

ORDERS FOR JUNE 1 THROUGH  
SEPTEMBER 29, 1998

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JUNE 1, 1998

*Certiorari Granted—Vacated and Remanded*

No. 96-1721. CITIZEN POTAWATOMI NATION *v.* C&L ENTERPRISES, INC. Ct. Civ. App. Okla. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Kiowa Tribe of Okla. v. Manufacturing Technologies, Inc.*, 523 U. S. 751 (1998).

No. 97-216. KIOWA TRIBE OF OKLAHOMA *v.* AIRCRAFT EQUIPMENT Co. ET AL. Sup. Ct. Okla. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Kiowa Tribe of Okla. v. Manufacturing Technologies, Inc.*, 523 U. S. 751 (1998). Reported below: 939 P. 2d 1143.

*Miscellaneous Orders*

No. D-1922. IN RE DISBARMENT OF GOLDFLAM. Disbarment entered. [For earlier order herein, see 523 U. S. 1017.]

No. D-1924. IN RE DISBARMENT OF MONTAGUE. Disbarment entered. [For earlier order herein, see 523 U. S. 1017.]

No. D-1925. IN RE DISBARMENT OF HINDIN. Disbarment entered. [For earlier order herein, see 523 U. S. 1017.]

No. D-1926. IN RE DISBARMENT OF WELLONS. Disbarment entered. [For earlier order herein, see 523 U. S. 1043.]

No. D-1927. IN RE DISBARMENT OF MAYS. Disbarment entered. [For earlier order herein, see 523 U. S. 1044.]

No. D-1928. IN RE DISBARMENT OF GOTTLIEB. Disbarment entered. [For earlier order herein, see 523 U. S. 1044.]

No. D-1934. IN RE DISBARMENT OF SADLER. Further consideration of response to rule to show cause deferred. [For earlier order herein, see 523 U. S. 1069.]

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No. D-1935. *IN RE DISBARMENT OF AHAM-NEZE*. L. Obioma Aham-Neze, of Houston, Tex., having requested to resign as a member of the Bar of this Court, it is ordered that his name be stricken from the roll of attorneys admitted to the practice of law before this Court. The rule to show cause, issued on April 20, 1998 [523 U. S. 1069], is discharged.

No. D-1955. *IN RE DISBARMENT OF BOWDEN*. David Hower-ton Bowden, of Winston-Salem, N. C., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1956. *IN RE DISBARMENT OF BLEECKER*. Lloyd Mitchell Bleecker, of New York, N. Y., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1957. *IN RE DISBARMENT OF MAURICE*. Ronald G. Maurice, of Marlow Heights, Md., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1958. *IN RE DISBARMENT OF BERG*. Jerome Berg, of San Francisco, Cal., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1959. *IN RE DISBARMENT OF WARKOW*. Paul J. Warkow, of Bellmore, N. Y., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1960. *IN RE DISBARMENT OF MEISLER*. Michael Charles Meisler, of Deerfield Beach, Fla., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. M-76. *MALONE v. DISTRICT OF COLUMBIA BOARD OF ELECTIONS*; and

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No. M-77. *CROSBY v. SHREVES ET AL.* Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 97-8597. *MARTINEZ v. FEDERAL BUREAU OF INVESTIGATION ET AL.* C. A. 6th Cir.; and

No. 97-8981. *IN RE MONTGOMERY.* Motions of petitioners for leave to proceed *in forma pauperis* denied. See this Court's Rule 39.8. Petitioners are allowed until June 22, 1998, within which to pay the docketing fee required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

No. 97-1787. *IN RE GREEN.* Petition for writ of habeas corpus denied.

No. 97-8247. *IN RE RIVERA;* and

No. 97-8525. *IN RE WASHINGTON.* Petitions for writs of mandamus denied.

No. 97-8522. *IN RE RIVERA.* Petition for writ of prohibition denied.

*Certiorari Granted*

No. 97-1184. *NATIONAL FEDERATION OF FEDERAL EMPLOYEES, LOCAL 1309 v. DEPARTMENT OF THE INTERIOR ET AL.;* and

No. 97-1243. *FEDERAL LABOR RELATIONS AUTHORITY v. DEPARTMENT OF THE INTERIOR ET AL.* C. A. 4th Cir. Certiorari granted, cases consolidated, and a total of one hour allotted for oral argument. Reported below: 132 F. 3d 157.

No. 97-1252. *RENO, ATTORNEY GENERAL, ET AL. v. AMERICAN-ARAB ANTI-DISCRIMINATION COMMITTEE ET AL.* C. A. 9th Cir. Certiorari granted limited to the following question: "Whether, in light of the Illegal Immigration Reform and Immigrant Responsibility Act, the courts below had jurisdiction to entertain respondents' challenge to the deportation proceedings prior to the entry of a final order of deportation?" Reported below: 119 F. 3d 1367.

*Certiorari Denied*

No. 96-1962. *COHEN v. LITTLE SIX, INC., DBA MYSTIC LAKE CASINO.* Sup. Ct. Minn. Certiorari denied. Reported below: 561 N. W. 2d 889.

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No. 97-664. *SETTLES ET AL. v. PENILLA, ADMINISTRATOR OF THE ESTATE OF PENILLA, DECEASED*. C. A. 9th Cir. Certiorari denied. Reported below: 115 F. 3d 707.

No. 97-1388. *MAYS ET AL. v. CITY OF EAST ST. LOUIS ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 123 F. 3d 999.

No. 97-1402. *UNIVERSITY HEALTH SERVICES, INC. v. SHALALA, SECRETARY OF HEALTH AND HUMAN SERVICES*. C. A. 11th Cir. Certiorari denied. Reported below: 120 F. 3d 1145.

No. 97-1407. *FALKENBERRY v. TAYLOR*. C. A. 11th Cir. Certiorari denied. Reported below: 132 F. 3d 47.

No. 97-1454. *ANCHORAGE EDUCATION ASSN. ET AL. v. PATTERSON ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 131 F. 3d 807.

No. 97-1462. *YEO, INDIVIDUALLY AND ON BEHALF OF HIS CHILDREN v. TOWN OF LEXINGTON ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 131 F. 3d 241.

No. 97-1497. *MIZUNO ET AL. v. SALISBURY, CHAPTER 11 TRUSTEE*. C. A. 9th Cir. Certiorari denied. Reported below: 125 F. 3d 858.

No. 97-1560. *RAYTHEON AEROSPACE, INC., ET AL. v. GREENWELL*. C. A. 5th Cir. Certiorari denied. Reported below: 135 F. 3d 140.

No. 97-1594. *DEPRINS v. VAN DAMME ET AL.* Ct. App. Tex., 12th Dist. Certiorari denied. Reported below: 953 S.W. 2d 7.

No. 97-1604. *KNIGHTS OF THE KU KLUX KLAN ET AL. v. MAYOR OF LANSING ET AL.* Ct. App. Mich. Certiorari denied. Reported below: 222 Mich. App. 637, 564 N.W. 2d 177.

No. 97-1626. *CUNNINGHAM v. NAZARIO ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 142 F. 3d 427.

No. 97-1627. *COLLINS v. CITY OF HAZLEHURST*. Sup. Ct. Miss. Certiorari denied. Reported below: 709 So. 2d 408.

No. 97-1645. *BUSH v. ZEELAND BOARD OF EDUCATION ET AL.* C. A. 6th Cir. Certiorari denied.

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No. 97-1647. *KUCERA v. UNITED NEBRASKA BANK*. Ct. App. Neb. Certiorari denied. Reported below: 5 Neb. App. xxi.

No. 97-1662. *CLARK v. ROY ANDERSON CORP. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 124 F. 3d 193.

No. 97-1663. *WILLOUGHBY v. FIELDS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 127 F. 3d 37.

No. 97-1687. *ARMENIS v. CRAMER*. C. A. 11th Cir. Certiorari denied. Reported below: 136 F. 3d 141.

No. 97-1689. *BLACKBURN, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF BABY BOY DOE, DECEASED v. BLUE MOUNTAIN WOMEN'S CLINIC ET AL.* Sup. Ct. Mont. Certiorari denied. Reported below: 286 Mont. 60, 951 P. 2d 1.

No. 97-1691. *PERRY v. MISSOURI*. Ct. App. Mo., Southern Dist. Certiorari denied. Reported below: 954 S. W. 2d 554.

No. 97-1694. *HOME SAVINGS OF AMERICA v. MAYNARD*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 97-1720. *BOWER v. ILLINOIS*. App. Ct. Ill., 3d Dist. Certiorari denied. Reported below: 291 Ill. App. 3d 1077, 685 N. E. 2d 393.

No. 97-1737. *HOOVLER ET AL. v. INDIANA ET AL.* Ct. App. Ind. Certiorari denied. Reported below: 689 N. E. 2d 738.

No. 97-1758. *CARLSON v. NEBRASKA STATE BANK* (two judgments). Ct. App. Neb. Certiorari denied. Reported below: 6 Neb. App. lix.

No. 97-5623. *BOOTH ET AL. v. MARYLAND ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 112 F. 3d 139.

No. 97-7275. *SANCHEZ-ZUBIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 129 F. 3d 607.

No. 97-7630. *MILLER v. UNITED STATES*; and

No. 97-8083. *ARROYO ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 116 F. 3d 641.

No. 97-7644. *CHASE ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 127 F. 3d 1100.

No. 97-7772. *PADILLA-PENA v. UNITED STATES*; and

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No. 97-7790. *PADILLA-PENA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 129 F. 3d 457.

No. 97-8025. *CANAAN v. INDIANA*. Sup. Ct. Ind. Certiorari denied. Reported below: 683 N. E. 2d 227.

No. 97-8096. *CLOUTIER v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 178 Ill. 2d 141, 687 N. E. 2d 930.

No. 97-8142. *CALL v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 129 F. 3d 1402.

No. 97-8453. *OWENS v. ARIZONA ET AL.* Sup. Ct. Ariz. Certiorari denied.

No. 97-8461. *ORLICK v. KATZ*. C. A. 7th Cir. Certiorari denied.

No. 97-8464. *BITTAKER v. CALDERON, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 97-8465. *COOPER v. SCHIRO, DIRECTOR, MISSOURI DEPARTMENT OF CORRECTIONS, ET AL.* Sup. Ct. Mo. Certiorari denied. Reported below: 956 S. W. 2d 234.

No. 97-8466. *GRAVES v. CARR*. C. A. 10th Cir. Certiorari denied. Reported below: 131 F. 3d 151.

No. 97-8468. *MCGREW v. WHITAKER ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 134 F. 3d 366.

No. 97-8473. *WASKO v. DUNCAN, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 125 F. 3d 860.

No. 97-8476. *SOBIN v. FAIRFAX COUNTY DEPARTMENT OF HUMAN DEVELOPMENT*. Sup. Ct. Va. Certiorari denied.

No. 97-8479. *CANNON v. SAVAGE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 97-8480. *BROWN v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 700 So. 2d 684.

No. 97-8486. *WALTON v. BARTLETT, ACTING SUPERINTENDENT, OREGON STATE CORRECTIONAL INSTITUTION*. C. A. 9th Cir. Certiorari denied. Reported below: 132 F. 3d 41.

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No. 97-8489. *SLEZAK v. MOORE, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 129 F. 3d 1260.

No. 97-8495. *WARREN v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 122 F. 3d 1076.

No. 97-8507. *EVANS v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 97-8509. *DUBUC v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 97-8511. *BRYANT v. SPECKARD, SUPERINTENDENT, GROVELAND CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied. Reported below: 131 F. 3d 1076.

No. 97-8518. *HUFFMAN v. CALIFORNIA.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 97-8520. *FREJOMIL v. GOORD, COMMISSIONER, NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 97-8527. *WALKER v. THOMAS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 132 F. 3d 41.

No. 97-8533. *NOWIK v. NORTH DAKOTA ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 131 F. 3d 143.

No. 97-8534. *TATAH v. CAYETANO.* C. A. 9th Cir. Certiorari denied. Reported below: 120 F. 3d 269.

No. 97-8540. *BATES v. TENNESSEE.* Ct. Crim. App. Tenn. Certiorari denied. Reported below: 973 S. W. 2d 615.

No. 97-8547. *HALEY v. FERGUSON ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 132 F. 3d 33.

No. 97-8556. *BOWEN v. GUNDY ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 132 F. 3d 32.

No. 97-8561. *TAL-MASON v. REDD ET AL.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 705 So. 2d 903.

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No. 97-8562. *DARNE v. JUNTUNEN*. Sup. Ct. Wis. Certiorari denied. Reported below: 215 Wis. 2d 428, 576 N.W. 2d 283.

No. 97-8573. *THOMPSON v. HOPKINS, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 97-8574. *TURKOWSKI v. CLINTON, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 97-8602. *KIMBLE v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 97-8611. *WILSON v. LANE, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 142 F. 3d 438.

No. 97-8624. *DEPREE v. LIBRARY OF CONGRESS ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 159 F. 3d 636.

No. 97-8627. *CALE v. STATE RETIREMENT AND PENSION SYSTEM OF MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 116 Md. App. 733.

No. 97-8648. *STRACHAN v. TILLERY*. C. A. 10th Cir. Certiorari denied. Reported below: 127 F. 3d 1109.

No. 97-8666. *RICKETTS v. DEPARTMENT OF THE AIR FORCE*. C. A. Fed. Cir. Certiorari denied. Reported below: 152 F. 3d 942.

No. 97-8673. *WEGNER v. LEWIS, INSPECTOR GENERAL, DEPARTMENT OF THE INTERIOR*. C. A. 9th Cir. Certiorari denied.

No. 97-8675. *EGGENA v. SOCIAL SECURITY ADMINISTRATION ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 131 F. 3d 146.

No. 97-8676. *DARDEN v. DALTON, SECRETARY OF THE NAVY*. C. A. Fed. Cir. Certiorari denied. Reported below: 132 F. 3d 51.

No. 97-8688. *MITCHELL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 129 F. 3d 1266.

No. 97-8698. *IGNACIO v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 135 F. 3d 775.

No. 97-8700. *JACOBS v. MORGAN, WARDEN*. C. A. 6th Cir. Certiorari denied.



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No. 97-8702. *LONGARIELLO v. SCHOOL BOARD OF DADE COUNTY, FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 707 So. 2d 1125.

No. 97-8706. *BROWN v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 330 Ark. xxii.

No. 97-8752. *WILLIAMS v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 97-8753. *KENNEDY v. PARAMOUNT PICTURES CORP. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 129 F. 3d 126.

No. 97-8770. *PARKS v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 97-8781. *CIMINO v. ZUK ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 122 F. 3d 1055.

No. 97-8785. *TURNER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 130 F. 3d 815.

No. 97-8793. *ALJAMI v. KENTUCKY*. Ct. App. Ky. Certiorari denied.

No. 97-8795. *GRIFFIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 133 F. 3d 918.

No. 97-8799. *GODFREY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 97-8810. *KARASEK v. CITY OF DAYTON*. Ct. App. Ohio, Montgomery County. Certiorari denied.

No. 97-8824. *KUKU v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 129 F. 3d 1435.

No. 97-8841. *SWAIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 133 F. 3d 919.

No. 97-8842. *MCCABE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 131 F. 3d 149.

No. 97-8845. *BARNES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 133 F. 3d 908.

No. 97-8847. *PICKERING v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 138 F. 3d 952.

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No. 97-8848. *REED v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 136 F. 3d 1328.

No. 97-8850. *BYAS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 141 F. 3d 1155.

No. 97-8854. *WALKER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 130 F. 3d 442.

No. 97-8858. *LUNA-MADELLAGA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 133 F. 3d 1293.

No. 97-8860. *CAPALDI v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 134 F. 3d 307.

No. 97-8863. *BURNS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 97-8867. *DANIELS, AKA DAVIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 134 F. 3d 379.

No. 97-8870. *GONZALEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 120 F. 3d 269.

No. 97-8878. *MCCLELLAN v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 706 A. 2d 542.

No. 97-8879. *SINDRAM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 133 F. 3d 919.

No. 97-8882. *KNUPP v. TEXAS*. Ct. App. Tex., 4th Dist. Certiorari denied.

No. 97-8885. *SCOTT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 121 F. 3d 722.

No. 97-8892. *GONZALEZ-GONZALEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 136 F. 3d 6.

No. 97-8893. *GILMARTIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 97-8905. *HOUSER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 130 F. 3d 867.

No. 97-8908. *GONZALEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 136 F. 3d 140.

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No. 97-8909. *DESANGES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 134 F. 3d 364.

No. 97-8911. *EASTER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 142 F. 3d 429.

No. 97-8916. *VICTORIA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 141 F. 3d 1155.

No. 97-8917. *BROWN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 129 F. 3d 718.

No. 97-8921. *ATKINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 139 F. 3d 893.

No. 97-8973. *D'AMICO v. CITY OF NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 132 F. 3d 145.

No. 96-1215. *GAVLE v. LITTLE SIX, INC., DBA MYSTIC LAKE CASINO, ET AL.* Sup. Ct. Minn. Motion of Tribal Accountability Legal Rights Fund, Inc., for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 555 N. W. 2d 284.

No. 97-1606. *FULCOMER, WARDEN v. FREY*. C. A. 3d Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 132 F. 3d 916.

