

November 30, 2009

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rendered. The GVR for consideration of a day's old Supreme Court case is already a technical violation of sound practice and should not be extended further. Since we review judgments rather than opinions, a lower court's failure to discuss a pre-existing factor it *should* have discussed is no basis for reversal. Once we disregard the logic (and the attendant limits) of "intervening-factor" GVRs, they metastasize into today's monster. We should at least give it a new and honest name—not GVR, but perhaps SRMEOPR: Summary Remand for a More Extensive Opinion than Petitioner Requested. If the acronym is ugly, so is the monster.

No. 09–160. DEPARTMENT OF DEFENSE ET AL. *v.* AMERICAN CIVIL LIBERTIES UNION ET AL. C. A. 2d Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of §565 of the Department of Homeland Security Appropriations Act, 2010, and the certification by the Secretary of Defense pursuant to that provision. JUSTICE SOTOMAYOR took no part in the consideration or decision of this petition. Reported below: 543 F. 3d 59.

*Certiorari Dismissed*

No. 09–6600. SIKORA *v.* CLANDESTINE ATTACKERS/ASSAILANTS ET AL. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

No. 09–6686. BAUMER *v.* CATE, SECRETARY, CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 09–6697. SMITH *v.* MCKUNE. C. A. 10th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 09–6721. WAKEFIELD *v.* WALT DISNEY CO. ET AL. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pau-*