

SUPREME COURT OF THE UNITED STATES
GRANTED & NOTED LIST
OCTOBER TERM 2022 CASES FOR ARGUMENT

As of February 28, 2023

[145, Orig.\) **](#)
[146, Orig.\)](#)

argument

DELAWARE V. PENNSYLVANIA
ARKANSAS V. DELAWARE

Order: 2/22/22 –Exceptions to Special Master’s First Interim Report - set for oral

Argument Date: 10/3/22

Decided: 2/28/23

Author: J. Jackson

Result: **Exceptions OVERRULED; Report and order ADOPTED consistent with opinion; and CASES REMANDED.**

[156, Orig.](#)

NEW YORK V. NEW JERSEY

Order: 12/12/22 –Cross-motions for judgment on the pleadings - set for oral argument

Argument Date: ~~2/27/23~~

Rescheduled Argument Date: 3/1/23

[20-1199](#)

CFX STUDENTS FOR FAIR ADMISSIONS V. PRESIDENT AND FELLOWS OF HARVARD

Court: USCA-1

Granted: 1/24/22

Order: 7/22/22 – no longer consolidated with No. 21-707 (KBJ - no part)

Argument Date: 10/31/22

[21-86](#)

CFX AXON ENTERPRISE, INC. V. FTC

Court: USCA-9

Granted: 1/24/22

Argument Date: 11/7/22

[21-376\)](#)

CFX HAALAND, SEC. OF INTERIOR V. BRACKEEN

[21-377\)](#)

CFX CHEROKEE NATION V. BRACKEEN

[21-378\)](#)

CFX TEXAS V. HAALAND, SEC. OF INTERIOR

[21-380\)](#)

CFX BRACKEEN V. HAALAND, SEC. OF INTERIOR

Court: USCA-5

Granted: 2/28/22

Argument Date: 11/9/22

[21-432*](#)

CFX ARELLANO V. McDONOUGH

Court: USCA-Fed.

Granted: 2/22/22

Argument Date: 10/4/22

Decided: 1/23/23

Author: J. Barrett

Result: **AFFIRMED**

[21-442](#)

CFX REED V. GOERTZ

Court: USCA-5

Granted: 4/25/22

Argument Date: 10/11/22

[21-454](#)

CFX SACKETT V. EPA

Court: USCA-9

Granted: 1/24/22

Argument Date: 10/3/22

[21-468](#)

CFX NATIONAL PORK PRODUCERS COUNCIL V. ROSS

Court: USCA-9

Granted: 3/28/22

Argument Date: 10/11/22

[21-476](#)

CFX 303 CREATIVE LLC V. ELENIS

Court: USCA-10

Granted: 2/22/22

Argument Date: 12/5/22

[21-707](#) **CFX STUDENTS FOR FAIR ADMISSIONS V. UNIVERSITY OF NORTH CAROLINA**
Court: USCA-4 Granted: 1/24/22
Order: 7/22/22 – no longer consolidated with No. 20-1199
Argument Date: 10/31/22

[21-757](#) **CFX AMGEN INC. V. SANOFI**
Court: USCA-Fed. Granted: 11/4/22
Argument Date: 3/27/23

[21-806](#) **CFX HEALTH AND HOSPITAL CORP. V. TALEVSKI**
Court: USCA-7 Granted: 5/2/22
Argument Date: 11/8/22

[21-846](#) **CSH CRUZ V. ARIZONA**
Court: SC-AZ Granted: 3/28/22
Argument Date: 11/1/22 Decided: 2/22/23
Author: J. Sotomayor Other: Barrett (D)
Result: **VACATED AND REMANDED**

[21-857](#) **CFH JONES V. HENDRIX**
Court: USCA-8 Granted: 5/16/22
Argument Date: 11/1/22

[21-869](#) **CFX ANDY WARHOL FOUNDATION, INC. V. GOLDSMITH**
Court: USCA-2 Granted: 3/28/22
Argument Date: 10/12/22

