



Appellate George T. Patton, Jr. Experience

The following list includes: 33 opinions or published orders of the Indiana Supreme Court with 12 oral arguments; 80 published opinions of the Indiana Court of Appeals with 27 oral arguments; 24 opinions in the United States Court of Appeals with 14 oral arguments; and a book and law review articles cited by federal and state appellate courts. Also, the U.S. Supreme Court twice cited to an amicus curiae brief prepared for the Conference of Chief Justices, consisting of all state supreme court Chief Justices from across the United States.

Indiana Supreme Court

George v. National Collegiate Athletic Ass'n, 945 N.E. 2d 150 (Ind. 2011) (oral argument)
(oral argument's webcast can be viewed at web site of Indiana Supreme Court)

Burke v. Bennett, 907 N.E.2d 529 (Ind.2009)

Travelers Casualty and Surety Company v. United States Filter Corp., 895 N.E.2d 1172 (Ind. 2008)

Brenwick Associates, LLC v. Boone County Redevelopment Commission, 889 N.E.2d 289 (Ind. 2008) (oral argument)
(oral argument's webcast can be viewed via Real Video at www.in.gov/judiciary/webcast/oao.html
http://realvideo.ind.net:8080/real/SupremeCourt/01172008_0945am.rm, 4:15 to 21:53; 43:50 to 49:50)

Elliott v. Allstate Insurance Co., 881 N.E.2d 662 (Ind. 2008)

State Farm Mutual Automobile Insurance Co. v. Jakupko, 881 N.E.2d 654 (Ind. 2008)

City of Carmel v. Certain Southwest Clay Township Annexation Territory Landowners, 868 N.E.2d 793 (Ind. 2007)

Kelley v. Tanoos, 865 N.E.2d 593 (Ind. 2007)

Atlantic Coast Airlines v. Cook, 857 N.E.2d 989 (Ind. 2006)

Metro. Dev. Comm'n of Marion County v. Pinnacle Media, LLC, 836 N.E.2d 422 (Ind. 2005) (oral argument), r'hg, 846 N.E.2d 654 (Ind. 2006)
(oral argument's webcast can be viewed via Real Video at www.in.gov/judiciary/webcast/oao.html
[rtsp://realvideo.in.net:7070/real/SupremeCourt/01062005_0900am.rm](http://realvideo.in.net:7070/real/SupremeCourt/01062005_0900am.rm), 17:30 to 37:50)

Indiana Association of Beverage Retailers v. Thorton Oil, 836 N.E.2d 255 (Ind. 2005)

Allgood v. Meridian Security Insurance Co., 836 N.E.2d 243 (Ind. 2005)

Pabey v. Pastrick, 816 N.E.2d 1138 (Ind. 2004)

Huffman v. Indiana Department of Environmental Management, 811 N.E.2d 806 (Ind. 2004) (oral argument)
(oral argument's webcast can be viewed via Real Video at www.in.gov/judiciary/webcast/oao.html
[rtsp://realvideo.in.net:7070/real/SupremeCourt/12182003_0945am.rm](http://realvideo.in.net:7070/real/SupremeCourt/12182003_0945am.rm), 33:55 to 42:58)

Breitweiser v. Indiana Officer of Environmental Adjudication, 810 N.E.2d 699 (Ind. 2004)

Paragon Family Restaurant v. Bartolini, 799 N.E.2d 1048 (Ind. 2003) (oral argument)
(oral argument's webcast can be viewed via Real Video at www.in.gov/judiciary/webcast/oao.html
[rtsp://realvideo.in.net:7070/real/SupremeCourt/01162003_0945am.rm](http://realvideo.in.net:7070/real/SupremeCourt/01162003_0945am.rm), 19:05 to 40:18)

Allied Signal, Inc. v. Ott, 785 N.E.2d 1068 (Ind. 2003)

Black v. AC&S, Inc., 785 N.E.2d 1084 (Ind. 2003)

Stonger v. Sorrell, 776 N.E.2d 303 (Ind. 2002)

Wal-Mart Stores, Inc. v. Wright, 774 N.E.2d 891 (Ind. 2002)

Bradley v. City of New Castle, 764 N.E.2d 212 (Ind. 2002)

Owens Corning Fiberglas Corp. v. Cobb, 754 N.E.2d 905 (Ind. 2001)

United States Gypsum, Inc. v. Indiana Gas Co., Inc., 735 N.E.2d 790 (Ind. 2000)

Best Distributing Company, Inc. v. Seyfert Foods, Inc., 728 N.E.2d 851 (Ind. 2000) (published order)

