(ORDER LIST: 597 U.S.)

MONDAY, JUNE 27, 2022

CERTIORARI -- SUMMARY DISPOSITIONS

20-1000 DOMINGUEZ, MONICO V. UNITED STATES

The petition for a writ of certiorari is granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *United States* v. *Taylor*, 596 U. S. ___ (2022).

20-7497 REID, KEVIN V. UNITED STATES

20-7610 HERNANDEZ, JOSE V. UNITED STATES

21-5326 HOLIDAY, JUAN M. V. UNITED STATES

The motions of petitioners for leave to proceed *in forma pauperis* and the petitions for writs of certiorari are granted. The judgments are vacated, and the cases are remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *United States* v. *Taylor*, 596 U. S. ___ (2022).

20-8372 HOWARD, MARTEZ V. UNITED STATES

21-5097 BRITO, JOHANN V. UNITED STATES

21-5112 STARKS, DAVID V. UNITED STATES

21-5650 SAMSON, CARL R. V. UNITED STATES

21-6278 COOPER, JOSEPH F. V. UNITED STATES

The motions of petitioners for leave to proceed *in forma pauperis* and the petitions for writs of certiorari are granted. The judgments are vacated, and the cases are remanded to the

United States Court of Appeals for the Eleventh Circuit for further consideration in light of *United States* v. *Taylor*, 596 U. S. ___ (2022).

21-102 WALKER, MARCUS V. UNITED STATES

The petition for a writ of certiorari is granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Third Circuit for further consideration in light of *United States* v. *Taylor*, 596 U. S. ___ (2022).

21-268 COVERALL NORTH AMERICA, INC. V. RIVAS, CARLOS

The petition for a writ of certiorari is granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *Viking River Cruises, Inc.* v. *Moriana*, 596 U. S. ___ (2022).

21-386 BARNABY, ANDRE, ET AL. V. UNITED STATES

21-447 NIX, MATTHEW V. UNITED STATES

The petitions for writs of certiorari are granted. The judgments are vacated, and the cases are remanded to the United States Court of Appeals for the Second Circuit for further consideration in light of *United States* v. *Taylor*, 596 U. S. ___ (2022).

21-453 UBER TECHNOLOGIES, INC., ET AL. V. GREGG, JOHNATHON

21-526 UBER TECHNOLOGIES, INC. V. ROSALES, DAMARIS

21-742 LYFT, INC. V. SEIFU, MILLION

21-1079 SHIPT, INC. V. GREEN, JADE

21-1121 HANDY TECHNOLOGIES, INC. V. POTE, PATRICK

The petitions for writs of certiorari are granted. The

judgments are vacated, and the cases are remanded to the Court of Appeal of California, Second Appellate District for further consideration in light of *Viking River Cruises, Inc.* v. *Moriana*, 596 U. S. ___ (2022).

21-539 BIRHANU, THEWODROS W. V. GARLAND, ATT'Y GEN.

The petition for a writ of certiorari is granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Tenth Circuit for further consideration in light of *Matter of B-Z-R-*, 28 I&N Dec. 563 (A.G. 2022).

21-825 SHON, PERSEPHONE J. V. RADU, BOGDAN

The petition for a writ of certiorari is granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *Golan* v. *Saada*, 596 U. S. ___ (2022).

21-1354 BAST AMRON LLP V. UNITED STATES TRUSTEE REGION 21

The petition for a writ of certiorari is granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Eleventh Circuit for further consideration in light of *Siegel* v. *Fitzgerald*, 596 U. S. ___ (2022).

21-5065 TAYLOR, BLAKE V. UNITED STATES

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Fifth Circuit for further consideration in light of *United States* v. *Taylor*, 596 U. S. ___ (2022).

21-5332 HIDALGO, EFRAIN V. UNITED STATES

21-5586 SIMMONS, TYRONE V. UNITED STATES

21-6176 COLLYMORE, DWAINE V. UNITED STATES

21-6389 ELDRIDGE, THAMUD V. UNITED STATES

21-6490 McCOY, EARL V. UNITED STATES

21-6605 JACKSON, JERMAINE V. UNITED STATES

21-7088 WAITE, SELBOURNE V. UNITED STATES

The motions of petitioners for leave to proceed *in forma pauperis* and the petitions for writs of certiorari are granted. The judgments are vacated, and the cases are remanded to the United States Court of Appeals for the Second Circuit for further consideration in light of *United States* v. *Taylor*, 596 U. S. ___ (2022).

