

ORDERS FOR OCTOBER 4, 2004, THROUGH  
MARCH 1, 2005

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*Certiorari Granted—Vacated and Remanded*

No. 03–1540. LAFONTAINE, AKA FROMME *v.* UNITED STATES. C. A. 2d Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Crawford v. Washington*, 541 U. S. 36 (2004). Reported below: 87 Fed. Appx. 776.

No. 03–9851. VARACALLI *v.* UNITED STATES. C. A. 2d 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 *Crawford v. Washington*, 541 U. S. 36 (2004). Reported below: 85 Fed. Appx. 242.

No. 03–10242. WEDGEWORTH *v.* KANSAS. Ct. App. Kan. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Crawford v. Washington*, 541 U. S. 36 (2004). Reported below: 32 Kan. App. 2d xliii, 79 P. 3d 795.

No. 03–10328. HINES *v.* JOHNSON, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL. 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 *Nelson v. Campbell*, 541 U. S. 637 (2004). Reported below: 83 Fed. Appx. 592.

No. 03–10835. SARR *v.* WYOMING. Sup. Ct. Wyo. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Crawford v. Washington*, 541 U. S. 36 (2004). Reported below: 85 P. 3d 439.

No. 04–5098. CALCANO *v.* UNITED STATES. C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for fur-

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ther consideration in light of *Crawford v. Washington*, 541 U. S. 36 (2004). Reported below: 83 Fed. Appx. 384.

*Certiorari Dismissed*

No. 03–10280. *SMITH v. GILLIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT COAL TOWNSHIP, ET AL.* C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 03–10506. *BROOKS v. GEORGIA BOARD OF PARDONS AND PAROLES ET AL.* C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 88 Fed. Appx. 391.

No. 03–10550. *SHEARIN v. E. F. HUTTON GROUP, INC., ET AL.* Sup. Ct. Del. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in non-criminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein. Reported below: 840 A. 2d 642.

No. 03–10573. *BALL v. RILEY, GOVERNOR OF ALABAMA, ET AL.* C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 03–10599. *YOUNG v. QUARTERMAN, DIRECTOR, TEXAS JAIL DIVISION.* C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 03–10958. *MENDEZ v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF THE VIRGIN ISLANDS.* C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 95 Fed. Appx. 463.

No. 03–10993. *ROWELL v. CLARK COUNTY PUBLIC DEFENDER’S OFFICE ET AL.* Sup. Ct. Nev. Motion of petitioner for leave

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to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein. Reported below: 120 Nev. 1279, 131 P.3d 635.

No. 03-11045. *AZUBUKO v. BERKSHIRE MUTUAL INSURANCE CO. ET AL.* C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 04-5104. *SIEGEL v. CRESCENT RESOURCES, LLC, ET AL.* C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

No. 04-5121. *TERIO v. UNITED STATES.* C. A. Fed. Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein. Reported below: 104 Fed. Appx. 174.

No. 04-5154. *ORTLOFF v. UNITED STATES.* C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule

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38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

No. 04–5308. *KEENAN v. LECUREUX, WARDEN*. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 04–5318. *CARTER v. UNITED STATES*. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 04–5426. *CLARK v. UNITED STATES DISTRICT COURTS FOR THE CENTRAL AND NORTHERN DISTRICTS OF CALIFORNIA*. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

#### *Miscellaneous Orders*

No. 04A135. *METZSCH v. AVAYA, INC.* C. A. 8th Cir. Application to recall and stay the mandate, addressed to JUSTICE SCALIA and referred to the Court, denied. JUSTICE O’CONNOR took no part in the consideration or decision of this application.

No. 03M84. *CLARK v. CONWAY, SUPERINTENDENT, ATTICA CORRECTIONAL FACILITY*;

No. 03M86. *MARTINEZ v. BREAUX ET AL.*;

No. 03M88. *VLASEK v. LEVEY*;

No. 03M89. *OYENIRAN v. UNITED STATES*;

No. 03M90. *WOOD v. CROWN REDI-MIX, INC., DBA CROWN BUILDING MATERIALS, INC.*;

No. 04M1. *GOODEN v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*;

No. 04M3. *HEIM v. UNIVERSITY OF MIAMI ET AL.*;

No. 04M5. *COURTER v. KANSAS ET AL.*;

No. 04M6. *CONTRERAS v. TEXAS*;

No. 04M8. *CALERO v. PAGAN PAGAN ET AL.*;

No. 04M10. *LEWIS v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*; and

No. 04M11. *MITCHELL v. PER-SE TECHNOLOGIES, INC.* Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

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No. 03M85. MARTINI *v.* HENDRICKS, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.;

No. 03M87. CHAVEZ *v.* UNITED STATES; and

No. 04M4. DOE *v.* UNITED STATES. Motions for leave to file petitions for writs of certiorari under seal with redacted copies for the public record granted.

No. 04M2. IN RE HUSSEIN. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner denied.

No. 04M7. CHORCHES *v.* CHRYSLER FINANCIAL CO. LLC ET AL.; and

No. 04M9. GREENLEE *v.* UNITED STATES POSTAL SERVICE ET AL. Motions to direct the Clerk to file petitions for writs 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 reimbursement of expenses granted, and the River Master is awarded a total of \$2,516 for the period January 1 through March 31, 2004, and a total of \$2,452.38 for the period April 1 through June 30, 2004. [For earlier order herein, see, *e.g.*, 540 U.S. 964.]

No. 02–626. SOUTH FLORIDA WATER MANAGEMENT DISTRICT *v.* MICCOSUKEE TRIBE OF INDIANS ET AL., 541 U.S. 95. Motion of respondent Friends of Everglades, Inc., for attorney's fees denied without prejudice to filing in the United States Court of Appeals for the Eleventh Circuit.

No. 03–898. ORTIZ VELEZ, MAYOR OF SABANA GRANDE, PUERTO RICO, ET AL. *v.* RIVERA-TORRES ET AL., 541 U.S. 972. Motion of respondents for attorney's fees denied without prejudice to filing in the United States Court of Appeals for the First Circuit.

No. 03–1445. REGIER, SECRETARY, FLORIDA DEPARTMENT OF CHILDREN & FAMILIES, ET AL. *v.* DOES 1–13 ET AL., 542 U.S. 920. Motion of respondents for attorney's fees denied without prejudice to filing in the United States Court of Appeals for the Eleventh Circuit.

No. 03–1237. MERCK KGAA *v.* INTEGRA LIFESCIENCES I, LTD., ET AL. C. A. Fed. Cir. The Acting Solicitor General is invited

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to file a brief in this case expressing the views of the United States. JUSTICE O'CONNOR and JUSTICE BREYER took no part in the consideration or decision of this petition.

No. 03-10777. *KEUP v. WISCONSIN DEPARTMENT OF HEALTH AND FAMILY SERVICES ET AL.* Sup. Ct. Wis. The Acting Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 03-1293. *WHITFIELD v. UNITED STATES.* C. A. 11th Cir.; and

No. 03-1294. *HALL v. UNITED STATES.* C. A. 11th Cir. Motions of petitioners for leave to proceed further herein *in forma pauperis* granted.

No. 03-9005. *CUYLER v. WAL-MART STORES.* C. A. 11th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [541 U.S. 1061] denied. JUSTICE BREYER took no part in the consideration or decision of this motion.

No. 03-10284. *IN RE BROOKS.* Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [541 U.S. 1084] denied.

No. 03-9046. *RHINES v. WEBER, WARDEN.* C. A. 8th Cir. [Certiorari granted, 542 U.S. 936.] Motion of petitioner for appointment of counsel granted. Roberto A. Lange, Esq., of Sioux Falls, S. D., is appointed to serve as counsel for petitioner in this case.

No. 03-9168. *SHEPARD v. UNITED STATES.* C. A. 1st Cir. [Certiorari granted, 542 U.S. 918.] Motion of petitioner for appointment of counsel granted. Linda J. Thompson, Esq., of Springfield, Mass., is appointed to serve as counsel for petitioner in this case.

No. 03-10574. *IN RE SHEMONSKY;*

No. 03-10769. *IN RE SHEMONSKY;*

No. 03-10857. *IN RE SHEMONSKY;*

No. 03-10891. *ALLEN v. UNITED STATES.* C. A. 2d Cir.;

No. 03-10900. *NOBLE v. IOWA DEPARTMENT OF CORRECTIONS.* C. A. 8th Cir.;

No. 03-10979. *MERRITT v. UNITED STATES.* C. A. 7th Cir.;

No. 04-5173. *WRIGHT v. UNITED STATES.* C. A. 3d Cir.; and

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No. 04–5188. SHOBANDE *v.* ASHCROFT, ATTORNEY GENERAL, ET AL. C. A. 11th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until October 25, 2004, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

No. 03–10259. IN RE RUSSELL. C. A. 6th Cir. Petition for writ of common-law certiorari denied.

No. 03–10762. IN RE AMIR-EL;

No. 03–10796. IN RE OGUNDE ET AL.;

No. 03–10844. IN RE KORNAFEL;

No. 03–10929. IN RE ACKLIN;

No. 04–297. IN RE CALIFORRNIAA;

No. 04–5233. IN RE THRASH;

No. 04–5306. IN RE PULLIAM;

No. 04–5340. IN RE MONTEZ;

No. 04–5404. IN RE ELLIS;

No. 04–5501. IN RE MARSH;

No. 04–5633. IN RE ZARATE;

No. 04–5701. IN RE CLUCK;

No. 04–5745. IN RE SCHEIDLKY;

No. 04–5769. IN RE CROFT;

No. 04–5811. IN RE CRUZ-RIVERA;

No. 04–5834. IN RE DUMAS;

No. 04–5841. IN RE FOUCHE;

No. 04–5857. IN RE BEAUMONT;

No. 04–5902. IN RE OLSON;

No. 04–5918. IN RE DEMOUCHET;

No. 04–5933. IN RE LEVERETT;

No. 04–5946. IN RE HERRERA;

No. 04–6002. IN RE ABSALON;

No. 04–6093. IN RE BURGESS;

No. 04–6096. IN RE VERDONE;

No. 04–6130. IN RE HILL;

No. 04–6141. IN RE HARLEY; and

No. 04–6145. IN RE HUBBARD. Petitions for writs of habeas corpus denied.

No. 03–1645. IN RE GREEN;

No. 03–10052. IN RE JOHNSON;

No. 03–10356. IN RE MORGAN;

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No. 03–10373. IN RE COLE;  
No. 03–10509. IN RE RIVAS;  
No. 03–10578. IN RE THOMAS;  
No. 03–10708. IN RE GRICCO;  
No. 03–10864. IN RE TAYLOR;  
No. 03–10942. IN RE CROSBY;  
No. 03–10992. IN RE SMITH;  
No. 03–11027. IN RE VALLEY;  
No. 04–5083. IN RE KOGER;  
No. 04–5358. IN RE JOHNSON;  
No. 04–5363. IN RE COLLINS;  
No. 04–5372. IN RE PRI-HAR; and  
No. 04–5411. IN RE HODGES. Petitions for writs of mandamus denied.

No. 03–1633. IN RE HEMPHILL. Petition for writ of mandamus denied. JUSTICE BREYER took no part in the consideration or decision of this petition.

No. 03–1596. IN RE ADAMS;  
No. 03–10493. IN RE BROOKS;  
No. 03–10905. IN RE CURTIS;  
No. 04–5349. IN RE ARMSTRONG; and  
No. 04–5822. IN RE YOUNG. Petitions for writs of mandamus and/or prohibition denied.

*Certiorari Denied.* (See also No. 03–10259, *supra*.)

No. 03–1240. FLEXIBLE PRODUCTS CO. ET AL. *v.* ERVAST. C. A. 11th Cir. Certiorari denied. Reported below: 346 F. 3d 1007.

No. 03–1269. CASTELLANO *v.* FRAGOZO ET AL.; and  
No. 03–1417. FRAGOZO ET AL. *v.* CASTELLANO. C. A. 5th Cir. Certiorari denied. Reported below: 352 F. 3d 939.

No. 03–1280. GEORGE E. WARREN CORP. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 341 F. 3d 1348.

