

**UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT  
CALENDAR FOR SAN FRANCISCO, CALIFORNIA**

November 26, 2010

**November 29 - 30, 2010**

**December 6 - 10, 2010**

**December 17, 2010**

<u>Case No.</u>	<u>Title of Cause</u>	<u>Nature</u>	<u>Origin</u>
Mon. 29	9:30 a.m. Courtroom 1, 3 <sup>rd</sup> Floor Before: SCHROEDER, THOMAS, GOULD, CJJ		
06-74925	Offiiong v. Holder	Imm Non-	N.Cal
08-17711	Houston v. Sisto	Habeas	E. Cal
09-15081	Stevenson v. Yates	Habeas	E. Cal
09-16784	Spence v. Hickman	Habeas	E. Cal
09-10242	United States v. Lynn	Criminal	E. Cal
09-10352	United States v. Pates	Criminal	Arizona
09-16776	Romero v. Hedgpeth	Habeas	E. Cal
10-15118	Moody v. County of San Mateo	Federal	N.Cal
Tue. 30	9:30 a.m. Courtroom 1, 3 <sup>rd</sup> Floor Before: SCHROEDER, THOMAS, GOULD, CJJ		
07-74647	Sacks v. SEC	Other	N.Cal
09-17228	Gruber v. Tilton	Habeas	E. Cal
09-17483	Hamilton v. McDaniel	Habeas	N.Nev
09-16375)	Lopez v. USA	Civil v. US	E. Cal
09-17479)	09-17481)		
09-16840	Nader v. Brewer	Rights	Arizona
10-15113	Apple, Inc. v. Psystar Corp.	Federal	N.Cal

**Location of Hearing:**

**James R. Browning US Courthouse  
United States Court of Appeals - 9th Circuit  
95 Seventh Street  
San Francisco, California 94103**

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**UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT  
CALENDAR FOR SAN FRANCISCO, CALIFORNIA**

**December 6 - 10, 2010**

<u>Case No.</u>	<u>Title of Cause</u>	<u>Nature</u>	<u>Origin</u>
Mon. 6	10:00 a.m. Courtroom 1, 3 <sup>rd</sup> Floor <note starting time Before: REINHARDT, HAWKINS, NR SMITH, CJJ		
10-16696) 10-16751)	Perry v. Schwarzenegger	Rights	N.Cal
Mon. 6	1:30 p.m. Courtroom 2, 3 <sup>rd</sup> . Floor Before: HUG, D NELSON, McKEOWN, CJJ		
06-74601	Ramirez-Giraldo v. Holder	Imm Asy	S. Nev
08-17203	Arizona Precious Metals, Inc. v. Accept Erste Rohstoff Beteiligungs KG	Diversity	Arizona
09-17076	Brown v. Astrue	Civil v. US	Arizona
09-17196	Swails v. USA	Civil v. US	S. Nev
Mon. 6	1:00 p.m. Courtroom 3, 3 <sup>rd</sup> Floor <note new starting time Before: COWEN (3 <sup>RD</sup> Cir.), TASHIMA, SILVERMAN, CJJ		
09-15283	Duvarado v. Giurbino	Habeas	N.Cal
09-15980	Brewer v. Adams	Habeas	E. Cal
09-17906	United States v. Howard	Habeas	S. Nev
09-17566	Anderson v. Terhune	Habeas	E. Cal
10-15021	Goodman v. Staples The Office Superstore LLC	Diversity	Arizona
10-15286) 10-16392)	Enyart v. Nat'l Conf. of Bar Examiners	Federal	N.Cal

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**December 6 - 10, 2010**

<u>Case No.</u>	<u>Title of Cause</u>	<u>Nature</u>	<u>Origin</u>
Tue. 7	9:00 a.m. Courtroom 1, 3 <sup>rd</sup> Floor Before: REINHARDT, HAWKINS, NR SMITH, CJJ		
08-16806	Williams v. Plier	Habeas	E. Cal
09-15182	Carroll v. Galaza	Habeas	N.Cal
09-17177	Manley v. Nevada Dep't. of Corrections	Prisoner	N. Nev
09-17294	Lyons v. Leonhardt	Prisoner	N. Nev
06-75006)	Pineda v. Holder	Imm Non-	N.Cal
07-71663)			
05-76565	Zabadi v. Holder	Imm Non-	N.Cal
10-15365)	Shore v. Int'l Painters	Federal	S. Nev
10-15437)			