No. 97-8467. *HASSAN v. AT&T CORP. ET AL.* C. A. 4th Cir. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 134 F. 3d 363.

### *Rehearing Denied*

No. 97-1285. *SHEPARD v. PROVIDENT LIFE & ACCIDENT INSURANCE Co.*, 523 U. S. 1059;

No. 97-1358. *HADJI-ELIAS ET AL. v. LOS ANGELES COUNTY SUPERIOR COURT (SHAHBAZ ET AL., REAL PARTIES IN INTEREST)*, 523 U. S. 1060;

No. 97-1360. *SHEPARD v. POMONA FAIRPLEX ET AL.*, 523 U. S. 1060;

No. 97-7884. *VALDEZ ET AL. v. FONOIOMANA ET AL.*, 523 U. S. 1080; and

No. 97-8090. *ANGEL v. TEXAS*, 523 U. S. 1098. Petitions for rehearing denied.

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*Certiorari Denied*

No. 97-9336 (A-916). *GRETZLER v. ARIZONA*. Sup. Ct. Ariz. Application for stay of execution of sentence of death, presented to JUSTICE O'CONNOR, and by her referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE BREYER would grant the application for stay of execution.

No. 97-9362 (A-922). *GRETZLER v. STEWART, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTION, ET AL.* C. A. 9th Cir. Application for stay of execution of sentence of death, presented to JUSTICE O'CONNOR, and by her referred to the Court, denied. Certiorari denied. JUSTICE THOMAS took no part in the consideration or decision of this application and this petition. Reported below: 146 F. 3d 675.

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*Dismissal Under Rule 46*

No. 97-1400. *CHRISTY, TRUSTEE OF THE FINLEY KUMBLE ET AL. MALPRACTICE INSURANCE TRUST v. ALEXANDER & ALEXANDER OF NEW YORK, INC., ET AL.* C. A. 2d Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 130 F. 3d 52.

*Certiorari Denied*

No. 97-1924. *UNITED STATES v. CLINTON, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. D. C. Cir. Motion of the Independent Counsel for leave to file an unredacted petition and appendix under seal granted. Motion of counsel for President Clinton for leave to file under seal an unredacted brief in opposition granted. Motion for an expedited response to the petition and for an expedited briefing and argument schedule denied. Motion by the Solicitor General, on behalf of the United States acting through the Attorney General, for access to sealed portions of the record denied. Certiorari before judgment denied without prejudice. It is assumed that the Court of Appeals will proceed expeditiously to decide this case.

No. 97-1942. *UNITED STATES v. RUBIN, SECRETARY OF THE TREASURY, ET AL.* C. A. D. C. Cir. Motion of the Independent

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Counsel for leave to file an unredacted petition and appendix under seal granted. Leave is granted the Solicitor General to file an unredacted response under seal to the petition. Motion for an expedited response and for an expedited briefing and argument schedule denied. Certiorari before judgment denied without prejudice. It is assumed that the Court of Appeals will proceed expeditiously to decide this case.

JUNE 8, 1998

*Certiorari Granted—Reversed and Remanded.* (See No. 97-1217, *ante*, p. 151.)

*Miscellaneous Orders*

No. A-823. *IN RE MARTIN*. C. A. D. C. Cir. Application for stay, addressed to JUSTICE STEVENS and referred to the Court, denied.

No. A-842 (97-9005). *BURGE v. COLORADO ET AL.* Dist. Ct. Colo., Jefferson County. Application for stay, addressed to JUSTICE GINSBURG and referred to the Court, denied.

No. A-854 (97-1833). *BIALCZAK ET AL. v. BARNETT ET AL.* C. A. 7th Cir. Application for stay, addressed to JUSTICE KENNEDY and referred to the Court, denied.

No. A-869. *IN RE MARTIN*. C. A. 3d Cir. Application for stay, addressed to JUSTICE GINSBURG and referred to the Court, denied.

No. D-1919. *IN RE DISBARMENT OF WHITE*. Disbarment entered. [For earlier order herein, see 523 U. S. 1016.]

No. D-1920. *IN RE DISBARMENT OF SCHANER*. Disbarment entered. [For earlier order herein, see 523 U. S. 1016.]

No. D-1921. *IN RE DISBARMENT OF BROWN*. Disbarment entered. [For earlier order herein, see 523 U. S. 1017.]

No. D-1930. *IN RE DISBARMENT OF PATTERSON*. Disbarment entered. [For earlier order herein, see 523 U. S. 1044.]

No. D-1931. *IN RE DISBARMENT OF SOUTHARD*. Disbarment entered. [For earlier order herein, see 523 U. S. 1056.]

No. D-1961. *IN RE DISBARMENT OF WEISSER*. Michael Harris Weisser, of North Miami Beach, Fla., is suspended from the

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practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1962. *IN RE DISBARMENT OF NEILL*. Denis Michael Neill, of Bethesda, Md., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. M-78. *DOYLE v. DILLON, DISTRICT ATTORNEY, NASSAU COUNTY*. Motion to direct the Clerk to file petition for writ of certiorari denied.

No. M-79. *PANETTI v. TEXAS*. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner granted.

No. 97-1418. *BANK OF AMERICA NATIONAL TRUST AND SAVINGS ASSN. v. 203 NORTH LASALLE STREET PARTNERSHIP*. C. A. 7th Cir. [Certiorari granted, 523 U.S. 1106.] Motion of respondent to dismiss the writ of certiorari as improvidently granted denied.

No. 97-8805. *HAYNES v. UNITED STATES*. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until June 29, 1998, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

No. 97-1821. *IN RE BOURIE*;

No. 97-9092. *IN RE CANTU MARTINEZ*; and

No. 97-9099. *IN RE BLACKMON*. Petitions for writs of habeas corpus denied.

No. 97-1705. *IN RE LONARDO ET AL.*;

No. 97-8578. *IN RE BRADIN*;

No. 97-8617. *IN RE SIDLES*; and

No. 97-8792. *IN RE CUMMINS*. Petitions for writs of mandamus denied.

No. 97-8610. *IN RE WHITESIDE*. Petition for writ of mandamus and/or prohibition denied.

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*Certiorari Granted*

No. 97-1337. MINNESOTA ET AL. *v.* MILLE LACS BAND OF CHIPPEWA INDIANS ET AL. C. A. 8th Cir. Certiorari granted. Reported below: 124 F. 3d 904.

No. 97-53. ROBERTS, GUARDIAN FOR JOHNSON *v.* GALEN OF VIRGINIA, INC., FORMERLY DBA HUMANA HOSPITAL-UNIVERSITY OF LOUISVILLE, DBA UNIVERSITY OF LOUISVILLE HOSPITAL. C. A. 6th Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 111 F. 3d 405.

No. 97-1139. UNITED STATES *v.* RODRIGUEZ-MORENO. C. A. 3d Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 121 F. 3d 841.

No. 97-1620. SEIF, SECRETARY, PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, ET AL. *v.* CHESTER RESIDENTS CONCERNED FOR QUALITY LIVING ET AL. C. A. 3d Cir. Motion of Washington Legal Foundation for leave to file a brief as *amicus curiae* granted. Certiorari granted. Reported below: 132 F. 3d 925.

*Certiorari Denied*

No. 97-1469. CSX TRANSPORTATION, INC. *v.* McDANIEL. Sup. Ct. Tenn. Certiorari denied. Reported below: 955 S. W. 2d 257.

No. 97-1477. LONG ET UX., INDIVIDUALLY AND AS PARENTS AND NEXT FRIENDS OF LONG, A MINOR, ET AL. *v.* ALACHUA COUNTY SCHOOL BOARD ET AL. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 704 So. 2d 523.

No. 97-1532. CAMP ET AL. *v.* RILEY. C. A. 11th Cir. Certiorari denied. Reported below: 84 F. 3d 437.

No. 97-1564. THRIFTWAY MARKETING CORP. ET AL. *v.* DEVANEY. Sup. Ct. N. M. Certiorari denied. Reported below: 124 N. M. 512, 953 P. 2d 277.

No. 97-1616. PAINTERS LOCAL UNION No. 109 PENSION FUND ET AL. *v.* SMITH BARNEY, INC., ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 133 F. 3d 590.

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No. 97-1631. *WINDHAM v. CITY OF LOWELL ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 133 F. 3d 924.

No. 97-1634. *EVANS v. NEVADA DEPARTMENT OF MOTOR VEHICLES AND PUBLIC SAFETY.* Sup. Ct. Nev. Certiorari denied. Reported below: 114 Nev. 41, 952 P. 2d 958.

No. 97-1651. *BROWN v. FORD MOTOR Co.* Ct. App. La., 1st Cir. Certiorari denied. Reported below: 700 So. 2d 932.

No. 97-1661. *TEAMSTERS BREWERY & SOFT DRINK WORKERS LOCAL UNION 896, INTERNATIONAL BROTHERHOOD OF TEAMSTERS, AFL-CIO v. ANHEUSER-BUSCH, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 129 F. 3d 127.

No. 97-1667. *POWELL ET AL. v. FLORIDA ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 132 F. 3d 677.

No. 97-1681. *LYON METAL PRODUCTS, INC. v. CALIFORNIA BOARD OF EQUALIZATION.* Ct. App. Cal., 1st App. Dist. Certiorari denied. Reported below: 58 Cal. App. 4th 906, 68 Cal. Rptr. 2d 285.

No. 97-1682. *DAVIS v. BAPTIST MEMORIAL HOSPITAL SYSTEM, DBA BAPTIST MEDICAL CENTER HOSPITAL.* C. A. 5th Cir. Certiorari denied. Reported below: 136 F. 3d 137.

No. 97-1746. *IRBY v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 291 Ill. App. 3d 1117, 716 N. E. 2d 877.

No. 97-1752. *MISSOURIANS FOR TAX JUSTICE EDUCATION PROJECT, INC., ET AL. v. HOLDEN, MISSOURI STATE TREASURER, ET AL.* Sup. Ct. Mo. Certiorari denied. Reported below: 959 S. W. 2d 100.

No. 97-1769. *PECARO v. NEW JERSEY COUNCIL ON AFFORDABLE HOUSING.* C. A. 3d Cir. Certiorari denied. Reported below: 135 F. 3d 765.

No. 97-1794. *JEPPSEN v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 10th Cir. Certiorari denied. Reported below: 128 F. 3d 1410.

No. 97-1809. *DiMARTINI v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 141 F. 3d 1181.



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No. 97-1813. *ASHTON v. GRIEVANCE COMMITTEE FOR THE SECOND AND ELEVENTH JUDICIAL DISTRICTS OF NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied.

No. 97-1815. *CASH v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 97-7368. *MCCLAIN v. CLARK, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 124 F. 3d 204.

No. 97-7724. *WILLINGHAM v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 97-7754. *DOHERTY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 126 F. 3d 769.

No. 97-8160. *GALLEGO v. MCDANIEL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 124 F. 3d 1065.

No. 97-8176. *CARR v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 132 F. 3d 32.

No. 97-8189. *WILLIAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 132 F. 3d 46.

No. 97-8390. *TONIA B. v. CITY OF NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 239 App. Div. 2d 572, 658 N. Y. S. 2d 91.

No. 97-8559. *KELL v. HATCHER, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 133 F. 3d 927.

No. 97-8563. *MARKLAND v. FLOYD, SUPERINTENDENT, DADE CORRECTIONAL INSTITUTION AND WORK CAMP*. C. A. 11th Cir. Certiorari denied. Reported below: 121 F. 3d 721.

No. 97-8564. *MARQUEZ v. FLORIDA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 97-8570. *COOKISH v. NEW HAMPSHIRE*. Super. Ct. N. H., Merrimack County. Certiorari denied.

No. 97-8571. *ADELMAN v. COLONIAL PARK APARTMENTS*. Super. Ct. Pa. Certiorari denied. Reported below: 698 A. 2d 659.

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No. 97-8572. *FATHER v. BOEING CO. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 129 F. 3d 125.

No. 97-8604. *TUNNICLIFF v. MORIARTY.* C. A. 1st Cir. Certiorari denied. Reported below: 125 F. 3d 842.

No. 97-8605. *ADAMES v. BATISTA ET AL.* C. A. 2d Cir. Certiorari denied.

No. 97-8606. *JOHNSON v. DOE ET AL.* (two judgments); and

No. 97-8607. *JOHNSON v. DOE ET AL.* App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: No. 97-8606 (first judgment) and No. 97-8607, 230 App. Div. 2d 513, 660 N. Y. S. 2d 916; No. 97-8606 (second judgment), 230 App. Div. 2d 513, 660 N. Y. S. 2d 782.

No. 97-8616. *PETERSON v. ZIMMERMAN, CHIEF JUSTICE, SUPREME COURT OF UTAH, ET AL.* C. A. 10th Cir. Certiorari denied.

No. 97-8619. *GILDAY v. DuBOIS, COMMISSIONER, MASSACHUSETTS DEPARTMENT OF CORRECTION, ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 124 F. 3d 277.

No. 97-8625. *ANDERSON v. ILLINOIS.* App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 288 Ill. App. 3d 1121, 711 N. E. 2d 832.

No. 97-8631. *BENNETT v. NEW YORK.* App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 238 App. Div. 2d 898, 660 N. Y. S. 2d 772.

No. 97-8649. *MERKOBRAID v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied.

No. 97-8655. *RICHARDSON v. TURTLE WAX, INC.* C. A. 7th Cir. Certiorari denied. Reported below: 129 F. 3d 1268.

No. 97-8668. *PIKITUS v. SHENANDOAH BOROUGH COUNCIL.* C. A. 3d Cir. Certiorari denied. Reported below: 149 F. 3d 1165.

No. 97-8669. *J. C. v. IOWA.* Ct. App. Iowa. Certiorari denied.

No. 97-8696. *RUDD v. HANLEY ET AL.* C. A. 5th Cir. Certiorari denied.

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No. 97-8707. *BRINGAT v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 97-8709. *BLACKMON v. POINDEXTER, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 97-8718. *LUMAN v. DORSEY, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 133 F. 3d 932.

No. 97-8801. *EISENHAUER v. MASSACHUSETTS BAR COUNSEL*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 426 Mass. 448, 689 N. E. 2d 783.

No. 97-8818. *BLAIR v. THOMPSON, SUPERINTENDENT, OREGON STATE PENITENTIARY*. C. A. 9th Cir. Certiorari denied. Reported below: 129 F. 3d 124.

No. 97-8822. *VALENZUELA RODRIGUEZ v. MARSHALL, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 125 F. 3d 739.

No. 97-8846. *PIZZO v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 715 So. 2d 1202.

No. 97-8856. *TYLER v. BOWERSOX, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 97-8869. *DAVIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 139 F. 3d 894.

No. 97-8881. *MITCHELL v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied.

No. 97-8891. *DISMUKE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 132 F. 3d 46.

No. 97-8894. *FLUDD v. MILLER, SUPERINTENDENT, EASTERN NEW YORK CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 97-8899. *BLAIS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 141 F. 3d 1152.

No. 97-8907. *DELOACH v. GENERAL DYNAMICS CORP.* C. A. 5th Cir. Certiorari denied. Reported below: 132 F. 3d 1456.

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No. 97-8912. *SPRINGER v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 10th Cir. Certiorari denied.

No. 97-8924. *LOPEZ-MURCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 135 F. 3d 141.

No. 97-8926. *SIDDALL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 97-8929. *GREER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 137 F. 3d 247.

No. 97-8945. *GANT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 129 F. 3d 1261.

No. 97-8955. *NELSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 139 F. 3d 895.

No. 97-8956. *KIRBY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 141 F. 3d 1189.

No. 97-8957. *CASTRO-NINO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 133 F. 3d 930.

No. 97-8958. *ROPER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 135 F. 3d 430.

No. 97-8959. *LEE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 120 F. 3d 263.

No. 97-8969. *SMITH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 133 F. 3d 737.

No. 97-8970. *ALLEN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 131 F. 3d 144.

No. 97-8971. *HARAKAL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 132 F. 3d 320.

No. 97-8972. *MEZZETTA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 136 F. 3d 265.

No. 97-8974. *HARDING v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 132 F. 3d 41.

No. 97-8982. *THOMPSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 130 F. 3d 676.

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No. 97-8989. *BRANCH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 134 F. 3d 364.

No. 97-8991. *HAWKINS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 135 F. 3d 140.

No. 97-8994. *RAMIREZ-MORALES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 125 F. 3d 860.

No. 97-8995. *SORTO ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 141 F. 3d 1161.

No. 97-8996. *BELFLOWER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 129 F. 3d 1459.

No. 97-9001. *COLE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 97-9007. *MCCLINTON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 135 F. 3d 1178.

No. 97-9008. *KEYSER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 142 F. 3d 430.

No. 97-9010. *JOHNSON v. CORCORAN, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 133 F. 3d 915.

No. 97-9012. *TURNER v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 134 F. 3d 361.

No. 97-9015. *THOMAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 122 F. 3d 1075.

No. 97-9018. *WILLIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 138 F. 3d 955.

No. 97-9023. *MOORE ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 145 F. 3d 1343.

No. 97-9024. *CROSSLIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 134 F. 3d 368.

No. 97-9026. *CHAO HUI LIN v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 97-9034. *WRIGHT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 131 F. 3d 1111.