No. 03–1300. ZULICK *v.* WISE ET AL. Sup. Ct. Pa. Certiorari denied. Reported below: 575 Pa. 140, 834 A. 2d 1126.

No. 03–1304. WARD, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED *v.* SOUTH CAROLINA. Sup. Ct. S. C. Certiorari denied. Reported below: 356 S. C. 449, 590 S. E. 2d 30.



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No. 03–1375. *RYBICKI ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 354 F. 3d 124.

No. 03–1389. *JUDICIAL WATCH, INC. v. INTERNAL REVENUE SERVICE*. C. A. 4th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 335.

No. 03–1414. *HAMILTON v. COLLETT ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 83 Fed. Appx. 634.

No. 03–1418. *HARRIS ET AL. v. FEDERAL AVIATION ADMINISTRATION ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 353 F. 3d 1006.

No. 03–1420. *GRIFFIN ET AL. v. INDIANA DEPARTMENT OF LOCAL GOVERNMENT FINANCE*. Tax. Ct. Ind. Certiorari denied. Reported below: 794 N. E. 2d 1171.

No. 03–1424. *AL-MARRI v. RUMSFELD, SECRETARY OF DEFENSE, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 360 F. 3d 707.

No. 03–1425. *BARMES v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 03–1428. *CITY OF AUSTIN, TEXAS, ET AL. v. BROWNLEE, ACTING SECRETARY OF THE ARMY, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 352 F. 3d 235.

No. 03–1433. *RANN v. CHAO, SECRETARY OF LABOR*. C. A. D. C. Cir. Certiorari denied. Reported below: 346 F. 3d 192.

No. 03–1439. *SOUSA, AS EXECUTOR OF THE WILL OF SOUSA, DECEASED, ET AL. v. UNILAB CORPORATION CLASS II (NON-EXEMPT) MEMBERS GROUP BENEFIT PLAN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 83 Fed. Appx. 954.

No. 03–1440. *KALAMA SERVICES, INC., ET AL. v. DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, DEPARTMENT OF LABOR, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 354 F. 3d 1085.

No. 03–1448. *TURNER v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. Reported below: 267 Conn. 414, 838 A. 2d 947.

No. 03–1449. *AEROQUIP-VICKERS, INC., AND SUBSIDIARIES, FKA TRINOVA CORP. AND SUBSIDIARIES v. COMMISSIONER OF IN-*

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TERNAL REVENUE. C. A. 6th Cir. Certiorari denied. Reported below: 347 F. 3d 173.

No. 03-1450. KHAN ET UX. *v.* ASHCROFT, ATTORNEY GENERAL. C. A. 7th Cir. Certiorari denied.

No. 03-1480. ISHLER ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 11th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 385.

No. 03-1485. MCCLOY *v.* DEPARTMENT OF AGRICULTURE. C. A. 10th Cir. Certiorari denied. Reported below: 351 F. 3d 447.

No. 03-1487. FISHER *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 340 F. 3d 1261.

No. 03-1495. MORAN ET AL. *v.* HIBBS, DIRECTOR, ARIZONA DEPARTMENT OF REVENUE, ET AL. Sup. Ct. Ariz. Certiorari denied. Reported below: 207 Ariz. 181, 84 P. 3d 446.

No. 03-1499. MARSH, EXECUTRIX OF THE ESTATE OF MARSH, ET AL. *v.* W. R. GRACE & CO. ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 80 Fed. Appx. 883.

No. 03-1504. MONIN *v.* MONIN, INC., ET AL. Ct. App. Ky. Certiorari denied.

No. 03-1506. WILLIAMS *v.* COLUMBUS METROPOLITAN HOUSING AUTHORITY. C. A. 6th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 870.

No. 03-1507. HARRELL *v.* CNA INSURANCE COS. ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 579.

No. 03-1511. WRIGHT *v.* MONTGOMERY COUNTY, PENNSYLVANIA, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 85 Fed. Appx. 312.

No. 03-1512. JOHNSON ET UX. *v.* CITY OF SHOREWOOD, MINNESOTA, ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 360 F. 3d 810.

No. 03-1515. CITY OF MCALESTER, OKLAHOMA, ET AL. *v.* PITTSBURGH COUNTY RURAL WATER DISTRICT NO. 7 ET AL.; and

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No. 03–1643. *PITTSBURGH COUNTY RURAL WATER DISTRICT NO. 7 v. CITY OF MCALESTER, OKLAHOMA, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 358 F. 3d 694.

No. 03–1517. *SCARROT ET AL. v. WILKINS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 350 F. 3d 949.

No. 03–1518. *CHORTEK ET AL. v. CITY OF MILWAUKEE, WISCONSIN, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 356 F. 3d 740.

No. 03–1519. *BRAMWELL v. FEDERAL BUREAU OF PRISONS.* C. A. 9th Cir. Certiorari denied. Reported below: 348 F. 3d 804.

No. 03–1521. *VISA U. S. A., INC. v. UNITED STATES; and*

No. 03–1532. *MASTERCARD INTERNATIONAL INC. v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 344 F. 3d 229.

No. 03–1523. *JAMES v. TUCK ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 77 Fed. Appx. 754.

No. 03–1524. *HAEBERLE v. UNIVERSITY OF LOUISVILLE ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 895.

No. 03–1527. *HENDERSON v. CAMPBELL, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 353 F. 3d 880.

No. 03–1529. *SMITH v. NEW MEXICO.* Ct. App. N. M. Certiorari denied.

No. 03–1533. *KRSTIC v. ASHCROFT, ATTORNEY GENERAL, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 904.

No. 03–1534. *RUIZ-VALERA v. ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK.* C. A. 2d Cir. Certiorari denied. Reported below: 91 Fed. Appx. 168.

No. 03–1535. *DESORDI v. BURGE, SUPERINTENDENT, AUBURN CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied. Reported below: 84 Fed. Appx. 160.

No. 03–1536. *WATSON v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

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No. 03–1537. *WALKER v. TEXAS*. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 03–1545. *WOLK ET UX. v. ORANGE COUNTY, FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 384.

No. 03–1546. *ULYSSES I & CO., INC. v. FELDSTEIN ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 346 F. 3d 27.

No. 03–1548. *NOVOTNY, IN HIS INDIVIDUAL CAPACITY AS TRUSTEE OF MIDWEST LIMITED AND SUNRISE INVESTMENTS v. UNITED STATES ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 71 Fed. Appx. 792.

No. 03–1549. *GM ENTERPRISES, INC. v. TOWN OF ST. JOSEPH, WISCONSIN.* C. A. 7th Cir. Certiorari denied. Reported below: 350 F. 3d 631.

No. 03–1550. *MONTANA RIGHT TO LIFE ASSN. ET AL. v. ED-  
DLEMAN, IN HIS OFFICIAL CAPACITY AS COUNTY ATTORNEY FOR  
STILLWATER COUNTY, MONTANA, AND AS A REPRESENTATIVE OF  
THE CLASS OF COUNTY ATTORNEYS IN THE STATE OF MONTANA,  
ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 343  
F. 3d 1085.

No. 03–1552. *MAINSTREAM MARKETING SERVICES, INC., ET  
AL. v. FEDERAL TRADE COMMISSION ET AL.* C. A. 10th Cir. Cer-  
tiorari denied. Reported below: 358 F. 3d 1228.

No. 03–1554. *PLEDGER, INDIVIDUALLY AND ON BEHALF OF  
HIS MINOR CHILDREN, PLEDGER ET AL., ET AL. v. PHIL GUIL-  
BEAU OFFSHORE, INC.* C. A. 5th Cir. Certiorari denied. Re-  
ported below: 88 Fed. Appx. 690.

No. 03–1555. *MOSS v. ENLARGED CITY SCHOOL DISTRICT OF  
THE CITY OF AMSTERDAM ET AL.* C. A. 2d Cir. Certiorari de-  
nied. Reported below: 81 Fed. Appx. 389.

No. 03–1557. *SALEHPOOR v. SHAHINPOOR ET AL.* C. A. 10th  
Cir. Certiorari denied. Reported below: 358 F. 3d 782.

No. 03–1560. *URENECK v. PING CUI.* App. Ct. Mass. Certio-  
rari denied. Reported below: 59 Mass. App. 809, 798 N. E.  
2d 305.

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No. 03–1561. *GARCIA-ZAVALA v. ASHCROFT, ATTORNEY GENERAL*. C. A. 5th Cir. Certiorari denied.

No. 03–1562. *HCA INC. & SUBSIDIARIES, SUCCESSOR TO HOSPITAL CORPORATION OF AMERICA & SUBSIDIARIES v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 6th Cir. Certiorari denied. Reported below: 348 F. 3d 136.

No. 03–1563. *HORTON ET AL. v. CITY OF HOUSTON, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 903.

No. 03–1564. *GRANITE STATE OUTDOOR ADVERTISING, INC. v. CITY OF CLEARWATER, FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 351 F. 3d 1112.

No. 03–1565. *FAREY-JONES v. THEOFEL ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 359 F. 3d 1066.

No. 03–1567. *MYERS v. AMERICAN SOCIETY OF COMPOSERS, ACTORS, AND PUBLISHERS*. C. A. 2d Cir. Certiorari denied.

No. 03–1568. *MARTINEZ ET AL. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 81 Fed. Appx. 355.

No. 03–1569. *MARTIN v. LOVE-LANE*; and

No. 03–1680. *LOVE-LANE v. MARTIN*. C. A. 4th Cir. Certiorari denied. Reported below: 355 F. 3d 766.

No. 03–1572. *JORGENSEN v. CASON, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 972.

No. 03–1574. *WINCE ET AL. v. STEMLER ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 350 F. 3d 578.

No. 03–1575. *WASHINGTON-DULLES TRANSPORTATION, LTD. v. METROPOLITAN WASHINGTON AIRPORTS AUTHORITY*. C. A. 4th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 843.

No. 03–1576. *MCCOMBS v. DESGUIN, IN HIS OFFICIAL CAPACITY AS PROPERTY APPRAISER, CHARLOTTE COUNTY, FLORIDA, ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 870 So. 2d 822.

No. 03–1577. *DECARLO, EXECUTRIX OF THE ESTATE OF DECARLO v. ARCHIE COMIC PUBLICATIONS, INC.* C. A. 2d Cir. Certiorari denied. Reported below: 88 Fed. Appx. 468.

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No. 03–1578. *SIRLEAF ET UX. v. BOOZER ET AL.* C. A. 4th Cir. Certiorari denied.

No. 03–1582. *ASSOCIATED BUILDERS & CONTRACTORS OF SOUTHERN CALIFORNIA, INC. v. ACOSTA, IN HER OFFICIAL CAPACITY AS ACTING CHIEF, DIVISION OF APPRENTICESHIP STANDARDS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 356 F. 3d 979.

No. 03–1584. *HINES ET AL. v. CITY OF CHICAGO, ILLINOIS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 501.

No. 03–1587. *ESTIVERNE v. HIBERNIA CORP. ET AL.* Sup. Ct. La. Certiorari denied. Reported below: 868 So. 2d 22.

No. 03–1588. *MINKA LIGHTING, INC. v. CRAFTMADE INTERNATIONAL, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 93 Fed. Appx. 214.

No. 03–1590. *MEDINOL LTD. v. JOHNSON & JOHNSON ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 87 Fed. Appx. 729.

No. 03–1592. *PREWITT ENTERPRISES, INC., ET AL. v. ORGANIZATION OF THE PETROLEUM EXPORTING COUNTRIES.* C. A. 11th Cir. Certiorari denied. Reported below: 353 F. 3d 916.

No. 03–1593. *MONACO v. AMERICAN GENERAL ASSURANCE CO. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 359 F. 3d 296.

No. 03–1594. *ANGELICO v. LEHIGH VALLEY HOSPITAL, INC., ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 85 Fed. Appx. 308.

No. 03–1595. *EMPLOYERS INSURANCE OF WAUSAU v. EL BANCO DE SEGUROS DEL ESTADO.* C. A. 7th Cir. Certiorari denied. Reported below: 357 F. 3d 666.

No. 03–1599. *CITY OF MESA, ARIZONA v. PETERSEN.* Sup. Ct. Ariz. Certiorari denied. Reported below: 207 Ariz. 35, 83 P. 3d 35.

