

Supreme Court U.S.  
FILED

No. 06-06-241 0815 2006

OFFICE OF THE CLERK

IN THE

**Supreme Court of the United States**

ROYA RAHMANI, *et al.*,  
*Petitioners,*

v.

UNITED STATES OF AMERICA,  
*Respondent.*

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

**PETITION FOR WRIT OF CERTIORARI**

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August 15, 2006

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### QUESTIONS PRESENTED

1. Whether, under *McKinney v. Alabama*, 424 U.S. 669 (1976), the Government may prosecute an individual for donating money to or soliciting donations for an organization designated as a "foreign terrorist organization" while prohibiting the defendant from demonstrating that the organization was improperly designated a "foreign terrorist organization" under the governing statute and that the donation or solicitation was therefore protected by the First Amendment.

2. Whether, under *Freedman v. Maryland*, 380 U.S. 51 (1965), and the governing statutory scheme, the Government may prosecute an individual for donating money to or soliciting donations for an organization designated as a "foreign terrorist organization" where the statutory provisions for challenging a designation lack the minimum procedural safeguards that this Court has consistently held are required to assure the reliability of Governmental decisions that determine that speech activity is unprotected by the First Amendment.

Supreme Court, U.S.  
FILED

No. 06-242 AUG 16 2006

In The OFFICE OF THE CLERK  
**Supreme Court of the United States**

MINING AND MINERALS DIVISION OF THE  
ENERGY MINERALS AND NATURAL RESOURCES  
DEPARTMENT OF THE STATE OF NEW MEXICO and  
NEW MEXICO ENVIRONMENT DEPARTMENT,

*Petitioners,*

vs.

EDWINA MANNING AND KIMBERLY DUTTON  
Personal Representatives of the Estate of Richard  
Manning, individually, and as community property  
owners, and d/b/a CHALLENGE MINING COMPANY,

*Respondents.*

**On Petition For Writ Of Certiorari  
To The New Mexico Supreme Court**

**PETITION FOR WRIT OF CERTIORARI**

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August 16, 2006

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**QUESTION PRESENTED FOR REVIEW**

Whether constitutional sovereign immunity as recognized by this Court in *Alden v. Maine*, 527 U.S. 706, (1999), protects states from state-court damages actions brought against them under the Takings Clause of the Fifth Amendment of the Constitution as incorporated to the states through the Fourteenth Amendment.

No. \_\_\_\_\_ 06-243 AUG 16 2006

OFFICE OF THE CLERK

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

WASHINGTON SAVANNAH RIVER COMPANY,

*Petitioner,*

v.

STEPHEN D. HOLLINGSWORTH,

*Respondent.*

**On Petition For Writ Of Certiorari To  
The Superior Court Of Pennsylvania**

**PETITION FOR WRIT OF CERTIORARI**

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**QUESTION PRESENTED**

Whether a state court may constitutionally assert personal jurisdiction over a non-resident corporation which is a subsidiary of a resident corporation, even though the subsidiary (1) transacts no business in the state; (2) the subsidiary and parent observe corporate formalities; (3) the parent does not dominate or control the subsidiary; (4) the contacts between the parent and subsidiary are nothing more than the type of routine interaction one would normally expect to occur between a parent and subsidiary; and (5) the non-resident corporation lacks the minimum contacts with the forum which would support the exercise of jurisdiction under principles announced in numerous decisions of this Court and in various federal courts of appeals?

Supreme Court, U.S.  
FILED

06 - 245 AUG 14 2006

OFFICE OF THE CLERK

Minnesota Court of Appeals Case No. A05-768

Minnesota District Court Case No. CR-0

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UNITED STATES SUPREME COURT

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OCTOBER 2006 TERM

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State of Minnesota, Respondent

Vs.

Eric Maynard Scwhichtenberg, Petitioner

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On Petition for Writ of Certiorari to the  
United States Supreme Court

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PETITION FOR WRIT OF CERTIORARI

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**QUESTION PRESENTED FOR REVIEW**

1. Is it a violation of the Fourth Amendment to the United States Constitution to charge a driver with exercising his constitutional right to withhold consent to search of his breath, blood or urine?