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No. 97-9035. *TICE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 133 F. 3d 908.

No. 97-9040. *CAMINERO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 136 F. 3d 136.

No. 97-9041. *BOWENS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 141 F. 3d 1170.

No. 97-9043. *HOLT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 131 F. 3d 722.

No. 97-9044. *GIBSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 135 F. 3d 1124.

No. 97-9045. *HONEYCUTT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 132 F. 3d 1453.

No. 97-9047. *ELLIOTT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 142 F. 3d 437.

No. 97-9066. *WILSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 133 F. 3d 920.

No. 97-9067. *MULLENS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 136 F. 3d 1331.

No. 97-9072. *BELTRAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 136 F. 3d 1330.

No. 97-9074. *CARDENAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 97-1435. *DONG v. SMITHSONIAN INSTITUTION, HIRSHHORN MUSEUM AND SCULPTURE GARDEN*. C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Reported below: 125 F. 3d 877.

No. 97-1632. *MCDANIEL, WARDEN, ET AL. v. GALLEG0*. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 124 F. 3d 1065.

No. 97-1650. *CHAMPION, WARDEN, ET AL. v. SACK*. C. A. 10th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 133 F. 3d 932.

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No. 97-1639. *SPRAGUE ET AL. v. GENERAL MOTORS CORP.* C. A. 6th Cir. Motion of petitioners to suggest that the Court invite the Solicitor General to file a brief presenting the views of the United States denied. Certiorari denied. Reported below: 133 F. 3d 388.

No. 97-8951. *GRIFFIN v. CLARK, WARDEN.* C. A. 7th Cir. Certiorari before judgment denied.

No. 97-9033. *VALDES v. UNITED STATES.* C. A. 11th Cir. Certiorari before judgment denied.

*Rehearing Denied*

No. 97-6864. *SMITH v. O'BRIEN ET AL.*, 522 U. S. 1093;

No. 97-7384. *IN RE DARDEN*, 523 U. S. 1003;

No. 97-7485. *BROWN v. FLORIDA*, 523 U. S. 1026;

No. 97-7513. *DECKER v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*, 523 U. S. 1026;

No. 97-7864. *WILLIAMS v. CARLTON, WARDEN*, 523 U. S. 1080;

No. 97-7914. *GARCIA-ROSELL v. UNITED STATES*, 523 U. S. 1032; and

No. 97-8060. *ENOCH v. ILLINOIS*, 523 U. S. 1084. Petitions for rehearing denied.

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*Miscellaneous Order*

No. 97-9455 (A-936). *IN RE CARGILL.* Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Petition for writ of habeas corpus denied. JUSTICE STEVENS and JUSTICE BREYER would grant the application for stay of execution.

*Certiorari Denied*

No. 97-9454 (A-935). *CARGILL v. TURPIN, WARDEN.* Sup. Ct. Ga. Application for stay of execution of sentence of death, presented to JUSTICE KENNEDY, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE BREYER would grant the application for stay of execution.

JUNE 15, 1998

*Certiorari Granted—Vacated and Remanded*

No. 97-14. *MICHIGAN ET AL. v. UNITED STATES ET AL.* C. A. 6th Cir. Certiorari granted, judgment vacated, and case re-

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manded for further consideration in light of *Cass County v. Leech Lake Band of Chippewa Indians*, ante, p. 103. Reported below: 106 F. 3d 130.

No. 97-296. MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY v. BESTFOODS ET AL.; and

No. 97-464. BESTFOODS v. AEROJET-GENERAL CORP. ET AL. C. A. 6th Cir. Certiorari granted, judgment vacated, and cases remanded for further consideration in light of *United States v. Bestfoods*, ante, p. 51. Reported below: 113 F. 3d 572.

No. 97-1163. DONAHEY ET UX. v. LIVINGSTONE ET AL. C. A. 6th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *United States v. Bestfoods*, ante, p. 51. Reported below: 129 F. 3d 838.

No. 97-1209. LOCKHEED AERONAUTICAL SYSTEMS CO. v. GRAY ET AL. C. A. 11th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Doooley v. Korean Air Lines Co.*, ante, p. 116. Reported below: 125 F. 3d 1371.

No. 97-7931. COLEMAN v. MINNESOTA. Ct. App. Minn. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Kansas v. Hendricks*, 521 U.S. 346 (1997).

#### *Miscellaneous Orders*

No. A-901 (97-1900). BUZZETTI, DBA COZY CABIN, ET AL. v. CITY OF NEW YORK ET AL. C. A. 2d Cir. Application for stay, addressed to JUSTICE SOUTER and referred to the Court, denied.

No. D-1963. IN RE DISBARMENT OF MARSHALL. James Warner Marshall, of Orange, Conn., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1964. IN RE DISBARMENT OF GREEN. James Ryan Green, of Fontana, Wis., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.



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No. D-1965. *IN RE DISBARMENT OF MENDELSON*. Michael Sweig Mendelson, of Chicago, Ill., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1966. *IN RE DISBARMENT OF TAYLOR*. George Michael Taylor, of Springfield, Ill., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. M-80. *AHWINONA v. ALASKA ET AL.* Motion to direct the Clerk to file petition for writ of certiorari out of time under this Court's Rule 14.5 denied.

No. 65, Orig. *TEXAS v. NEW MEXICO*. Motion of the River Master for fees and expenses granted, and the River Master is awarded a total of \$2,445 for the period January 1 through March 31, 1998, to be paid equally by the parties. [For earlier order herein, see, *e. g.*, 522 U. S. 910.]

No. 96-1400. *CALIFORNIA ET AL. v. DEEP SEA RESEARCH, INC., ET AL.*, 523 U. S. 491. Motion of respondent Deep Sea Research, Inc., to retax costs denied.

No. 97-8978. *RUSSELL v. VBR*. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until July 6, 1998, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

No. 97-8710. *IN RE CROOMS*. Petition for writ of mandamus denied.

*Certiorari Granted*

No. 97-1489. *YOUR HOME VISITING NURSE SERVICES, INC. v. SHALALA, SECRETARY OF HEALTH AND HUMAN SERVICES*. C. A. 6th Cir. Certiorari granted limited to Questions 1 and 2 presented by the petition. Reported below: 132 F. 3d 1135.

No. 97-7541. *MITCHELL v. UNITED STATES*. C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 122 F. 3d 185.

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*Certiorari Denied*

No. 96-8874. *SASSER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 107 F. 3d 23.

No. 96-9142. *REEVES v. HOPKINS, WARDEN*. C. A. 8th Cir. Certiorari denied. Reported below: 102 F. 3d 977.

No. 97-241. *ZOLLO DRUM Co., INC., ET AL. v. B. F. GOODRICH Co. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 99 F. 3d 505 and 112 F. 3d 88.

No. 97-1515. *DISTRICT LODGE 64, INTERNATIONAL ASSOCIATION OF MACHINISTS & AEROSPACE WORKERS, AFL-CIO, ET AL. v. NATIONAL LABOR RELATIONS BOARD ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 130 F. 3d 1083.

No. 97-1553. *VANN ET UX. v. UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 135 F. 3d 768.

No. 97-1565. *MISSISSIPPI v. RODERICK ET AL.* Sup. Ct. Miss. Certiorari denied. Reported below: 704 So. 2d 49.

No. 97-1608. *WILSON, GOVERNOR OF CALIFORNIA, ET AL. v. CABAZON BAND OF MISSION INDIANS ET AL.; and*

No. 97-1636. *SOUTHERN CALIFORNIA OFF-TRACK WAGERING, INC., ET AL. v. CABAZON BAND OF MISSION INDIANS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 124 F. 3d 1050.

No. 97-1649. *ARNESON v. APFEL, COMMISSIONER OF SOCIAL SECURITY*. C. A. 8th Cir. Certiorari denied. Reported below: 128 F. 3d 1243.

No. 97-1658. *YINGER v. CITY OF DEARBORN ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 132 F. 3d 35.

No. 97-1664. *BENDE v. BROGDON*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 97-1669. *CASSAN ENTERPRISES, INC., ET AL. v. DOLLAR SYSTEMS, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 131 F. 3d 145.

No. 97-1671. *WHITEHALL TENANTS CORP. ET AL. v. WHITEHALL REALTY CO. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 133 F. 3d 908.

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No. 97-1672. *MOVIES, INC., ET AL. v. KAHN, DIRECTOR, NEW ORLEANS DEPARTMENT OF FINANCE*. Civ. Dist. Ct., Orleans Parish, La. Certiorari denied.

No. 97-1674. *MAY ET AL. v. SHUTTLE, INC., ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 129 F. 3d 165.

No. 97-1680. *ROSSETTO ET AL. v. PABST BREWING CO.* C. A. 7th Cir. Certiorari denied. Reported below: 128 F. 3d 538.

No. 97-1684. *LEBRON v. NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK)*. C. A. 2d Cir. Certiorari denied.

No. 97-1692. *DARLING ET UX. v. SAVERS LIFE INSURANCE CO.* C. A. 4th Cir. Certiorari denied. Reported below: 131 F. 3d 133.

No. 97-1698. *BRAND MANAGEMENT, INC., ET AL. v. MENARD, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 135 F. 3d 776.

No. 97-1700. *PASHUCK v. COOKSEY, SHERIFF, COUNTY OF SALEM, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 135 F. 3d 765.

No. 97-1701. *NATIONSMART CORP. ET AL. v. CARLON ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 130 F. 3d 309.

No. 97-1703. *SHONG-CHING TONG v. HUNT ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 124 F. 3d 212.

No. 97-1723. *CHILDRESS ET AL. v. CITY OF RICHMOND ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 134 F. 3d 1205.

No. 97-1741. *LEVESQUE ET UX. v. YAMAGUCHI ET AL.* C. A. 9th Cir. Certiorari denied.

No. 97-1793. *GOETZ v. BOARD OF ATTORNEYS PROFESSIONAL RESPONSIBILITY OF WISCONSIN*. Sup. Ct. Wis. Certiorari denied. Reported below: 213 Wis. 2d 494, 570 N. W. 2d 726.

No. 97-1803. *MILLER v. DEPARTMENT OF THE AIR FORCE*. C. A. Fed. Cir. Certiorari denied. Reported below: 152 F. 3d 939.

No. 97-1805. *STACY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 141 F. 3d 1170.

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No. 97-1811. *BLAKLEY ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 137 F. 3d 1349.

No. 97-1814. *SEALS, AKA BROOKS v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 130 F. 3d 451.

No. 97-1823. *SAILE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 130 F. 3d 443.

No. 97-1826. *BIDDLE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 142 F. 3d 427.

No. 97-5076. *LAW v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 105 F. 3d 670.

No. 97-5347. *BONNER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 114 F. 3d 1202.

No. 97-5882. *CHARGUALAF v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 114 F. 3d 1196.

No. 97-6069. *RIVERO-CABANAS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 114 F. 3d 1170.

No. 97-6319. *PYLE ET UX. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 113 F. 3d 1249.

No. 97-6823. *GRANT v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 124 F. 3d 216.

No. 97-6853. *YOUNG v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 124 F. 3d 794.

No. 97-6969. *REYES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 120 F. 3d 271.

No. 97-7002. *WHITE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 97-7171. *MCDONALD v. UNITED STATES*; and  
No. 97-7173. *DAVIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 127 F. 3d 38.

No. 97-7179. *SHELBY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 121 F. 3d 1118.

No. 97-7571. *PHILLIPS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

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No. 97-7811. *DIXON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 129 F. 3d 117.

No. 97-7976. *WOLFF, AKA CAINE, AKA OSMAN v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 127 F. 3d 84.

No. 97-8188. *WRONKA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 131 F. 3d 139.

No. 97-8446. *WILLIAMS v. ALABAMA*. Sup. Ct. Ala. Certiorari denied. Reported below: 710 So. 2d 1350.

No. 97-8608. *KELLER v. OKLAHOMA*. C. A. 10th Cir. Certiorari denied. Reported below: 129 F. 3d 130.

No. 97-8630. *SANCHEZ v. SPRUNK, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 133 F. 3d 932.

No. 97-8632. *ROBINSON v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 97-8633. *DONOHUE v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 451 Pa. Super. 594, 678 A. 2d 826.

No. 97-8635. *HOGAN v. KAISER*. C. A. 10th Cir. Certiorari denied. Reported below: 132 F. 3d 42.

No. 97-8639. *ALMEIDA v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 703 So. 2d 1233.

No. 97-8642. *JACKSON v. FLORIDA DEPARTMENT OF CORRECTIONS ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 707 So. 2d 1125.

No. 97-8644. *HORTON v. MISSISSIPPI STATE SENATE*. C. A. 5th Cir. Certiorari denied. Reported below: 132 F. 3d 1455.

No. 97-8646. *GARNER v. HEAD*. C. A. 5th Cir. Certiorari denied. Reported below: 136 F. 3d 136.

No. 97-8656. *HARVEY v. GRIGAS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 97-8658. *MCLEOD v. ALABAMA*. Sup. Ct. Ala. Certiorari denied. Reported below: 718 So. 2d 727.

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No. 97-8662. *SOLOMON v. MICHIGAN*. Ct. App. Mich. Certiorari denied. Reported below: 220 Mich. App. 527, 560 N. W. 2d 651.

No. 97-8672. *CROSS v. CITY OF NEWARK, CALIFORNIA, ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 97-8674. *BORCK v. OREGON*. Ct. App. Ore. Certiorari denied. Reported below: 149 Ore. 779, 944 P. 2d 1003.

No. 97-8683. *DAVIS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 703 So. 2d 1055.

No. 97-8685. *SCHLEEPER v. MISSOURI*. C. A. 8th Cir. Certiorari denied.

No. 97-8686. *PIERCE v. CARUSO, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 97-8690. *KING v. ADAMSON ET AL.* Sup. Ct. Idaho. Certiorari denied.

No. 97-8691. *KRISHNAMURTHY v. NIMMAGADDA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 125 F. 3d 858.

No. 97-8703. *ESTEP v. TEXAS*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 97-8708. *COZZENS v. BOZZA ET AL.* C. A. 3d Cir. Certiorari denied.

No. 97-8731. *REYNOLDS v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 80 Ohio St. 3d 670, 687 N. E. 2d 1358.

No. 97-8744. *HUNG THANH LE v. OKLAHOMA*; and *WILLINGHAM v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 947 P. 2d 535 (first judgment) and 1074 (second judgment).

No. 97-8780. *BARBARY v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 213 Wis. 2d 122, 570 N. W. 2d 253.

No. 97-8800. *HUMPHREYS v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 947 P. 2d 565.

No. 97-8836. *SARKAR v. TEMPLE UNIVERSITY*. C. A. 3d Cir. Certiorari denied.

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No. 97-8839. *BOOHER v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 97-8872. *HAUCK v. MILLS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 97-8875. *MOSSERI v. UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK* (two judgments). C. A. 2d Cir. Certiorari denied.

No. 97-8890. *HARRIS v. HIGGINS, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 97-8900. *TROXELL v. KENTUCKY*. Ct. App. Ky. Certiorari denied.

No. 97-8933. *CRAW v. HORN, COMMISSIONER, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 141 F. 3d 1153.

No. 97-8948. *STEWART v. MONROE, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 142 F. 3d 436.

No. 97-8961. *BRADLEY v. ILLINOIS*. App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 292 Ill. App. 3d 208, 685 N. E. 2d 426.

No. 97-8975. *CASTAPHNEY, AKA CASTAPHENY v. WHITE, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT PITTSBURGH, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 142 F. 3d 427.

No. 97-9006. *CAMPBELL v. UNITED STATES POSTAL SERVICE*. C. A. Fed. Cir. Certiorari denied. Reported below: 135 F. 3d 778.

No. 97-9048. *HERNANDEZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 141 F. 3d 1189.

No. 97-9050. *LANGLEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 133 F. 3d 918.

No. 97-9057. *BRANCH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 139 F. 3d 900.

No. 97-9058. *GIANETTA, AKA GARCIA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 139 F. 3d 913.

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No. 97-9060. *HALL, AKA VALERIANO v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 129 F. 3d 1261.

No. 97-9061. *FRANCISCO v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 152 F. 3d 939.

No. 97-9070. *ZUCKERMAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 97-9076. *GUNN, AKA WELLS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 141 F. 3d 1150.

No. 97-9077. *DELANCY v. CRABTREE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 131 F. 3d 780.

No. 97-9080. *FEDEROWICZ v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 135 F. 3d 767.

No. 97-9085. *SHEPPARD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 134 F. 3d 595.

No. 97-9087. *GRANT v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 97-9091. *KELLER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 142 F. 3d 430.

No. 97-9108. *MITCHELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 97-9110. *QUEEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 136 F. 3d 1330.

No. 97-9111. *AVERY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 133 F. 3d 917.

No. 97-9115. *TOVAR-VALENCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 137 F. 3d 1351.

No. 97-9116. *TERRY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 97-9117. *TOLEDO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 139 F. 3d 913.

No. 97-9136. *NOHARA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 139 F. 3d 909.



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No. 97-1666. *BRYAN ET UX. v. CLAYTON ET AL.* Dist. Ct. App. Fla., 5th Dist. Motion of American Association of Retired Persons et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 698 So. 2d 1236.