Tue. 7	8: 30 a.m. Courtroom 2, 3 <sup>rd</sup> . Floor <b>&lt;note new starting time</b> Before: D NELSON, THOMPSON, McKEOWN, CJJ		
09-17077	Franzen v. McDaniel	Habeas	N.Nev
09-17174	Garnett v. Neven	Habeas	S. Nev
09-17268	Gragg v. Prosper	Habeas	E. Cal
09-16377)	First Nat'l Mtg. v. Fed. Realty Invest. Trust	Diversity	N.Cal
09-16453)	09-17012) 09-17277)		
09-17521	Center for Biological Diversity v. USFS	Civil v. US	Arizona
10-60000	In re: Jones	Bankruptcy	N.Cal

Tue. 7	9:00 a.m. Courtroom 3, 3 <sup>rd</sup> Floor Before: COWEN (3 <sup>RD</sup> Cir.), TASHIMA, SILVERMAN, CJJ		
09-10524	United States v. Akins	Criminal	N.Cal
09-10454	United States v. Minks	Criminal	N.Cal
09-17269	Clarendon Nat'l Ins. Co. v. Nat'l Fire and Marine Ins	Diversity	S. Nev
09-17290	Renfrew v. Hartford Accident	Bankruptcy	N.Cal
09-73328	American Marine Corp. v. OWCP	Other	N.Cal

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<u>Case No.</u>	<u>Title of Cause</u>	<u>Nature</u>	<u>Origin</u>
Wed. 8	9:00 a.m. Courtroom 1, 3 <sup>rd</sup> Floor Before: REINHARDT, HAWKINS, NR SMITH, CJJ		
09-10491	United States v. Rojas-Lagunez	Criminal	S. Nev
09-10480	United States v. Benton	Criminal	E. Cal
10-10141	United States v. Burruel-Lopez	Criminal	Arizona
09-16396	Fredenburg v. Prolo	Rights	N.Cal
09-17576	Powell v. Hatcher	Habeas	S. Nev
09-60043)	In re: Wathen	Bankruptcy	S. Nev
09-60044)	09-60045)		
Wed. 8	9:00 a.m. Courtroom 2, 3 <sup>rd</sup> . Floor Before: HUG, D NELSON, McKEOWN, CJJ		
08-16983	Dearing v. Chavez	Habeas	E. Cal
09-10451	United States v. Padilla	Criminal	Arizona
09-16979	Hixon v. Nevada Department of Corrections	Prisoner	S. Nev
09-17164	Redd v. Daley	Prisoner	N.Cal
10-15009	Smith v. Kirkland	Habeas	E. Cal
10-15238	Macias v. Donat	Habeas	N.Nev
09-17489	Olszewski v. Symyx Technologies	Federal	N.Cal
09-17503)	Medrano v. Autozone, Inc.	Diversity	N.Cal
09-17629)			
09-17561	Vaught v. Scottsdale Healthcare Corp.	Federal	Arizona
Wed. 8	9:00 a.m. Courtroom 3, 3 <sup>rd</sup> Floor Before: THOMPSON, COWEN (3 <sup>RD</sup> Cir.), SILVERMAN, CJJ		
10-10053	United States v. Mendez	Criminal	S. Nev
10-15078	Rivera v. Woodford	Habeas	E. Cal
10-15221	Daniels v. Hildreth	Habeas	S. Nev
09-17520	Fier v. Unum Life Ins. Co. of	Federal	S. Nev
09-17522	Vicente v. Barnett	Diversity	Arizona
10-15170	AC Houston Lumber Co. Plan v. Berg	Federal	E. Cal