[21-887](#) **CFX PEREZ V. STURGIS PUBLIC SCHOOLS**
Court: USCA-6 Granted: 10/3/22
Argument Date: 1/18/23

[21-908](#) * **CFX BARTENWERFER V. BUCKLEY**
Court: USCA-9 Granted: 5/2/22
Argument Date: 12/6/22 Decided: 2/22/23
Author: J. Barrett Other: Sotomayor (C)
Result: **AFFIRMED**

[21-984](#) **CFX HELIX ENERGY SOLUTIONS GROUP, INC. V. HEWITT**
Court: USCA-5 Granted: 5/2/22
Argument Date: 10/12/22 Decided: 2/22/23
Author: J. Kagan Other: Gorsuch (D); Kavanaugh (D)
Result: **AFFIRMED**

[21-1043](#) **CFX ABITRON AUSTRIA GMBH V. HETRONIC INTERNATIONAL, INC.**
Court: USCA-10 Granted: 11/4/22
Argument Date: ~~3/24/23~~
Rescheduled Argument Date: 3/21/23

[21-1052](#) **CFX UNITED STATES EX REL. POLANSKY V. EXECUTIVE HEALTH RESOURCES**
Court: USCA-3 Granted: 6/21/22
Argument Date: 12/6/22

[21-1086](#)¹ **ATX ALLEN, AL SEC. OF STATE V. MILLIGAN**
[21-1087](#)² **CFX ALLEN, AL SEC. OF STATE V. CASTER**
Courts: ¹USDC-N Dist., AL; ²USCA-11 Noted/Granted: 2/7/22
Order: 2/22/22 – Cases Consolidated
Argument Date: 10/4/22

[21-1158](#) **CFY PERCOCO V. UNITED STATES**
Court: USCA-2 Granted: 6/30/22
Argument Date: 11/28/22

| | | | |
|--|--------------------------|---|--|
| <u>21-1164</u> | CFX | WILKINS V. UNITED STATES Court: USCA-9 Argument Date: 11/30/22 | Granted: 6/6/22 |
| <u>21-1168</u> | CSX | MALLORY V. NORFOLK SOUTHERN RAILWAY CO. Court: SC-PA, E Dist. Argument Date: 4/4/22 Rescheduled Argument Date: 11/8/22 | Granted: 4/25/22 |
| <u>21-1170</u> | CFY | CIMINELLI V. UNITED STATES Court: USCA-2 Argument Date: 11/28/22 | Granted: 6/30/22 |
| <u>21-1195</u> | CFX | BITTNER V. UNITED STATES Court: USCA-5 Argument Date: 11/2/22 Author: J. Gorsuch Result: REVERSED AND REMANDED | Granted: 6/21/22 Decided: 2/28/23 Other: Barrett (D) |
| <u>21-1239</u> | CFX | SEC V. COCHRAN Court: USCA-5 Argument Date: 11/7/22 | Granted: 5/16/22 |
| <u>21-1270</u> | CFX | MOAC MALL HOLDINGS LLC V. TRANSFORM HOLDCO LLC Court: USCA-2 Argument Date: 12/5/22 | Granted: 6/27/22 |
| <u>21-1271</u> | CSX | MOORE V. HARPER Court: SC-NC Argument Date: 12/7/22 | Granted: 6/30/22 |
| <u>21-1326)</u> <u>22-111)</u> | CFX CFX | U.S., EX REL. SCHUTTE V. SUPERVALU INC. U.S., EX REL. PROCTOR V. SAFEWAY, INC. Court: USCA-7 Argument Date: 4/18/23 | Granted: 1/13/23 |
| <u>21-1333</u> | CFX | GONZALEZ V. GOOGLE LLC Court: USCA-9 Argument Date: 2/21/23 | Granted: 10/3/22 |
| <u>21-1436</u> | CFX | SANTOS-ZACARIA V. GARLAND, ATT'Y GEN. Court: USCA-5 Argument Date: 1/17/23 | Granted: 10/3/22 |
| <u>21-1449</u> | CSX | GLACIER NORTHWEST, INC. V. INT'L BROTHERHOOD OF TEAMSTERS Court: SC-WA Argument Date: 1/10/23 | Granted: 10/3/22 |
| <u>21-1450</u> | CFY | TURKIYE HALK BANKASI A.S. V. UNITED STATES Court: USCA-2 Argument Date: 1/17/23 | Granted: 10/3/22 |
| <u>21-1454</u> | CFX | OHIO ADJUTANT GENERAL'S DEPT. V. FLRA Court: USCA-6 Argument Date: 1/9/23 | Granted: 10/3/22 |
| <u>21-1484)</u> <u>22-51)</u> | CFX CFX | ARIZONA V. NAVAJO NATION DEPT. OF INTERIOR V. NAVAJO NATION Court: USCA-9 Argument Date: 3/20/23 | Granted: 11/4/22 |
| <u>21-1496</u> | CFX | TWITTER, INC. V. TAAMNEH Court: USCA-9 | Granted: 10/3/22 |

