

TUESDAY, NOVEMBER 25, 2008

CERTIORARI GRANTED

*CRIM MRD - Eric Miller*

08-267

UNITED STATES V. DENEDO, JACOB /

The petition for a writ of certiorari is granted.

08-681  
(08A413)

NKEN, JEAN M. V. MUKASEY, ATT'Y GEN.

The application for stay presented to The Chief Justice and referred to the Court is granted, and it is ordered that the removal of petitioner is hereby stayed pending further order of the Court. In addition, the application for stay is treated as a petition for a writ of certiorari, and the petition for a writ of certiorari is granted limited to the following question:

"Whether the decision of a court of appeals to stay an alien's removal pending consideration of the alien's petition for review is governed by the standard set forth in section 242(f)(2) of the Immigration and Nationality Act, 8 U.S.C. § 1252(f)(2), or instead by the traditional test for stays and preliminary injunctive relief." The brief of the petitioner is to be filed with the Clerk and served upon opposing counsel on or before 2 p.m. Friday, December 19, 2008. The brief of the respondent is to be filed with the Clerk and served upon opposing counsel on or before 2 p.m. Wednesday, January 7, 2009. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 2 p.m. Wednesday, January 14, 2009.

*Civil  
ESK  
Toby  
Hexten*