No. 03–1600. *GANTT v. SECURITY, USA, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 356 F. 3d 547.

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No. 03–1602. *ARTICHOKE JOE’S ET AL. v. NORTON, SECRETARY OF THE INTERIOR, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 353 F. 3d 712.

No. 03–1603. *BLUE CIRCLE, INC. v. GEORGIA DEPARTMENT OF REVENUE ET AL.* Ct. App. Ga. Certiorari denied.

No. 03–1604. *BASKIN v. RUTHERFORD COUNTY, TENNESSEE, ET AL.* Sup. Ct. Tenn. Certiorari denied.

No. 03–1605. *ARRINGTON v. SOUTHWESTERN BELL TELEPHONE CO.* C. A. 5th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 593.

No. 03–1607. *JOHNSON v. MCCULLAH ET AL.* C. A. 3d Cir. Certiorari denied.

No. 03–1608. *NORD v. BLACK & DECKER DISABILITY PLAN.* C. A. 9th Cir. Certiorari denied. Reported below: 356 F. 3d 1008.

No. 03–1609. *PROVIDENCE HEALTH SYSTEM-WASHINGTON, DBA PROVIDENCE YAKIMA MEDICAL CENTER, DBA PROVIDENCE YAKIMA MEDICAL CENTER SKILLED NURSING FACILITY v. THOMPSON, SECRETARY OF HEALTH AND HUMAN SERVICES.* C. A. 9th Cir. Certiorari denied. Reported below: 353 F. 3d 661.

No. 03–1611. *COMMONWEALTH CONSTRUCTION MANAGEMENT, INC., ET AL. v. BOARD OF ZONING APPEALS OF FAIRFAX COUNTY, VIRGINIA, ET AL.* Sup. Ct. Va. Certiorari denied.

No. 03–1612. *AGUSTIN v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 92 Fed. Appx. 786.

No. 03–1613. *LASHER v. LASHER.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 03–1614. *MIN JIN v. METROPOLITAN LIFE INSURANCE CO.* C. A. 2d Cir. Certiorari denied. Reported below: 88 Fed. Appx. 456.

No. 03–1615. *MCNEIL v. VERISIGN, INC., ET AL.* C. A. 9th Cir. Certiorari denied.

No. 03–1616. *KAUR v. ASHCROFT, ATTORNEY GENERAL.* C. A. 9th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 843.

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No. 03–1617. *DOE v. THOMPSON ET AL.* C. A. 11th Cir. Certiorari denied.

No. 03–1618. *CATHOLIC CHARITIES OF SACRAMENTO, INC. v. CALIFORNIA ET AL.* Sup. Ct. Cal. Certiorari denied. Reported below: 32 Cal. 4th 527, 85 P. 3d 67.

No. 03–1620. *HOBODY v. CALIFORNIA ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 03–1621. *HOLTON v. TENNESSEE.* Sup. Ct. Tenn. Certiorari denied. Reported below: 126 S. W. 3d 845.

No. 03–1623. *HAUGEN v. HENRY COUNTY, GEORGIA, ET AL.* Sup. Ct. Ga. Certiorari denied. Reported below: 277 Ga. 743, 594 S. E. 2d 324.

No. 03–1624. *HELDT v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 03–1625. *GARDNER v. HEARTLAND EXPRESS, INC.* Sup. Ct. Iowa. Certiorari denied. Reported below: 675 N. W. 2d 259.

No. 03–1626. *BARNA v. BARNA.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 850 So. 2d 603.

No. 03–1627. *HOWELL ET UX. v. RICCI ET AL.* Sup. Ct. Nev. Certiorari denied. Reported below: 120 Nev. 1249, 131 P. 3d 609.

No. 03–1630. *MANDYCZ v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 351 F. 3d 222.

No. 03–1631. *BEAVERS v. BROWN ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 529.

No. 03–1632. *GANESAN v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 03–1634. *SUBSTANCE, INC., ET AL. v. CHICAGO BOARD OF EDUCATION.* C. A. 7th Cir. Certiorari denied. Reported below: 354 F. 3d 624.

No. 03–1636. *IN RE GROSS ET AL.* Ct. App. Ky. Certiorari denied.



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No. 03-1637. *BARNETT v. COLORADO*. C. A. 10th Cir. Certiorari denied. Reported below: 78 Fed. Appx. 74.

No. 03-1638. *CRAWFORD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 03-1639. *BIODIVERSITY ASSOCIATES ET AL. v. CABLES, REGIONAL FORESTER, UNITED STATES FOREST SERVICE, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 357 F. 3d 1152.

No. 03-1640. *NEBRASKA ET AL. v. ENVIRONMENTAL PROTECTION AGENCY*. C. A. D. C. Cir. Certiorari denied. Reported below: 89 Fed. Appx. 277.

No. 03-1641. *KING v. INDIANA*. Ct. App. Ind. Certiorari denied. Reported below: 799 N. E. 2d 42.

No. 03-1642. *NEDER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 03-1646. *CANTU v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 03-1647. *DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS v. TURNER ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 354 F. 3d 890.

No. 03-1649. *MARTIN v. CITY OF OCEANSIDE, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 360 F. 3d 1078.

No. 03-1650. *BIENER ET AL. v. CALIO, ELECTION COMMISSIONER OF DELAWARE, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 361 F. 3d 206.

No. 03-1651. *BOYADJIAN v. TRANS UNION CORP.* C. A. 3d Cir. Certiorari denied. Reported below: 85 Fed. Appx. 868.

No. 03-1652. *DOE ET AL. v. TANDESKE, COMMISSIONER, ALASKA DEPARTMENT OF PUBLIC SAFETY, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 361 F. 3d 594.

No. 03-1653. *HEDRICK v. WESTERN RESERVE CARE SYSTEM ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 355 F. 3d 444.

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No. 03–1654. *WHITE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 566.

No. 03–1656. *DRELLES ET AL. v. METROPOLITAN LIFE INSURANCE CO. ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 90 Fed. Appx. 587.

No. 03–1657. *BESTOR v. LIEBERMAN, UNITED STATES SENATOR, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 91 Fed. Appx. 156.

No. 03–1658. *CUNNINGHAM v. HAMILTON ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 357.

No. 03–1659. *BERRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 312.

No. 03–1660. *SCHMIER v. SUPREME COURT OF CALIFORNIA ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 03–1662. *BECKWITH PLACE L. P. ET AL. v. GENERAL ELECTRIC Co. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 361 F. 3d 566.

No. 03–1663. *GUAJARDO, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED v. TEXAS DEPARTMENT OF CRIMINAL JUSTICE*. C. A. 5th Cir. Certiorari denied. Reported below: 363 F. 3d 392.

No. 03–1664. *STERN v. ORLICK*. Sup. Ct. Fla. Certiorari denied. Reported below: 869 So. 2d 540.

No. 03–1665. *BANKHEAD ET AL. v. KNICKREHM, DIRECTOR, ARKANSAS DEPARTMENT OF HUMAN SERVICES, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 360 F. 3d 839.

No. 03–1666. *SLAVIN v. NEW YORK*. Ct. App. N. Y. Certiorari denied. Reported below: 1 N. Y. 3d 392, 807 N. E. 2d 259.

No. 03–1667. *BONAVITACOLA ELECTRIC CONTRACTOR, INC., ET AL. v. BORO DEVELOPERS, INC., ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 87 Fed. Appx. 227.

No. 03–1671. *McFALL v. WARD*. Sup. Ct. Ga. Certiorari denied. Reported below: 277 Ga. 649, 593 S. E. 2d 340.

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No. 03-1673. *CYCENAS v. STONER ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 954.

No. 03-1674. *LURIE v. BLACKWELL, LIQUIDATING TRUSTEE OF THE POPKIN AND STERN LIQUIDATING TRUST.* C. A. 8th Cir. Certiorari denied. Reported below: 85 Fed. Appx. 543.

No. 03-1675. *GRIGGS v. STATE BAR OF GEORGIA.* Sup. Ct. Ga. Certiorari denied. Reported below: 277 Ga. 663, 593 S. E. 2d 328.

No. 03-1676. *HAYES v. NICE SYSTEMS LTD. ET AL.* C. A. 3d Cir. Certiorari denied.

No. 03-1677. *TILLEY ET UX. v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 85 Fed. Appx. 333.

No. 03-1678. *ZIMMERMAN ET UX. v. CITY OF OAKLAND, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 451.

No. 03-1679. *MORENO ET AL. v. SUMMIT MORTGAGE CORP. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 364 F. 3d 574.

No. 03-1682. *GILMORE v. DEPARTMENT OF LABOR ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 381.

No. 03-1683. *STILLMAN v. COLORADO ET AL.* Ct. App. Colo. Certiorari denied. Reported below: 87 P. 3d 200.

No. 03-1684. *CRAIN BROTHERS INC. ET AL. v. LOVEJOY.* Ct. App. La., 3d Cir. Certiorari denied. Reported below: 862 So. 2d 490.

No. 03-1685. *GUENTHER v. TIDEWATER INC.* C. A. 5th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 625.

No. 03-1686. *WILLY ET UX. v. VIRGINIA STATE CORPORATION COMMISSION.* Sup. Ct. Va. Certiorari denied.

No. 03-1687. *WILEY v. CITY OF CHICAGO, ILLINOIS, ET AL.; and*

No. 03-1717. *JONES v. WILEY.* C. A. 7th Cir. Certiorari denied. Reported below: 361 F. 3d 994.

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No. 03–1689. *ROTHENBERG v. MINNESOTA BOARD OF CONTINUING LEGAL EDUCATION*. Sup. Ct. Minn. Certiorari denied. Reported below: 676 N.W. 2d 283.

No. 03–1690. *UNITED STATES EX REL. KARVELAS v. MELROSE-WAKEFIELD HOSPITAL ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 360 F.3d 220.

No. 03–1692. *BARR v. TEXAS*. Ct. App. Tex., 11th Dist. Certiorari denied.

No. 03–1695. *VAUGHEN v. FLORIDA BAR*. Sup. Ct. Fla. Certiorari denied. Reported below: 870 So. 2d 824.

No. 03–1697. *DOUDS ET AL. v. THOMPSON ET AL.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 852 So. 2d 299.

No. 03–1700. *HINTON v. UNITED STATES ET AL.* C. A. 6th Cir. Certiorari denied.

No. 03–1701. *CRAIG v. HOLSEY*. Ct. App. Ga. Certiorari denied. Reported below: 264 Ga. App. 344, 590 S. E. 2d 742.

No. 03–1702. *MANUEL v. SANDERSON FARMS, INC., PROCESSING DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 714.

No. 03–1703. *ROCKEFELLER v. WESTINGHOUSE ELECTRIC CO., WASTE ISOLATION DIVISION, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 03–1704. *ROACH v. SALDANO ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 363 F.3d 545.

No. 03–1705. *TAYLOR v. PRUDENTIAL INSURANCE COMPANY OF AMERICA*. C. A. 3d Cir. Certiorari denied. Reported below: 91 Fed. Appx. 746.

No. 03–1706. *MARKOWITZ v. MARKOWITZ*. Ct. App. Tex., 14th Dist. Certiorari denied. Reported below: 118 S.W. 3d 82.

No. 03–1707. *NORDYKE ET AL. v. KING ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 319 F.3d 1185.

No. 03–1708. *MCANALLY v. CLARK COUNTY, NEVADA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 787.

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No. 03–1709. *UNION ELECTRIC CO. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 363 F. 3d 1292.

No. 03–1710. *ESTY ET AL. v. UNITED STATES ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 88 Fed. Appx. 421.

No. 03–1711. *SISLER v. SUPREME COURT OF MONTANA*. Sup. Ct. Mont. Certiorari denied.

No. 03–1712. *DEMIRZHIU ET UX. v. ASHCROFT, ATTORNEY GENERAL, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 263.

No. 03–1713. *NU-LOOK DESIGN, INC. v. COMMISSIONER OF INTERNAL REVENUE; SUPERIOR PROSIDE, INC. v. COMMISSIONER OF INTERNAL REVENUE; and JOSEPH M. GREY PUBLIC ACCOUNTANT, P. C., ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 3d Cir. Certiorari denied. Reported below: 356 F. 3d 290 (first judgment); 86 Fed. Appx. 510 (second judgment); 93 Fed. Appx. 473 (third judgment).