Cincinnati Insurance Co. v. Wills, 717 N.E.2d 151 (Ind. 1999)

In the Matter of Assignment of Courtrooms, 715 N.E.2d 372 (Ind. 1999)

Delta Tau Delta v. Johnson, 712 N.E.2d 968 (Ind. 1999) (oral argument)

Melrose v. Capitol City Motor Lodge, Inc., 705 N.E.2d 985 (Ind. 1998) (oral argument)

WorldCom Network Services, Inc. v. Thompson, 694 N.E.2d 1125 (Ind. 1998) (published order)

Indiana High School Athletic Association v. Carlberg, 694 N.E.2d 222 (Ind. 1997) (oral argument)

Bayh v. Building Contractors, 674 N.E.2d 176 (Ind. 1996) (oral argument)

Miller v. West Lafayette Community School Corp., 665 N.E.2d 905 (Ind. 1996)

Indiana Dept. of Revenue v. Fort Wayne National Corp., 649 N.E.2d 109 (Ind.), cert. denied, 516 U.S. 913 (1995)

Indiana Court of Appeals

In re Beck's Superior Hybrids, Inc., 940 N.E.2d 352 (Ind. Ct. App. 2011)

In re the General Power of Attorney of Xenia S. Miller, 935 N.E.2d 729 (Ind. Ct. App. 2010) (oral argument) (oral argument's webcast can be viewed at web site of Indiana Court of Appeals)

Deutsche Bank National Trust Co. v. Mark Dill Plumbing Co., 908 N.E.2d 1273 (Ind. Ct. App. 2009), on reh'g

Cox v. Matthews, 901 N.E.2d 14 (Ind. Ct. App. 2009) (oral argument), reh'g denied, trans. dismissed (oral argument's webcast can be viewed at website of Indiana Court of Appeals)

Burke v. Bennett, 896 N.E.2d 505 (Ind. Ct. App. 2008), trans pending

Peterson v. Ponda, 893 N.E.2d 1100 (Ind. Ct. App. 2008), trans. pending

Keesling v. T.E.K. Partners, 881 N.E.2d 1025 (Ind. Ct. App. 2008), rh'g denied

Rogers v. Rogers, 876 N.E.2d 1121 (Ind. Ct. App. 2007), trans. denied

Hilliard v. Jacobs, 874 N.E.2d 1060 (Ind. Ct. App. 2007), rh'g denied, trans. denied

City of Carmel, Indiana v. Certain Home Place Annexation Territory Landowners, 874 N.E.2d 1045 (Ind. Ct. App. 2007), trans. denied

Travelers Casualty and Surety Company v. United States Filter Corp., 870 N.E.2d 529 (Ind. Ct. App. 2007), trans. granted

Brenwick Associates, LLC v. Boone County Redevelopment Commission, 870 N.E.2d 474 (Ind. Ct. App. 2007) (oral argument), trans. granted

Indiana State Board of Education v. Brownsburg Community School Corporation, 865 N.E.2d 660 (Ind. Ct. App. 2007)

Keesling v. T.E.K. Partners, 861 N.E.2d 1246 (Ind. Ct. App. 2007)

Indiana Bell Telephone Co., Inc. v. Indiana Utility Regulatory Commission, 855 N.E.2d 357 (Ind. Ct. App. 2006), trans. denied

Indiana Dept. of Environmental Management v. Lake County Solid Waste District, 847 N.E.2d 974 (Ind. Ct. App. 2006) (oral argument), trans. denied

Indiana State Board of Education v. Brownsburg Community School Corp., 842 N.E.2d 885 (Ind. Ct. App. 2006)

Kelley v. Tanoos, 840 N.E.2d 342 (Ind. Ct. App. 2005), r'hg, 840 N.E.2d 352 (Ind. Ct. App. 2006), trans. granted

Liberty Mutual Insurance Co. v. OSI Industries, Inc., 831 N.E.2d 192 (Ind. Ct. App. 2005), trans. denied

Jacobs v. Hilliard, 829 N.E.2d 629 (Ind. Ct. App. 2005) (oral argument), r'hg denied, trans. denied

Hawkins v. Cannon, 826 N.E.2d 658 (Ind. Ct. App. 2005), trans. denied

SCI Indiana Funeral Services, Inc. v. D.O. McComb & Sons, Inc., 820 N.E.2d 700 (Ind. Ct. App. 2005), trans. denied