ORDERS IN PENDING CASES

21M130 CEASAR, BITHOMAS V. UNITED STATES

The motion for leave to file a petition for a writ of certiorari under seal with redacted copies for the public record is granted.

21M131 HOTI, ANTHONY V. WARREN, MI

21M132 HOTI, MARJANA V. WARREN, MI

The motions of respondent for leave to file the petitions for writs of certiorari with supplemental appendices under seal with redacted copies for the public record are granted.

21M133 DICKS, JOSHUA V. DICKS, NATASHA

The motion for leave to file a petition for a writ of certiorari under seal with redacted copies for the public record is granted.

21M134 SMITH, SHARON V. M. DELORES MURPHY, ET AL.

21M135 CRAWFORD, LAWRENCE, ET AL. V. SOUTH CAROLINA, ET AL.

21M136 McKINNON, SEQUOIA V. SOUTH CAROLINA, ET AL.

21M137 BROWN, ROMEO V. SOUTH CAROLINA, ET AL.

The motions to direct the Clerk to file petitions for writs of certiorari out of time are denied.

20-1009 SHINN, DIR., AZ DOC V. RAMIREZ, DAVID M.

The motion of respondents to modify the opinion issued on May 23, 2022 is denied.

20-6345 DeCARLO, THOMAS R. V. UNITED STATES

The motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* is denied.

CERTIORARI GRANTED

21-1270 MOAC MALL HOLDINGS LLC V. TRANSFORM HOLDCO LLC, ET AL.

The petition for a writ of certiorari is granted.

CERTIORARI DENIED

20-1425 C.H. ROBINSON WORLDWIDE, INC. V. MILLER, ALLEN

21-381 WEISS, TZVI, ET AL. V. NAT. WESTMINSTER BANK

21-382 STRAUSS, MOSES, ET AL. V. CREDIT LYONNAIS, S.A.

21-471 DOE 1, JOHN, ET AL. V. EXPRESS SCRIPTS, INC., ET AL.

21-746 APPLE INC. V. QUALCOMM INC.

21-918 RANCHERS-CATTLEMEN ACTION V. VILSACK, SEC. OF AGRIC., ET AL.

21-1124 NATIONAL POSTAL POLICY, ET AL. V. POSTAL REGULATORY COMM'N, ET AL.

21-1126 ARNETT, TAYLOR, ET AL. V. KANSAS

21-1172 AM. SOC. OF JOURNALISTS, ET AL. V. BONTA, ATT'Y GEN. OF CA

21-1179 LUND, ERIC V. DATZMAN, JEFFREY, ET AL.

21-1185 VALDEZ-LOPEZ, RUFINO V. UNITED STATES

21-1219 ARGUETA ROMERO, ESTELA M. V. MAYORKAS, SEC. OF HOMELAND

21-1240 AMAYA, OSCAR A. V. GARLAND, ATT'Y GEN.

21-1245 O'DONNELL & SONS, INC. V. NY DEPT. OF TAX, ET AL.

21-1262 TITLEMAX OF DELAWARE, ET AL. V. VAGUE, RICHARD

21-1272 MONSANTO CO. V. PILLIOD, ALBERTA, ET AL.

21-1297 GRADY, CLARE T., ET AL. V. UNITED STATES

21-1367 NICHOLS-STUART, AMY V. COUNTY OF AMADOR, CA, ET AL.

21-1371 MORRISON, PATRICIA V. QUEST DIAGNOSTICS INC., ET AL.

21-1374 CHODOSH, FLOYD, ET AL. V. SAUNDERS, JOHN, ET AL.

21-1379 OSICKA, TIM V. OFFICE OF LAWYER REGULATION

21-1381 VAZQUEZ-QUINTANA, ENRIQUE V. MORALES-RODRIGUEZ, JOSE, ET AL.

21-1383 ASBUN, ALEJANDRO V. NC DEPT. OF HEALTH

21-1387 LECKNER, ERIK V. GENERAL DYNAMICS, ET AL.

21-1389 BATES, JEREMY V. TRUMP, DONALD J., ET AL.

21-1390 LaPOINT, ROBERT V. COMMERCE & INDUSTRY INS., ET AL.

21-1393 ALEXANDER, CLARENCE, ET AL. V. GWITCHYAA ZHEE CORP., ET AL.

21-1400 ESTATE OF ANTHONY ZDROIK V. IOWA S. R. CO., ET AL.

21-1401 DOE, JOHN V. SETTLE, GARY T.