No. 03–1714. *MICHAEL MINNIS & ASSOCIATES, P. C. v. KAW NATION*. Ct. Civ. App. Okla. Certiorari denied. Reported below: 90 P. 3d 1009.

No. 03–1715. *PHILIP MORRIS USA INC. v. LEWIS, DBA B&H VENDORS, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 355 F. 3d 515.

No. 03–1716. *LURIE CO. v. COOK COUNTY BOARD OF REVIEW*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 345 Ill. App. 3d 539, 803 N. E. 2d 55.

No. 03–1718. *KNUTH v. KNUTH*. Ct. App. Mich. Certiorari denied.

No. 03–1719. *MULTI-TECH SYSTEMS, INC. v. MICROSOFT CORP. ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 357 F. 3d 1340.

No. 03–1720. *UNDERWOOD v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 03–1721. *VINTILLA v. CITY OF ROCKY RIVER, OHIO, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 274.

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No. 03–8407. *CROSS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 337 Ill. App. 3d 1153, 843 N. E. 2d 510.

No. 03–8535. *FREEMAN v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 573 Pa. 532, 827 A. 2d 385.

No. 03–8805. *COOPER, AKA SEALED DEFENDANT 1 v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 71 Fed. Appx. 298.

No. 03–9116. *BASKER v. BOYCE ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 857 So. 2d 195.

No. 03–9208. *DESANTIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 81 Fed. Appx. 518.

No. 03–9243. *CASTILLO v. CORSINI, SUPERINTENDENT, BAY STATE CORRECTIONAL CENTER*. C. A. 1st Cir. Certiorari denied. Reported below: 348 F. 3d 1.

No. 03–9284. *MCCRAE v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 574 Pa. 594, 832 A. 2d 1026.

No. 03–9334. *ZHUO JIAN PING v. SUBDIVISION OFFICE OF IMMIGRATION AND NATURALIZATION SERVICES INS OFFICIALS*. C. A. 11th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 391.

No. 03–9465. *REARDEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 349 F. 3d 608.

No. 03–9664. *BENSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 69 Fed. Appx. 197.

No. 03–9672. *MARTINEZ v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 03–9675. *STRANGE v. NORFOLK SOUTHERN CORP.* C. A. 11th Cir. Certiorari denied. Reported below: 85 Fed. Appx. 726.

No. 03–9719. *CORBEIL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 81 Fed. Appx. 215.

No. 03–9746. *SMITH v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 859.

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No. 03–9755. *MORRIS v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 62.

No. 03–9777. *MITCHELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 384.

No. 03–9790. *DAVIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 682.

No. 03–9803. *WHITED v. DOTSON*, WARDEN. C. A. 4th Cir. Certiorari denied. Reported below: 85 Fed. Appx. 888.

No. 03–9809. *BRUNSHTEIN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 344 F. 3d 91.

No. 03–9823. *GREEN v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 82 Fed. Appx. 333.

No. 03–9845. *GUTIERREZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 351 F. 3d 897.

No. 03–9866. *THEODOROPoulos v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 2d Cir. Certiorari denied. Reported below: 358 F. 3d 162.

No. 03–9876. *COLONNA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 360 F. 3d 1169.

No. 03–9891. *CHAIRES v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 355 F. 3d 1099.

No. 03–9931. *BROWN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 342 F. 3d 1245.

No. 03–10010. *O’KANE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 86 Fed. Appx. 447.

No. 03–10035. *NASSRALAH v. ASHCROFT*, ATTORNEY GENERAL. C. A. 3d Cir. Certiorari denied. Reported below: 88 Fed. Appx. 491.

No. 03–10038. *RAYFORD v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 125 S. W. 3d 521.

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No. 03–10041. *TROTTER v. HOOKS, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 03–10044. *CUMMINGS v. GEORGIA.* Ct. App. Ga. Certiorari denied. Reported below: 261 Ga. App. 281, 582 S. E. 2d 231.

No. 03–10051. *CHRISMON v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied.

No. 03–10055. *ZIEGLER v. WATKINS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 684.

No. 03–10058. *CORE v. CRIST, ATTORNEY GENERAL OF FLORIDA.* C. A. 11th Cir. Certiorari denied.

No. 03–10060. *CHERRY v. BERGE ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 513.

No. 03–10066. *HAMILTON v. GIURBINO, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 03–10079. *HELTON v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 713.

No. 03–10080. *HERNANDEZ v. RUNNELS, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 83 Fed. Appx. 197.

No. 03–10088. *RUDOLL v. COLLERAN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT WAYMART, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 03–10089. *CONTRERAS v. GARCIA, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 102.

No. 03–10091. *HIRAHARA v. KRAMER, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 03–10095. *HEIGHT v. MOORE, ADMINISTRATOR, EAST JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 03–10096. *GUILLORY v. CAIN, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 03–10097. *IRUEGAS v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.



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No. 03–10098. *HAWTHORNE v. CAIN*, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 03–10099. *SERRANO v. HAMLET*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 345 F. 3d 1071.

No. 03–10102. *ANDERSON v. LAMARQUE*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 81 Fed. Appx. 257.

No. 03–10103. *CORMIER v. TEXAS*. C. A. 5th Cir. Certiorari denied.

No. 03–10106. *ATAMIAN v. HAWK ET AL.* Sup. Ct. Del. Certiorari denied. Reported below: 842 A. 2d 1244.

No. 03–10108. *KHAN v. MECHAM ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 80 Fed. Appx. 50.

No. 03–10112. *ORTEGA v. COLORADO*. Ct. App. Colo. Certiorari denied.

No. 03–10114. *MORALES-PALACIOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 369 F. 3d 442.

No. 03–10115. *HILDEBRANT v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 03–10127. *METHANY v. KNOWLES*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 03–10128. *GUTIERREZ v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 03–10129. *FORNEY v. FREEPORT TOWNSHIP ET AL.* C. A. 10th Cir. Certiorari denied.

No. 03–10131. *HOFFMAN v. JONES*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 03–10132. *GARRETT v. FLEMING ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 71 Fed. Appx. 238.

No. 03–10134. *WARE v. WARE*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 862 So. 2d 90.

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No. 03–10135. *HOLSAPPLE v. VIRGINIA*. Sup. Ct. Va. Certiorari denied. Reported below: 266 Va. 593, 587 S. E. 2d 561.

No. 03–10138. *SHACKELFORD v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 03–10139. *RIDEAU v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 866 So. 2d 225.

No. 03–10146. *JOHNSON v. VINER ET AL.* C. A. 8th Cir. Certiorari denied.

No. 03–10147. *JOHNSON ET AL. v. STRINGFELLOW ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 615.

No. 03–10148. *MARTIN v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 03–10150. *WARD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 909.

No. 03–10151. *DYANDRIA M. v. ADMINISTRATION FOR CHILDREN'S SERVICES*. Ct. App. N. Y. Certiorari denied. Reported below: 1 N. Y. 3d 623, 808 N. E. 2d 1280.

No. 03–10152. *BYROM v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 863 So. 2d 836.

No. 03–10156. *DAVIS v. BUDGE, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 505.

No. 03–10161. *MORALES v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 03–10164. *RIVERA v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 387.

No. 03–10165. *BROWN v. LOUISIANA*. Ct. App. La., 4th Cir. Certiorari denied. Reported below: 853 So. 2d 8.

No. 03–10169. *TORRES v. GILLIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT COAL TOWNSHIP, ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 03–10172. *COLEMAN v. PLILER, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 83 Fed. Appx. 984.

No. 03–10174. *YOUNG v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 03–10178. *FRAZIER v. MITCHELL ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 75 Fed. Appx. 498.

No. 03–10179. *ASHE v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 03–10180. *ROCHA v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 03–10183. *ROBINSON v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 03–10184. *SENATOR v. VALADEZ, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 03–10189. *GARDNER v. HERNANDEZ, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 03–10192. *GREEN v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 69 Fed. Appx. 197.

No. 03–10197. *INGUAGGIATO v. SMITH, SUPERINTENDENT, SHAWANGUNK CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 03–10200. *CASHION, AS EXECUTRIX OF THE ESTATE OF SMITH, DECEASED v. TORBERT ET AL.* Sup. Ct. Ala. Certiorari denied. Reported below: 885 So. 2d 745.

No. 03–10201. *HELWIG v. KAPTURE*. C. A. 6th Cir. Certiorari denied.

No. 03–10202. *GLOVER v. TEXAS BOARD OF PARDONS AND PAROLES ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 720.

No. 03–10204. *GAITHER v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

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No. 03–10207. *GOODMAN v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 03–10208. *HARTSELL v. GALLAGHER BASSETT SERVICES, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 79 Fed. Appx. 670.

No. 03–10209. *HOGAN v. MISSISSIPPI*. C. A. 5th Cir. Certiorari denied.

No. 03–10211. *REYES v. VERIZON DATA SERVICES, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 656.

No. 03–10213. *HAMPTON v. EPSTEIN ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 75 Fed. Appx. 411.

No. 03–10214. *GRIER v. MOORE*, ADMINISTRATOR, EAST JERSEY STATE PRISON, ET AL. C. A. 3d Cir. Certiorari denied.

No. 03–10215. *GREEN v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 336 Ill. App. 3d 1046, 841 N. E. 2d 542.

No. 03–10217. *HARRIS v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN*. C. A. 6th Cir. Certiorari denied.

No. 03–10222. *THORNTON v. HOOKS*, WARDEN, ET AL. C. A. 11th Cir. Certiorari denied.

No. 03–10224. *ROLAND v. HAMLET*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 03–10228. *CRAWFORD v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 03–10234. *WILSON v. DELAWARE*. Sup. Ct. Del. Certiorari denied. Reported below: 841 A. 2d 309.

No. 03–10235. *JOSEPH v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 03–10238. *ABREU ACEVES v. KNOWLES*, WARDEN, ET AL. C. A. 9th Cir. Certiorari denied.

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No. 03–10240. *PRIESTER v. LOWNDES COUNTY, MISSISSIPPI, SCHOOL DISTRICT, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 354 F. 3d 414.

No. 03–10243. *SHANNON v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied. Reported below: 116 S.W. 3d 52.

No. 03–10245. *ERICKSON v. WATERTOWN HEALTH DEPARTMENT ET AL.* C. A. 1st Cir. Certiorari denied.

No. 03–10246. *RISNER v. TENNESSEE.* Ct. Crim. App. Tenn. Certiorari denied.

No. 03–10249. *WONSCHIK v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 353 F. 3d 1192.

No. 03–10255. *ARELLANO-RAMIREZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 61 Fed. Appx. 119.

No. 03–10257. *SABAN v. WASHINGTON GROUP INTERNATIONAL, INC., ET AL.* C. A. 9th Cir. Certiorari denied.

No. 03–10260. *LEWIS v. LEWIS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 03–10263. *JOHNSON v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 352 F. 3d 339.

No. 03–10268. *TURNER v. LAMARQUE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 866.

No. 03–10270. *VALDEZ v. CALIFORNIA.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 03–10279. *SANDERS v. WAYNE COUNTY, MICHIGAN, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 449.

No. 03–10281. *AHUJA v. SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY* (two judgments). Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 03–10283. *JOHNSON v. CAREY, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 03–10285. *REED v. WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS.* C. A. 9th Cir. Certiorari denied.

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No. 03–10286. *MORALES v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 03–10288. *SHERRATT v. FRIEL, WARDEN*. Ct. App. Utah. Certiorari denied.

No. 03–10289. *O'BRIEN v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 03–10296. *PROTOPAPPAS v. LEWIS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 03–10298. *LANDSBERGER v. LAMARQUE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 03–10301. *JOHNSON v. WARD, DIRECTOR, OKLAHOMA DEPARTMENT OF CORRECTIONS*. C. A. 10th Cir. Certiorari denied. Reported below: 78 Fed. Appx. 100.

No. 03–10302. *JACKSON v. LOUISIANA*. Ct. App. La., 2d Cir. Certiorari denied. Reported below: 853 So. 2d 712.

