

Supreme Court, U.S.
FILED

06-277 AUG 24 2006

No.

OFFICE OF THE CLERK

In the Supreme Court of the United States

JUDSON N. FULFORD

Petitioner

v.

AARON SWINDLE, CAROLYN SWINDLE,
AND LESLIE C. SWINDLE

Respondents

ON PETITION FOR WRIT OF CERTIORARI
TO THE ALABAMA SUPREME COURT

PETITION FOR WRIT OF CERTIORARI

KATHIRYN LOUISE LIPPERT, ESQ.
1820 3RD AVE. N., STE. 102
BESSEMER, AL 35020-4904
(205) 426-3705
Counsel for Petitioner

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QUESTION PRESENTED FOR REVIEW

Whether Alabama's Putative Registry Law and its retroactivity feature as incorporated within the Alabama Adoption Code violate the Fourteenth Amendment to the United States Constitution ?

Supreme Court, U.S.
FILED

06-278 AUG 28 2006

No. OFFICE OF THE CLERK

IN THE
Supreme Court of the United States

JUNEAU SCHOOL BOARD; DEBORAH MORSE,

Petitioners,

v.

JOSEPH FREDERICK,

Respondent.

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

PETITION FOR WRIT OF CERTIORARI

KENNETH W. STARR
Counsel of Record
RICK RICHMOND
ERIC W. HAGEN
KIRKLAND & ELLIS LLP
777 South Figueroa Street
34th Floor
Los Angeles, CA 90017
(213) 680-8400

Attorneys for Petitioners

August 28, 2006

WILSON-EPES PRINTING CO., INC. - (202) 789-0096 - WASHINGTON, D.C. 20001

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QUESTIONS PRESENTED

1. Whether the First Amendment allows public schools to prohibit students from displaying messages promoting the use of illegal substances at school-sponsored, faculty-supervised events.
2. Whether the Ninth Circuit departed from established principles of qualified immunity in holding that a public high school principal was liable in a damages lawsuit under 42 U.S.C. § 1983 when, pursuant to the school district's policy against displaying messages promoting illegal substances, she disciplined a student for displaying a large banner with a slang marijuana reference at a school-sponsored, faculty-supervised event.

Supreme Court, U.S.
FILED

No. 06 - 280 AUG 25 2006

In The OFFICE OF THE CLERK

Supreme Court of the United States

October Term, 2005

COUNTY OF VENTURA,

Petitioner,

vs.

NOELLE WAY,

Respondent.

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

PETITION FOR WRIT OF CERTIORARI

ALAN E. WISOTSKY
Counsel of Record
JEFFREY HELD
LAW OFFICES OF ALAN E. WISOTSKY
300 Esplanade Drive, Suite 1500
Oxnard, California 93036
(805) 278-0920
(805) 278-0289 (fax)

Attorneys for Petitioner

780

QUESTIONS PRESENTED

1. In the Eleventh Circuit, jail facility personnel may strip search an arrestee solely based upon an arresting charge of weaponless misdemeanor battery, whereas the Ninth Circuit's published opinion in this case forbids jail personnel to conduct a strip search of an arrestee on the basis of being under the influence of an illicit drug; should the Court grant certiorari to resolve this conflict in the circuit courts?
2. Are the Ninth Circuit and Tenth Circuit holdings that drug charges are an insufficient basis to perform a visual strip search compatible with this Court's holding in *Bell v. Wolfish*, which allows jail personnel, without cause, to strip search all pretrial detainees having had contact with third persons?
3. Does the Ninth Circuit's published opinion, which impliedly questioned the validity of California's strip search statute, contravene principles of federalism and separation of powers with respect to the management of county jails and expose such facilities to civil liability?
4. Given this Court's holding in *Schmerber v. California* that a probable cause-based arrest for intoxication permits the state to force an arrestee to have blood drawn, should jail personnel processing a drug-intoxicated suspect, arrested on probable cause, be able to perform a visual-only, same-gender, private strip search?
5. Does the Ninth Circuit's published opinion unreasonably require a county jail manager to demonstrate the existence of some ill-defined track record of disaster as a condition precedent to the adoption of prophylactic policies designed to ensure the safe operation of jail

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facilities containing congregations of dangerous individuals
in varying and complex processing stages?

