

Supreme Court of the United States

No. 08A863 (08-1224)

UNITED STATES,

Applicant,

v.

GRAYDON EARL COMSTOCK, JR., ET AL.

O R D E R

UPON CONSIDERATION of the application of the Solicitor General,

IT IS ORDERED that the mandate of the United States Court of Appeals for the Fourth Circuit, case No. 07-7671, is hereby stayed pending the disposition of the petition for a writ of certiorari. See *Walters v. National Assn. of Radiation Survivors*, 468 U. S. 1323 (1984) (Rehnquist, J., in chambers) (“The presumption of constitutionality which attaches to every Act of Congress is not merely a factor to be considered in evaluating success on the merits, but an equity to be considered in favor of applicants in balancing hardships”). Should the petition for a writ of certiorari be denied, this stay shall terminate automatically. In the event the petition for a writ of certiorari is granted, the stay shall terminate upon the sending down of the judgment of this Court.

/s/ John G. Roberts, Jr.
Chief Justice of the United States

Dated this 3rd
day of April, 2009.