21-1402 OUTDOOR ONE COMMUNICATIONS LLC V. CANTON, MI

21-1413 TOLLE, JAMES V. NORTHAM, GOV. OF VA, ET AL.

21-1417 STANDLEY, VAUGHN H. V. DEPT. OF ENERGY

21-1419 TANG, HONG V. SCHMOKE, KURT L., ET AL.

21-1458 EPA DRUG INITIATIVE II V. HIKMA PHARMACEUTICALS, ET AL.

21-1482 WILLIAMS, DEQUANTEY M. V. UNITED STATES

21-1487 BILODEAU, BRIAN V. UNITED STATES

21-1506 OWEN, CHRISTINE M. V. LIBERTY UNIVERSITY, ET AL.

21-1513 DALE, WENDY M. V. BUTLER, ALGERNON L.

21-1521 NY TEAMSTERS PENSION FUND V. C&S WHOLESALE GROCERS, INC.

21-6693 ROGERS, JOEY V. LOUISIANA

21-7064 SQUIRES, LARRY V. MSPB, ET AL.

21-7093 LaFOREST, JAMESON, ET AL. V. UNITED STATES

21-7236 CROCCO, JOSEPH V. UNITED STATES

21-7259 GACE, KEITH P. V. UNITED STATES

21-7432 PEREZ-VELASQUEZ, MAGDALY S. V. UNITED STATES

21-7455 McDANIEL, DON'TE L. V. CALIFORNIA

21-7475 ROSE, EDWARD J. V. ARIZONA

21-7671 STRICKLAND, ALAN E. V. CROW, DIR., OK DOC

21-7672 SPENCE, JERMAINE E. V. BISHARA, REEMON, ET AL.

21-7675 CRUSE, JASON L. V. OKLAHOMA

21-7678 ELTON, ROBERT V. OKLAHOMA

21-7679 MORRISON, RICHARD V. CCA CORR - CIVIL, ET AL.

21-7691 FULLER, LARRY E. V. COLORADO

21-7693 HEDDLESTEN, KENNETH R. V. CROW, DIR., OK DOC

21-7694 MAPLE, JASON P. V. OLIVER, SUPT., ALBION

21-7711 HAYNES, BRENDA J. V. FOSCHIO, LESLIE G., ET AL.

21-7715 LEWIS, LACY E. V. DIXON, SEC., FL DOC

21-7716 JACKSON, PAUL D. V. LUMPKIN, DIR., TX DCJ

21-7722 BYARS, SANTONIO V. ILLINOIS

21-7727 KIMBROUGH, ANTHONY V. OKLAHOMA

21-7729 WALLACE, WILLIAM G. V. DIXON, SEC., FL DOC

21-7732 MARKHAM, OJI K. V. JANSSEN, WARDEN

21-7742 JONES, MARVEL V. CARTER, JOHN M., ET AL.

21-7743 KIDDER, MATTHEW J. V. NEBRASKA

21-7752 GRAY, WILLIAM E. V. ARKANSAS

21-7754 ROBERTSON, JERRY E. V. JEFFERSON CTY. ATTORNEY'S OFFICE

21-7760 SISKOS, WILLIAM J. V. DIXON, SEC., FL DOC, ET AL.

21-7768 LeGENDRE, JOWELL T. V. VIRGINIA

21-7772 PETROZZI, TIMOTHY R. V. INSLEE, GOV. OF WA, ET AL.

21-7780 CARRANZA, SELVIN O. V. CALIFORNIA

21-7788 ISAACSON, KAREN M. V. FUDGE, SEC. OF HUD, ET AL.

21-7800 DONALDSON, MARK P., ET AL. V. LYON, NICK, ET AL.

21-7844 MITCHELL, JAMES V. MADDEN, WARDEN

21-7869 THIBODEAUX, TIMOTHY V. HOOPER, WARDEN

21-7884 RODRIGUEZ-GARCIA, JUAN C. V. BUFFALOE, SEC., NC DPS, ET AL.

21-7897 SLAKMAN, BARRY V. GA BD. OF PARDONS & PAROLES

21-7908 MEJIA, JOSE V. NEW YORK

21-7948 ISIJOLA, FEMI V. BIELECKI, ELIZABETH A.

