

Supreme Court No. 14-1305

John Parks Trowbridge, Jr. v. United States of America

Conference among Supreme Court Justices regarding this Petition scheduled for June 4, 2015.

There are two ways to file a petition for writ of certiorari: (1) *in forma pauperis*, i.e., as a pauper (mainly petitioners who are incarcerated), at no cost, or (2) by paying all fees, which can be substantial.

Only about 1% of the roughly 8,000 petitions for writ of certiorari submitted each year are granted. However, the acceptance rate for those petitioners who pay for everything is much higher than those who do not, about 5%. In this case, Petitioner paid for everything; so, based strictly on statistics, there is about a 5% chance of the petition being granted. The subject-matter of this petition, however, is vastly different from that of any other petition submitted before it.

There are nine Supreme Court Justices; each one has a law clerk. On a random basis, said law clerks are assigned to review “one-ninth” of the recently received petitions and prepare an analysis and recommendation for the Justices. The nine Justices have a private conference—now scheduled for June 4, 2015—to discuss the memoranda prepared by the law clerks for this and certain other petitions.

Petitions whose issues or arguments do not meet the criteria for review are denied categorically. If a petition passes this test and is placed on the “discuss” list, there are a number of possible outcomes from the initial conference:

- Petition for Writ of Certiorari is denied (which would signal the end of this legal proceeding).
- Petition for Writ of Certiorari is granted (whereupon, Petitioner would file a brief on the merits for review by the Justices and response by the Solicitor General), likely including oral argument before the Court after all briefs have been submitted.

- Justices request that the Solicitor General file an actual response to the petition, or perhaps simply a detailed assessment that provides his views on the case. In such event, the Justices will schedule a second conference.
- Justices request the record of the trial court (district court) for their own review.
- Justices decide to review the case later in another conference.
- Trial-court (district-court) decision is reversed and dismissed summarily (a rare occurrence).
- Trial-court (district-court) decision is accepted for review by the Justices in order to vacate (set aside; make null and void) said decision and remand the case (send it back to the trial court, that further proceedings may be taken) for disposition again, perhaps with specific instructions.