Indiana State Board of Education v. Brownsburg Community School Corp., 813 N.E.2d 330 (Ind. Ct. App. 2004)

Allgood v. Meridian Security Insurance Co., 812 N.E.2d 1065 (Ind. Ct. App. 2004) (rehearing), trans. granted

Metropolitan Development Commission v. Pinnacle Media LLC, 811 N.E.2d 404 (Ind. Ct. App. 2004) (oral argument), trans. granted

Adams v. Reinaker, 808 N.E.2d 192 (Ind. Ct. App. 2004)

Northrop Corp. v. General Motors Corp., 807 N.E.2d 70 (Ind. Ct. App. 2004) (oral argument)
(oral argument's webcast can be viewed via Real Video at www.in.gov/judiciary/webcast/oao.html
rtsp://realvideo.in.net:7070/real/SupremeCourt/02122004_0200pm.rm, 4:15 to 31:55, 1:04:09 to 1:12:38), trans.
denied (oral argument's webcast can be viewed via Real Video at www.in.gov/judiciary/webcast/oao.html
rtsp://realvideo.in.net:7070/real/SupremeCourt/09282004_0945am.rm, 1:15 to 11:57)

Kelley v. Vigo County School Corp., 806 N.E.2d 824 (Ind. Ct. App. 2004), trans. denied

Breece v. Lugo, 800 N.E.2d 224 (Ind. Ct. App. 2003), trans. denied

Inlow v. Inlow, 797 N.E.2d 810 (Ind. Ct. App. 2003), trans. denied

Sequa Coatings Corp. v. Northern Indiana Commuter Transportation District, 796 N.E.2d 1216, r'hg, 800 N.E.2d 926 (Ind. Ct. App. 2003), trans. denied

Van Vactor Farms, Inc. v. Marshall County Plan Commission, 793 N.E.2d 1136 (Ind. Ct. App. 2003), trans. denied

Lake Central School Corp. v. Hawk Development Corp., 793 N.E.2d 1080 (Ind. Ct. App. 2003), r'hg denied, trans. denied

Huffman v. Indiana Department of Environmental Management, 788 N.E.2d 505 (Ind. Ct. App. 2003), r'hg denied, trans. granted

Vandenbosch v. Daily, 785 N.E.2d 666 (Ind. Ct. App. 2003), trans. denied

City of Hobart Common Council v. Behavioral Institute of Indiana, LLC, 785 N.E.2d 238 (Ind. Ct. App. 2003)

Indiana Dept. of Insurance v. Vernon General Insurance Co., 784 N.E.2d 556 (Ind. Ct. App. 2003), trans. denied (oral argument)
(oral argument's webcast can be viewed via Real Video at www.in.gov/judiciary/webcast/oao.html
rtsp://realvideo.in.net:7070/real/SupremeCourt/09252003_0900am.rm, 19:20 to 39:30)

Breitweiser v. Indiana Officer of Environmental Adjudication, 775 N.E.2d 1175 (Ind. Ct. App. 2002), trans. granted

Brandeis Machinery & Supply Co. LLC v. Capitol Crane Rental, Inc., 765 N.E. 2d 173 (Ind. Ct. App. 2002)

Indiana Dept. of Environmental Management v. Jennings Northwest Regional Utilities, 760 N.E.2d 184 (Ind. Ct. App. 2001)

Wal-Mart Stores, Inc. v. Wright 754 N.E.2d 1013 (Ind. Ct. App. 2001) (oral argument), trans. granted

Menefee v. Schurr, 751 N.E.2d 757 (Ind. Ct. App. 2001), trans. denied

Stonger v. Sorrell, 750 N.E.2d 391 (Ind. Ct. App. 2001) (oral argument), r'hg denied, trans. granted

Burke v. Town of Schererville, 739 N.E.2d 1086 (Ind. Ct. App. 2000), trans. denied

Morgan Asset Holding Corp. v. CoBank, ACB, 736 N.E.2d 1268 (Ind. Ct. App. 2000)

In re Supervised Estate of Inlow, 735 N.E.2d 240 (Ind. Ct. App. 2000) (oral argument)

Bradley v. City of New Castle, 730 N.E.2d 771 (Ind. Ct. App. 2000), r'hg denied, trans. granted

City of North Vernon v. Funkhouser, 725 N.E.2d 898 (Ind. Ct. App. 2000), r'hg denied, trans. denied

Clark v. Madden, 725 N.E.2d 100 (Ind. Ct. App. 2000) (oral argument)