Argument Date: 2/22/23

| | | |
|---|---|-------------------|
| <u>21-1576</u> | CFY SMITH V. UNITED STATES Court: USCA-11 Argument Date: 3/28/23 | Granted: 12/13/22 |
| <u>21-1599</u> | CFX KARCHO POLSELLI V. IRS Court: USCA-6 Argument Date: 3/29/23 | Granted: 12/9/22 |
| <u>22-10</u> | CFY DUBIN V. UNITED STATES Court: USCA-5 Argument Date: 2/27/23 | Granted: 11/10/22 |
| <u>22-23</u>) <u>22-331</u>) | CFX PUGIN V. GARLAND, ATT'Y GEN. CFX GARLAND, ATT'Y GEN. V. CORDERO-GARCIA Courts: USCA-4; USCA-9 Argument Date: 4/17/23 | Granted: 1/13/23 |
| <u>22-49</u> | CFY LORA V. UNITED STATES Court: USCA-2 Argument Date: 3/28/23 | Granted: 12/9/22 |
| <u>22-58</u> | CFX UNITED STATES V. TEXAS Court: USCA-5 Argument Date: 11/29/22 | Granted: 7/21/22 |
| <u>22-96</u> | CFX FINANCIAL OVERSIGHT BD V. CENTRO DE PERIODISMO INVESTIGATIVO, INC. Court: USCA-1 Argument Date: 1/11/23 | Granted: 10/3/22 |
| <u>22-105</u> | CFX COINBASE, INC. V. BIELSKI Court: USCA-9 Argument Date: 3/21/23 | Granted: 12/9/22 |
| <u>22-138</u> | CSY COUNTERMAN V. COLORADO Court: CA-CO Argument Date: 4/19/23 | Granted: 1/13/23 |
| <u>22-148</u> | CFX JACK DANIEL'S PROPERTIES, INC. V. VIP PRODUCTS LLC Court: USCA-9 Argument Date: 3/22/23 | Granted: 11/21/22 |
| <u>22-166</u> | CFX TYLER V. HENNEPIN COUNTY, MN. Court: USCA-8 Argument Date: 4/26/23 | Granted: 1/13/23 |
| <u>22-174</u> | CFX GROFF V. DEJOY, POSTMASTER GEN. Court: USCA-3 Argument Date: 4/18/23 | Granted: 1/13/23 |
| <u>22-179</u> | CFY UNITED STATES V. HANSEN Court: USCA-9 Argument Date: 3/27/23 | Granted: 12/9/22 |
| <u>22-196</u> | CFY SAMIA V. UNITED STATES Court: USCA-2 Argument Date: 3/29/23 | Granted: 12/13/22 |
| <u>22-200</u> | CFX SLACK TECHNOLOGIES, LLC V. PIRANI Court: USCA-9 Argument Date: 4/17/23 | Granted: 12/13/22 |

[22-210](#) **CFX *DUPREE V. YOUNGER***
 Court: USCA-4 Granted: 1/13/23
 Argument Date: 4/24/23

