

**Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001**

William K. Suter
Clerk of the Court
(202) 479-3011

October 2, 2009

Mr. Paul A. Castiglione
Assistant State's Attorney Cook County
500 Richard J. Daley Center
Chicago, IL 60602

Mr. Thomas Peters
407 S. Dearborn St., Suite 1675
Chicago, IL 60605

Re: Anita Alvarez, Cook County State's Attorney
v. Chermane Smith, et al.
No. 08-351

Dear Counsel:

The Court has directed this office to advise that counsel should be prepared to discuss at oral argument whether respondents have had forfeiture hearings or have otherwise had their property returned, and, if they have, the potential significance of those facts with respect to questions of mootness.

Sincerely,

William K. Suter, Clerk

by

Denise McNerney
Merits Cases Clerk

cc: Solicitor General