21-7950 FAZ, ENRIQUE A. V. UNITED STATES

21-7954 MONROE, JORDAN V. UNITED STATES

21-7956 McCLENDON, TIMOTHY V. BREWER, WARDEN

21-7970 CAMPOS, OSCAR G. V. UNITED STATES

21-7975 BEIGALI, AMIR K. V. UNITED STATES

21-7976 HILL, MARK A. V. OHIO

21-7979 STANFORD, ROBERT A. V. UNITED STATES

21-7984 GOMEZ, EMILIO V. UNITED STATES

21-7987 ROSE, KEITH V. UNITED STATES

21-7988 TARNAWA, DONALD V. UNITED STATES

21-7992 MOLETTE, REGINALD A. V. UNITED STATES

21-7994 SANCHEZ, VINCENT J. V. UNITED STATES

21-7997 ROBINSON, BENJAMIN G. V. UNITED STATES

21-8004 KYEI, KOFI V. OR DIVISION OF CHILD SUPPORT

21-8018 PEREZ, RAMON O. V. MATTESON, WARDEN

21-8043 SIMS, WILLIAM V. FIGUEROA, ALEXIS

21-8070 ALLEN, MIKE V. ADAMS, KADEN

The petitions for writs of certiorari are denied.

21-1217 COLUMBIA HOUSE OF BROKERS REALTY V. DESIGNWORKS HOMES, INC., ET AL.

The motion of respondents for leave to proceed *in forma pauperis* is denied. The petition for a writ of certiorari is denied.

21-1244 BEIJING SHOUGANG MIN., ET AL. V. MONGOLIA

The motion of Professor George A. Bermann for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

21-7712 SHEPPARD, CURTIS L. V. COLLUM, MICHAEL A., ET AL.

21-7816 RAGIN, JOHN V. FISHER, JUDGE, CIR. CT. OF VA

The motions of petitioners for leave to proceed *in forma pauperis* are denied, and the petitions for writs of certiorari are dismissed. See Rule 39.8.

21-7968 BROWN, THURMAN J. V. NEW YORK, ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8. Justice Sotomayor took no part in the consideration or decision of this motion and this petition.

HABEAS CORPUS DENIED

21-8008 IN RE JAMES M. GRAHAM

The petition for a writ of habeas corpus is denied.

MANDAMUS DENIED

21-1485 IN RE EILEEN VEY

21-7680 IN RE ISRAEL ROMERO

The petitions for writs of mandamus are denied.

21-7790 IN RE GINA RUSSOMANNO

The petition for a writ of mandamus and/or prohibition is denied.

REHEARINGS DENIED

21-6810 JODIE T. V. ILLINOIS

21-6865 LANGFORD, JUSTIN O. V. BAKER, WARDEN

21-6928 MAXBERRY, DENNIS L. V. UNITED STATES

21-6931 WHITE, TOM I. V. LUMPKIN, DIR., TX DCJ

21-7009 LOGA-NEGRU, CRISTIAN M. V. WISCONSIN

21-7200 JACQUES, JOHN L. V. WISCONSIN

21-7265 MANNS, VICTOR L. V. FLORIDA

21-7310 KLINE, CHRIS W. V. JOHNS, ADM'R, DEPT. OF H&HS

21-7331 ROBINSON, DARREGUS T. V. UNITED STATES

21-7364 IN RE DAVID LOPEZ

21-7424 RUIZ, ISMAEL V. WYOMING

21-7440 KERR, NORMAN A. V. GOMEZ, WARDEN

The petitions for rehearing are denied.

SUPREME COURT OF THE UNITED STATES

CORAL RIDGE MINISTRIES MEDIA, INC., DBA D. JAMES KENNEDY MINISTRIES *v.* SOUTHERN POVERTY LAW CENTER

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

No. 21–802. Decided June 27, 2022

The petition for a writ of certiorari is denied.

JUSTICE THOMAS, dissenting from the denial of certiorari.

Coral Ridge Ministries Media, Inc., is a Christian nonprofit dedicated to spreading the "Gospel of Jesus Christ" and "a biblically informed view of the world, using all available media." 406 F. Supp. 3d 1258, 1268 (MD Ala. 2019) (internal quotation marks omitted). In 2017, Coral Ridge applied to receive donations through AmazonSmile, a program that allows Amazon customers to contribute to approved nonprofits. To its dismay, Coral Ridge learned it was ineligible for the program. The Southern Poverty Law Center (SPLC) had designated Coral Ridge an "Anti-LGBT hate group" because of its biblical views concerning human sexuality and marriage. *Id.,* at 1270 (internal quotation marks omitted). AmazonSmile excluded Coral Ridge based on SPLC's "hate group" designation.