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Supreme Court U.S.
OFFICE

06-281413-04 2006

No. OFFICE OF THE CLERK

In the
Supreme Court of the United States

EVELYN WHITE,

Petitioner,

v.

CRIME PREVENTION SECURITY SPECIALISTS
and ACCIDENT FUND INSURANCE COMPANY,
Respondents.

**On Petition for a Writ of Certiorari
to the Supreme Court of Michigan**

PETITION FOR WRIT OF CERTIORARI

CHARLES W. PALMER
Counsel of Record

CHARLES W. PALMER, P.C.
20500 EUREKA ROAD
SUITE 313
TAYLOR, MI 48180
(734) 284-5550

Counsel for Petitioner

Becker Gallagher Legal Publishing, Inc. 800.890.5001

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QUESTION PRESENTED

I.

DOES THE APPLICATION OF SECTIONS 354 AND 357 OF THE MICHIGAN WORKERS' DISABILITY COMPENSATION ACT, WHICH REDUCE WAGE LOSS BENEFITS TO INJURED WORKERS OVER AGE 65 BY GIVING THE EMPLOYER A 50 PERCENT CREDIT FOR THEIR OLD-AGE SOCIAL SECURITY BENEFITS, VIOLATE THE EQUAL PROTECTION CLAUSE OF THE UNITED STATES CONSTITUTION?

Supreme Court, U.S.
FILED

No. 06-28243-25 2006

OFFICE OF THE CLERK

In The
Supreme Court of the United States

CATHOLIC HEALTHCARE WEST,
CATHOLIC HEALTHCARE WEST ARIZONA,
and MICHAEL BERENS,

Petitioners,

v.

UNITED STATES OF AMERICA ex rel.
PATRICIA HAIGHT and IN DEFENSE OF ANIMALS,

Respondents.

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

PETITION FOR A WRIT OF CERTIORARI

DALE A. DANNEMAN
Counsel of Record
LAWRENCE A. KASTEN
LEWIS AND ROCA LLP
40 N. Central Avenue
Phoenix, Arizona 85004
(602) 262-5311

Counsel for Petitioners

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QUESTION PRESENTED FOR REVIEW

Whether documents obtained by a *qui tam* relator pursuant to the Freedom of Information Act constitute public disclosures within the meaning of the False Claims Act's jurisdictional bar, 31 U.S.C. § 3730(e)(4)(A).

Supreme Court, U.S.
FILED

06-283 003 1 - 2006

No. 06- OFFICE OF THE CLERK

IN THE
Supreme Court of the United States

JOHN WESLEY HEIDEN,

Petitioner,

v.

ERNEST J. TRUJILLO, Warden,
and ARIZONA ATTORNEY GENERAL,

Respondents.

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

PETITION FOR A WRIT OF CERTIORARI

ROBERT BARTELS

Attorney for Petitioner

College of Law

Arizona State University

Tempe, AZ 85287-7906

(480) 965-7053

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QUESTIONS PRESENTED

1. Whether the state court's exclusion of reliable evidence that was critical to Petitioner's defense amounted to an unreasonable application of federal due process law clearly established by this Court in Chambers v. Mississippi, 410 U.S. 284 (1973), and Crane v. Kentucky, 476 U.S. 683 (1986).

2. Whether Petitioner exhausted state-court remedies with regard to the due process issue stated above, prior to seeking federal habeas corpus relief, when (a) he argued in the state courts that the exclusion of reliable and critical evidence denied him "the opportunity to fully present his defense" and that this "denied [him] due process of law," and (b) the state standard for adjudicating a due process right-to-present-a-defense claim was identical to, or less exacting than, the corresponding federal standard.

Supreme Court, U.S.
FILED

06-2870981 2006

No. OFFICE OF THE CLERK

IN THE SUPREME COURT OF THE UNITED STATES

ROBERT L. AYERS, Jr., Acting Warden, San Quentin State
Prison, California, *Petitioner*,

v.

WILLIAM CLARK, *Respondent*.