Sweet v. Art Pape Transfer, Inc., 721 N.E.2d 311 (Ind. Ct. App. 1999) (oral argument), trans. dismissed

Best Distributing Company, Inc. v. Seyfert Foods, Inc., 714 N.E.2d 1196 (Ind. Ct. App. 1999), trans. granted

Owens Corning Fiberglas Corp. v. Cobb, 714 N.E.2d 295 (Ind. Ct. App. 1999), trans. granted

In re the Contempt Findings Against Kefalidis, 714 N.E.2d 243 (Ind. Ct. App. 1999) (oral argument)

Holmes v. AC and S, Inc., 709 N.E.2d 36, rh'g, 711 N.E.2d 1289 (Ind. Ct. App. 1999)

Taylor v. Fall Creek Regional Waste District, 700 N.E.2d 1179 (Ind. Ct. App. 1998), trans. denied

Indiana State Board of Accounts v. Consolidated Health Group, Inc., 700 N.E.2d 247 (Ind. Ct. App. 1998)

WorldCom Network Services, Inc. v. Thompson, 698 N.E.2d 1233 (Ind. Ct. App. 1998)(rehearing) (oral argument), trans. denied

Tippecanoe Valley School Corp. v. Landis, 698 N.E.2d 1218 (Ind. Ct. App. 1998) (oral argument), trans. denied

Union Township School Corp. v. State ex rel. Joyce, 706 N.E.2d 183, 696 N.E.2d 399 (Ind. Ct. App. 1998) (oral argument), trans. denied

Caston School Corp. v. Phillips, 689 N.E.2d 1294 (Ind. Ct. App. 1998) (oral argument)

WorldCom Network Services, Inc. v. Thompson, 684 N.E.2d 211 (Ind. Ct. App. 1997) (three oral arguments), trans. granted

Reilly v. Daly, 666 N.E.2d 439 (Ind. Ct. App. 1996) (oral argument)

AgMax, Inc. v. Countrymark Co-op., Inc., 661 N.E.2d 1259 (Ind. Ct. App. 1996) (oral argument)

Hollingsworth v. Key Benefit Administrators, Inc., 658 N.E.2d 653 (Ind. Ct. App. 1995), trans. denied

Lewis v. Board of School Trustees of Charles A. Beard Memorial School Corp., 657 N.E.2d 180 (Ind. Ct. App. 1995), trans. denied

SSU Federation of Teacher, Local 4195, AFT v. Board of Directors, Madison Area Special Services Unit, 656 N.E.2d 832 (Ind. Ct. App. 1995)

In re Train Collision at Gary, Indiana, 654 N.E.2d 1137 (Ind. Ct. App. 1995), trans. denied

Hines v. Caston School Corp., 651 N.E.2d 330 (Ind. Ct. App. 1995)(oral argument), trans. denied (1996) (oral argument)

Motz v. Johnson, 651 N.E.2d 1163 (Ind. Ct. App. 1995), trans. granted (1996) (oral argument)

R.R.S. II Enterprises, Inc. v. Regency Associates, 646 N.E.2d 56 (Ind. Ct. App. 1995), trans. denied

Meier v. American Maize Products, 645 N.E.2d 662 (Ind. Ct. App. 1994) (oral argument), reh'g, 650 N.E.2d 741 (Ind. Ct. App. 1995), trans. denied

Miller v. West Lafayette Community School Corp., 645 N.E.2d 1085 (Ind. Ct. App. 1995), trans. granted

Economy Fire & Casualty Co. v. Collins, 643 N.E.2d 382 (Ind. Ct. App. 1994), trans. denied

Columbian Rope Co. v. Todd, 631 N.E.2d 941 (Ind. Ct. App. 1994) (oral argument)

Indiana Farm Bureau Cooperative, Inc. v. AgMax, Inc., 622 N.E.2d 206 (Ind. Ct. App. 1993), trans. denied

Prosser v. Waste Management, Inc., 612 N.E.2d 1116 (Ind. Ct. App. 1993) (two oral arguments), trans. denied

Gibson County v. State ex. rel Emmert, 609 N.E.2d 1179 (Ind. Ct. App. 1993)

Prohosky v. Department of Natural Resources, 599 N.E.2d 611 (Ind. Ct. App. 1992)

Whitt v. Ferris, 596 N.E.2d 230 (Ind. Ct. App. 1992)

R.E.G. v. L.M.G., 571 N.E.2d 298 (Ind. Ct. App. 1991)

U.S. Court of Appeals

Kansas Judicial Watch v. Stout, 653 F.3d 1230 (10th Cir. 2011) (oral argument), reh'g and reh'g en banc denied

