

Per Curiam

**SUPREME COURT OF THE UNITED STATES**

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No. 04–26

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SNOWBLEED, PETITIONER *v.* NEVADA HIGHWAY PA-  
TROL

ON WRIT OF CERTIORARI TO THE UNITED STATES DISTRICT  
COURT FOR THE DISTRICT OF COLUMBIA

[February 24, 2018]

PER CURIAM.

The judgment is affirmed by an equally divided Court.

JUSTICE GINSBURG, JUSTICE THOMAS, and JUSTICE DU-  
VALL took no part in the consideration or decision of this  
case.

BORK, J., concurring

**SUPREME COURT OF THE UNITED STATES**

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No. 04–26

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SNOWBLEED, PETITIONER *v.* NEVADA HIGHWAY PATROL

ON WRIT OF CERTIORARI TO THE UNITED STATES DISTRICT  
COURT FOR THE DISTRICT OF COLUMBIA

[February 24, 2018]

JUSTICE BORK, concurring.

Though the Court affirms the judgment of the lower court only by an equally divided vote, I feel it necessary to clarify the effect of this decision:

The D.C. City Council may continue to lawfully operate and make laws governing the District of Columbia, which is the seat of government, not a Municipality. The City Council, consisting of an elected council and a development council, operating under the same rules and procedures that it did during the effect of the previous Constitution, is a federal organ; Congress may, by law, alter its structure and powers. The Nevada Highway Patrol may continue to act as law enforcement within the District of Columbia as permitted by D.C. local law.

Because, in reaching this decision, the Court has not expressed an opinion on the matter, I will also refrain from doing so in accord with established convention.