

THOMAS, J., dissenting

**SUPREME COURT OF THE UNITED STATES**

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No. 06–1463

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ARNOLD M. PRESTON, PETITIONER *v.* ALEX E.  
FERRER

ON WRIT OF CERTIORARI TO THE COURT OF APPEAL OF  
CALIFORNIA, SECOND APPELLATE DISTRICT

[February 20, 2008]

JUSTICE THOMAS, dissenting.

As I have stated on many previous occasions, I believe that the Federal Arbitration Act (FAA), 9 U. S. C. §1 *et seq.* (2000 ed. and Supp. V), does not apply to proceedings in state courts. See *Allied-Bruce Terminix Cos. v. Dobson*, 513 U. S. 265, 285–297 (1995) (THOMAS, J., dissenting); see also *Buckeye Check Cashing, Inc. v. Cardegna*, 546 U. S. 440, 449 (2006) (same); *Green Tree Financial Corp. v. Bazzle*, 539 U. S. 444, 460 (2003) (same); *Doctor’s Associates, Inc. v. Casarotto*, 517 U. S. 681, 689 (1996) (same). Thus, in state -court proceedings, the FAA cannot displace a state law that delays arbitration until administrative proceedings are completed. Accordingly, I would affirm the judgment of the Court of Appeals.