Crawford v Countrywide Home Loans, Inc., 647 F.3d 642 (7th Cir. 2011)

Bauer v. Shepard, 620 F.3d 704 (7th Cir. 2010). cert. denied, 131 S.Ct. 2872 (2011)

Yost v. Stout, 607 F.3d 1239 (10th Cir. 2010)

First Bank and Trust Co. of Illinois v. Cimmering, 365 Fed.Appx. 5 (7th Cir. 2010) (oral argument)

Hoosier Energy Rural Electric Cooperative, Inc. v. John Hancock Life Insurance Co., 582 F.3d 721 (7th Cir. 2009)

Kansas Judicial Review v. Stout, 562 F.3d 1240 (10th Cir. 2009)

Mills v. Connors, 319 Fed.Appx. 747, (10th Cir. 2009) (oral argument), cert. denied

Kansas Judicial Review v. Stout, 519 F.3d 1107 (10th Cir. 2008) (oral argument) on certified questions, 196 P.2d 1162 (Kan. 2008) (oral argument)

Prostyakov v. Masco Corp., 513 F.3d 716 (7th Cir. 2008)

Indiana Right to Life, Inc. v. Shepard, 507 F.3d 545 (7th Cir. 2007) (oral argument)

Farazana K. v. Indiana Dept. of Education, 473 F.3d 703 (7th Cir. 2007) (oral argument)

Brown v. Bartholomew Consolidated School Corp., 442 F.3d 588 (7th Cir. 2006) (oral argument)

American Bar Association v. Federal Trade Commission, 368 U.S. App. D.C. 368, 430 F.3d 457 (D.C. Cir. 2005)

Associates Financial Services Company, Inc. v. Bowman, Heintz, Boscia & Vician, P.C., (7th Cir. 2004) (oral argument) (settled before decision)

Lifestream Diagnostic, Inc. v. Polymer Technology Systems, Inc., 109 Fed. Appx. 411 (Fed. Cir. 2004)

Bradley v. Work, 154 F.3d 704 (7th Cir. 1998) (oral argument)

United States of America v. Board of School Commissioners of the City of Indianapolis, 128 F.3d 507 (7th Cir. 1997)

Harris v. Owens-Corning Fiberglas, Co., 102 F.3d 1429 (7th Cir. 1996) (oral argument)

Blackburn v. Sweeney, 53 F.3d 825 (7th Cir. 1995) (oral argument)

SEC v. Maio, 51 F.3d 623 (7th Cir. 1994) (oral argument)

Baird v. Consolidated City of Indianapolis, 976 F.2d 357 (7th Cir. 1992), cert. denied, 508 U.S. 907 (1993)

Metropolitan School District v. Davila, 969 F.2d 485 (7th Cir. 1992) (oral argument), cert. denied, 507 U.S. 949 (1993) (White, J., voted to grant certiorari).

Morter v. Farm Credit Services, 937 F.2d 354 (7th Cir. 1991), cert. denied, 505 U.S. 1204 (1992)

U.S. District Court

Bauer v. Shepard, 634 F.Supp.2d 912 (N.D. Ind. 2009), aff'd, 620 F.3d 704 (7th Cir. 2010), cert. denied

Hoosier Energy Rural Electric Cooperative, Inc. v. John Hancock Life Insurance Co., 588 F.Supp.2d 919 (S.D. Ind. 2008), affirmed on appeal with time limit, 582 F.3d 721 (7th Cir. 2009)

Indiana Right to Life, Inc. v. Shepard, 463 F.Supp.2d 879 (N.D. Ind. 2006), rev'd, 507 F.3d 545 (7th Cir. 2007)

Kansas Judicial Watch v. Stout, 455 F.Supp.2d 1258 (D. Kan. 2006)

Kansas Judicial Watch v. Stout, 440 F.Supp.2d 1209 (D. Kan. 2006), vacated on appeal

Back v. Carter, 933 F.Supp. 738 (N.D. Ind. 1996) (preliminary injunction hearing)

Bradley v. Work, 916 F.Supp. 1446 (S.D. Ind. 1996)

Morter v. Farm Credit Services, 110 B.R. 390 (N.D. Ind. 1990) (oral argument)

Indiana Tax Court

Miller v. Gibson County Solid Waste Management District, 622 N.E.2d 248 (Ind. Tax 1993)

Decisions Citing Book or Law Review Articles

State v. Jones, 835 N.E.2d 1002, 1004 (Ind. 2005)

["Moreover, as the leading treatise in the field correctly observes, a petition for rehearing in the Court of Appeals must rely on the same theory as that advanced in the original brief. George T. Patton, *Indiana Practice: Appellate Procedure* §12.1 (3d ed. 2001)."]