No. 97-1683. *ROWLAND ET AL. v. GOODSON ET AL.* C. A. 9th Cir. Motion of petitioners to defer consideration of petition for writ of certiorari denied. Certiorari denied. Reported below: 133 F. 3d 1141.

No. 97-1697. *INOCO LTD. v. GOODSON ET AL.* C. A. 9th Cir. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied. Reported below: 133 F. 3d 1141.

No. 97-9486 (A-944). *PYLES v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE GINSBURG would grant the application for stay of execution. Reported below: 136 F. 3d 986.

*Rehearing Denied.*

No. 97-1164. *GLEASON, INDIVIDUALLY AND AS EXECUTRIX OF THE ESTATE OF GLEASON, DECEASED v. NOYES ET AL.*, 523 U.S. 1072;

No. 97-1405. *SAID v. RUNYON, POSTMASTER GENERAL*, 523 U.S. 1076;

No. 97-1412. *MAHER v. LONG ISLAND UNIVERSITY ET AL.*, 523 U.S. 1076;

No. 97-1467. *PETERSON v. WISCONSIN DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS ET AL.*, 523 U.S. 1076;

No. 97-7840. *RIVERA v. FLORIDA*, 523 U.S. 1052;

No. 97-7893. *ALLARD v. ELO, WARDEN*, 523 U.S. 1081;

No. 97-7915. *FOLLETT v. ARIZONA*, 523 U.S. 1081;

No. 97-8155. *BROCKMAN v. SWEETWATER COUNTY SCHOOL DISTRICT No. 1*, 523 U.S. 1089;

No. 97-8173. *BARRIER v. JOHNSON ET AL.*; and *BARRIER v. MARIN GENERAL HOSPITAL ET AL.*, 523 U.S. 1110; and

No. 97-8234. *IN RE GRIFFIN*, 523 U.S. 1058. Petitions for rehearing denied.

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No. 97-954. *HETZEL v. PRINCE WILLIAM COUNTY, VIRGINIA, ET AL.*, 523 U.S. 208; and

No. 97-1361. *BRONX HOUSEHOLD OF FAITH ET AL. v. BOARD OF EDUCATION OF THE CITY OF NEW YORK ET AL.*, 523 U.S. 1074. Motions for leave to file petitions for rehearing denied.

No. 97-8042. *DIAS v. BOGINS*, 523 U.S. 1103. Petition for rehearing denied. JUSTICE SOUTER took no part in the consideration or decision of this petition.

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*Certiorari Denied*

No. 97-9170 (A-928). *EATON v. ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE GINSBURG would grant the application for stay of execution. Reported below: 139 F. 3d 990.

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*Miscellaneous Order*

No. A-959 (97-9567). *WILLIAMS v. CAIN, WARDEN*. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, granted pending the disposition of the petition for writ of certiorari. Should the petition for writ of certiorari be denied, this stay shall terminate automatically. In the event the petition for writ of certiorari is granted, the stay shall continue pending the sending down of the judgment of this Court.

*Certiorari Denied*

No. 97-9570 (A-960). *WILLIAMS v. LOUISIANA*. Sup. Ct. La. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. Reported below: 747 So. 2d 487.

No. 97-9589 (A-962). *WILLIAMS v. CAIN, WARDEN*. C. A. 5th Cir. Application for stay of execution of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE GINSBURG would grant the application for stay of execution. Reported below: 143 F. 3d 949.

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JUNE 22, 1998

*Certiorari Granted—Vacated and Remanded*

No. 97-1113. *AMOS ET AL. v. MARYLAND DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES ET AL.* C. A. 4th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Pennsylvania Dept. of Corrections v. Yeskey*, ante, p. 206. Reported below: 126 F. 3d 589.

No. 97-5460. *APKER v. UNITED STATES*. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Hohn v. United States*, ante, p. 236. Reported below: 101 F. 3d 75.

*Miscellaneous Orders*

No. D-1891. *IN RE DISBARMENT OF SINGER*. Disbarment entered. [For earlier order herein, see 522 U. S. 1040.]

No. D-1937. *IN RE DISBARMENT OF FEY*. Disbarment entered. [For earlier order herein, see 523 U. S. 1069.]

No. D-1967. *IN RE DISBARMENT OF PAHL*. J. Larkin Pahl, of Raleigh, N. C., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1968. *IN RE DISBARMENT OF HERZOG*. Mitchell W. Herzog, of Eastsound, Wash., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1969. *IN RE DISBARMENT OF BARKIN*. Steven J. Barkin, of Sherman Oaks, Cal., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1970. *IN RE DISBARMENT OF KURTZ*. Phillip Kurtz, of Euclid, Ohio, is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to

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show cause why he should not be disbarred from the practice of law in this Court.

No. D-1971. *IN RE DISBARMENT OF TOTH*. Peter J. Toth, of Burlington, N. J., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. M-81. *KESSLER v. BROWN & WILLIAMSON ET AL.*;

No. M-84. *CITY OF SANTA ANA v. HERNANDEZ ET AL.*; and

No. M-85. *PHONOMETRICS, INC. v. NORTHERN TELECOM, INC., ET AL.* Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 96-8732. *EDWARDS ET AL. v. UNITED STATES*, 523 U.S. 511. Motion of petitioners to waive \$2,500 fee limitation under the Criminal Justice Act denied.

No. 97-9243. *IN RE KEY*. Petition for writ of habeas corpus denied.

No. 97-1780. *IN RE JAMES, GOVERNOR OF ALABAMA, ET AL.*;

No. 97-7869. *IN RE LUNDAHL*; and

No. 97-8258. *IN RE LUNDAHL*. Petitions for writs of mandamus denied.

### *Certiorari Granted*

No. 97-303. *HUMANA INC. ET AL. v. FORSYTH ET AL.* C. A. 9th Cir. Certiorari granted. Reported below: 114 F. 3d 1467.

No. 97-1704. *ORTIZ ET AL. v. FIBREBOARD CORP. ET AL.* C. A. 5th Cir. Certiorari granted. Reported below: 134 F. 3d 668.

No. 97-1709. *KUMHO TIRE CO., LTD., ET AL. v. CARMICHAEL ET AL.* C. A. 11th Cir. Certiorari granted. Reported below: 131 F. 3d 1433.

### *Certiorari Denied*

No. 97-144. *PEARSON v. HINES*. C. A. 9th Cir. Certiorari denied. Reported below: 108 F. 3d 265.

No. 97-218. *LARSEN, MARYLAND INSURANCE COMMISSIONER v. AMERICAN MEDICAL SECURITY, INC., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 111 F. 3d 358.

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No. 97-686. *WILSON, GOVERNOR OF CALIFORNIA, ET AL. v. ARMSTRONG ET AL.*; and *CALIFORNIA ET AL. v. CLARK ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 124 F. 3d 1019 (first judgment); 123 F. 3d 1267 (second judgment).

No. 97-795. *PINAL CREEK GROUP v. NEWMONT MINING CORP. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 118 F. 3d 1298.

No. 97-1399. *BLUMENTHAL, ATTORNEY GENERAL OF CONNECTICUT v. PHILIP MORRIS, INC., ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 123 F. 3d 103.

No. 97-1427. *JUDICIAL COUNCIL OF THE FIFTH JUDICIAL CIRCUIT ET AL. v. MCBRYDE, JUDGE, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS.* C. A. 5th Cir. Certiorari denied. Reported below: 117 F. 3d 208.

No. 97-1451. *NATIONAL ASSOCIATION OF HOME BUILDERS OF THE UNITED STATES ET AL. v. BABBITT, SECRETARY OF THE INTERIOR, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 130 F. 3d 1041.

No. 97-1488. *ZERAN v. AMERICA ONLINE, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 129 F. 3d 327.

No. 97-1514. *INNER CITY PRESS/COMMUNITY ON THE MOVE ET AL. v. BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 130 F. 3d 1088.

No. 97-1517. *MCCLATCHY NEWSPAPERS, INC. v. NATIONAL LABOR RELATIONS BOARD.* C. A. D. C. Cir. Certiorari denied. Reported below: 131 F. 3d 1026.

No. 97-1543. *LEFCOURT v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 125 F. 3d 79.

No. 97-1550. *ROJAS v. FITCH ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 127 F. 3d 184.

No. 97-1641. *UNITED STATES v. MESSINO ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 122 F. 3d 389.

No. 97-1660. *MANN ET UX. v. MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION.* Ct. App. Mo., Western Dist. Certiorari denied. Reported below: 954 S. W. 2d 503.

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No. 97-1677. *Joos v. Joos*. Ct. App. Utah. Certiorari denied.

No. 97-1708. *NAKAMURA v. CHUN ET AL.* Int. Ct. App. Haw. Certiorari denied. Reported below: 86 Haw. 523, 950 P. 2d 707.

No. 97-1710. *BIOFILM, INC., ET AL. v. BOYNTON ET AL.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 97-1714. *COATES v. SEATON*. Ct. App. Colo. Certiorari denied.

No. 97-1718. *MOSS v. GARRITY ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 97-1719. *RHETT v. CARNEGIE CENTER ASSOCIATES*. C. A. 3d Cir. Certiorari denied. Reported below: 129 F. 3d 290.

No. 97-1724. *BARKER v. LEEDS ET AL.* Ct. App. Ky. Certiorari denied.

No. 97-1728. *SALGUERO v. CALIFORNIA*. App. Dept., Super. Ct. Cal., Alameda County. Certiorari denied.

No. 97-1730. *DEER PARK INDEPENDENT SCHOOL DISTRICT ET AL. v. HARRIS COUNTY APPRAISAL DISTRICT ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 132 F. 3d 1095.

No. 97-1731. *BOWEN v. OISTEAD ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 125 F. 3d 800.

No. 97-1738. *MAY ET AL. v. TOWN OF MOUNTAIN VILLAGE*. C. A. 10th Cir. Certiorari denied. Reported below: 132 F. 3d 576.

No. 97-1750. *BRYANT, ON BEHALF OF BRYANT v. CADDO PARISH SCHOOL BOARD*. C. A. 5th Cir. Certiorari denied. Reported below: 129 F. 3d 608.

No. 97-1755. *COFFEY v. COLLESTER, JUDGE, SUPERIOR COURT, MORRISTOWN, NEW JERSEY, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 141 F. 3d 1153.

No. 97-1757. *MOORE v. KEEP ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 133 F. 3d 928.

No. 97-1761. *FEDERATION OF CONNECTICUT TAXPAYER ORGANIZATIONS ET AL. v. BURNHAM, TREASURER OF CONNECTICUT*,

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ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 129 F. 3d 113.

No. 97-1762. RAMIREZ *v.* TEXAS ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 138 F. 3d 952.

No. 97-1766. JAKOBY *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 152 F. 3d 940.

No. 97-1767. CARLYLE *v.* SAINT-EVENS ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 133 F. 3d 926.

No. 97-1771. CONNOR *v.* FLYNN, EXECUTRIX OF THE ESTATE OF FLYNN. Super. Ct. N. J., App. Div. Certiorari denied.

No. 97-1775. LU *v.* CHRISTIANI ET AL.; and LU *v.* HARSH-BARGER ET AL. C. A. 1st Cir. Certiorari denied. Reported below: 132 F. 3d 30 (first judgment); 134 F. 3d 361 (second judgment).

No. 97-1776. PRUITT, INDIVIDUALLY AND AS NEXT FRIEND OF KACAL, A MINOR *v.* WACO INDEPENDENT SCHOOL DISTRICT ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 136 F. 3d 1329.

No. 97-1778. SAWCHYN *v.* SCOTTSDALE INSURANCE CO. ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 132 F. 3d 34.

No. 97-1788. DOAKES *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 138 F. 3d 442.

No. 97-1797. OY PARTEK AB *v.* BOONE, PERSONAL REPRESENTATIVE OF THE ESTATE OF BOONE, ET AL. Sup. Ct. Del. Certiorari denied. Reported below: 707 A. 2d 765.

No. 97-1806. KRAIN *v.* ILLINOIS DEPARTMENT OF PROFESSIONAL REGULATION ET AL. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 291 Ill. App. 3d 988, 684 N. E. 2d 826.

No. 97-1822. BROWN *v.* PLAUT, ASSOCIATE DIRECTOR FOR INSTITUTIONS, DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS, ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 131 F. 3d 163.

No. 97-1842. DOYLE *v.* JEFFERSON COUNTY ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 135 F. 3d 144.

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No. 97-1845. *SANDERS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 141 F. 3d 1182.

No. 97-1849. *KLOPP v. UNITED STATES ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 131 F. 3d 131.

No. 97-1852. *SCHEUMANN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 132 F. 3d 37.

No. 97-1854. *PIERSON v. WILSHIRE TERRACE CORP.* C. A. 9th Cir. Certiorari denied. Reported below: 139 F. 3d 910.

No. 97-1860. *KEARNS v. WOOD MOTORS, INC., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 135 F. 3d 775.

No. 97-1861. *GIAIMO ET UX. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 141 F. 3d 1168.

No. 97-1871. *WHATLEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 133 F. 3d 601.

No. 97-1901. *IN RE CARANCHINI*. Sup. Ct. Mo. Certiorari denied. Reported below: 956 S. W. 2d 910.

No. 97-1903. *SUDWISHER v. ESTATE OF HOFFPAUIR ET AL.* Sup. Ct. La. Certiorari denied. Reported below: 705 So. 2d 724.

No. 97-6467. *SPRUILL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 114 F. 3d 1178.

No. 97-6915. *ALLAH v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 130 F. 3d 33.

No. 97-7373. *EPPS v. WEST, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 126 F. 3d 1464.

No. 97-7418. *HAMILTON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 130 F. 3d 33.

No. 97-7956. *THOMAS, AKA GREGORY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 133 F. 3d 919.

No. 97-8143. *WASHINGTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 127 F. 3d 510.

No. 97-8279. *TERRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 131 F. 3d 138.



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No. 97-8364. *HALL v. TENNESSEE*. Sup. Ct. Tenn. Certiorari denied. Reported below: 958 S. W. 2d 679.

No. 97-8447. *YOUNG v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 131 F. 3d 1437.

No. 97-8694. *SINN v. RATELLE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 129 F. 3d 127.

No. 97-8695. *SIKORA v. HIGLEY, ASSOCIATE WARDEN*. Sup. Ct. Neb. Certiorari denied.

No. 97-8712. *MOORE v. GRIESA ET AL.* C. A. 2d Cir. Certiorari denied.

No. 97-8715. *NOCON v. LANDRESS, SUPERINTENDENT, AVON PARK CORRECTIONAL INSTITUTION, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 132 F. 3d 45.

No. 97-8721. *PARKS v. RIVERS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 97-8724. *ALLEN v. STEWART, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTION, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 97-8729. *WOOD ET AL. v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 97-8733. *SEATON v. MICHIGAN* (two judgments). Recorder's Court, City of Detroit, Mich. Certiorari denied.

No. 97-8738. *HILLIARD v. KAISER ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 131 F. 3d 151.

No. 97-8741. *WESLEY v. WESLEY*. C. A. D. C. Cir. Certiorari denied.

No. 97-8754. *PERCIVAL v. STINE, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 97-8757. *BROWN v. CITY OF SAN DIEGO POLICE DEPARTMENT*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 97-8758. *BROWN v. SUPERIOR COURT OF CALIFORNIA, SAN DIEGO COUNTY*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

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No. 97-8759. *JONES v. PENNSYLVANIA BOARD OF PROBATION AND PAROLE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 141 F. 3d 1154.

No. 97-8760. *MURILLO v. TERHUNE, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 120 F. 3d 269.

No. 97-8762. *WILSON v. BLACKWELL, ADMINISTRATOR, EDNA MAHAN CORRECTIONAL FACILITY FOR WOMEN.* C. A. 3d Cir. Certiorari denied.

No. 97-8763. *WATSON v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 97-8768. *SUTHERLIN v. MINNESOTA.* Sup. Ct. Minn. Certiorari denied. Reported below: 574 N. W. 2d 428.

No. 97-8772. *SANDERS v. FLYNN ET AL.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 97-8775. *JACKSON v. LEBLANC, WARDEN.* C. A. 5th Cir. Certiorari denied. Reported below: 132 F. 3d 1454.

No. 97-8787. *CYARS v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 97-8790. *COLBERT v. INOVA HEALTH CARE SERVICES.* C. A. 4th Cir. Certiorari denied. Reported below: 134 F. 3d 362.

No. 97-8804. *DE LA CRUZ v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 134 F. 3d 299.

No. 97-8806. *JACKSON v. WEST VIRGINIA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 133 F. 3d 915.

No. 97-8811. *MARTINEZ v. MOORE, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 133 F. 3d 916.

No. 97-8813. *MAYS ET AL. v. CITY OF DAYTON ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 134 F. 3d 809.

No. 97-8829. *KILGORE v. BOWERSOX, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied. Reported below: 124 F. 3d 985.

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No. 97-8852. *ORTIZ v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 701 So. 2d 922.

No. 97-8859. *BEVERLY v. OHIO*. Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 97-8865. *HOOPER v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 947 P. 2d 1090.

No. 97-8868. *FLORES v. GARCIA, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 131 F. 3d 146.

No. 97-8873. *HUNTER v. SOUTH CAROLINA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 129 F. 3d 1259.

No. 97-8874. *DREHER v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied. Reported below: 302 N. J. Super. 408, 695 A. 2d 672.