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<u>Case No.</u>	<u>Title of Cause</u>	<u>Nature</u>	<u>Origin</u>
Thu. 9	9:00 a.m. Courtroom 1, 3 <sup>rd</sup> Floor Before: REINHARDT, HAWKINS, NR SMITH, CJJ		
06-74810	Bucio-Carrillo v. Holder	Imm Non-	Arizona
07-72631	Garcia-Olivarria v. Holder	Imm Non-	N.Cal
10-10124	United States v. Stoddard	Criminal	Arizona
09-15852	Hisamatsu v. Niroula	Diversity	N.Cal
09-17412	Glass v. Intel Corp.	Federal	Arizona
09-17558)	Chudacoff v. University	Rights	S. Nev
09-17652)			
Thu. 9	9:00 a.m. Courtroom 2, 3 <sup>rd</sup> . Floor Before: D NELSON, THOMPSON, McKEOWN, CJJ		
06-74793	Mehanna v. Holder	Imm Asy	S. Nev
06-75543	Dass v. Holder	Imm Non-	N.Cal
06-75653	Rashika v. Holder	Imm Asy	N.Cal
09-17625	Balsam v. Tucows Inc.	Diversity	N.Cal
09-17643)	Owner-Operator Ass'n v. Swift Transp. Co.	Federal	Arizona
09-17726)			
09-17658	Broyles v. A.U.L. Corp. Plan	Federal	N.Cal
Thu. 9	9:30 a.m. Courtroom 3, 3 <sup>rd</sup> Floor <b>&lt;note new starting time</b> Before: SCHROEDER, THOMAS, GOULD, CJJ		
06-74840)	Hassan v. Holder	Imm Asy	N.Cal
07-73583)			
06-75258)	Zheng v. Holder	Imm Non-	N.Cal
08-71663)	Zheng v. Holder		
08-72634	Rodriguez-Rodriguez v. Holder	Imm Non-	N.Cal
09-17567	Campostrini v. Tilton	Habeas	E. Cal
09-17721	Walnut Hill Estate Enterprises v. City of Oroville	Rights	E. Cal
10-15224	Davila v. City of Tracy	Rights	E. Cal
10-15263	Johnson v. American Casualty Co of Reading PA	Diversity	N. Cal

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Thu. 9	9:00 a.m. Courtroom 4, 2 <sup>nd</sup> Floor Before: COWEN (3 <sup>RD</sup> Cir.), TASHIMA, SILVERMAN, CJJ		
08-17578	Trudeau v. Runnels	Habeas	E. Cal
09-10447	United States v. Gonzalez-Aparicio	Criminal	Arizona
08-71531	Calliste v. Holder	Imm Non-	Arizona
10-70087	Rosas-Castaneda v. Holder	Imm Non-	Arizona
09-17765	Pacific Merchant Shipping v. Goldstene	Federal	E. Cal
09-17785	Enger v. Allstate Ins. Co.	Diversity	E. Cal
09-17833	Mason and Dixon v. Lapmaster Int'l	Federal	N.Cal
Fri. 10	9:00 a.m. Courtroom 1, 3 <sup>rd</sup> Floor Before: HAWKINS, NR SMITH, CJJ, PRO (Nevada), DJ		
06-74403)	Perez v. Holder	Imm Non-	N.Cal
08-74373)			
09-17195	Schmier v. Justices of the Cal. Supreme Ct.	Rights	N.Cal
09-60033	Oney v. Weinberg	Bankruptcy	Arizona
09-17250	Gray v. Motorola, Inc.	Federal	Arizona
09-17379	Lynch v. Rawls	Federal	N.Cal
09-17828	Aluisi v. Elliott Mfg. Co.	Federal	E. Cal
Fri. 10	8:30 a.m. Courtroom 2, 3 <sup>rd</sup> . Floor <span style="color: red;">&lt;note new starting time</span> Before: HUG, D NELSON, McKEOWN, CJJ		
06-75556	Kumar v. Holder	Imm Asy	N.Cal
06-75705	Kumar v. Holder	Imm Asy	N.Cal
08-16973	Cooper v. Neven	Habeas	N.Nev
08-17150	Tash v. Curry	Habeas	N.Cal
09-10187	United States v. Klassy	Criminal	E. Cal
08-10220)	United States v. Nario-Marquez	Criminal	Arizona
08-10225)	08-10227)		
09-16539	Dickens v. Brewer	Prisoner	Arizona