No. 03–10304. *LORD v. MORGAN, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. C. A. 9th Cir. Certiorari denied. Reported below: 347 F. 3d 1091.

No. 03–10305. *CARNEY, AKA SMITH v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 03–10308. *DAVIS v. WILSON, WARDEN, ET AL.* Sup. Ct. Ohio. Certiorari denied. Reported below: 100 Ohio St. 3d 269, 798 N. E. 2d 379.

No. 03–10310. *BLANDON v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 03–10316. *JONES v. MICHIGAN DEPARTMENT OF CORRECTIONS*. Ct. App. Mich. Certiorari denied.

No. 03–10317. *SAN JUAN NANCE v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 03–10321. *MOSLEY v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

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No. 03–10323. *ROBERSON v. DALLAS COUNTY, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 03–10332. *WILLIAMS v. FLORIDA.* Dist. Ct. App. Fla., 5th Dist. Certiorari denied.

No. 03–10333. *JACKSON v. WALLER ET AL.* C. A. 5th Cir. Certiorari denied.

No. 03–10334. *RICHARDS v. ALABAMA.* Ct. Crim. App. Ala. Certiorari denied. Reported below: 880 So. 2d 504.

No. 03–10335. *BROWN v. GEORGIA.* Ct. App. Ga. Certiorari denied. Reported below: 264 Ga. App. 9, 589 S. E. 2d 830.

No. 03–10336. *BABCOCK v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 03–10339. *BENDER v. RUNNELS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 03–10342. *DAVIS v. VIRGINIA.* Sup. Ct. Va. Certiorari denied.

No. 03–10343. *CUELLAR v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 03–10345. *MORO v. RYAN ET AL.* App. Ct. Ill., 4th Dist. Certiorari denied. Reported below: 343 Ill. App. 3d 1310, 856 N. E. 2d 699.

No. 03–10349. *MONSANTO v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 348 F. 3d 345.

No. 03–10353. *MIZUO v. AYERS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 03–10355. *RUBY v. YARBOROUGH, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 289.

No. 03–10357. *BROWN v. GARCIA, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 256.

No. 03–10360. *AUTREY v. PARSON.* Ct. App. Miss. Certiorari denied. Reported below: 864 So. 2d 294.

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No. 03–10363. *WATERFIELD v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 388.

No. 03–10364. *SCHEAFFER v. CARPENTERS LOCAL 377.* C. A. 7th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 945.

No. 03–10371. *YUCEL v. BERGHUIS, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 918.

No. 03–10375. *FIGUEROA v. WALL, DIRECTOR, RHODE ISLAND DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 1st Cir. Certiorari denied.

No. 03–10376. *ISAAC v. YARBOROUGH, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 03–10378. *GAITHER v. BLANKS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 03–10379. *HAYES v. CHATMAN, WARDEN.* Super. Ct. Hancock County, Ga. Certiorari denied.

No. 03–10381. *GRAY v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 03–10382. *HOOKE v. CASTRO, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 03–10383. *HINTON v. GREEN ET AL.* C. A. 6th Cir. Certiorari denied.

No. 03–10384. *HADLEY v. JOCKISCH.* C. A. 7th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 998.

No. 03–10385. *HALSEY v. HENDRICKS, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 03–10387. *HENDERSON v. OVERTON, DIRECTOR, MICHIGAN DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 73 Fed. Appx. 115.

No. 03–10389. *HERNDON v. LUOMA, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 780.



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No. 03–10391. *HENDERSON v. MCGRATH, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 03–10393. *CHEGWIDDEN v. KAPTURE, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 309.

No. 03–10394. *DUBOSE v. LADWIG ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 610.

No. 03–10402. *LEWIS v. JOHNSON, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 378.

No. 03–10404. *DEVINCE TAVARES v. ADAMS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 03–10405. *WHITEFOOT v. BANCORPSOUTH BANK, FKA BANK OF MISSISSIPPI*. Ct. App. Miss. Certiorari denied. Reported below: 856 So. 2d 639.

No. 03–10406. *TELLIS v. PALMATEER, SUPERINTENDENT, COFFEE CREEK CORRECTIONAL FACILITY*. C. A. 9th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 206.

No. 03–10409. *MCCAULEY v. COOK'S PEST CONTROL, INC., ET AL.* Ct. App. Ga. Certiorari denied.

No. 03–10410. *PATTON v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 03–10411. *MCCORD v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 03–10412. *DAVIS v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied.

No. 03–10418. *PADILLA v. TEXAS*. Ct. App. Tex., 3d Dist. Certiorari denied.

No. 03–10422. *DI NARDO v. LEE'S MOVING & STORAGE, INC.* Dist. Ct. App. Fla., 4th Dist. Certiorari denied.

No. 03–10423. *PORTER v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

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No. 03–10426. *CAMPBELL v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 208 Ill. 2d 203, 802 N. E. 2d 1205.

No. 03–10431. *SUDDUTH, AKA MUHAMMAD v. OHIO STATE UNIVERSITY ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 85 Fed. Appx. 874.

No. 03–10433. *OWEN v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 03–10435. *MURRAY v. VALADEZ, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 03–10436. *MCDANIEL v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 03–10437. *BROWNING v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 80 Fed. Appx. 869.

No. 03–10439. *RODRIGUEZ v. WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied.

No. 03–10440. *STEFFLER v. COW CREEK BAND OF UMPQUA TRIBE OF INDIANS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 659.

No. 03–10441. *RIVERA v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 03–10443. *CLEMMONS v. KANSAS*. Ct. App. Kan. Certiorari denied. Reported below: 31 Kan. App. 2d xvi, 78 P. 3d 497.

No. 03–10445. *CHAPMAN v. PENNSYLVANIA ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 82 Fed. Appx. 59.

No. 03–10447. *SONNIER v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 03–10448. *MAXWELL v. FOUNTAIN, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 905.

No. 03–10450. *MATHEWS v. SPALDING ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 81 Fed. Appx. 641.

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No. 03–10452. *ROUNDS v. WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied. Reported below: 79 Fed. Appx. 317.

No. 03–10454. *DAVIS v. MORGAN, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 932.

No. 03–10456. *BAKER v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 03–10457. *CARTER v. COLLINS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 704.

No. 03–10458. *GAVALDON v. CAMBRA, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 628.

No. 03–10459. *HANIBLE v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 575 Pa. 255, 836 A. 2d 36.

No. 03–10461. *FUENTES v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 868.

No. 03–10464. *CAMARGO FLORES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 400.

No. 03–10465. *FELLA v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 03–10466. *GRAYS v. RAMIREZ ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 278.

No. 03–10468. *WILLIAMS v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 85 Fed. Appx. 6.

No. 03–10470. *MOORE v. HARGETT, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 03–10471. *EDMONDS v. WASHINGTON, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 77 Fed. Appx. 653.

No. 03–10472. *KUNKLE v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS*

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DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 352 F. 3d 980.

No. 03–10474. *MURRAY v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 03–10476. *WITHERS v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 03–10479. *CORDERO v. GIURBINO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 03–10480. *COLEY v. CLARK, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 03–10484. *RIZZO v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied.

No. 03–10485. *MOSLEY v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 03–10486. *BALAZINSKI v. MUNICIPALITY OF BRIDGEWATER TOWNSHIP, NEW JERSEY, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 95 Fed. Appx. 462.

No. 03–10488. *PERRY v. UNITED PARCEL SERVICE, INC.* C. A. 6th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 860.

No. 03–10497. *JOHNSON v. ARIZONA*. C. A. 9th Cir. Certiorari denied. Reported below: 351 F. 3d 988.

No. 03–10503. *SHISINDAY v. TEXAS DEPARTMENT OF CRIMINAL JUSTICE ET AL.* C. A. 5th Cir. Certiorari denied.

No. 03–10504. *WATTS v. ASHCROFT, ATTORNEY GENERAL*. C. A. D. C. Cir. Certiorari denied. Reported below: 84 Fed. Appx. 98.

No. 03–10505. *WILSON v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 03–10511. *HOOD v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 665.

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No. 03–10512. *FURQUHARSEN v. CROSBY*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied.

No. 03–10513. *DEGHANI v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 03–10515. *ESPINOZA v. CITY OF FORT WORTH, TEXAS*. C. A. 5th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 379.

No. 03–10517. *FLEMING v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 343 Ill. App. 3d 1285, 856 N. E. 2d 688.

No. 03–10519. *GOODSON v. BROWN*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 03–10521. *MCNEAL v. ROPER*, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER, ET AL. Sup. Ct. Mo. Certiorari denied.

No. 03–10523. *NARAGON v. LEE*, WARDEN, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 85 Fed. Appx. 910.

No. 03–10528. *ROGERS v. ADAMS*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 206.

No. 03–10533. *BOYD v. HALL*, WARDEN, ET AL. C. A. 3d Cir. Certiorari denied.

No. 03–10534. *JOHNSON v. SCRIBNER*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 03–10536. *WHITWORTH v. PRICE*, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 458.

No. 03–10538. *WATSON v. PLILER*, WARDEN, ET AL. C. A. 9th Cir. Certiorari denied.

No. 03–10540. *JOHNSON v. DELLATIFA ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 357 F. 3d 539.

No. 03–10542. *PEREZ-REYES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 83 Fed. Appx. 922.

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No. 03–10543. *PRUITT v. HOOKS, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 348 F. 3d 1355.

No. 03–10547. *DAVENPORT v. RENO AIR, INC., ET AL.* Sup. Ct. Nev. Certiorari denied. Reported below: 120 Nev. 1232, 131 P. 3d 594.

No. 03–10548. *COLEMAN v. DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, DEPARTMENT OF LABOR.* C. A. 11th Cir. Certiorari denied. Reported below: 345 F. 3d 861.

No. 03–10549. *SEGRAVES v. MILLER, SUPERINTENDENT, CHILLICOTHE CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied.

No. 03–10551. *SHIPMAN v. DOE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 433.

No. 03–10552. *SIMMONS v. MISSOURI.* Sup. Ct. Mo. Certiorari denied.

No. 03–10553. *SPURLOCK v. JOHNSON, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 743.

No. 03–10554. *MACKLIN v. KYLER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON.* C. A. 3d Cir. Certiorari denied.

No. 03–10555. *JIMENEZ v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 03–10556. *JENNIS v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 03–10557. *MURRAY v. LYNCH, ATTORNEY GENERAL OF RHODE ISLAND, ET AL.* C. A. 1st Cir. Certiorari denied.

No. 03–10558. *MCNAY v. YATES, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 78 Fed. Appx. 634.

No. 03–10559. *PIN v. VIRGINIA.* Sup. Ct. Va. Certiorari denied.

No. 03–10560. *CHILDS v. COLORADO.* Ct. App. Colo. Certiorari denied.

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No. 03–10561. *KING v. THOMPSON, WARDEN*. Super. Ct. Mitchell County, Ga. Certiorari denied.

No. 03–10562. *MORGAN v. SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY*; and *MORGAN v. NORTHRIDGE HOSPITAL MEDICAL CENTER ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 03–10564. *RUSE v. WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied.

No. 03–10565. *REEVES v. HAYNES, CLERK, CIRCUIT COURT, 29TH JUDICIAL DISTRICT, TALLADEGA COUNTY, ALABAMA*. C. A. 11th Cir. Certiorari denied.

No. 03–10566. *SINGLETON v. SANDERS*. C. A. 5th Cir. Certiorari denied.

No. 03–10567. *KELLER v. HANSON ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 949.

No. 03–10568. *EPPERSON v. DiGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 03–10569. *JACKSON v. SIMMONS ET AL.* C. A. 11th Cir. Certiorari denied.

No. 03–10570. *LANIER v. FILION, SUPERINTENDENT, COXSACKIE CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 03–10571. *MACIEL v. FELKINS*. C. A. 5th Cir. Certiorari denied. Reported below: 78 Fed. Appx. 317.

No. 03–10572. *BAKER v. WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied.

No. 03–10575. *GARLAND v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied. Reported below: 127 S. W. 3d 529.

No. 03–10579. *AVERY v. CAMPBELL, COMMISSIONER, ALABAMA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 03–10580. *SOARES v. WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied.