No. 97-8883. *KEREKES v. APFEL, COMMISSIONER OF SOCIAL SECURITY*. C. A. 9th Cir. Certiorari denied. Reported below: 133 F. 3d 927.

No. 97-8904. *TROBAUGH v. IOWA*. Sup. Ct. Iowa. Certiorari denied. Reported below: 577 N. W. 2d 850.

No. 97-8915. *PAYNE v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 706 So. 2d 305.

No. 97-8920. *WILKERSON v. TUTT ET AL.* C. A. 9th Cir. Certiorari denied.

No. 97-8923. *MINER v. MISSOURI*. Ct. App. Mo., Eastern Dist. Certiorari denied. Reported below: 957 S. W. 2d 332.

No. 97-8932. *BARBIR v. WHITE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 97-8935. *BUCK v. BOEING Co.* C. A. 9th Cir. Certiorari denied. Reported below: 133 F. 3d 925.

No. 97-8936. *BYRD v. GILLIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT COAL TOWNSHIP, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 97-8943. *HAROLD v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 704 So. 2d 520.

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No. 97-8944. *DAY v. WALKER, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 142 F. 3d 433.

No. 97-8950. *SWINNEY ET AL. v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 97-9004. *SWINICK v. ROSEN*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 97-9017. *WILSON v. BURTON, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 97-9022. *LAESSIG v. CITY OF PHILADELPHIA ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 141 F. 3d 1154.

No. 97-9073. *THOMAS v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 97-9075. *BOYD v. OREGON*. Sup. Ct. Ore. Certiorari denied.

No. 97-9086. *DIACONU v. DEFENSE LOGISTICS AGENCY ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 141 F. 3d 1153.

No. 97-9089. *STEELE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 135 F. 3d 768.

No. 97-9094. *DEHLER v. SCHOTTEN, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 97-9105. *REYNOLDS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 141 F. 3d 1182.

No. 97-9113. *RIEBOLD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 135 F. 3d 1226.

No. 97-9142. *GAY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 141 F. 3d 1171.

No. 97-9147. *SENTENN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 117 F. 3d 1416.

No. 97-9148. *LLOYD ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 124 F. 3d 206.

No. 97-9151. *WAYNE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

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No. 97-9152. ZARAGOZA, AKA VALERA *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 142 F. 3d 441.

No. 97-9153. VALLEJO *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 140 F. 3d 1038.

No. 97-9156. JAMES *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 138 F. 3d 951.

No. 97-9164. WHATLEY *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 133 F. 3d 601.

No. 97-9165. BARTLEY *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 142 F. 3d 437.

No. 97-9173. WOODRUFF *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 142 F. 3d 438.

No. 97-9180. CARTER *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 124 F. 3d 218.

No. 97-9181. BIERI *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied.

No. 97-9184. HOOKER *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 141 F. 3d 1160.

No. 97-9187. HOBBS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 137 F. 3d 384.

No. 97-9191. BOLLING *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 135 F. 3d 770.

No. 97-1054. CHASE MANHATTAN BANK, AS TRUSTEE OF THE IBM RETIREMENT PLAN TRUST FUND *v.* CITY AND COUNTY OF SAN FRANCISCO ET AL. C. A. 9th Cir. Certiorari denied. JUSTICE STEVENS took no part in the consideration or decision of this petition. Reported below: 121 F. 3d 557.

No. 97-1511. MOORE, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS *v.* CUMMINGS. C. A. 4th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 129 F. 3d 728.

No. 97-1706. AMERICAN LIFE & CASUALTY INSURANCE CO. *v.* TROSTEL ET AL. C. A. 8th Cir. Certiorari denied. JUSTICE

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BREYER took no part in the consideration or decision of this petition. Reported below: 133 F. 3d 679.

No. 97-1772. *JONES ET VIR v. UNITED STATES*. C. A. 9th Cir. Motion of petitioner Karyn Jones to substitute Joy Elaine Jones in place of Chris Jones, deceased, denied. Certiorari denied. Reported below: 127 F. 3d 1154.

*Rehearing Denied*

No. 97-1271. *VISWANATHAN v. FAYETTEVILLE STATE UNIVERSITY BOARD OF TRUSTEES ET AL.*, 523 U. S. 1106;

No. 97-1633. *IN RE COSSETT, DBA COSSETT CONSTRUCTION Co., INC.*, 523 U. S. 1092;

No. 97-7648. *KING v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION, ET AL.*, 523 U. S. 1029;

No. 97-7658. *MARTINEZ v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*, 523 U. S. 1010;

No. 97-7728. *JARVI v. MCCARTHY ET AL.*, 523 U. S. 1061;

No. 97-7732. *JACKSON v. NEW YORK*, 523 U. S. 1061;

No. 97-7791. *WALTON v. PRINCETON BAPTIST MEDICAL CENTER*, 523 U. S. 1062;

No. 97-7822. *NARRON v. VANCE ET AL.*, 523 U. S. 1097;

No. 97-7861. *TOEGEMANN v. PROCHASKA ET AL.*, 523 U. S. 1080;

No. 97-8046. *HAYES v. WESTERN WEIGHING AND INSPECTION BUREAU*, 523 U. S. 1084;

No. 97-8257. *IN RE JOHNSON*, 523 U. S. 1105;

No. 97-8285. *SMITH v. TEXAS*, 523 U. S. 1085;

No. 97-8541. *IN RE VERBECK*, 523 U. S. 1105;

No. 97-8555. *ZEREBNICK v. BECKWITH MACHINERY Co.*, 523 U. S. 1111;

No. 97-8596. *SALAZAR v. UNITED STATES*, 523 U. S. 1112; and

No. 97-8618. *IN RE GREEN*, 523 U. S. 1105. Petitions for rehearing denied.

No. 97-1512. *BANKHEAD v. MISSISSIPPI ET AL.*, 523 U. S. 1078. Motion of petitioner for leave to proceed further herein *in forma pauperis* granted. Petition for rehearing denied.

No. 97-7049. *MARTIN v. UNITED STATES*, 522 U. S. 1067. Motion for leave to file petition for rehearing denied.

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*Certiorari Denied*

No. 97-8922 (A-978). NARVAIZ *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE GINSBURG would grant the application for stay of execution. Reported below: 134 F. 3d 688.

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*Certiorari Granted—Vacated and Remanded*

No. 97-232. EDDY POTASH, INC. *v.* HARRISON. C. A. 10th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Faragher v. Boca Raton*, *ante*, p. 775. Reported below: 112 F. 3d 1437.

No. 97-726. REYNOLDS *v.* CSX TRANSPORTATION, INC., ET AL. C. A. 11th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Faragher v. Boca Raton*, *ante*, p. 775. Reported below: 115 F. 3d 860.

No. 97-1058. STEWART, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTION, ET AL. *v.* FALCONE. C. A. 9th Cir. Certiorari granted; judgment vacated, and case remanded for further consideration in light of *Monge v. California*, *ante*, p. 721. Reported below: 120 F. 3d 1082.

No. 97-1777. B. C. ROGERS PROCESSORS, INC., ET AL. *v.* BOC GROUP, INC., ET AL. C. A. 11th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Lexecon Inc. v. Milberg Weiss Bershad Hynes & Lerach*, 523 U. S. 26 (1998). Reported below: 136 F. 3d 139.

No. 97-5760. DICKEY *v.* UNITED STATES. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Lindh v. Murphy*, 521 U. S. 320 (1997).

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*Miscellaneous Orders*

No. D-1933. IN RE DISBARMENT OF PHILLIPS. Disbarment entered. [For earlier order herein, see 523 U. S. 1057.]

No. D-1936. IN RE DISBARMENT OF GREER. Disbarment entered. [For earlier order herein, see 523 U. S. 1069.]

No. D-1938. IN RE DISBARMENT OF ROTTER. Disbarment entered. [For earlier order herein, see 523 U. S. 1069.]

No. D-1939. IN RE DISBARMENT OF IRONS. Disbarment entered. [For earlier order herein, see 523 U. S. 1069.]

No. D-1942. IN RE DISBARMENT OF COLLINS. Disbarment entered. [For earlier order herein, see 523 U. S. 1092.]

No. D-1943. IN RE DISBARMENT OF KANTOR. Further consideration of rule to show cause deferred. [For earlier order herein, see 523 U. S. 1092.]

No. D-1944. IN RE DISBARMENT OF HALL. Disbarment entered. [For earlier order herein, see 523 U. S. 1092.]

No. D-1946. IN RE DISBARMENT OF BLUMENTHAL. Disbarment entered. [For earlier order herein, see 523 U. S. 1104.]

No. D-1947. IN RE DISBARMENT OF KRUPA. Disbarment entered. [For earlier order herein, see 523 U. S. 1104.]

No. D-1951. IN RE DISBARMENT OF BREEZE. Disbarment entered. [For earlier order herein, see 523 U. S. 1114.]

No. D-1965. IN RE DISBARMENT OF MENDELSON. Michael Sweig Mendelson, of Chicago, Ill., having requested to resign as a member of the Bar of this Court, it is ordered that his name be stricken from the roll of attorneys admitted to the practice of law before this Court. The rule to show cause, issued on June 15, 1998 [*ante*, p. 925], is discharged.

No. D-1972. IN RE DISBARMENT OF HYNES. Douglas James Hynes, of Farmingdale, N. Y., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.



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No. D-1973. *IN RE DISBARMENT OF FALICK*. Fredrick S. Falick, of Middletown, N. Y., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. M-82. *BERRY v. LOUISIANA DEPARTMENT OF PUBLIC SAFETY*. Motion to direct the Clerk to file petition for writ of certiorari out of time under this Court's Rule 14.5 denied.

No. M-83. *ABRAMS v. BARNETT, WARDEN*; and

No. M-87. *ROBERTS v. MOORE, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL.* Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 97-826. *AT&T CORP. ET AL. v. IOWA UTILITIES BOARD ET AL.*; and *AT&T CORP. ET AL. v. CALIFORNIA ET AL.*;

No. 97-829. *MCI TELECOMMUNICATIONS CORP. v. IOWA UTILITIES BOARD ET AL.*; and *MCI TELECOMMUNICATIONS CORP. v. CALIFORNIA ET AL.*;

No. 97-830. *ASSOCIATION FOR LOCAL TELECOMMUNICATIONS SERVICES ET AL. v. IOWA UTILITIES BOARD ET AL.*;

No. 97-831. *FEDERAL COMMUNICATIONS COMMISSION ET AL. v. IOWA UTILITIES BOARD ET AL.*; and *FEDERAL COMMUNICATIONS COMMISSION ET AL. v. CALIFORNIA ET AL.*;

No. 97-1075. *AMERITECH CORP. ET AL. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.*;

No. 97-1087. *GTE MIDWEST INC. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.*;

No. 97-1099. *U S WEST, INC. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.*; and

No. 97-1141. *SOUTHERN NEW ENGLAND TELEPHONE CO. ET AL. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* C. A. 8th Cir. [Certiorari granted, 522 U. S. 1089.] Motion of the Solicitor General for divided argument granted. JUSTICE O'CONNOR took no part in the consideration or decision of this motion.

No. 97-889. *WRIGHT v. UNIVERSAL MARITIME SERVICE CORP. ET AL.* C. A. 4th Cir. [Certiorari granted, 522 U. S. 1146.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 97-930. *BUCKLEY, SECRETARY OF STATE OF COLORADO v. AMERICAN CONSTITUTIONAL LAW FOUNDATION, INC., ET AL.*

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C. A. 10th Cir. [Certiorari granted, 522 U.S. 1107.] Motions of Initiative & Referendum Institute and National Voter Outreach, Inc., for leave to file briefs as *amici curiae* granted.

No. 97-1130. PFAFF *v.* WELLS ELECTRONICS, INC. C. A. Fed. Cir. [Certiorari granted, 523 U.S. 1003.] Motion of Federal Circuit Bar Association for leave to file a brief as *amicus curiae* granted.

No. 97-1184. NATIONAL FEDERATION OF FEDERAL EMPLOYEES, LOCAL 1309 *v.* DEPARTMENT OF THE INTERIOR ET AL.; and

No. 97-1243. FEDERAL LABOR RELATIONS AUTHORITY *v.* DEPARTMENT OF THE INTERIOR ET AL. C. A. 4th Cir. [Certiorari granted, *ante*, p. 903.] Motion of petitioners to dispense with printing the joint appendix granted.

No. 97-1396. LOPEZ ET AL. *v.* MONTEREY COUNTY ET AL. D. C. N. D. Cal. [Probable jurisdiction noted, 523 U.S. 1093.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 97-1426. CRAWFORD & Co. *v.* SONNIER, 523 U.S. 1107. Motion of respondent for attorney's fees and costs denied without prejudice to refile in the United States Court of Appeals for the Sixth Circuit.

No. 97-1481. LIBERTY NATIONAL LIFE INSURANCE CO. *v.* DAY, 523 U.S. 1119. Motion of respondent for attorney's fees and costs denied.

No. 97-1952. IN RE HAYDEN. Petition for writ of habeas corpus denied.

No. 97-8490. IN RE RUDD;

No. 97-8802. IN RE SNYDER ET AL.;

No. 97-8861. IN RE BAEZ;

No. 97-8928. IN RE AYARS; and

No. 97-9237. IN RE IJEMBA. Petitions for writs of mandamus denied.

No. 97-1789. IN RE EIDSON; and

No. 97-8864. IN RE BETKA. Petitions for writs of prohibition denied.

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*Certiorari Granted*

No. 97-1642. DEPARTMENT OF THE ARMY *v.* BLUE FOX, INC. C. A. 9th Cir. Certiorari granted. Reported below: 121 F. 3d 1357.

*Certiorari Denied*

No. 97-799. ELLERTH *v.* BURLINGTON INDUSTRIES, INC. C. A. 7th Cir. Certiorari denied. Reported below: 123 F. 3d 490.

No. 97-801. YANKEE ATOMIC ELECTRIC CO. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 112 F. 3d 1569.

No. 97-884. GECAS *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 120 F. 3d 1419.

No. 97-1278. INMATES OF THE SUFFOLK COUNTY JAIL ET AL. *v.* ROUSE, SHERIFF, SUFFOLK COUNTY, ET AL. C. A. 1st Cir. Certiorari denied. Reported below: 129 F. 3d 649.

No. 97-1394. SOUTHEASTERN MARITIME CO. ET AL. *v.* BROWN ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 121 F. 3d 648.

No. 97-1404. MALPESO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 115 F. 3d 155.

No. 97-1440. GURNEY ET AL. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 139 F. 3d 1462.

No. 97-1443. MAUSOLF ET AL. *v.* BABBITT, SECRETARY OF THE INTERIOR, ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 125 F. 3d 661.

No. 97-1444. McLAUGHLIN ET AL. *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 126 F. 3d 130.

No. 97-1535. GENERAL MEDIA COMMUNICATIONS, INC., ET AL. *v.* COHEN, SECRETARY OF DEFENSE, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 131 F. 3d 273.

No. 97-1541. SMITH ET AL. *v.* METROPOLITAN SCHOOL DISTRICT PERRY TOWNSHIP ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 128 F. 3d 1014.

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No. 97-1567. *AMERICAN MEDICAL ASSN. v. PRACTICE MANAGEMENT INFORMATION CORP.* C. A. 9th Cir. Certiorari denied. Reported below: 121 F. 3d 516 and 133 F. 3d 1140.

No. 97-1578. *HOECHST CELANESE CORP. v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 128 F. 3d 216.

No. 97-1610. *BUNKER GROUP, INC., ET AL. v. UNITED STATES ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 132 F. 3d 818.

No. 97-1618. *UNIVERSAL LIFE CHURCH, INC. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 128 F. 3d 1294.

No. 97-1635. *GOVERNMENT OF HONDURAS ET AL. v. HONDURAS AIRCRAFT REGISTRY, LTD., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 129 F. 3d 543.

No. 97-1646. *NATIONAL ENVIRONMENTAL WASTE CORP. v. CITY OF RIVERSIDE;* and

No. 97-1810. *CITY OF RIVERSIDE v. NATIONAL ENVIRONMENTAL WASTE CORP.* C. A. 9th Cir. Certiorari denied. Reported below: 129 F. 3d 1052.

No. 97-1686. *CAHNMANN v. SPRINT CORP.* C. A. 7th Cir. Certiorari denied. Reported below: 133 F. 3d 484.

No. 97-1693. *HADIX ET AL. v. MCGINNIS ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 133 F. 3d 940.

No. 97-1735. *RENDISH v. CITY OF TACOMA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 123 F. 3d 1216.

No. 97-1742. *DORSEY v. DORSEY.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 97-1743. *COUCH v. SPRINT CORP.* C. A. 8th Cir. Certiorari denied. Reported below: 131 F. 3d 764.

No. 97-1745. *BARANDIARAN ET AL. v. TCW SPECIAL CREDITS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 129 F. 3d 1330.

No. 97-1747. *NORTH LAWRENCE COMMUNITY SCHOOL CORP. v. MARY M., PARENT AND NEXT FRIEND FOR DIANE M., A MINOR.*

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C. A. 7th Cir. Certiorari denied. Reported below: 131 F. 3d 1220.

