioner,*

versus

THE UNITED STATES OF AMERICA,

*Respondent.*

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**On Petition For A Writ Of Certiorari  
To The United States Court Of Appeals  
For The Fourth Circuit**

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**PETITION FOR A WRIT OF CERTIORARI**

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*Attorney for Petitioner  
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**QUESTION PRESENTED FOR REVIEW<sup>1</sup>**

**I.**

**Whether the Federal Sentencing Guidelines, by permitting sentencing judges to impose enhanced sentences based upon their determination of facts not found by the jury, or admitted by the defendant, violate the Fifth and Sixth Amendments to the United States Constitution.**

<sup>1</sup> The names of all parties to this proceeding appear in the caption. See Rule 14.1(b) of the Supreme Court Rules.

Supreme Court, U.S.

2006

No. 05-1111

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IN THE SUPREME COURT OF THE UNITED STATES

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JURY SERVICE RESOURCE CENTER,  
DAVID SHANNON, AND  
ROBERT PAUL LANGLEY, JR.,

Petitioners,

v.

STATE OF OREGON, ET AL

Respondents.

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On Petition for a Writ of Certiorari to the  
Supreme Court of Oregon

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PETITION FOR A WRIT OF CERTIORARI

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*Counsel for Petitioners*

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## CAPITAL CASE

In 2001, the Oregon legislature enacted a statute that made state court jury lists "confidential" and forbade a court from allowing the public, including all prospective jurors and some litigants facing a jury trial, from inspecting the lists. Under the statute, only those litigants facing a jury trial who already had facts to aver a prima face case of jury system error, and who had filed a challenge supported by those facts, could ask to see the jury lists. Petitioners - - a non profit organization studying a state circuit court's jury system, a prospective juror, and a death penalty defendant who lacked facts to aver a prima facie case - - filed a declaratory judgment action seeking standing and an opportunity to inspect the lists under the First, Sixth, Ninth and Fourteenth Amendments (Due Process and Equal Protection Clauses). The court below denied their requests for access to the lists, upholding the statute against Petitioners' federal constitutional challenges.

### QUESTIONS PRESENTED

1. Whether a state may deprive persons of standing for the opportunity to vindicate their federal statutory and constitutional rights pertaining to state court jury service, consistent with the First, Sixth, Ninth and Fourteenth Amendments to the U.S. Constitution.
2. Whether a state may burden a person's right to standing and opportunity to vindicate federal jury-related rights by requiring the person to file a sworn prima facie case of jury system error before allowing the person to inspect the state court jury lists for evidence of a violation of 18 U.S.C. 243, or of the Sixth or Fourteenth Amendments, consistent with the First, Sixth, Ninth and Fourteenth Amendments to the U.S. Constitution.