Ray-Hayes v. Heinemann, 768 N.E.2d 899, 900 (Ind. 2002) (on rehearing)

Indiana High School Athletic Assoc., Inc. v. Martin, 765 N.E.2d 1238, 1242 (Ind. 2002) (Boehm, J., concurring)

Boland v. Engle, 113 F.3d 706, 711 n.4 (7th Cir. 1997)

Moran v. Cook, 644 N.E.2d 179, 179-180 (Ind. Ct. App. 1994)

["Our trial rules contain a provision creating an 'automatic denial' of certain motions to correct error. George T. Patton, Jr., 1992 *Developments in Indiana Appellate Procedure: Of Timely Praecipis, Interlocutory Appeals, and Civility*, 26 *Ind. L. Rev.* 799, 801 (1993)"]

Dingman v. State, 602 N.E.2d 184, 186 n.1 (Ind. Ct. App. 1992)(Staton, J., dissenting)

["The supreme court amended the appellate rules, effective January 1, 1992, to provide in permissive interlocutory appeal under Ind. Appellate Rule 4(B)(6) a praecipe shall be filed no later than ten days after the court of appeals grants the petition for interlocutory appeal." George T. Patton, Jr., *Recent Developments in Indiana Appellate Procedure: Reforming the Procedural Path to the Indiana Supreme Court*, 25 *Ind. L. Rev.* 1105, 1107 (1992); also for other changes in appellate procedure and particularly A.P. 15(O) see the aforementioned article at 1109."]

Michael G. Tyson v. State, 593 N.E.2d 175, 180 n.11 (Ind. 1992)

["See George Patton, *Recent Developments in Indiana Appellate Procedure: Reforming the Procedural Path to the Indiana Supreme Court*, 25 *Ind. L. Rev.* 1105 (. . . 1992), for an excellent discussion on the history of the term 'transfer.'"]

Decisions From Hearings Conducted For Indiana State Board of Nursing

Majors v. Engelbrecht, 149 F.3d 709, 714 (7th Cir. 1998) ("Finally, Judge McKinney . . . found insufficient evidence of the extraordinary circumstances of bias We have reviewed the record and we reach the same conclusion, although we think the evidence of bias is more like nonexistent rather than merely insufficient.") (emphasis in original)

Regester v. Indiana State Board of Nursing, 703 N.E.2d 147, 150 (Ind.1998) (quoting trial court conclusion, "The Board certainly did not act precipitously and, as evidenced by the record, gave considered judgment to its decision. The hearing was fair. Due process was observed.")

U.S. Supreme Court

In addition to these opinions, I co-authored two amicus curiae briefs on the merits that was cited and filed certiorari petitions and briefs in opposition before the U.S. Supreme Court in five other cases, most of which have generated some response from the Court (e.g., a vote to grant, invitation to Solicitor General to express views of United States, a hold, calls for a response, grant of certiorari on same issue in a later case, etc.):

Bauer v. Shepard, 131 S.Ct. 2872 (2011) (petition for writ of certiorari denied as requested)

Caperton v. A.T. Massey Coal Company, Inc., 556 U.S. 868 (2009) (co-authored amicus curiae brief for Conference of Chief Justices; referred to nine times during oral argument by justices and counsel and cited by the Court and dissenting opinion of Chief Justice Roberts)

Hilliard v. Jacobs, 555 U.S. 886 (2008) (petition for writ of certiorari denied as requested)

Republican Party of Minnesota v. White, 536 U.S. 765, 821 (2002)
(co-authored cited amicus curiae brief for Conference of Chief Justices)

In re McClain, 519 U.S. 1027 (1996) (Court called for response before denying petition)

Mozee v. Amer. Comm. Marine Service Co., 506 U.S. 872, reh'g, 506 U.S. 1016 (1992)
(assisted in drafting petition; Court later granted certiorari in another case raising same issue)

Metropolitan School District of Wayne Township v. Davila, 507 U.S. 740 (1993)
(Justice White voted to grant petition)

Farm Credit Services v. Morter, 505 U.S. 868 (1992)
(Court held case pending decision in lead case before denying certiorari)

Brutsche v. Cleveland-Perdue, 498 U.S. 949 (1990)
(Court invited Solicitor General to express view of the United States)