No. 97-1756. *KENDALL v. KENDALL*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 426 Mass. 238, 687 N. E. 2d 1228.

No. 97-1760. *COASTAL PETROLEUM Co. v. CHILES, GOVERNOR OF FLORIDA, ET AL.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 701 So. 2d 619.

No. 97-1763. *MATRIX COMMUNICATIONS CORP. v. MCI TELECOMMUNICATIONS CORP.* C. A. 1st Cir. Certiorari denied. Reported below: 135 F. 3d 27.

No. 97-1764. *BAUCHMAN, BY AND THROUGH HER PARENT AND GUARDIAN, BAUCHMAN v. WEST HIGH SCHOOL ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 132 F. 3d 542.

No. 97-1765. *OGLEBAY NORTON Co. v. JENSON ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 130 F. 3d 1287.

No. 97-1781. *HAYDEN ET AL. v. GRAYSON, CHIEF OF POLICE OF THE TOWN OF LISBON.* C. A. 1st Cir. Certiorari denied. Reported below: 134 F. 3d 449.

No. 97-1782. *MA ET AL. v. GOETSCH ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 127 F. 3d 1105.

No. 97-1784. *EGBERT v. REIS ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 129 F. 3d 1254.

No. 97-1785. *KLEIN v. GRIEVANCE COMMITTEE FOR THE NINTH JUDICIAL DISTRICT OF NEW YORK.* Ct. App. N. Y. Certiorari denied. Reported below: 90 N. Y. 2d 929, 686 N. E. 2d 1357.

No. 97-1791. *NEW IMAGE INDUSTRIES, INC. v. HIGH TECH MEDICAL INSTRUMENTATION, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 135 F. 3d 774.

No. 97-1799. *JUMONVILLE ET VIR v. CITY OF KENNER.* Ct. App. La., 5th Cir. Certiorari denied. Reported below: 701 So. 2d 223.

No. 97-1800. *BAZZETTA ET AL. v. MCGINNIS, DIRECTOR, MICHIGAN DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 6th Cir.

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Certiorari denied. Reported below: 124 F. 3d 774 and 133 F. 3d 382.

No. 97-1801. *POLLIN v. OREGON DEPARTMENT OF REVENUE*. Sup. Ct. Ore. Certiorari denied. Reported below: 326 Ore. 427, 952 P. 2d 537.

No. 97-1804. *TOTH v. MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 136 F. 3d 477.

No. 97-1819. *LAMBING v. GODIVA CHOCOLATIER*. C. A. 6th Cir. Certiorari denied. Reported below: 142 F. 3d 434.

No. 97-1827. *SMITH v. SUPREME COURT OF COLORADO*. Sup. Ct. Colo. Certiorari denied. Reported below: 937 P. 2d 724.

No. 97-1831. *WORTHY v. COLLAGEN CORP.* Sup. Ct. Tex. Certiorari denied. Reported below: 967 S. W. 2d 360.

No. 97-1833. *BIALCZAK ET AL. v. BARNETT ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 141 F. 3d 699.

No. 97-1843. *KELLER COMMUNICATIONS, INC. v. FEDERAL COMMUNICATIONS COMMISSION*. C. A. D. C. Cir. Certiorari denied. Reported below: 130 F. 3d 1073.

No. 97-1858. *SCHWARZ v. KOGAN, CHIEF JUSTICE, SUPREME COURT OF FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 132 F. 3d 1387.

No. 97-1872. *ARSHAL v. DALTON, SECRETARY OF THE NAVY*. C. A. 9th Cir. Certiorari denied. Reported below: 139 F. 3d 903.

No. 97-1877. *SHOEMAKER v. UNITED STATES ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 164 F. 3d 619.

No. 97-1884. *CUMMINGS v. WEST, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 136 F. 3d 1468.

No. 97-1885. *GARRITY v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied. Reported below: 43 Mass. App. 349, 682 N. E. 2d 937.

No. 97-1887. *VINGI v. RHODE ISLAND ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 132 F. 3d 31.

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No. 97-1907. *DOUCETTE v. SAN DIEGO UNIFIED PORT DISTRICT ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 125 F. 3d 858.

No. 97-1908. *CHAVEZ-RAMIREZ v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 131 F. 3d 149.

No. 97-1913. *SHERWOOD ET UX. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 5th Cir. Certiorari denied. Reported below: 138 F. 3d 953.

No. 97-1932. *GAGLIARDI ET AL. v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 129 F. 3d 1255.

No. 97-5745. *SANCHEZ v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 97-6813. *CHAVEZ v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 97-7420. *GAVIN ET AL. v. BRANSTAD ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 122 F. 3d 1081.

No. 97-7558. *MARSH v. DALLAS INDEPENDENT SCHOOL DISTRICT ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 129 F. 3d 612.

No. 97-7829. *BLODGETT v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 130 F. 3d 1.

No. 97-7876. *BUTLER v. CALIFORNIA.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 97-7890. *WASHINGTON v. PENNSYLVANIA.* Sup. Ct. Pa. Certiorari denied. Reported below: 549 Pa. 12, 700 A. 2d 400.

No. 97-7996. *ELLIOTT v. PENNSYLVANIA.* Sup. Ct. Pa. Certiorari denied. Reported below: 549 Pa. 132, 700 A. 2d 1243.

No. 97-8093. *WOOLLEY v. ILLINOIS.* Sup. Ct. Ill. Certiorari denied. Reported below: 178 Ill. 2d 175, 687 N. E. 2d 979.

No. 97-8094. *THOMAS v. ILLINOIS.* Sup. Ct. Ill. Certiorari denied. Reported below: 178 Ill. 2d 215, 687 N. E. 2d 892.

No. 97-8097. *HICKEY v. ILLINOIS.* Sup. Ct. Ill. Certiorari denied. Reported below: 178 Ill. 2d 256, 687 N. E. 2d 910.

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No. 97-8120. *DOUGAN v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 129 F. 3d 1424.

No. 97-8127. *RICHARD v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 97-8291. *GRIFFIN v. ILLINOIS.* Sup. Ct. Ill. Certiorari denied. Reported below: 178 Ill. 2d 65, 687 N. E. 2d 820.

No. 97-8361. *DIXON v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 97-8382. *TENNARD v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied. Reported below: 960 S. W. 2d 57.

No. 97-8427. *LOVE v. TIPPY, WARDEN.* C. A. 8th Cir. Certiorari denied. Reported below: 133 F. 3d 1066.

No. 97-8470. *MANN v. TENNESSEE.* Sup. Ct. Tenn. Certiorari denied. Reported below: 959 S. W. 2d 503.

No. 97-8528. *WOODRUFF v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 131 F. 3d 1238.

No. 97-8536. *SALAS v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 139 F. 3d 322.

No. 97-8539. *O'RILEY v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 97-8580. *NELSON v. UNITED STATES.* C. A. 3d Cir. Certiorari denied.

No. 97-8778. *MUNOZ v. CITY OF MARTINEZ ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 134 F. 3d 378.

No. 97-8794. *JO-ANN G. v. CRANSTON SCHOOL COMMITTEE ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 130 F. 3d 481.

No. 97-8803. *HAMILTON v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 703 So. 2d 1038.

No. 97-8809. *MADRID v. MARSHALL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 131 F. 3d 147.



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No. 97-8816. *SHOWN v. OKLAHOMA ET AL.* Ct. Crim. App. Okla. Certiorari denied.

No. 97-8817. *SMITH v. JARVIS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 131 F. 3d 136.

No. 97-8819. *ZANKICH v. GOODNOW.* C. A. 9th Cir. Certiorari denied.

No. 97-8820. *ALLMOND v. FAUVER ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 129 F. 3d 1254.

No. 97-8821. *BOATWRIGHT v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* Sup. Ct. Fla. Certiorari denied. Reported below: 705 So. 2d 569.

No. 97-8823. *MONLYN v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 705 So. 2d 1.

No. 97-8834. *FERGUSON v. JOHNSON ET AL.* C. A. 1st Cir. Certiorari denied.

No. 97-8840. *ROBERTS v. BATTELLE MEMORIAL INSTITUTE.* C. A. 6th Cir. Certiorari denied. Reported below: 134 F. 3d 372.

No. 97-8843. *RAYBORN v. HATCHER, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 97-8851. *BROOKS v. MISSOURI.* Sup. Ct. Mo. Certiorari denied. Reported below: 960 S. W. 2d 479.

No. 97-8855. *WASHINGTON v. SERVICE EMPLOYEES' INTERNATIONAL UNION, LOCAL 50, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 130 F. 3d 825.

No. 97-8857. *WHITE v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 97-8866. *FRANKLIN v. MAZURKIEWICZ, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW.* C. A. 3d Cir. Certiorari denied.

No. 97-8876. *NARY v. HENNESSEY, SHERIFF, SAN FRANCISCO COUNTY, CALIFORNIA.* C. A. 9th Cir. Certiorari denied.

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No. 97-8877. *KENDRICK v. GILLUHUGH ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 133 F. 3d 915.

No. 97-8938. *ABDULLAH v. MOORE, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 122 F. 3d 1060.

No. 97-8953. *TOLES v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied. Reported below: 947 P. 2d 180.

No. 97-8962. *AYALA ET AL. v. SPECKARD, SUPERINTENDENT, GROVELAND CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 131 F. 3d 62.

No. 97-8980. *MEYERS v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 704 So. 2d 1368.

No. 97-8987. *PHENIX v. NEVADA.* Sup. Ct. Nev. Certiorari denied. Reported below: 114 Nev. 116, 954 P. 2d 739.

No. 97-9000. *ABDESLEM v. UNITED STATES EMBASSY, MANILA, PHILIPPINES.* C. A. D. C. Cir. Certiorari denied.

No. 97-9002. *CRAFTON v. CRAFTON.* Ct. App. Ore. Certiorari denied.

No. 97-9011. *CARRILLO ET UX. v. ARIZONA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 134 F. 3d 376.

No. 97-9020. *BOOKER v. APFEL, COMMISSIONER OF SOCIAL SECURITY.* C. A. 5th Cir. Certiorari denied. Reported below: 136 F. 3d 136.

No. 97-9042. *HOWELL v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 707 So. 2d 674.

No. 97-9063. *BARCENA v. ILLINOIS DEPARTMENT OF PUBLIC HEALTH ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 291 Ill. App. 3d 1104, 716 N. E. 2d 871.

No. 97-9082. *DEVERY v. VAUGHN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 97-9093. *SCOTT v. NEW MEXICO.* Ct. App. N. M. Certiorari denied.

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No. 97-9102. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 136 F. 3d 1330.

No. 97-9107. *LYONS v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 97-9125. *PIERCE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 138 F. 3d 951.

No. 97-9140. *HILT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 97-9149. *LARA v. DUNCAN, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 97-9159. *ZAMORA-MARTINEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 134 F. 3d 381.

No. 97-9162. *FRASER v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. Reported below: 139 F. 3d 904.

No. 97-9174. *VASQUEZ ET AL. v. STINSON, SUPERINTENDENT, GREAT MEADOW CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 97-9182. *BIERI v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 97-9183. *HILL v. FRENCH, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 133 F. 3d 915.

No. 97-9186. *GIBBONS v. LARKINS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS*. C. A. 3d Cir. Certiorari denied.

No. 97-9194. *GUANIPA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 132 F. 3d 1460.

No. 97-9199. *FLORES-OCHOA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 139 F. 3d 1022.

No. 97-9200. *THOMPSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 139 F. 3d 896.

No. 97-9203. *BAKSH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 149 F. 3d 1165.

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No. 97-9204. *CLYMORE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 164 F. 3d 617.

No. 97-9208. *PROCTOR v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 141 F. 3d 1164.

No. 97-9209. *PENA v. UNITED STATES*; and

No. 97-9265. *FERREIRA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 162 F. 3d 1149.

No. 97-9213. *SNELLING v. HOUSING AUTHORITY OF ST. LOUIS COUNTY ET AL.* Ct. App. Mo., Eastern Dist. Certiorari denied. Reported below: 956 S. W. 2d 323.

No. 97-9214. *SILVA v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 97-9218. *WHITE v. INTERNAL REVENUE SERVICE*. C. A. 3d Cir. Certiorari denied. Reported below: 135 F. 3d 768.

No. 97-9220. *WALTER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 145 F. 3d 360.

No. 97-9221. *COX v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 136 F. 3d 972.

No. 97-9223. *TAYLOR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 138 F. 3d 955.

No. 97-9231. *MARUTZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 134 F. 3d 380.

No. 97-9236. *MACKALL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 138 F. 3d 952.

No. 97-9246. *JUAREZ-JUAREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 139 F. 3d 909.

No. 97-9247. *CORN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 97-9249. *MORRIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 131 F. 3d 1136.

No. 97-9250. *MCCLAIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 133 F. 3d 1191.

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No. 97-9252. *JOHNS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 142 F. 3d 437.

No. 97-9253. *LUNA-HERRERA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 139 F. 3d 909.

No. 97-9254. *KING v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 133 F. 3d 918.

No. 97-9257. *GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 135 F. 3d 951.

No. 97-9258. *GONZALEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 141 F. 3d 1150.

No. 97-9260. *GALLANT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 136 F. 3d 1246.

No. 97-9261. *FORTES, AKA BROOKSHIRE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 141 F. 3d 1.

No. 97-9266. *HORTON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 138 F. 3d 952.

No. 97-9267. *SAPP v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 138 F. 3d 952.

No. 97-9268. *PETERS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 133 F. 3d 933.

No. 97-9269. *ROUSAN v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 961 So. 2d 831.

No. 97-9270. *JILES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 137 F. 3d 1355.

No. 97-9271. *JONES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 139 F. 3d 894.

No. 97-9272. *J. A. J., A MALE JUVENILE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 134 F. 3d 905.

No. 97-9277. *BOND v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 135 F. 3d 1247.

No. 97-9278. *COTTON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 139 F. 3d 899.

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No. 97-9279. *PALOMO v. TERRITORY OF GUAM*. C. A. 9th Cir. Certiorari denied. Reported below: 139 F. 3d 907.

No. 97-9285. *WILLIAMS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 138 F. 3d 952.

No. 97-9288. *FUNCHES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 135 F. 3d 1405.

No. 97-9291. *BUCK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 133 F. 3d 929.

No. 97-9294. *CLIPPER v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 159 F. 3d 637.

No. 97-9301. *ALLERY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 139 F. 3d 609.

No. 97-9302. *BRITO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 136 F. 3d 397.

No. 97-9304. *LEURO-ROSAS v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 97-9305. *WINFIELD ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 139 F. 3d 896.

No. 97-9313. *JOHNSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 137 F. 3d 1355.

No. 97-9314. *MODRAK v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 149 F. 3d 1166.

No. 97-9316. *HARMON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 139 F. 3d 899.

No. 97-9319. *SUST v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 141 F. 3d 1188.

No. 97-9326. *DOLENC v. DEMORE*. Commw. Ct. Pa. Certiorari denied.

No. 97-9332. *SHANNON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 137 F. 3d 1112.

No. 97-9333. *SARRAULTE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 140 F. 3d 1041.

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No. 97-9335. *ANDRADE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 141 F. 3d 1180.

No. 97-9343. *HERNANDEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 141 F. 3d 1186.

No. 97-9388. *FROHWIRTH v. COOKE, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 139 F. 3d 901.

No. 97-1144. *UNITED STATES v. OOLEY*. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 116 F. 3d 370.

No. 97-1630. *MELENDEZ v. METROPOLITAN LIFE INSURANCE CO.* C. A. 2d Cir. Motion of Citizen Action of New York et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 133 F. 3d 907.

No. 97-1773. *THEIS RESEARCH, INC. v. OCTEL COMMUNICATIONS CORP. ET AL.* C. A. Fed. Cir. Motion of Intellectual Property Creators et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 132 F. 3d 51.

No. 97-8837. *COOPER v. CALDERON, WARDEN*. C. A. 9th Cir. Certiorari before judgment denied.

#### *Rehearing Denied*

No. 97-1494. *GREB ET AL. v. GENERAL MOTORS CORP.*, 523 U. S. 1077;

No. 97-1533. *MCDUFFIE, DBA D & M CONTRACTING CO. v. FIRST UNION NATIONAL BANK*, 523 U. S. 1120;

No. 97-1540. *WALKER v. MICHIGAN PUBLIC SERVICE COMMISSION ET AL.*, 523 U. S. 1120;

No. 97-7568. *SHAW v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*, 523 U. S. 1027;

No. 97-7841. *IN RE ROBINSON*, 523 U. S. 1071;

No. 97-8141. *CUTHBERT v. DISTRICT COURT OF APPEAL OF FLORIDA, FIFTH DISTRICT, ET AL.*, 523 U. S. 1109; and

No. 97-8525. *IN RE WASHINGTON*, *ante*, p. 903. Petitions for rehearing denied.

No. 97-885. *ENGELHART ET AL. v. CONSOLIDATED RAIL CORPORATION ET AL.*, 522 U. S. 1147; and

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No. 97-1527. *RUCK v. UNITED TRANSPORTATION UNION, EXECUTIVE BOARD, ET AL.*, 523 U.S. 1078. Motions for leave to file petitions for rehearing denied.

JULY 8, 1998

*Miscellaneous Orders*

No. A-33 (O. T. 1998). *HENDERSON v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION, ET AL.* Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied.

