

## Uninvited OSG amicus briefs at the petition/stay stage

- *St. Mary Catholic Parish v. Roy*, 25-581 – Showing necessary to establish a lack of general applicability under *Employment Division v. Smith*. (SG Sauer). PENDING.
- *Suncor Energy (U.S.A.), Inc. v. County Commissioners of Boulder County*, 25-170 – Whether federal law precludes state-law claims seeking relief for injuries allegedly caused by the effects of interstate and international greenhouse-gas emissions on the global climate. (Acting SG Harris). PENDING.
- *Abbott v. League of United Latin American Citizens*, 25A608 – Congressional redistricting. Filed in support of the state's application for a stay. (SG Sauer). GRANTED 12/4/25.
- *Wolford v. Lopez*, 24-1046 – Whether the Second Amendment allows a state to make it unlawful for concealed-carry license-holders to carry firearms on private property open to the public without the property owner's express authorization. (SG Sauer). GRANTED 10/3/25. Argued 1/20/26.
- *Hamm v. Smith*, 24-872 – Standard for proving *Atkins v. Virginia* claim. (Acting SG Harris). GRANTED 6/6/25. Argued 12/10/25.
- *Goldey v. Fields*, 24-809 – *Bivens* actions for excessive force/8th Amendment. (Acting SG Harris). SUMREV 6/30/25.
- *Oklahoma v. Bosse*, 20A161 – Criminal jurisdiction over Indians in eastern Oklahoma. Filed amicus brief at stay-of-mandate stage advising not to stay. (SG Prelogar). STAY GRANTED (unsuccessful).
- *Trump v. Vance*, 19-635 – Whether a grand-jury subpoena served on a custodian of the president's personal records, demanding production of nearly 10 years' worth of the president's financial papers and his tax returns, violates Article II and the Supremacy Clause of the Constitution. (SG Francisco). GRANTED 12/13/19. SCOTUS Aff'd (opposite of OSG's position).
- *Royal, Warden v. Murphy*, 17-1107 – Disestablishment of Muscogee (Creek) Nation Indian reservation and state authority to prosecute tribe member. (SG Francisco). GRANTED 5/21/18.
- *Reichle v. Howards*, 11-262 -- Secret Service agent liability under *Bivens*. (SG Verrilli). GRANTED 12/5/11.

- *Leal Garcia v. Texas*, 11A1, 11A2, 11-5001, 11-5002 – Consular notification, supporting stay. (SG Verrilli). DENIED 7/7/11 (unsuccessful).
- *Migliaccio v. Castaneda/Henneford v. Castaneda*, 08-1529 – Suits against public health officers and *Bivens*. (SG Kagan). GRANTED 9/30/09.
- *American Isuzu v. Ntsebeza*, 07-919 – Alien Tort Statute; diplomatic issues. (SG Clement). COURT LACKED QUORUM; AFF'D.
- *Medellin v. Texas*, 06-984 – Execution of Mexican national who didn't receive notices required by treaty in violation of ICI opinion. (SG Clement). GRANTED 4/30/07.
- *American Insurance Association v. Garamendi*, 02-722 – Whether a California statute that requires an insurance company doing business in the State to retrieve, compile, and disclose information about each insurance policy issued by that company or an affiliate in Europe that was in effect between 1920 and 1945:(1) impermissibly intrudes upon the national government's exclusive power over foreign affairs and foreign commerce or (2) regulates extraterritorially in violation of the commerce clause, the due process clause, or both. (SG Olson). GRANTED 1/10/03.
- *Verizon v. Trinko*, 02-682 – Antitrust. (SG Olson). GRANTED 3/10/03.
- *Connecticut Department of Public Safety v. Doe*, 01-1231 – Whether listing convicted sex offenders without first affording individualized hearings on current dangerousness violates the due process clause. (SG Olson). GRANTED 5/20/02.
- *JPMorgan Chase Bank v. Traffic Stream (BVI) infrastructure Limited*, 01-651 – Whether corporation organized under laws of UK Overseas Territories are "citizens or subjects of a foreign state" for purposes of alienage diversity jurisdiction under 28 USC 1332(a)(2). (SG Olson). GRANTED 1/4/02.
- *Zelman v. Simmons-Harris*, 00-1751, 00-1777, 00-1779 – Constitutionality of school vouchers. (SG Olson). GRANTED 9/25/01.
- *Dass v. Caplinger*, 99-176 – Prisoner complaints against employees; actually filed an unsolicited amicus brief counseling denial. (SG Waxman). DENIED 10/4/99.
- *Cannon v. Williams*, 98-956 – Whether an attorney who is publicly rebuked in findings entered in a sanctions proceeding may appeal the order containing those findings in the absence of a monetary or other formal coercive sanction. (SG Waxman). DENIED 1/25/99 (unsuccessful).
- *Texas v. Hopwood*, 95-1773 – Constitutionality of affirmative action. (SG Days). DENIED 7/1/96 (unsuccessful); Justices Ruth Bader Ginsburg and David Souter filed an opinion respecting the denial, saying this was appropriate because the program had been changed and so the petition was not actually challenging the judgment, just its rationale.

- *Brown v. Pro Football Inc.*, 95-388 – Whether professional football franchises are subject to antitrust liability when they impose terms after collective bargaining breaks down. (SG Days). GRANTED.
- *Kirwan v. Podberesky*, 95-1620 – University scholarship program exclusively open to African-Americans. (SG Days). DENIED 5/22/95 (unsuccessful).

**Not “amicus” briefs, but of a similar nature:**

- *Tangipa v. Newsom*, 25A839 – Redistricting. Brief of the US as respondent supporting application for a stay. (SG Sauer). DENIED 2/4/26 (unsuccessful).