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FILED

No. 06-246 AUG 17 2006

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OFFICE OF THE CLERK

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

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JOHN F. McLEAY, M.D.,

*Petitioner,*

v.

BERGAN MERCY HEALTH SYSTEMS CORP.,  
doing business as Bergan Mercy Medical Center,

*Respondent.*

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**On Petition For Writ Of Certiorari  
To The Supreme Court Of Nebraska**

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**PETITION FOR WRIT OF CERTIORARI**

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### QUESTIONS PRESENTED FOR REVIEW

I. When a hospital peer review board arbitrarily suspends a physician, is expert testimony about the physician's compliance with the standard of care relevant to the question of whether the board acted reasonably for the purposes of the immunity provisions of the Health Care Quality Improvement Act of 1986 ("HCQIA"), 42 U.S.C. §§ 11101, 11111-11115, 11131-11137, 11151-11152 (2000)?

II. Whether the HCQIA creates an "unconventional twist" in the summary judgment standard by shifting the burden of proof and thereby requiring the nonmoving party, John F. McLeay, M.D. ("Dr. McLeay"), to prove that a reasonable jury could find that the peer review process at Bergan Mercy Health Systems Corp. ("Bergan") was unreasonable.

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FILED

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No.                      OFFICE OF THE CLERK

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**IN THE  
SUPREME COURT OF THE UNITED STATES**

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EMERSON M.F., JOU, M.D.  
PETITIONER

vs.

J.P. SCHMIDT, Insurance Commissioner,  
Department of Commerce and Consumer Affairs,  
State of Hawaii;

and

AIG HAWAII INSURANCE CO.

RESPONDENTS

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**On Petition For A Writ Of Certiorari  
To The Supreme Court Of The State of Hawaii**

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**PETITION FOR WRIT OF CERTIORARI**

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### QUESTIONS PRESENTED FOR REVIEW

1. Did determination by Hawaii Supreme Court that an appeal was frivolous without notice or allowing responses on the question violate Petitioner's federal constitutional rights to due process and equal protection?
2. Did determination of a frivolous appeal by The Hawaii Supreme Court decide an important federal question in a way that conflicts with relevant decisions of this Court or with decisions of several United States Courts of Appeals?
3. Was the unsupported application of issue preclusion by the Hawaii Supreme Court as the basis for its sua sponte determination, extreme or motivated by animus and ill will, and in violation of Petitioner's federal constitutional rights to petition, to advocate, to due process and to equal protection?
4. Was the state supreme court's conduct and decision in favor of Respondent AIG Hawaii Insurance Co. ("AIG") structurally biased, due to the control AIG and other insurers have over the appointment and retention of state judges and justices?
5. Did the state, through its agencies and courts deprive Petitioner, a physician, of his constitutional right to work by *ad hoc* rule-making, biased courts and disparate treatment?

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Supreme Court U.S.

06 - 248 JUN 17 2006

OFFICE OF THE CLERK

NO.: \_\_\_\_\_

IN THE  
**Supreme Court of the United States**

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Tiffany Edmonds

Petitioner

-vs-

State of Indiana

Respondent

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On Petition for Writ of Certiorari  
To The Indiana Court of Appeals

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QUESTION PRESENTED

Did the Indiana Court of Appeals' opinion affirming the trial court's admission of Edmonds' statement sufficient depart from the procedural safeguards instituted in *Miranda v. Arizona*, 384 U.S. 436, 86 S.Ct. 1602, 16 L.Ed.2d 694 (1966) and *Edwards v. Arizona*, 451 U.S. 477, 101 S.Ct. 1880, 68 L.Ed.2d 378 (1981) to protect the right against "self-incrimination" when in concluded that Edmonds', "yes" response to the question, "[d]o you wish to have an attorney at this time?", was ambiguous and further inquiry in a non-coercive manner was permitted when the interrogator believed that Edmonds may be mistaken in her "yes" response?