No. 03–10582. *CONWAY v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 03–10583. *CARAVELLA v. CITY OF NEW YORK, DEPARTMENT OF INVESTIGATION, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 79 Fed. Appx. 452.

No. 03–10584. *WHEATLEY v. HINKLE, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 85 Fed. Appx. 338.

No. 03–10585. *BOWEN v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 153 Md. App. 716.

No. 03–10588. *OLIVEIRA v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied.

No. 03–10590. *JOHNSON v. SHERRY, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 03–10592. *BRITTON v. LEHMAN, SECRETARY, WASHINGTON DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 202.

No. 03–10596. *MCNEIL v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 03–10598. *COTTON v. CASTRO, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 70 Fed. Appx. 964.

No. 03–10600. *WILLIAMS v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 833 A. 2d 1152.

No. 03–10607. *COLLINS v. OKLAHOMA ET AL.* Sup. Ct. Okla. Certiorari denied.

No. 03–10611. *JONES v. BASKERVILLE, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 32 Fed. Appx. 104.

No. 03–10612. *BARBER v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.



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No. 03–10614. *TATE v. HALL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 03–10615. *DECOLOGERO v. UNITED STATES ET AL.* C. A. 1st Cir. Certiorari denied.

No. 03–10616. *WALKER v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 871 So. 2d 894.

No. 03–10617. *CHRISTIAN v. NEW YORK*. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied.

No. 03–10621. *SMITH v. MITCHELL, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 348 F. 3d 177.

No. 03–10622. *BUSTAMANTE v. EVANS, WARDEN*. App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 344 Ill. App. 3d 1246, 859 N. E. 2d 330.

No. 03–10624. *DOUGLAS v. WALTERS ET AL.* C. A. 3d Cir. Certiorari denied.

No. 03–10626. *RAY v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 03–10627. *BERRIAN v. SELSKY, DIRECTOR, SPECIAL HOUSING AND INMATE DISCIPLINARY PROGRAMS, ET AL.* Ct. App. N. Y. Certiorari denied. Reported below: 100 N. Y. 2d 631, 801 N. E. 2d 415.

No. 03–10628. *SAUNDERS v. TOURVILLE ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 648.

No. 03–10630. *STAFFNEY v. BERGHUIS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 03–10632. *BAILEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 99.

No. 03–10633. *REDMAN v. PITTS*. Ct. App. D. C. Certiorari denied. Reported below: 852 A. 2d 962.

No. 03–10634. *ADEGBUJI v. DEPARTMENT OF HOMELAND SECURITY*. C. A. 3d Cir. Certiorari denied.

No. 03–10635. *ADAMS v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied. Reported below: 115 Cal. App. 4th 243, 9 Cal. Rptr. 3d 170.

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No. 03–10637. *GRAY v. ROPER*, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER. Sup. Ct. Mo. Certiorari denied.

No. 03–10638. *CURRY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 880.

No. 03–10639. *PERALTA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 108.

No. 03–10640. *DUINA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 03–10641. *ZEIGLER v. CROSBY*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 345 F. 3d 1300.

No. 03–10642. *DUBOYS v. BOMBA ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 62 Fed. Appx. 404.

No. 03–10643. *LIVELY v. KYLER*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 90 Fed. Appx. 22.

No. 03–10644. *MENDOZA, AKA VIZCARRA-ZAMORA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 632.

No. 03–10645. *JACKSON v. VIRGINIA*. Sup. Ct. Va. Certiorari denied. Reported below: 266 Va. 423, 587 S. E. 2d 532.

No. 03–10646. *LAXEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 939.

No. 03–10647. *BOWLING v. HAEBERLIN*, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 344 F. 3d 487.

No. 03–10649. *WALKER v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 863 So. 2d 1.

No. 03–10650. *BEARDSLEE v. BROWN*, ACTING WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 358 F. 3d 560.

No. 03–10651. *WARD v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 89 Fed. Appx. 718.

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No. 03–10652. *WINDHAM v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 03–10653. *UPCHURCH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 794.

No. 03–10654. *PRIMUS v. OHIO DEPARTMENT OF JOB AND FAMILY SERVICES*. Ct. App. Ohio, Portage County. Certiorari denied.

No. 03–10655. *NEWMAN v. COURT OF APPEAL OF CALIFORNIA, SECOND APPELLATE DISTRICT*. Sup. Ct. Cal. Certiorari denied.

No. 03–10658. *MAY v. CALIFORNIA DEPARTMENT OF CHILD SUPPORT SERVICES ET AL.* C. A. 9th Cir. Certiorari denied.

No. 03–10659. *MARTIN v. NORRIS*, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION. C. A. 8th Cir. Certiorari denied.

No. 03–10661. *OLIVER v. COINER ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 94 Fed. Appx. 970.

No. 03–10662. *DIXIE v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 03–10663. *ARCHER v. DORMIRE*, SUPERINTENDENT, MISSOURI STATE PENITENTIARY. C. A. 8th Cir. Certiorari denied.

No. 03–10664. *BARAJAS-CHAVEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 358 F. 3d 1263.

No. 03–10665. *TAFARI, AKA WHITTINGTON v. EPPS*, COMMISSIONER, MISSISSIPPI DEPARTMENT OF CORRECTIONS, ET AL. C. A. 5th Cir. Certiorari denied.

No. 03–10666. *MORENO TORRES v. HALL*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 03–10667. *VEILLEUX v. CATTELL*, WARDEN. C. A. 1st Cir. Certiorari denied.

No. 03–10668. *PEREZ v. TEXAS*. Ct. App. Tex., 4th Dist. Certiorari denied.

No. 03–10670. *BUELL v. HANKS*, SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY. C. A. 7th Cir. Certiorari denied.

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No. 03–10671. *MAXWELL v. CRIST, ATTORNEY GENERAL OF FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 03–10672. *THIER v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 869 So. 2d 541.

No. 03–10673. *THOMPSON v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 359 F. 3d 470.

No. 03–10674. *BEAR v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 03–10675. *ALLEN v. HANKS, SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY.* C. A. 7th Cir. Certiorari denied.

No. 03–10676. *LEATHERS v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 354 F. 3d 955.

No. 03–10677. *KINCY v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 87.

No. 03–10678. *BEATON-PAEZ v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 03–10679. *MILLER v. SUPREME COURT OF MISSOURI.* C. A. 8th Cir. Certiorari denied.

No. 03–10680. *ALLEN v. ALLEN.* Family Ct. Cabell County, W. Va. Certiorari denied.

No. 03–10681. *COLLINS v. BUDGE, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 82 Fed. Appx. 576.

No. 03–10682. *WALKER v. POLK, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 835.

No. 03–10683. *IN SOO CHUN v. BUSH, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 227.

No. 03–10684. *CANELA-NARANJO v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

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No. 03–10685. *MATA-ESPINOZA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 881.

No. 03–10686. *GILDING v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 865 So. 2d 512.

No. 03–10687. *BALES v. AULT, WARDEN, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 701.

No. 03–10688. *WARREN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 338 F. 3d 258.

No. 03–10689. *BYNUM v. BENNING, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GREENSBURG, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 03–10690. *TISDALE v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 357 S. C. 474, 594 S. E. 2d 166.

No. 03–10691. *RODRIGUEZ v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 03–10692. *MILLER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 03–10693. *ARAGON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 879.

No. 03–10694. *SLANINA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 359 F. 3d 356.

No. 03–10696. *EDWARDS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 03–10698. *CHAMBERS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 03–10699. *BUTLER v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 870 So. 2d 820.

No. 03–10701. *BLYE v. TENNESSEE*. Sup. Ct. Tenn. Certiorari denied. Reported below: 130 S. W. 3d 776.

No. 03–10702. *HALE v. DEPARTMENT OF DEFENSE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 68 Fed. Appx. 56.

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No. 03–10703. *GAETA-DUARTE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 327.

No. 03–10704. *GARCIA ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 323.

No. 03–10706. *GUTIERREZ-BARAJAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 222.

No. 03–10707. *HAGER v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 791 A. 2d 911.

No. 03–10709. *GOODMAN v. ALBANY AREA COMMUNITY SERVICE BOARD ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 388.

No. 03–10710. *RINALDI v. TRANCOSO, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 03–10711. *PAYNE v. VANGUARD CELLULAR SYSTEMS, INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 656.

No. 03–10712. *PUGA v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 03–10713. *REEVES v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 03–10714. *SUTTON v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 03–10715. *RODRIGUEZ v. GROMETER, JUSTICE, APPELLATE COURT OF ILLINOIS, SECOND DISTRICT, ET AL.* Sup. Ct. Ill. Certiorari denied.

No. 03–10716. *SMITH v. OLSON, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 181.

No. 03–10717. *SYKOSKY v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 871 So. 2d 215.

No. 03–10718. *ROSS v. TEXAS*. C. A. 5th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 900.

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No. 03–10719. *MARTINEZ-CORTEZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 354 F. 3d 830.

No. 03–10720. *LYTLE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 453.

No. 03–10722. *LEWIS v. DISTRICT OF COLUMBIA LOTTERY AND CHARITABLE GAMES BOARD*. Ct. App. D. C. Certiorari denied. Reported below: 821 A. 2d 361.

No. 03–10723. *HONG MAI v. NEW YORK STATE DEPARTMENT OF WELFARE ET AL.* C. A. 2d Cir. Certiorari denied.

No. 03–10724. *MCBEE v. DAVENPORT ET AL.* C. A. 11th Cir. Certiorari denied.

No. 03–10725. *MURPHY v. DEPARTMENT OF THE NAVY*. C. A. Fed. Cir. Certiorari denied. Reported below: 89 Fed. Appx. 702.

No. 03–10728. *TUPPER v. TUPPER*. Ct. App. Ariz. Certiorari denied.

No. 03–10729. *THOMAS v. ROCHE, SECRETARY OF THE AIR FORCE*. C. A. 9th Cir. Certiorari denied. Reported below: 81 Fed. Appx. 923.

No. 03–10731. *PELHAM v. WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied.

No. 03–10732. *THOMAS v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 03–10733. *BODDIE v. GOORD, COMMISSIONER, NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES, ET AL.* App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 307 App. Div. 2d 555, 762 N. Y. S. 2d 295.

No. 03–10734. *MARQUEZ-MUNOZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 626.

No. 03–10735. *COLDREN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 359 F. 3d 1253.

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No. 03–10736. *CAZARES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 130.

No. 03–10737. *TITTI SAMBA v. ASHCROFT, ATTORNEY GENERAL*. C. A. 4th Cir. Certiorari denied. Reported below: 82 Fed. Appx. 858.

No. 03–10738. *SANTO v. LAMARQUE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 03–10739. *VITEK v. SPIEZIO*. C. A. 6th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 28.

No. 03–10740. *BASKIN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 631.

No. 03–10741. *DOMINGUEZ v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 359 F. 3d 839.

No. 03–10743. *RILEY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 78 Fed. Appx. 171.

No. 03–10744. *ROMAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 91 Fed. Appx. 767.

No. 03–10746. *PEREZ v. LEWIS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 926.

No. 03–10747. *PASTRANA LOPEZ, AKA LOPEZ PASTRANA v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 120 Nev. 1261, 131 P. 3d 619.

No. 03–10748. *MATA-RAMOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 610.

No. 03–10749. *JONES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 383.

No. 03–10750. *KLEIN v. WHITE, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 03–10751. *JOSEPH v. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 03–10753. *AREY v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 153 Md. App. 716.



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No. 03–10754. *CARRIZOZA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 467.

No. 03–10756. *McKINNEY v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 817 A. 2d 1181.

No. 03–10758. *PINET v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 841 A. 2d 577.

No. 03–10759. *TWEH v. ASHCROFT, ATTORNEY GENERAL*. C. A. 5th Cir. Certiorari denied.

No. 03–10761. *AANESTAD v. SAN FRANCISCO COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 83 Fed. Appx. 162.

No. 03–10763. *BRISCOE, AKA DOE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 03–10764. *ARAUJO, AKA HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 77 Fed. Appx. 276.

No. 03–10765. *BREWBAKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 419.

No. 03–10766. *ELIZALDE v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 362 F. 3d 323.

No. 03–10768. *SINGLETON v. GUNN*. C. A. 5th Cir. Certiorari denied.