Objecting to that designation, Coral Ridge sued SPLC for defamation under Alabama law. Coral Ridge maintained that although it "opposes homosexual conduct" based on its religious beliefs, it is in no sense a "hate group." Amended Complaint in *Coral Ridge Ministries Media, Inc.* v. *Amazon.com, Inc.*, No. 2:17–cv–566 (MD Ala., Oct. 18, 2017), ECF Doc. 40, p. 13. To the contrary, it "has nothing but love for people who engage in homosexual conduct" and "has never attacked or maligned anyone on the basis of engaging in homosexual conduct." *Ibid.* Coral Ridge alleged that

SPLC was aware that it was not a "hate group," but falsely labeled it one anyway to "destroy the Ministry" by "dissuad[ing] people and organizations from donating to [it]." *Id.,* at 19.

SPLC responded that its "hate group" designation was protected by the First Amendment. The District Court agreed and dismissed Coral Ridge's complaint for failure to state a claim. Because Coral Ridge conceded that it was a "'public figure,'" the court observed that Coral Ridge had to prove three elements to rebut SPLC's First Amendment defense: the "'hate group'" designation had to be (1) provably false, (2) actually false, and (3) made with "'actual malice.'" 406 F. Supp. 3d, at 1270. The court concluded that SPLC's "hate group" designation was not provably false because "'hate group' has a highly debatable and ambiguous meaning." *Id.,* at 1277. Additionally, the court held that Coral Ridge had not plausibly alleged that SPLC acted with "actual malice," as defined by this Court's decision in *New York Times Co.* v. *Sullivan*, 376 U. S. 254, 280 (1964). See 406 F. Supp. 3d, at 1278–1280.

The Court of Appeals affirmed but rested its decision exclusively on the "actual malice" standard. See 6 F. 4th 1247, 1251–1253 (CA11 2021). While a defamed person must typically prove only "a false written publication that subjected him to hatred, contempt, or ridicule," *McKee* v. *Crosby*, 586 U. S. ___, ___ (2019) (THOMAS, J., concurring in denial of certiorari) (slip op., at 6) (internal quotation marks omitted), a "public figure" laboring under the "actual malice" standard must prove that a defamatory statement was made "with knowledge that it was false or with reckless disregard of whether it was false or not," *New York Times*, 376 U. S., at 280. Applying that "actual malice" standard, the Court of Appeals agreed that Coral Ridge's complaint had not sufficiently alleged that SPLC doubted or had good reason to doubt the truth of its "hate group" designation. See 6 F. 4th, at 1252–1253.

Coral Ridge now asks us to reconsider the "actual malice" standard. As I have said previously, "we should." *Berisha* v. *Lawson*, 594 U. S. ___, ___ (2021) (opinion dissenting from denial of certiorari) (slip op., at 2). "*New York Times* and the Court's decisions extending it were policy-driven decisions masquerading as constitutional law." *McKee*, 586 U. S., at ___ (opinion of THOMAS, J.) (slip op., at 2). Those decisions have "*no relation* to the text, history, or structure of the Constitution." *Tah* v. *Global Witness Publishing, Inc.*, 991 F. 3d 231, 251 (CADC 2021) (Silberman, J., dissenting in part). This Court has never demonstrated otherwise. In fact, we have never even inquired whether "the First or Fourteenth Amendment, as originally understood, encompasses an actual-malice standard." *McKee,* 586 U. S., at ___ (opinion of THOMAS, J.) (slip op., at 10).

I would grant certiorari in this case to revisit the "actual malice" standard. This case is one of many showing how *New York Times* and its progeny have allowed media organizations and interest groups "to cast false aspersions on public figures with near impunity." *Tah*, 991 F. 3d, at 254 (opinion of Silberman, J.). SPLC's "hate group" designation lumped Coral Ridge's Christian ministry with groups like the Ku Klux Klan and Neo-Nazis. It placed Coral Ridge on an interactive, online "Hate Map" and caused Coral Ridge concrete financial injury by excluding it from the AmazonSmile donation program. Nonetheless, unable to satisfy the "almost impossible" actual-malice standard this Court has imposed, Coral Ridge could not hold SPLC to account for what it maintains is a blatant falsehood. *Dun & Bradstreet, Inc.* v. *Greenmoss Builders, Inc.*, 472 U. S. 749, 771 (1985) (White, J., concurring in judgment).

Because the Court should not "insulate those who perpetrate lies from traditional remedies like libel suits" unless "the First Amendment requires" us to do so, *Berisha*, 594 U. S., at ___ (opinion of THOMAS, J.) (slip op., at 3), I respectfully dissent from the denial of certiorari.