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

PETITION FOR WRIT OF CERTIORARI

BILL LOCKYER
Attorney General of the State of California
MARY JO GRAVES
Chief Assistant Attorney General
PAMELA C. HAMANAKA
Senior Assistant Attorney General
DONALD E. DE NICOLA
Deputy State Solicitor General
KEITH H. BORJON
Supervising Deputy Attorney General
SCOTT A. TARYLE
Deputy Attorney General
State Bar No. 156158
300 South Spring Street, Suite 1702
Los Angeles, CA 90013
Telephone: (213) 897-2363
Fax: (213) 897-6496
Email: DocketingLAAWT@doj.ca.gov
Counsel for Petitioner

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QUESTION PRESENTED
FORMER CAPITAL CASE

In *Rogers v. Tennessee*, 532 U.S. 451, 461-62 (2001), this Court held that a proper due-process analysis of a state court's new interpretation of the scope of a criminal statute must accommodate the state courts' legitimate need to clarify, reevaluate, and refine judicial doctrines to address new facts or to conform to common sense. Here, the Ninth Circuit Court of Appeals held that the California Supreme Court's interpretation of a judicially-created exception to the state's death-penalty provision for certain felony-murders—an exception applicable where the felony is merely "incidental" to the killing—was "unforeseeable" and violated respondent's right to due process in that it did not give respondent fair notice that setting fire to the victim's house in order to drive him outside to shoot him was a capital offense.

The question presented is:

Did the Ninth Circuit fail to afford the California Supreme Court the latitude required by *Rogers*?

Supreme Court

06-283-0000

OFFICE OF THE CLERK

NUMBER: _____

UNITED STATES SUPREME COURT

JO-ANN CROSSLEY

Petitioner

VS

HERMAN FERRÉ-ROIG

Respondent

On Petition for Writ of Certiorari to the Court of Appeals
Of the Commonwealth of Puerto Rico

PETITION FOR WRIT OF CERTIORARI

Maximiliano Trujillo-González, Esq.
Counsel for Petitioner
P.O. Box 9481
Bayamón, Puerto Rico 00960
(787) 785-8756
(787) 399-0820

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(Translation)

QUESTION PRESENTED FOR REVIEW:

Whether or not a state court, in determining the ownership of shares in a publicly traded corporation can ignore the provisions the Securities and Exchange Act of 1933, 15 U.S.C. 78 *et seq.* that require corporate disclosure statements to the Securities and Exchange Commission, as to the truth and reality of corporate ownership, participation and control, and pursuant to said act. And whether or not a party who has stated for the official record of the Securities and Exchange Commission that the shares of a publicly traded corporation belong to him and his wife, is estopped from claiming, in a liquidation of community property action that the shares belong to him exclusively.

PARTIES:

Only those on the caption of the case.

CORPORATE DISCLOSURE STATEMENT UNDER RULE 29.6

Not applicable, the parties are natural persons.

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U.S. SUPREME COURT

06-00000000000000000000

No. 06- Office of the Clerk

IN THE
Supreme Court of the United States

ANTHONY PIPOLA,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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

PETITION FOR A WRIT OF CERTIORARI

LINDA S. SHEFFIELD
6600 Peachtree Dunwoody Road
400 Embassy Row, Suite 470
Atlanta, GA 30328
(404) 329-1911
(770) 671-1234

Attorney for Petitioner

202858



COUNSEL PRESS
(800) 274-3321 • (800) 359-6859

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QUESTIONS PRESENTED

1. The Second Circuit erred in declining to grant a certificate of appealability when Pipola made a substantial showing of the denial of a constitutional right, that being the right to have the jury determine whether the acts charged affected interstate commerce, after the trial court directed the jury that the element of interstate commerce, which is an element of 18 U.S.C. § 1951, was a matter of law to be decided by the court, in violation of U.S. Supreme Court and Second Circuit precedent. Pipola was denied his right to trial by jury, and to due process of law.
2. The Second Circuit erred in denying the certificate of appealability when Pipola made a substantial showing of the denial of a constitutional right, by maintaining that he is actually innocent of one of the two weapons considered by the jury but not charged in the indictment, which resulted in an enhanced sentence for two firearms under 18 U.S.C. § 924(c)(1)(C)(I). This claim impacts constitutional violations of the right to effective assistance of counsel, and the right to a trial by jury on the indictment brought by the grand jury, and not an amended indictment urging conviction on conduct not before the court, which resulted in 20 additional year (240 months) sentence imposed by the court.