No. 03–10770. *RINGO v. ROPER, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. Sup. Ct. Mo. Certiorari denied.

No. 03–10771. *RAMIREZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 83 Fed. Appx. 384.

No. 03–10772. *REYNOLDS v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 03–10773. *BAKER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

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No. 03–10774. *ARMSTRONG v. GREENE*, SUPERINTENDENT, GREAT MEADOW CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 03–10775. *PEARSON v. INDIANA*. Ct. App. Ind. Certiorari denied. Reported below: 798 N. E. 2d 269.

No. 03–10778. *MATA v. AYERS*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 03–10779. *XIANGWEN WU v. SALT LAKE COUNTY COMMISSION ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 53.

No. 03–10780. *JAMES v. CHESNEY ET AL.* C. A. 3d Cir. Certiorari denied.

No. 03–10781. *BOSTIC v. DWYER*, SUPERINTENDENT, SOUTHEAST CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied.

No. 03–10782. *BROWN v. INTERNAL REVENUE SERVICE ET AL.* C. A. 5th Cir. Certiorari denied.

No. 03–10783. *SENECA, AKA STRICKLAND v. HALLAHAN*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 82 Fed. Appx. 187.

No. 03–10784. *ANDERSON v. YARBOROUGH*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 03–10785. *JACKSON v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF NEW YORK*. C. A. 2d Cir. Certiorari denied.

No. 03–10786. *MARTINI v. NEW JERSEY*. Sup. Ct. N. J. Certiorari denied. Reported below: 179 N. J. 306, 845 A. 2d 132.

No. 03–10787. *CLARK v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 03–10788. *WHITEMAN v. DELAWARE*. Sup. Ct. Del. Certiorari denied. Reported below: 846 A. 2d 239.

No. 03–10789. *BROOKS v. WESTON*, DISTRICT ATTORNEY FOR BIBB COUNTY, GEORGIA, ET AL. C. A. 11th Cir. Certiorari denied.

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No. 03–10790. *PARRA v. CIGNA GROUP INSURANCE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 81 Fed. Appx. 932.

No. 03–10791. *ARANSEVIA v. MCKELVY, WARDEN.* C. A. 11th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 655.

No. 03–10792. *JEFFERSON, AKA MATHEW v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 03–10793. *STEELE v. COTTEY, SHERIFF, MARION COUNTY, INDIANA, ET AL.* C. A. 7th Cir. Certiorari denied.

No. 03–10794. *STEPHENSON v. RENICO, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 03–10795. *SPILLANE v. HENDRICKS, ADMINISTRATOR, NEW JERSEY STATE PRISON.* C. A. 3d Cir. Certiorari denied.

No. 03–10797. *CARNIVALE v. NEW YORK STATE DEPARTMENT OF EDUCATION.* C. A. 2d Cir. Certiorari denied.

No. 03–10798. *CARPENTER v. UNITED STATES; and*

No. 03–10848. *CARPENTER v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 360 F. 3d 591.

No. 03–10799. *DRAYTON v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 03–10800. *CAGE-BARILE v. BARILE.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 03–10801. *CROWLEY v. RENICO, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 81 Fed. Appx. 36.

No. 03–10803. *DURHAM v. WASHBURN ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 90 Fed. Appx. 434.

No. 03–10804. *DEMETER v. PENNSYLVANIA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 85 Fed. Appx. 870.

No. 03–10805. *EDWARDS v. YARBOROUGH, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 03–10806. *CURRIE v. BLANKS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 03–10809. *COOKSON v. MAINE*. Sup. Jud. Ct. Me. Certiorari denied. Reported below: 837 A. 2d 101.

No. 03–10811. *TOLBERT v. MARYLAND*. Ct. App. Md. Certiorari denied. Reported below: 379 Md. 424, 842 A. 2d 63.

No. 03–10812. *WILLIAMS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 356 F. 3d 1268.

No. 03–10814. *HAYES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 390.

No. 03–10815. *HAMPTON v. RAMIREZ-PALMER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 03–10816. *DICKENS v. FILION, SUPERINTENDENT, COXSACKIE CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 03–10818. *HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 803.

No. 03–10820. *HUDAIR v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 03–10821. *AMAKER v. COOMBE ET AL.* C. A. 2d Cir. Certiorari denied.

No. 03–10822. *JOHNLEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 993.

No. 03–10823. *PATAYAN SORIANO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 361 F. 3d 494.

No. 03–10825. *AMURE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 83 Fed. Appx. 52.

No. 03–10826. *MAYERS v. WHITE, COMMISSIONER, TENNESSEE DEPARTMENT OF CORRECTION, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 467.

No. 03–10827. *JOHNSON v. GARCIA, WARDEN*. C. A. 9th Cir. Certiorari denied.

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No. 03–10828. *BATES v. QUINLAN ET AL.* C. A. 7th Cir. Certiorari denied.

No. 03–10829. *WILLIAMS v. LAMARQUE, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 03–10830. *ORTIZ-DUARTES, AKA RAMOS-LIRA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 608.

No. 03–10831. *PATTERSON v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 462.

No. 03–10832. *BLUE v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied. Reported below: 125 S. W. 3d 491.

No. 03–10833. *BURNS v. SCHRIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS.* C. A. 9th Cir. Certiorari denied.

No. 03–10834. *RATIGAN v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 351 F. 3d 957.

No. 03–10837. *STRINGER v. ALBEN ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 449.

No. 03–10838. *ROACH v. NEW YORK.* App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 1 App. Div. 3d 963, 767 N. Y. S. 2d 326.

No. 03–10839. *MUNOZ-GONZALEZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 107.

No. 03–10840. *POWELL v. ROWLEY, SUPERINTENDENT, MISSOURI EASTERN CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied.

No. 03–10841. *TIEN MINH NGUYEN v. GIURBINO, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 03–10842. *BECHTEL v. HULL, GOVERNOR OF ARIZONA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 03–10843. *MARTIN v. PRINCIPI, SECRETARY OF VETERANS AFFAIRS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 03–10845. *MAHMOUD v. ASHCROFT, ATTORNEY GENERAL, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 359.

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No. 03–10846. *CEBREROS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 83 Fed. Appx. 917.

No. 03–10847. *CORDERO-LUCIO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 113.

No. 03–10849. *ESTES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 364.

No. 03–10850. *CUNNINGHAM v. ILLINOIS*. App. Ct. Ill., 3d Dist. Certiorari denied. Reported below: 344 Ill. App. 3d 1232, 859 N. E. 2d 324.

No. 03–10852. *MITCHELL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 03–10853. *BROWN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 97 Fed. Appx. 348.

No. 03–10854. *BONNER v. ST. MARTIN PARISH SCHOOL BOARD*. C. A. 5th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 612.

No. 03–10855. *BURRELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 03–10856. *MCIVER v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 82 Fed. Appx. 697.

No. 03–10859. *ALCORN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 37.

No. 03–10860. *ROLLER v. WILLIAMS, WARDEN*. Sup. Ct. Ga. Certiorari denied.

No. 03–10861. *SINGLETARY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 623.

No. 03–10862. *YORK v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 937.

No. 03–10863. *TOCCALINE v. LANTZ, COMMISSIONER, CONNECTICUT DEPARTMENT OF CORRECTION*. App. Ct. Conn. Certiorari denied. Reported below: 80 Conn. App. 792, 837 A. 2d 849.

No. 03–10865. *NIEVES DIAZ v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 869 So. 2d 538.

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No. 03–10866. *WILLIAMS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 03–10867. *VERDELL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 57.

No. 03–10868. *SMITHERMAN v. MOSLEY, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 03–10869. *RENTERIA v. GARCIA, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 03–10870. *LYNN v. ALLEN ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 469.

No. 03–10871. *ANDERSON v. DEMIS*. C. A. 6th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 367.

No. 03–10872. *JONES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 03–10873. *GARCIA v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 03–10874. *HOPKINSON v. LABOVITZ ET AL.* Sup. Ct. Ga. Certiorari denied.

No. 03–10875. *MENDOZA v. BARNHART, COMMISSIONER OF SOCIAL SECURITY*. C. A. D. C. Cir. Certiorari denied. Reported below: 92 Fed. Appx. 3.

No. 03–10876. *MINEFIELD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 03–10878. *LOPEZ-PAYAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 234.

No. 03–10880. *PRINGLE v. BEZY, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 490.

No. 03–10881. *SIMS v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 03–10882. *PEREA v. BUSH, PRESIDENT OF THE UNITED STATES*. C. A. 9th Cir. Certiorari denied.

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No. 03–10883. *NORIEGA-ZAMORA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 83 Fed. Appx. 921.

No. 03–10885. *MCDONALD v. ARMSTRONG, SUPERINTENDENT, WILDWOOD CORRECTIONAL COMPLEX*. C. A. 9th Cir. Certiorari denied.

No. 03–10886. *LANG v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 787.

No. 03–10887. *LINDER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 164.

No. 03–10889. *BIGGS v. HOWES, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 82 Fed. Appx. 442.

No. 03–10890. *RAHEMAN-FAZAL v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 355 F. 3d 40.

No. 03–10892. *SMITH v. MCADORY, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 03–10893. *JONES v. PHILLIPS, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 96 Fed. Appx. 742.

No. 03–10894. *DAVIS v. ROBINSON, WARDEN, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 03–10895. *FITZPATRICK v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 03–10896. *GILLIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 358 F. 3d 386.

No. 03–10898. *FREEMAN v. DEPARTMENT OF HEALTH AND HUMAN SERVICES*. C. A. Fed. Cir. Certiorari denied. Reported below: 76 Fed. Appx. 949.

No. 03–10899. *FOREST v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 355 F. 3d 942.

No. 03–10901. *THIVEL v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 343 Ill. App. 3d 1295, 856 N. E. 2d 693.



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No. 03–10902. *WATSON v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 03–10903. *UFOMADUH v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 92 Fed. Appx. 834.

No. 03–10904. *ROBINSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 874.

No. 03–10906. *DAVIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 385.

No. 03–10907. *CARPENTER v. SMITH*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 03–10909. *HARVEY v. STALDER*, SECRETARY, LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS, ET AL. Sup. Ct. La. Certiorari denied. Reported below: 869 So. 2d 886.

No. 03–10910. *HUNT v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 702.

No. 03–10912. *GUILLORY v. YARBOROUGH*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 03–10913. *FREEMAN v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 03–10914. *HINES v. MCLEOD*, WARDEN, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 82 Fed. Appx. 86.

No. 03–10915. *LUGO VELEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 352 F. 3d 499.

No. 03–10916. *HERRINGTON v. HUMPHREY*, WARDEN. Sup. Ct. Ga. Certiorari denied.

No. 03–10917. *HAMILTON v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 308 App. Div. 2d 416, 764 N. Y. S. 2d 820.

No. 03–10918. *GIVENS v. FINN*, WARDEN. C. A. 9th Cir. Certiorari denied.

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No. 03–10919. *FASOLA v. IMMIGRATION AND NATURALIZATION SERVICE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 66 Fed. Appx. 524.

No. 03–10920. *HARO v. RAMIREZ-PALMER, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 03–10921. *IACULLO v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 03–10922. *FITTS v. BIRKETT, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 03–10923. *GRESHAM v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 384.

No. 03–10924. *HOLT v. GORDON, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 03–10925. *LOPEZ HERNANDEZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 739.

No. 03–10926. *MATZ v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 879.

No. 03–10927. *STEVENS v. MISSISSIPPI.* Sup. Ct. Miss. Certiorari denied. Reported below: 867 So. 2d 219.

No. 03–10928. *LAUREANO v. PATAKI, GOVERNOR OF NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 03–10930. *AUSTIN v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 139.

No. 03–10931. *ALLEN v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 03–10932. *GARCIA-TIRADO v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 277.

No. 03–10933. *SNYDER v. ADDISON, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 675.

No. 03–10934. *HERNANDEZ v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 697.

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No. 03–10935. *THOMPSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 361 F. 3d 918.

No. 03–10936. *TYLER v. MITCHELL, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 03–10937. *CURRY v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 835 A. 2d 1098.