[22-227](#) **CFX *LAC DU FLAMBEAU BAND V. COUGHLIN***
 Court: USCA-1 Granted: 1/13/23
 Argument Date: 4/24/23

[22-381](#)) **CFX *YEGIAZARYAN V. SMAGIN***
[22-383](#)) **CFX *CMB MONACO V. SMAGIN***
 Court: USCA-9 Granted: 1/13/23
 Argument Date: 4/25/23

[22-506](#) **CFX *BIDEN, PRESIDENT OF U.S. V. NEBRASKA***
 Court: USCA-8 Granted: 12/1/22
 Argument Date: 2/28/23

[22-535](#) **CFX *DEPT. OF EDUCATION V. BROWN***
 Court: USCA-5 Granted: 12/12/22
 Argument Date: 2/28/23

[22-592](#) **CFX *ARIZONA V. MAYORKAS, SEC. HOMELAND SEC.***
 Court: USCA-DC Granted: 12/27/22
 Argument Date: ~~3/1/23~~
 Date: 2/16/23 – Removed from the February 2023 argument calendar

NOTE:

[20-1541](#) **CSX *PIVOTAL SOFTWARE, INC. V. SUPERIOR COURT OF CALIFORNIA***
 Court: CA-CA, 1st app. Dist. Granted: 7/2/21
 Argument Date: ~~11/9/21~~
 Date: 9/2/21 – Further briefing held in abeyance, and case removed from the
 November 2021 argument calendar
 Order: 2/21/23
 Result: **CASE DISMISSED – Rule 46**

[21-1397](#) **CFX *IN RE GRAND JURY***
 Court: USCA-9 Granted: 10/3/22
 Argument Date: 1/9/23 Decided: 1/23/23
 Author: Per Curiam
 Result: **DISMISSED AS IMPROVIDENTLY GRANTED**

[21-1596](#) **CFX *ARDOIN, LA SEC. OF STATE V. ROBINSON***
 Court: USCA-5 Granted*: 6/28/22
 *Also held in abeyance pending this Court's decision in No. 21-1086, *Merrill, AL Sec. of State v. Milligan*, and No. 21-1087, *Merrill, AL Sec. of State v. Caster*.

Cases (Arguments) from OT '21, Held in Abeyance, Disposed of Without Argument: 1 (1)

- DISMISSED: 1 (1)

Cases (Arguments) Made Available: 69 (60) + 1 (1)*

Cases (Arguments) Disposed of Without Argument:

- BY SIGNED OPINION/JUDGMENT:
- BY PER CURIAM OPINION:
- DISMISSED:
- OTHER:

Cases (Arguments) Argued: 44 (39)

Cases (Arguments) Disposed of With Argument: 8 (7)

- BY SIGNED OPINION/JUDGMENT: 7 (6)
- BY PER CURIAM OPINION: 1 (1)
- DISMISSED IMPROVIDENTLY GRANTED/OTHER:

No. of Opinions ^[i] for Argued Cases: 7 (6 *signed*; 1 *per curiam*)

Note: • No. 21-1596, *Ardoin, LA Sec. of State v. Robinson*, holding in abeyance pending decision in No. 21-1086 & 21-1087 or further order of the Court.

| |
|---------------|
| CASE CODE KEY |
|---------------|

☐ First Letter = Jurisdictional Grounds (ex. 20-000 CSX)

- C - Certiorari
- A - Appeal
- Q - Certified Question

☐ Second Letter = Court Below (ex. 20-000 CSX)

- S - State
- F - U.S. Court of Appeals
- T - Three-Judge District Court
- M - U.S. Court of Appeals for the Armed Forces
- O - Other Court

☐ Third Letter = Nature of Case (ex. 20-000 CSX)

- X - Civil
- Y - Criminal
- H - Habeas Corpus or other collateral attack



NOTE: *Unanimous Court/ **Unanimous Court in Part/ #Unanimous in Judgment