

No. 08-6

Title:

District Attorney's  
Office for the Third  
Judicial District, et  
al., Petitioners

v.

William G.  
Osborne

Docketed: July 1, 2008  
Lower Ct: United States Court of Appeals for the Ninth Circuit  
Case Nos.: (06-35875)  
Decision Date: April 2, 2008

**Questions**  
**Presented**

~~~~Date	~~~~Proceedings and Orders~~~~
Jan 5 2008	Additional record received from U.S.C.A. for the 9th Circuit. (1 envelope)
Jun 27 2008	Petition for a writ of certiorari filed. (Response due July 31, 2008)
Jul 10 2008	Waiver of right of respondent William G. Osborne to respond filed.
Jul 23 2008	DISTRIBUTED for Conference of September 29, 2008.
Jul 25 2008	Response Requested . (Due August 25, 2008)
Aug 7 2008	Order extending time to file response to petition to and including September 24, 2008.
Sep 24 2008	Brief of respondent William G. Osborne in opposition filed.
Oct 8 2008	DISTRIBUTED for Conference of October 31, 2008.
Oct 17 2008	Reply of petitioners District Attorney's Office for the Third Judicial District, et al. filed. (Distributed)
Nov 3 2008	Petition GRANTED.
Nov 25 2008	The time within which to file the joint appendix and petitioners' brief on the merits is extended to and including December 24, 2008.
Dec 8 2008	SET FOR ARGUMENT ON Monday, March 2, 2009
Dec 19	Record received from the U.S.C.A. for the Ninth Circuit.

2008

Dec 22 2008 Record received from the U.S.D.C. for the District of Alaska. (1 box)

Dec 23 2008 Consent to the filing of amicus briefs, in support of either party or neither party, received from counsel for the respondent.

Dec 24 2008 Joint appendix filed. Statement of costs received.

Dec 24 2008 Brief of petitioners District Attorney's Office for the Third Judicial District and Adrienne Bachman, District Attorney filed.

Dec 24 2008 Brief amici curiae of K.G. and The National Crime Victim Law Institute filed.

Dec 29 2008 Consent to the filing of amicus curiae briefs in support of either or neither party received from counsel for the petitioners.

Dec 29 2008 Brief amicus curiae of City of New York filed.

Dec 31 2008 Brief amicus curiae of United States filed.

Dec 31 2008 Brief amici curiae of California, et al. filed.

Dec 31 2008 Brief amici curiae of Council of State Governments, et al. filed.

Jan 7 2009 The time within which to file respondent's brief on the merits is extended to and including January 26, 2009

Jan 9 2009 CIRCULATED.

Jan 9 2009 Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument filed.

Jan 26 2009 Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument GRANTED.

Jan 26 2009 Brief of respondent William G. Osborne filed. (Distributed)

Jan 30 2009 Record request to C.A. 9th Circuit for No. 04-35126.

Feb 2 2009 Brief amici curiae of Jeanette Popp, et al. filed. (Distributed)

Feb 2 2009 Brief amici curiae of American Civil Liberties Union, et al. filed. (Distributed)

Feb 2 2009 Brief amici curiae of Current and Former Prosecutors filed. (Distributed)

Feb 2 2009 Brief amici curiae of Individuals Exonerated by Post-Conviction DNA Testing filed. (Distributed)

Feb 2 2009 Brief amici curiae of Eleven Individuals Who Have Received Clemency Through DNA Testing filed. (Distributed)

Feb 23 2009 Reply of petitioner District Attorney's Office for the Third Judicial District, et al. filed.

2009 (Distributed)

Mar 2 Argued. For petitioners: Kenneth M. Rosenstein, Assistant Attorney General, Anchorage,  
2009 Alaska; and Neal K. Katyal, Deputy Solicitor General, Department of Justice, Washington,  
D.C. (for United States, as amicus curiae.) For respondent: Peter Neufeld, New York, N.Y.

Jun 18 Judgment REVERSED and case REMANDED. Roberts, C. J., delivered the opinion of the  
2009 Court, in which Scalia, Kennedy, Thomas, and Alito, JJ., joined. Alito, J., filed a concurring  
opinion, in which Kennedy, J., joined, and in which Thomas, J., joined as to Part II. Stevens,  
J., filed a dissenting opinion, in which Ginsburg and Breyer, JJ., joined, and in which Souter,  
J., joined as to Part I. Souter, J., filed a dissenting opinion.

~Name~	~Address~	~Phone~
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Party name: City of New York

Richard Ruda	State and Local Legal Center 444 North Capitol Street, N.W., Suite 309 Washington, DC 20001	(202) 434-4850
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Party name: Council of State Governments, et al. Council of State Governments, et al.

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Party name: Jeanette Popp, et al.