# Questions Presented

1. Did the Ninth Circuit correctly hold that the Eighth Amendment's Cruel and Unusual Punishment Clause prohibits a municipality from prosecuting people for sleeping outside when there is no shelter available to them?

2. Did the Ninth Circuit correctly determine that *Heck v. Humphrey*, 512 U.S. 477 (1994), does not prevent the plaintiffs here from suing for prospective relief?