No. 98-5117 (A-29). *IN RE HENDERSON.* Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Petition for writ of habeas corpus denied. JUSTICE STEVENS and JUSTICE BREYER would grant the application for stay of execution.

*Certiorari Denied*

No. 98-5116 (A-28). *HENDERSON v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION.* C. A. 8th Cir. Application for stay of execution of sentence of death, presented to JUSTICE THOMAS, and by him referred to the Court, denied. Certiorari denied.

JULY 10, 1998

*Rehearing Denied*

No. 97-8791 (A-30). *PLATH v. MOORE, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL.*, 523 U.S. 1143. Application for stay of execution of sentence of death, addressed to THE CHIEF JUSTICE and referred to the Court, denied. Petition for rehearing denied.

JULY 13, 1998

*Miscellaneous Orders*

No. 98-5201 (A-45). *IN RE THOMPSON.* Application for stay of execution of sentence of death, presented to JUSTICE O'CONNOR, and by her referred to the Court, denied. Petition for writ of habeas corpus denied.

No. 98-5202 (A-46). *IN RE THOMPSON.* Application for stay of execution of sentence of death, presented to JUSTICE O'CON-



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NOR, and by her referred to the Court, denied. Petition for writ of mandamus denied.

*Certiorari Denied*

No. 98-5203 (A-47). THOMPSON *v.* CALDERON, WARDEN. C. A. 9th Cir. Application for stay of execution of sentence of death, presented to JUSTICE O'CONNOR, and by her referred to the Court, denied. Certiorari denied. Reported below: 151 F. 3d 918.

JULY 17, 1998

*Dismissal Under Rule 46*

No. 97-9463. LUCAS *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 132 F. 3d 1069.

JULY 20, 1998

*Dismissal Under Rule 46*

No. 97-1984. STINSON, INDIVIDUALLY AND AS ADMINISTRATOR OF THE ESTATE OF STINSON, DECEASED *v.* STATE AUTOMOBILE INSURANCE CO. C. A. 6th Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 142 F. 3d 436.

JULY 22, 1998

*Miscellaneous Orders*

No. A-300. EYOUM *v.* IMMIGRATION AND NATURALIZATION SERVICE. Application for bail, addressed to JUSTICE STEVENS and referred to the Court, denied.

No. A-888 (97-1856). PARNAR *v.* LAW OFFICES OF JOHN A. CHANIN. Sup. Ct. Haw. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

*Certiorari Denied*

No. 98-5284 (A-60). KING *v.* GREENE, WARDEN. C. A. 4th Cir. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE

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GINSBURG would grant the application for stay of execution. Reported below: 141 F. 3d 1158.

JULY 28, 1998

*Miscellaneous Orders*

No. A-71 (O. T. 1998). *AMSTERDAM VIDEO, INC. v. CITY OF NEW YORK ET AL.* C. A. 2d Cir. Application for stay, presented to JUSTICE STEVENS, and by him referred to the Court, denied.

No. D-1923. *IN RE DISBARMENT OF MCGOWEN.* Disbarment entered. [For earlier order herein, see 523 U. S. 1017.]

No. D-1932. *IN RE DISBARMENT OF TAUB.* Disbarment entered. [For earlier order herein, see 523 U. S. 1057.]

No. D-1945. *IN RE DISBARMENT OF SANBORN.* Disbarment entered. [For earlier order herein, see 523 U. S. 1104.]

No. D-1949. *IN RE DISBARMENT OF MEYER.* Disbarment entered. [For earlier order herein, see 523 U. S. 1104.]

No. D-1950. *IN RE DISBARMENT OF BOXER.* Disbarment entered. [For earlier order herein, see 523 U. S. 1105.]

No. D-1953. *IN RE DISBARMENT OF CHITTIM.* Disbarment entered. [For earlier order herein, see 523 U. S. 1115.]

No. D-1955. *IN RE DISBARMENT OF BOWDEN.* Disbarment entered. [For earlier order herein, see *ante*, p. 902.]

No. D-1957. *IN RE DISBARMENT OF MAURICE.* Disbarment entered. [For earlier order herein, see *ante*, p. 902.]

No. D-1959. *IN RE DISBARMENT OF WARKOW.* Disbarment entered. [For earlier order herein, see *ante*, p. 902.]

No. D-1974. *IN RE DISBARMENT OF BRAUER.* David P. Brauer, of Dover, Mass., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1975. *IN RE DISBARMENT OF ROSE.* Michael Gary Rose, of Valley Stream, N. Y., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days,

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requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1976. IN RE DISBARMENT OF KALYVAS. James T. Kalyvas, of Sarasota, Fla., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1977. IN RE DISBARMENT OF PRIAMOS. Paul Duane Priamos, of Cerritos, Cal., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1978. IN RE DISBARMENT OF BRIDGE. Winston J. Bridge, of North Port, Fla., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1979. IN RE DISBARMENT OF POST. Alan Franklyn Post, of Bethesda, Md., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1980. IN RE DISBARMENT OF FOLEY. Thomas M. Foley, of Honolulu, Haw., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1981. IN RE DISBARMENT OF UTTERBACK. Thomas Michael Utterback, of Leslie, Mo., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1982. IN RE DISBARMENT OF MOORE. Linsey Moore, of Jacksonville, Fla., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

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No. D-1983. *IN RE DISBARMENT OF PLATO*. Richard M. Plato, of Baytown, Tex., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

*Rehearing Denied*

No. 120, Orig. *NEW JERSEY v. NEW YORK*, 523 U.S. 767;  
No. 96-1693. *HOPKINS, WARDEN v. REEVES*, *ante*, p. 88;  
No. 96-9142. *REEVES v. HOPKINS, WARDEN*, *ante*, p. 926;  
No. 96-1829. *MONTANA ET AL. v. CROW TRIBE OF INDIANS ET AL.*, 523 U.S. 696;

No. 97-391. *CALDERON, WARDEN, ET AL. v. ASHMUS, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED*, 523 U.S. 740;

No. 97-1267. *PROFESSIONAL PILOTS FEDERATION ET AL. v. FEDERAL AVIATION ADMINISTRATION*, 523 U.S. 1117;

No. 97-1407. *FALKENBERRY v. TAYLOR*, *ante*, p. 904;

No. 97-1566. *DETERESA v. AMERICAN BROADCASTING COS., INC., ET AL.*, 523 U.S. 1137;

No. 97-1600. *BAYER v. STANFORD UNIVERSITY SCHOOL OF MEDICINE/MEDICAL CENTER ET AL.*, 523 U.S. 1138;

No. 97-1622. *GREENE v. CITIBANK, N. A., ET AL.*, 523 U.S. 1122;

No. 97-1640. *HINCHLIFFE ET AL. v. PRUDENTIAL HOME MORTGAGE Co., INC.*, 523 U.S. 1138;

No. 97-1643. *PHILLIPS ET AL. v. CITY OF HARVEY ET AL.*, 523 U.S. 1138;

No. 97-1654. *WEISSMAN v. COHN, LIFLAND, PERLMAN, HERMANN & KNOPF ET AL.*, 523 U.S. 1122;

No. 97-6657. *BROWN v. RUBIN, SECRETARY OF THE TREASURY*, 522 U.S. 1032;

No. 97-7583. *WHITAKER v. WHITAKER ET AL.*, 523 U.S. 1028;

No. 97-7729. *KREIGER v. VIRGINIA*, 523 U.S. 1061;

No. 97-7863. *VILLACRES v. KRAMER, WARDEN, ET AL.*, 523 U.S. 1080;

No. 97-7865. *WHITE v. McMILLAN ET AL.*, 523 U.S. 1080;

No. 97-7873. *WHITE v. McMILLAN ET AL.*, 523 U.S. 1080;

No. 97-7878. *FULLER v. JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION*, 523 U.S. 1063;

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No. 97-7883. *DEWIG v. STEWART, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTION, ET AL.*, 523 U. S. 1032;

No. 97-7945. *MCDONALD v. TENNESSEE*, 523 U. S. 1082;

No. 97-8082. *BARUCH v. SMITH, WARDEN, ET AL.*, 523 U. S. 1098;

No. 97-8123. *WALKOVIK v. DISTRICT COURT OF TEXAS, HARRIS COUNTY*, 523 U. S. 1109;

No. 97-8186. *IN RE STEIN*, 523 U. S. 1116;

No. 97-8202. *IN RE KENNEDY*, 523 U. S. 1058;

No. 97-8235. *IN RE DOYLE*, 523 U. S. 1058;

No. 97-8240. *DEVER v. OHIO*, 523 U. S. 1085;

No. 97-8244. *GAERTTNER v. LOVE ET AL.*, 523 U. S. 1125;

No. 97-8263. *HESTERLEE v. GOODWIN, WARDEN*, 523 U. S. 1085;

No. 97-8304. *IN RE WILLIAMS LEWIS*, 523 U. S. 1116;

No. 97-8341. *WILLIAMS v. MOORE, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL.*, 523 U. S. 1139;

No. 97-8358. *DARDEN v. ALAMEDA COUNTY NETWORK OF MENTAL HEALTH CLIENTS ET AL.*, 523 U. S. 1140;

No. 97-8379. *CARTER v. CURRAN, ATTORNEY GENERAL OF MARYLAND, ET AL.*, 523 U. S. 1110;

No. 97-8385. *RAULERSON v. GEORGIA*, 523 U. S. 1127;

No. 97-8402. *BERNARD v. NEW YORK CITY HEALTH AND HOSPITAL CORP.*, 523 U. S. 1140;

No. 97-8422. *BELHOMME v. WIDNALL, SECRETARY OF THE AIR FORCE*, 523 U. S. 1100;

No. 97-8452. *DAVIS v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*, 523 U. S. 1141;

No. 97-8492. *JOHNSON v. WYOMING*, 523 U. S. 1111;

No. 97-8522. *IN RE RIVERA, ante*, p. 903;

No. 97-8534. *TATAI v. CAYETANO, ante*, p. 907;

No. 97-8544. *VIRAY v. STEUER*, 523 U. S. 1129;

No. 97-8574. *TURKOWSKI v. CLINTON, PRESIDENT OF THE UNITED STATES, ET AL., ante*, p. 908;

No. 97-8594. *SWINT v. UNITED STATES*, 523 U. S. 1112;

No. 97-8659. *MCQUOWN v. SAFEWAY, INC.*, 523 U. S. 1142;

No. 97-8666. *RICKETTS v. DEPARTMENT OF THE AIR FORCE, ante*, p. 908;

No. 97-8685. *SCHLEEPER v. MISSOURI, ante*, p. 930;

No. 97-8692. *MCQUOWN v. SAFEWAY, INC.*, 523 U. S. 1142;

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- No. 97-8709. *BLACKMON v. POINDEXTER, WARDEN, ET AL.*, *ante*, p. 919;  
No. 97-8711. *RAWLES v. HERZOG ET AL.*, 523 U. S. 1142;  
No. 97-8735. *IN RE FLYNN*, 523 U. S. 1116;  
No. 97-8753. *KENNEDY v. PARAMOUNT PICTURES CORP. ET AL.*, *ante*, p. 909;  
No. 97-8777. *NORWOOD v. UNITED STATES*, 523 U. S. 1143; and  
No. 97-8931. *IN RE BELL*, 523 U. S. 1136. Petitions for rehearing denied.

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*Miscellaneous Orders*

No. D-1971. *IN RE DISBARMENT OF TOTH*. Peter J. Toth, of Burlington, N. J., having requested to resign as a member of the Bar of this Court, it is ordered that his name be stricken from the roll of attorneys admitted to the practice of law before this Court. The rule to show cause, issued on June 22, 1998 [*ante*, p. 936], is discharged.

No. 97-7597. *KNOWLES v. IOWA*. Sup. Ct. Iowa. [Certiorari granted, 523 U. S. 1019.] Motion of respondent to dismiss the writ of certiorari as improvidently granted denied.

*Rehearing Denied*

- No. 97-1278. *INMATES OF THE SUFFOLK COUNTY JAIL ET AL. v. ROUSE, SHERIFF, SUFFOLK COUNTY, ET AL.*, *ante*, p. 951;  
No. 97-1440. *GURNEY ET AL. v. UNITED STATES*, *ante*, p. 951;  
No. 97-1529. *CAMPBELL v. UNITED STATES*, 523 U. S. 1078;  
No. 97-1619. *GANGOPADHYAY v. GANGOPADHYAY*, 523 U. S. 1138;  
No. 97-1714. *COATES v. SEATON*, *ante*, p. 938;  
No. 97-1724. *BARKER v. LEEDS ET AL.*, *ante*, p. 938;  
No. 97-1742. *DORSEY v. DORSEY*, *ante*, p. 952;  
No. 97-1773. *THEIS RESEARCH, INC. v. OCTEL COMMUNICATIONS CORP. ET AL.*, *ante*, p. 963;  
No. 97-1784. *EGBERT v. REIS ET AL.*, *ante*, p. 953;  
No. 97-1827. *SMITH v. SUPREME COURT OF COLORADO*, *ante*, p. 954;  
No. 97-1854. *PIERSON v. WILSHIRE TERRACE CORP.*, *ante*, p. 940;  
No. 97-1860. *KEARNS v. WOOD MOTORS, INC., ET AL.*, *ante*, p. 940;

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- No. 97-5745. *SANCHEZ v. UNITED STATES*, *ante*, p. 955;  
No. 97-6791. *NGHIEM v. TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC.*, 522 U. S. 1080;  
No. 97-7946. *VIRAY v. BENEFICIAL CALIFORNIA, INC., ET AL.*, 523 U. S. 1123;  
No. 97-7988. *HAYNES v. KEPKA ET AL.*, 523 U. S. 1083;  
No. 97-8029. *MASON-NEUBARTH v. DAMERON HOSPITAL ASSN.*, 523 U. S. 1083;  
No. 97-8120. *DOUGAN v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.*, *ante*, p. 956;  
No. 97-8236. *DUMAS v. ILLINOIS*, 523 U. S. 1125;  
No. 97-8246. *ROTHMAN v. UNIVERSITY OF MASSACHUSETTS MEDICAL CENTER*, 523 U. S. 1125;  
No. 97-8288. *BILLEMEYER v. MISSOURI ET AL.*, 523 U. S. 1126;  
No. 97-8310. *JOHNSON v. CRIST, WARDEN*, 523 U. S. 1086;  
No. 97-8355. *JACKSON v. SINGLETARY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*, 523 U. S. 1140;  
No. 97-8519. *DIXON v. STEWART, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTION, ET AL.*, 523 U. S. 1128;  
No. 97-8530. *LAESSIG v. VAUGHN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.*, 523 U. S. 1129;  
No. 97-8533. *NOWIK v. NORTH DAKOTA ET AL.*, *ante*, p. 907;  
No. 97-8570. *COOKISH v. NEW HAMPSHIRE*, *ante*, p. 917;  
No. 97-8572. *FATHER v. BOEING CO. ET AL.*, *ante*, p. 918;  
No. 97-8578. *IN RE BRADIN*, *ante*, p. 914;  
No. 97-8587. *SANCHO v. UNITED STATES*, 523 U. S. 1112;  
No. 97-8605. *ADAMES v. BATISTA ET AL.*, *ante*, p. 918;  
No. 97-8617. *IN RE SIDLES*, *ante*, p. 914;  
No. 97-8690. *KING v. ADAMSON ET AL.*, *ante*, p. 930;  
No. 97-8695. *SIKORA v. HIGLEY, ASSOCIATE WARDEN*, *ante*, p. 941;  
No. 97-8704. *HARMS v. UNITED STATES*, 523 U. S. 1131;  
No. 97-8710. *IN RE CROOMS*, *ante*, p. 925;  
No. 97-8733. *SEATON v. MICHIGAN* (two judgments), *ante*, p. 941;  
No. 97-8806. *JACKSON v. WEST VIRGINIA ET AL.*, *ante*, p. 942;  
No. 97-8818. *BLAIR v. THOMPSON, SUPERINTENDENT, OREGON STATE PENITENTIARY*, *ante*, p. 919;  
No. 97-8838. *CARTER v. UNITED STATES*, 523 U. S. 1144;

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No. 97-8840. *ROBERTS v. BATTELLE MEMORIAL INSTITUTE*, *ante*, p. 957;

No. 97-8846. *PIZZO v. LOUISIANA*, *ante*, p. 919;

No. 97-8864. *IN RE BETKA*, *ante*, p. 950;

No. 97-8907. *DELOACH v. GENERAL DYNAMICS CORP.*, *ante*, p. 919;

No. 97-9033. *VALDES v. UNITED STATES*, *ante*, p. 923;

No. 97-9182. *BIERI v. UNITED STATES*, *ante*, p. 959; and

No. 97-9237. *IN RE IJEMBA*, *ante*, p. 950. Petitions for rehearing denied.

No. 97-679. *AMERICAN TELEPHONE & TELEGRAPH CO. v. CENTRAL OFFICE TELEPHONE, INC.*, *ante*, p. 214. Petition for rehearing denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition.

No. 97-1770. *YEN v. NATIONAL LABOR RELATIONS BOARD ET AL.*, 523 U. S. 1139. Motion of petitioner for leave to proceed further herein *in forma pauperis* granted. Petition for rehearing denied.