**Location of Hearing:**

**James R. Browning US Courthouse, United States Court of Appeals - 9th Cir 95 7<sup>th</sup> St., SF, CA**

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Fri. 10	9:30 a.m. Courtroom 3, 3 <sup>rd</sup> Floor Before: SCHROEDER, THOMAS, GOULD, CJJ	Death Penalty	
10-15058	Valadez v. Aguallo	Federal	N.Cal
08-99018	Fairbank v. Ayers	Habeas	N.Cal
Fri. 10	9:00 a.m. Courtroom 4, 2 <sup>nd</sup> Floor Before: COWEN (3 <sup>RD</sup> Cir.), TASHIMA, SILVERMAN, CJJ		
06-74033	Ramos-Ruiz v. Holder	Imm Non-	N.Cal
06-74795	Singh v. Holder	Imm Non-	N.Cal
06-75768) 09-72333)	Talamantes-Aguayo v. Holder	Imm Non-	N.Cal
07-70549) 07-72794)	Camara v. Holder	Imm Non-	S. Nev
08-17491	Estate of Shapiro v. United States	Tax	S. Nev
09-15236	Hamilton v. Lockyer	Prisoner	C. Cal
09-16403	Chavez v. City of Oakland	Rights	N.Cal
09-16872	Herron v. Astrue	Civil v. US	Hawaii

**Judges Sitting by Designation:**

Hon. Robert E. Cowen, Senior US Circuit Judge for the Third Circuit

Hon. Philip M. Pro, US District Judge for the District of Nevada

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**December 17, 2010**

<u>Case No.</u>	<u>Title of Cause</u>	<u>Nature</u>	<u>Origin</u>
Fri. 17	2:00 p.m. Courtroom 2, 3 <sup>rd</sup> Floor Before: NOONAN, PAEZ, BEA, CJJ		
09-17409	Does 1-4 v. United States	Rights	Nevada

**Location of Hearing:**

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**U.S. Court of Appeals for the Ninth Circuit  
Electronic Devices Policy**

This policy pertains to the use of electronic devices by the bar, media and the public in the courthouses and other dedicated spaces housing the United States Court of Appeals for the Ninth Circuit. These are the William K. Nakamura U.S. Courthouse in Seattle, the Pioneer U.S. Courthouse in Portland, the James R. Browning U.S. Courthouse in San Francisco, the Richard H. Chambers U.S. Courthouse in Pasadena, and the U.S. Court of Appeals for the Ninth Circuit in Honolulu. The policy also applies to other places in which the court holds session for special sittings. These include courtrooms in the district courthouses and spaces in law schools and other locations.

Visitors to any of the Ninth Circuit courthouses and dedicated spaces are allowed to carry and make use of various electronic devices as set out by this policy. Different rules may apply when the court meets in another venue, such as a district courthouse. Where conflicts between this policy and that of a district court become known, the chief circuit judge and chief district judge, or their designees, will confer to resolve such conflicts.

**General Rules:**

1. Anyone may bring electronic devices, such as a Blackberry, smart phone, laptop computer or a similar functioning device having wireless communications capability into the courthouse.
2. Except for courtrooms, persons may use such devices in public areas of the courthouse to make telephone calls and to transmit and receive data communications, such as email or text messages, or to access the Internet. For reasons of privacy, safety, and security, use of these devices to take photographs or for audio or video recording or transmission is prohibited in the courthouse (exceptions for court staff, authorized vendors or for educational or ceremonial events).
3. In courtrooms, persons may use such devices to take notes, transmit and receive data communications, and access the Internet. This includes media members who are transmitting written accounts of the proceeding to a wider audience using various means. Persons may not use these devices for telephone calls, photographs or audio or video recording or transmission. Telephone ring tones and other functional sounds produced by devices must be disabled while in the courtroom. Only quiet keyboards may be used in the courtrooms.
4. The presiding judge of a judicial panel may prohibit or further restrict use of such devices by all persons prior to or during a proceeding when necessary to protect the rights of the parties or to assure the orderly conduct of the proceedings.
5. This policy will be prominently displayed wherever the court holds session and posted on the court's website. Failure to adhere to the policy may result in removal from the courtroom or other sanction.

Adopted June 23, 2010.