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[Petitions to Watch | Conference of 11.20.07](#)

Friday, November 9th, 2007 11:00 am | [Ben Winograd](#) | [Print This Post](#)

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The latest edition of “Petitions to Watch” features cases up for consideration at the Justices’ private conference of November 20. As always, the list reflects the petitions on the Court’s ‘paid’ docket that Tom has deemed to have a reasonable chance of being granted.

Conference of November 20, 2007

Docket: 06-939

Case name: *Chamber of Commerce, et al. v. Brown*

Issue: Whether the National Labor Relations Act preempts a California law barring private employers from using state grant or program funds to influence union organizing campaigns.

- [Opinion below \(Ninth Circuit\)](#)
- [Petition for certiorari](#)
- [Brief in opposition](#)
- [Petitioner’s reply](#)
- [Amicus brief of Associated Builders and Contractors of California \(in support of petitioner\)](#)
- [Amicus brief of Associated Builders and Contractors, Inc., et al. \(in support of petitioner\)](#)
- [Amicus brief of National Right to Work Legal Defense Foundation \(in support of petitioner\)](#)
- [Amicus brief of the United States \(in support of petitioner\)](#)

Docket: 07-77

Case name: *Riley v. Kennedy*

Issue: Whether states subject to Voting Rights Act pre-clearance requirements must receive Justice Department approval before implementing decisions of its highest court striking down previously pre-cleared state laws. (Disclosure: Akin Gump represents the respondent.)

- [Opinions below](#) (M.D. Ala., Alabama Supreme Court)
 - [Jurisdictional statement](#)
 - [Motion to dismiss or affirm](#)
-

Docket: 07-100

Name: *Harris County (Tex.) v. Staley*

Issue: Whether a prevailing party in district court is entitled to attorney's fees if the case becomes moot pending appeal.

- [Opinion below](#) (Fifth Circuit)
 - [Petition for certiorari](#)
 - [Brief in opposition](#)
 - [Petitioner's reply](#)
-

Docket: 07-130

Case name: *Edwards v. Kenyon*

Issue: Whether a police officer may properly be denied qualified immunity against an excessive force claim if an *en banc* panel divides equally as to whether the conduct violated a clearly established constitutional right.

- [Opinions below](#) (Eighth Circuit, E.D. Ark)
 - [Petition for certiorari](#)
 - [Brief in opposition](#)
-

Docket: 07-211

Case name: *Sanchez v. San Diego County*

Issue: Whether requiring suspicionless home searches as a condition of welfare eligibility violates the Fourth Amendment.

- [Opinion below](#) (Ninth Circuit)
 - [Petition for certiorari](#)
 - [Brief in opposition](#)
 - [Petitioner's reply](#)
-

Docket: 07-212

Case name: *Wright v. Van Patten*

Issue: Whether, in light of the Court's decision in *Carey v. Musladin* (2006), a defendant whose lawyers participates in a plea hearing via speakerphone is entitled to habeas relief.

- [Opinion below](#) (Seventh Circuit)
- [Petition for certiorari](#)
- [Brief in opposition](#)

Docket: 07-360

Case name: *Smith v. Frye*

Issue: Whether the Court's decision on political firings in *Elrod v. Burns* (1976) protects an at-will employee working for a state judge terminated after her son mounted a candidacy against the incumbent clerk.

- [Opinion below](#) (Fourth Circuit)
- [Petition for certiorari](#)
- [Brief in opposition](#)
- [Petitioner's reply](#)

Docket: 07-362

Case name: *Teen Ranch, Inc. v. Udow*

Issue: Whether a state violates the Free Exercise Clause by excluding a faith-based treatment center from a program for placement of troubled adolescents. (Click [here](#) for Lyle's post on the petition.)

- [Opinion below](#) (Sixth Circuit)
- [Petition for certiorari](#)
- [Brief in opposition](#)
- [Petitioner's reply](#)

3 Comments »

1. [...] Tuesday, the Justices are scheduled to hold a private conference. (Click [here](#) for our list of petitions to watch.) Among the cases up for consideration are District of Columbia [...]

Pingback by [The Week Ahead | SCOTUSblog](#) — November 18, 2007 @ 7:00 pm

2. [...] The following column, featuring a selected petition up for consideration at the Justices' private conference on November 20, appears in today's edition of Legal Times (available to subscribers [here](#)). To see the full list of "petitions to watch" for Tuesday's conference, click [here](#). [...]

Pingback by [Conference Call: Justices to Mull Labor Law Preemption Dispute | SCOTUSblog](#) — November 19, 2007 @ 9:42 am

3. [...] those three conferences, I have flagged 31 cases as having a reasonable prospect of being granted: November 20 (nine possible grants, including the relist of the D.C. guns case); November 30 (10 possible [...])

Pingback by The State of the Term | SCOTUSblog — November 19, 2007 @ 11:28 am

4. An explosive case is on the Court’s November 20, 2007 conference calendar — the “disruption of Congress” case, *Elena Ruth Sassower v. United States of America*, #07-228. Such is before the Court on a petition for rehearing, necessitated by the misconduct by the Court’s Clerk’s Office, which it summarizes.

The rehearing petition — providing a rare window into the Court’s internal operations — is posted on the website of the non-partisan, non-profit, citizens’ organization, Center for Judicial Accountability, Inc, www.judgewatch.org, most conveniently accessible via the top panel “Latest News”.

A press release, “How Does the U.S. Supreme Court Handle Misconduct Complaints against its Staff?”, is also posted there, as are the referred-to two misconduct complaints against the Court’s Clerk’s Office and its Counsel, both before the Court in conjunction with its consideration of the rehearing petition.

Elena Sassower, Director
 Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
 914-421-1200

Comment by Elena Ruth Sassower — November 19, 2007 @ 8:25 pm

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Elena Ruth Sassower **Full Name (required)**

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[Click here for the "Petitions to Watch" list for Tuesday's Conference.](#)

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