No. 97-8287. *CEMINCHUK v. COHEN, SECRETARY OF DEFENSE, ET AL.*, 523 U. S. 1099; and

No. 97-8434. *DEYOUNG v. GEORGIA*, 523 U. S. 1141. Motions for leave to file petitions for rehearing denied.

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*Miscellaneous Orders*

No. D-1948. *IN RE DISBARMENT OF PERLMAN*. Disbarment entered. [For earlier order herein, see 523 U. S. 1104.]

No. D-1963. *IN RE DISBARMENT OF MARSHALL*. Disbarment entered. [For earlier order herein, see *ante*, p. 924.]

No. D-1964. *IN RE DISBARMENT OF GREEN*. Disbarment entered. [For earlier order herein, see *ante*, p. 924.]

No. D-1967. *IN RE DISBARMENT OF PAHL*. Disbarment entered. [For earlier order herein, see *ante*, p. 935.]

No. D-1969. *IN RE DISBARMENT OF BARKIN*. Disbarment entered. [For earlier order herein, see *ante*, p. 935.]

No. D-1980. *IN RE DISBARMENT OF FOLEY*. Thomas M. Foley, of Honolulu, Haw., having requested to resign as a member



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of the Bar of this Court, it is ordered that his name be stricken from the roll of attorneys admitted to the practice of law before this Court. The rule to show cause, issued on July 28, 1998 [*ante*, p. 967], is discharged.

No. D-1984. *IN RE DISBARMENT OF TURNER*. Richard LeRoy Turner, of Susanville, Cal., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1985. *IN RE DISBARMENT OF DREW*. Richard John Drew, of Flint, Mich., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1986. *IN RE DISBARMENT OF PINCKNEY*. Obie Pinckney, Jr., of Washington, D. C., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. D-1987. *IN RE DISBARMENT OF ANGELO*. Leonard J. Angelo, of Westhampton, N. Y., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 97-1472. *HADDLE v. GARRISON ET AL.* C. A. 11th Cir. [Certiorari granted, 523 U.S. 1136.] Motion of respondents to dismiss the writ of certiorari as improvidently granted denied.

No. 98-5619 (A-135). *IN RE HILL*. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

AUGUST 14, 1998

*Dismissal Under Rule 46*

No. 98-5313. *GIBSON v. UNITED STATES*. C. A. 6th Cir. Certiorari dismissed under this Court's Rule 46.

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AUGUST 17, 1998

*Vacated and Remanded After Certiorari Granted*

No. 97-1620. SEIF, SECRETARY, PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, ET AL. *v.* CHESTER RESIDENTS CONCERNED FOR QUALITY LIVING ET AL. C. A. 3d Cir. [Certiorari granted, *ante*, p. 915.] Judgment vacated, and case remanded with instructions to dismiss in light of *United States v. Munsingwear, Inc.*, 340 U. S. 36 (1950).

AUGUST 19, 1998

*Certiorari Denied*

No. 98-5562 (A-119). CHANDLER *v.* GREENE, WARDEN. C. A. 4th Cir. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE GINSBURG would grant the application for stay of execution. Reported below: 145 F. 3d 1323.

AUGUST 26, 1998

*Miscellaneous Order*

No. A-173 (O. T. 1998). RUIZ CAMACHO *v.* TEXAS. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. JUSTICE O'CONNOR took no part in the consideration or decision of this application.

*Certiorari Denied*

No. 98-5331 (A-125). RUIZ CAMACHO *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE GINSBURG would grant the application for stay of execution. Reported below: 142 F. 3d 1279.

AUGUST 27, 1998

*Miscellaneous Orders*

No. D-1972. IN RE DISBARMENT OF HYNES. Disbarment entered. [For earlier order herein, see *ante*, p. 948.]

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August 27, 1998

No. D-1974. *IN RE DISBARMENT OF BRAUER*. David P. Brauer, of Dover, Mass., having requested to resign as a member of the Bar of this Court, it is ordered that his name be stricken from the roll of attorneys admitted to the practice of law before this Court. The rule to show cause, issued on July 28, 1998 [*ante*, p. 966], is discharged.

No. D-1988. *IN RE DISBARMENT OF PRICE*. Walter J. Price, Jr., of Huntsville, Ala., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 97-475. *EL AL ISRAEL AIRLINES, LTD. v. TSUI YUAN TSENG*. C. A. 2d Cir. [Certiorari granted, 523 U.S. 1117.] Motions of Air Transport Association of America and International Air Transport Association for leave to file briefs as *amici curiae* granted.

No. 97-930. *BUCKLEY, SECRETARY OF STATE OF COLORADO v. AMERICAN CONSTITUTIONAL LAW FOUNDATION, INC., ET AL.* C. A. 10th Cir. [Certiorari granted, 522 U.S. 1107.] Motion of American Civil Liberties Union et al. for leave to file a brief as *amici curiae* granted. Motion of Kerry S. Hada, Esq., to permit Paul Grant, Esq., to present oral argument *pro hac vice* denied. Motion of respondents for divided argument denied. Motion of respondent Bill Orr for leave to file a supplemental brief granted.

No. 97-1121. *CITY OF CHICAGO v. MORALES ET AL.* Sup. Ct. Ill. [Certiorari granted, 523 U.S. 1071.] Motion of Ohio et al. for leave to participate in oral argument as *amici curiae* and for divided argument denied.

No. 97-1130. *PFAFF v. WELLS ELECTRONICS, INC.* C. A. Fed. Cir. [Certiorari granted, 523 U.S. 1003.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 97-1147. *MINNESOTA v. CARTER*; and *MINNESOTA v. JOHNS*. Sup. Ct. Minn. [Certiorari granted, 523 U.S. 1003.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 97-1418. *BANK OF AMERICA NATIONAL TRUST AND SAVINGS ASSN. v. 203 NORTH LASALLE STREET PARTNERSHIP*. C. A.

August 27, 28, 31, September 9, 1998

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7th Cir. [Certiorari granted, 523 U.S. 1106.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 97-1230. CITY OF WEST COVINA *v.* PERKINS ET AL. C. A. 9th Cir. [Certiorari granted, 523 U.S. 1105.] Motion of National League of Cities et al. for leave to file a brief as *amici curiae* granted.

AUGUST 28, 1998

*Certiorari Denied*

No. 98-5761 (A-163). DuBOIS *v.* GREENE, WARDEN. C. A. 4th Cir. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE GINSBURG would grant the application for stay of execution. Reported below: 149 F. 3d 1168.

AUGUST 31, 1998

*Certiorari Denied*

No. 98-5420 (A-142). TEAGUE *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE GINSBURG would grant the application for stay of execution. Reported below: 144 F. 3d 50.

SEPTEMBER 9, 1998

*Miscellaneous Orders*

No. 96-1570. NYNEX CORP. ET AL. *v.* DISCON, INC. C. A. 2d Cir. [Certiorari granted, 523 U.S. 1019.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted to be divided as follows: petitioners, 25 minutes; respondent, 25 minutes; the Solicitor General, 10 minutes.

No. 97-303. HUMANA INC. ET AL. *v.* FORSYTH ET AL. C. A. 9th Cir. [Certiorari granted, *ante*, p. 936.] Motions of Alliance of American Insurers et al. and Consumer Credit Insurance Association for leave to file briefs as *amici curiae* granted.

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No. 97-475. *EL AL ISRAEL AIRLINES, LTD. v. TSUI YUAN TSENG*. C. A. 2d Cir. [Certiorari granted, 523 U. S. 1117.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 97-1235. *CITY OF MONTEREY v. DEL MONTE DUNES AT MONTEREY, LTD., ET AL.* C. A. 9th Cir. [Certiorari granted, 523 U. S. 1045.] Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 97-1184. *NATIONAL FEDERATION OF FEDERAL EMPLOYEES, LOCAL 1309 v. DEPARTMENT OF THE INTERIOR ET AL.*; and

No. 97-1243. *FEDERAL LABOR RELATIONS AUTHORITY v. DEPARTMENT OF THE INTERIOR ET AL.* C. A. 4th Cir. [Certiorari granted, *ante*, p. 903.] Motion of petitioner National Federation of Federal Employees, Local 1309, for divided argument granted to be divided as follows: Federal Labor Relations Authority, 20 minutes; National Federation of Federal Employees, Local 1309, 10 minutes.

No. 97-1230. *CITY OF WEST COVINA v. PERKINS ET AL.* C. A. 9th Cir. [Certiorari granted, 523 U. S. 1105.] Motion of Ohio for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 97-1337. *MINNESOTA ET AL. v. MILLE LACS BAND OF CHIPPEWA INDIANS ET AL.* C. A. 8th Cir. [Certiorari granted, *ante*, p. 915.] Motion of Pacific Legal Foundation for leave to file a brief as *amicus curiae* granted.

No. 97-1396. *LOPEZ ET AL. v. MONTEREY COUNTY ET AL.* D. C. N. D. Cal. [Probable jurisdiction noted, 523 U. S. 1093.] Motion of Pacific Legal Foundation for leave to file a brief as *amicus curiae* granted.

No. 97-1472. *HADDLE v. GARRISON ET AL.* C. A. 11th Cir. [Certiorari granted, 523 U. S. 1136.] Motions of Lawyers Committee for Civil Rights Under Law and National Employment Lawyers Association et al. for leave to file briefs as *amici curiae* granted. Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

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SEPTEMBER 10, 1998

*Probable Jurisdiction Noted*

No. 98-404. DEPARTMENT OF COMMERCE ET AL. v. UNITED STATES HOUSE OF REPRESENTATIVES ET AL. Appeal from D. C. D. C. Motion of the parties to expedite consideration and to expedite the briefing schedule granted. Probable jurisdiction noted. Briefs of appellants and intervenor-respondents are to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, October 6, 1998. Briefs of appellees are to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, November 3, 1998. Reply briefs, if any, are to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, November 17, 1998. This Court's Rule 29.2 does not apply. Oral argument is set for Monday, November 30, 1998. Reported below: 11 F. Supp. 2d 76.

SEPTEMBER 14, 1998

*Miscellaneous Orders*

No. A-31 (O. T. 1998). ELLIS v. ILLINOIS. Sup. Ct. Ill. Application for stay, addressed to JUSTICE BREYER and referred to the Court, denied.

No. A-186 (98-5864). STRICKLER v. GREENE, WARDEN. C. A. 4th Cir. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, granted pending disposition of the petition for writ of certiorari. Should the petition for writ of certiorari be denied, this stay shall terminate automatically. In the event the petition for writ of certiorari is granted, the stay shall continue pending the sending down of the judgment of this Court.

SEPTEMBER 17, 1998

*Dismissal Under Rule 46*

No. 98-5572. RIVERA v. ALLIN ET AL. C. A. 11th Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 144 F. 3d 719.

SEPTEMBER 18, 1998

*Certiorari Denied*

No. 98-6020 (A-237). STEWART v. ANGELONE, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Applica-

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tion for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE GINSBURG would grant the application for stay of execution. Reported below: 149 F. 3d 1170.

No. 98-6021 (A-238). STEWART *v.* VIRGINIA ET AL. Sup. Ct. Va. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied.

SEPTEMBER 22, 1998

*Certiorari Denied*

No. 98-5650 (A-233). CASTILLO *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE GINSBURG would grant the application for stay of execution. Reported below: 141 F. 3d 218.

SEPTEMBER 25, 1998

*Dismissal Under Rule 46*

No. 98-5823. HAMILTON *v.* ROE, WARDEN, ET AL. C. A. 9th Cir. Certiorari dismissed under this Court's Rule 46.

*Miscellaneous Order*

No. A-234 (O. T. 1998). CITY OF GRENADA, MISSISSIPPI, ET AL. *v.* HUBBARD ET AL. D. C. N. D. Miss. Application for stay pending appeal, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

*Certiorari Denied*

No. 98-6114 (A-251). ROBERTS *v.* MOORE, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL. Sup. Ct. S. C. Application for stay of execution of sentence of death, presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Certiorari denied. Reported below: 332 S. C. 488, 505 S. E. 2d 593.

SEPTEMBER 29, 1998

*Probable Jurisdiction Noted*

No. 98-85. HUNT, GOVERNOR OF NORTH CAROLINA, ET AL. *v.* CROMARTIE ET AL. Appeal from D. C. E. D. N. C. Probable jurisdiction noted. Brief of appellants is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, November 10, 1998. Brief of appellees is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 8, 1998. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 29, 1998. This Court's Rule 29.2 does not apply. Reported below: 34 F. Supp. 2d 1029.

*Certiorari Granted*

No. 97-843. DAVIS, AS NEXT FRIEND OF LASHONDA D. *v.* MONROE COUNTY BOARD OF EDUCATION ET AL. C. A. 11th Cir. Certiorari granted limited to Question 1 presented by the petition. Brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, November 10, 1998. Brief of respondents is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 8, 1998. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 29, 1998. This Court's Rule 29.2 does not apply. Reported below: 120 F. 3d 1390.

No. 97-1625. CALIFORNIA DENTAL ASSN. *v.* FEDERAL TRADE COMMISSION. C. A. 9th Cir. Certiorari granted. Brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, November 10, 1998. Brief of respondent is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 8, 1998. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 29, 1998. This Court's Rule 29.2 does not apply. Reported below: 128 F. 3d 720.

No. 97-1732. CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM ET AL. *v.* FELZEN ET AL. C. A. 7th Cir. Certiorari granted limited to Question 1 presented by the petition. Brief of petitioners is to be filed with the Clerk and served upon oppos-



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ing counsel on or before 3 p.m., Tuesday, November 10, 1998. Brief of respondents is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 8, 1998. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 29, 1998. This Court's Rule 29.2 does not apply. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 134 F. 3d 873.

No. 97-2000. AMERICAN MANUFACTURERS MUTUAL INSURANCE CO. ET AL. *v.* SULLIVAN ET AL. C. A. 3d Cir. Motion of National Association of Waterfront Employers et al. for leave to file a brief as *amici curiae* granted. Certiorari granted. Brief of petitioners is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, November 10, 1998. Brief of respondents is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 8, 1998. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 29, 1998. This Court's Rule 29.2 does not apply. Reported below: 139 F. 3d 158.

No. 97-2044. UNITED STATES *v.* HAGGAR APPAREL CO. C. A. Fed. Cir. Certiorari granted. Brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, November 10, 1998. Brief of respondent is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 8, 1998. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 29, 1998. This Court's Rule 29.2 does not apply. Reported below: 127 F. 3d 1460.

No. 97-2045. SOUTH CENTRAL BELL TELEPHONE CO. ET AL. *v.* ALABAMA ET AL. Sup. Ct. Ala. Motions of AlliedSignal, Inc., et al. and Committee on State Taxation for leave to file briefs as *amici curiae* granted. Certiorari granted limited to Questions 1 and 2 presented by the petition. Brief of petitioners is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, November 10, 1998. Brief of respondents is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 8, 1998. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on

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or before 3 p.m., Tuesday, December 29, 1998. This Court's Rule 29.2 does not apply. Reported below: 711 So. 2d 1005.

No. 97-9217. *PEGUERO v. UNITED STATES*. C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, November 10, 1998. Brief of respondent is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 8, 1998. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 29, 1998. This Court's Rule 29.2 does not apply. Reported below: 142 F. 3d 430.

No. 98-18. *BROOKER v. DUROCHER DOCK & DREDGE ET AL.* C. A. 11th Cir. Certiorari granted. Brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, November 10, 1998. Brief of respondents is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 8, 1998. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 29, 1998. This Court's Rule 29.2 does not apply. Reported below: 133 F. 3d 1390.

No. 98-84. *NATIONAL COLLEGIATE ATHLETIC ASSN. v. SMITH*. C. A. 3d Cir. Certiorari granted. Brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, November 10, 1998. Brief of respondent is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 8, 1998. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 29, 1998. This Court's Rule 29.2 does not apply. Reported below: 139 F. 3d 180.

No. 98-97. *ANDERSON, DIRECTOR, CALIFORNIA DEPARTMENT OF SOCIAL SERVICES, ET AL. v. ROE ET AL., ON BEHALF OF THEMSELVES AND ALL OTHERS SIMILARLY SITUATED*. C. A. 9th Cir. Motions of United States Justice Foundation et al. and Washington Legal Foundation et al. for leave to file briefs as *amici curiae* granted. Certiorari granted. Brief of petitioners is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, November 10, 1998. Brief of respondents is to be filed with the Clerk and served upon opposing counsel on or be-

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fore 3 p.m., Tuesday, December 8, 1998. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 29, 1998. This Court's Rule 29.2 does not apply. Reported below: 134 F. 3d 1400.

No. 98-184. WYOMING *v.* HOUGHTON. Sup. Ct. Wyo. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Brief of petitioner is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, November 10, 1998. Brief of respondent is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 8, 1998. A reply brief, if any, is to be filed with the Clerk and served upon opposing counsel on or before 3 p.m., Tuesday, December 29, 1998. This Court's Rule 29.2 does not apply. Reported below: 956 P. 2d 363.

*Certiorari Denied*

No. 98-6139 (A-245). CRUZ *v.* JOHNSON, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION. C. A. 5th Cir. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied. JUSTICE STEVENS and JUSTICE GINSBURG would grant the application for stay of execution. Reported below: 159 F. 3d 1355.