

ROBERTS, C. J., concurring in part

SUPREME COURT OF THE UNITED STATES

No. 06–666

DEPARTMENT OF REVENUE OF KENTUCKY, ET AL.,
PETITIONERS *v.* GEORGE W. DAVIS ET UX.

ON WRIT OF CERTIORARI TO THE COURT OF APPEALS OF
KENTUCKY

[May 19, 2008]

CHIEF JUSTICE ROBERTS, concurring in part.

I join all but Part III–B of the opinion of the Court. In my view, the case is readily resolved by last Term’s decision in *United Haulers Assn., Inc. v. Oneida-Herkimer Solid Waste Management Authority*, 550 U. S. ____ (2007). A majority of the Court shares this view. That being the case, I see no need to proceed to the alternative analysis in Part III–B.