No. 03–10939. *ROMER v. CALIFORNIA ET AL.* (two judgments). C. A. 9th Cir. Certiorari denied.

No. 03–10940. *HEADLEY v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 3d Cir. Certiorari denied. Reported below: 92 Fed. Appx. 35.

No. 03–10941. *NGOC-HAHN THI DANG-NGUYEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 608.

No. 03–10943. *MENDOZA v. MINNESOTA*. Ct. App. Minn. Certiorari denied.

No. 03–10944. *PANDALES-ANGULO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 665.

No. 03–10946. *CAMPOS-FUERTE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 357 F. 3d 956 and 366 F. 3d 691.

No. 03–10947. *SALAZAR-SAMANIEGA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 361 F. 3d 1271.

No. 03–10948. *PENA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 902.

No. 03–10949. *SANCHEZ v. BUSH, PRESIDENT OF THE UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 03–10950. *RATLIFF v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 03–10951. *MARTIN v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

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No. 03–10952. *PATRICK v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 409.

No. 03–10953. *LENOIR v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 868 So. 2d 345.

No. 03–10954. *KRONCKE v. TRUILLO, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 03–10955. *PRESINAL v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 91 Fed. Appx. 732.

No. 03–10956. *ECKARDT v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 03–10957. *TURAY v. SELING*. C. A. 9th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 606.

No. 03–10959. *HOWE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 464.

No. 03–10960. *GWINN v. AWMILLER ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 354 F. 3d 1211.

No. 03–10962. *JOHNSON v. TEXAS*. Sup. Ct. Tex. Certiorari denied.

No. 03–10963. *HIGH v. MCGRATH, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 03–10965. *HEAD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 42 Fed. Appx. 633.

No. 03–10966. *BEJARANO GUILLEN, AKA BEJARAAO GUILLEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 03–10967. *HOOKE v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 03–10968. *HIGHERS v. KAPTURE, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 48.

No. 03–10969. *FARRIS v. SHUPING ET AL.* Ct. App. Ga. Certiorari denied.

No. 03–10970. *GRANDISON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 85 Fed. Appx. 320.

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No. 03–10971. *HOUGH v. TEXAS*. Ct. App. Tex., 3d Dist. Certiorari denied.

No. 03–10972. *GIBSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 03–10973. *FLOWERS v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 674.

No. 03–10974. *GEORGEOFF v. TAMBI, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 03–10975. *GRANDISON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 74 Fed. Appx. 287.

No. 03–10976. *HALL v. SCOTT, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 03–10977. *GUTIERREZ v. BLANKS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 03–10978. *GRISSETTE v. RAMSEY, SHERIFF, KANE COUNTY, ILLINOIS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 81 Fed. Appx. 67.

No. 03–10980. *MUEHLBERG v. ROPER, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER, ET AL.* C. A. 8th Cir. Certiorari denied.

No. 03–10981. *JONES v. DEPARTMENT OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 85 Fed. Appx. 763.

No. 03–10982. *LAMMERS v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied. Reported below: 267 Neb. 679, 676 N. W. 2d 716.

No. 03–10984. *MATTHEWS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 55.

No. 03–10985. *LEJEUNE v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 277 Ga. 749, 594 S. E. 2d 637.

No. 03–10986. *JONES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

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No. 03–10987. *OVALLE-MARQUEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 91 Fed. Appx. 162.

No. 03–10988. *DELA CRUZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 358 F. 3d 623.

No. 03–10989. *EALY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 363 F. 3d 292.

No. 03–10990. *FINUCAN v. MARYLAND BOARD OF PHYSICIAN QUALITY ASSURANCE*. Ct. App. Md. Certiorari denied. Reported below: 380 Md. 577, 846 A. 2d 377.

No. 03–10991. *GARCIA-GALAVIZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 611.

No. 03–10994. *HOLLAND v. GEORGIA*. Sup. Ct. Ga. Certiorari denied.

No. 03–10995. *HOWELL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 354 F. 3d 693.

No. 03–10996. *HARRELL v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 879.

No. 03–10997. *HENRY v. CHATMAN, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 385.

No. 03–10998. *COVINGTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 89.

No. 03–10999. *EDWARDS v. NEPONSIT HEALTH CARE CENTER ET AL.* App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 1 App. Div. 3d 669, 766 N. Y. S. 2d 616.

No. 03–11000. *CAISON v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 781.

No. 03–11001. *CALDWELL v. MILLER, SUPERINTENDENT, EASTERN NEW YORK CORRECTIONAL FACILITY AND ANNEX*. C. A. 2d Cir. Certiorari denied.

No. 03–11002. *CHAPLIN, AKA CHAPLAIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 184.

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No. 03–11003. *NELSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 647.

No. 03–11004. *MCCLURKIN v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 341 Ill. App. 3d 1110, 853 N. E. 2d 450.

No. 03–11005. *KASSEBAUM v. WALSH, SUPERINTENDENT, SULLIVAN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 89 Fed. Appx. 310.

No. 03–11006. *KIRKHAM, AKA RO v. UNITED STATES*; and  
No. 03–11048. *ANDERSON, AKA NELSON, AKA WEST, AKA JONES, ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 487.

No. 03–11007. *ARORA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 77 Fed. Appx. 646.

No. 03–11008. *BURCH v. MCDANIEL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 03–11009. *SANDERS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 749.

No. 03–11010. *SEGURA v. BARNHART, COMMISSIONER OF SOCIAL SECURITY*. C. A. 5th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 377.

No. 03–11011. *STRICKLAND v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 03–11012. *REDFORD v. REDFORD*. Super. Ct. Gwinnett County, Ga. Certiorari denied.

No. 03–11013. *ROMER v. YUBA COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 78 Fed. Appx. 613.

No. 03–11014. *ZIEGLER, AKA LILLY v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 886 So. 2d 127.

No. 03–11015. *BURSEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 74 Fed. Appx. 590.

No. 03–11016. *WRIGHT v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 195.

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No. 03–11017. *WHITAKER v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 03–11018. *WILLIAMS v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 209 Ill. 2d 227, 807 N. E. 2d 448.

No. 03–11019. *WHITLEY v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 03–11020. *GERMAN ZETINO v. HERNANDEZ, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 03–11021. *WARNER v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 03–11022. *WILLIAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 03–11023. *RA v. SABBAGH*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 03–11024. *MORALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 782.

No. 03–11025. *TRACEY v. BELLEQUE, SUPERINTENDENT, OREGON STATE PENITENTIARY*. C. A. 9th Cir. Certiorari denied. Reported below: 341 F. 3d 1037.

No. 03–11026. *ABDENBI v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 361 F. 3d 1282.

No. 03–11028. *WOODBERRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 589.

No. 03–11029. *DAVIDSON v. TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 963.

No. 03–11030. *SILVERIO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 03–11031. *WORLEY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 94 Fed. Appx. 44.

No. 03–11032. *TRIPLETT v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.



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No. 03–11034. *CUERVO, AKA BADESSA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 354 F. 3d 969.

No. 03–11035. *FREEMAN v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied.

No. 03–11036. *BREEDLOVE v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 868 So. 2d 522.

No. 03–11037. *ALLEN v. YUKINS, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 366 F. 3d 396.

No. 03–11039. *MCVEAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 847.

No. 03–11041. *BOND v. BOND*. C. A. 2d Cir. Certiorari denied. Reported below: 94 Fed. Appx. 23.

No. 03–11043. *TAYLOR v. DEROSA, WARDEN*. C. A. 3d Cir. Certiorari denied. Reported below: 94 Fed. Appx. 970.

No. 03–11044. *AKBAR v. SOUTH CAROLINA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 605.

No. 03–11047. *EDISON v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 03–11050. *JONES v. FLORENCE COUNTY TAX ASSESSOR OFFICE*. C. A. 4th Cir. Certiorari denied.

No. 03–11051. *WOODWARD v. ROMERO, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 03–11052. *MCCLELLAN v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 03–11053. *ISOM v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 356 Ark. 156, 148 S. W. 3d 257.

No. 03–11054. *BROWN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

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No. 03–11055. *PAGE v. BELLEQUE*, SUPERINTENDENT, OREGON STATE PENITENTIARY. Sup. Ct. Ore. Certiorari denied. Reported below: 336 Ore. 379, 84 P. 3d 133.

No. 03–11056. *CRAWFORD v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 867 So. 2d 196.

No. 03–11057. *MINES v. DIGUGLIELMO*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 96 Fed. Appx. 802.

No. 03–11058. *MALONEY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 85 Fed. Appx. 252.

No. 03–11059. *ESCOBAR v. GIURBINO*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 03–11060. *ASHBY v. WASHINGTON*. Ct. App. Wash. Certiorari denied.

No. 03–11061. *KAILING v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 859 So. 2d 1206.

No. 03–11062. *HUDLER v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 79 Fed. Appx. 674.

No. 03–11064. *ESCARCEGA-DURAN v. UNITED STATES*; and *SALABART-GUTIERREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 993 (second judgment); 96 Fed. Appx. 458 (first judgment).

No. 03–11065. *REYES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 358 F. 3d 1095.

No. 03–11066. *RAINEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 877.

No. 03–11068. *JEAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 81 Fed. Appx. 680.

No. 03–11069. *DAVIS v. TEXAS*. Ct. App. Tex., 13th Dist. Certiorari denied.

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No. 03–11070. *WALDON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 363 F. 3d 1103.

No. 03–11071. *KING v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 03–11072. *MAHORNEY v. JORDAN, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 03–11073. *PERKINS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 968.

No. 03–11074. *BISHOP v. CITY OF HENDERSON, NEVADA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 81 Fed. Appx. 232.

No. 03–11075. *SANDOVAL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 03–11076. *ROUSE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 362 F. 3d 256.

No. 03–11077. *RODRIGUEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 360 F. 3d 949.

No. 03–11078. *RIVERA v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 03–11079. *ADKINS v. HOLLAND ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 886.

No. 03–11080. *MONTANIO v. FARWELL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 03–11081. *OSTRANDER v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 441 Mass. 344, 805 N. E. 2d 497.

No. 03–11082. *AVILES v. HUANG ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 239.

No. 03–11083. *ANGEL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 355 F. 3d 462.

No. 03–11084. *OTTO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 801.

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No. 03–11085. *TRINIDAD-RENOVATO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 350.

No. 03–11086. *TOOMER v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 713.

No. 03–11087. *ANDRES-RODRIGUEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 529.

No. 03–11088. *PORTILLO-CANDIDO v. UNITED STATES* (Reported below: 95 Fed. Appx. 117); *MUNOZ-PATLAN v. UNITED STATES* (95 Fed. Appx. 606); *ROMERO RODRIGUEZ, AKA GARCIA v. UNITED STATES* (93 Fed. Appx. 663); *VILLAFUERTE-RODRIGUEZ v. UNITED STATES* (95 Fed. Appx. 118); *MONTEIRO-DE OLIVEIRA v. UNITED STATES* (95 Fed. Appx. 582); *VASQUEZ-HERNANDEZ v. UNITED STATES* (95 Fed. Appx. 629); *PEREZ-OCANAS v. UNITED STATES* (95 Fed. Appx. 661); *RUIZ-RUIZ v. UNITED STATES* (95 Fed. Appx. 662); *VILLALOBOS-CARDENAS v. UNITED STATES* (95 Fed. Appx. 630); *SOLIS-RAMIREZ v. UNITED STATES* (95 Fed. Appx. 645); *BALDERAS-ROMAN v. UNITED STATES* (92 Fed. Appx. 990); *OROZCO-VENCES, AKA OROZCO-BENCES v. UNITED STATES* (95 Fed. Appx. 631); *MENDOZA-AGUILAR, AKA AGUILAR-GUZMAN v. UNITED STATES* (95 Fed. Appx. 663); *VARELA, AKA REYERS v. UNITED STATES* (95 Fed. Appx. 648); *ORDONEZ-VASQUEZ, AKA ALVAREZ v. UNITED STATES* (95 Fed. Appx. 578); *RAMIREZ-HAREO, AKA ILARIO RAMIREZ v. UNITED STATES* (95 Fed. Appx. 632); *ORLANDO REYES v. UNITED STATES* (95 Fed. Appx. 651); *MARTINEZ-ALVARADO, AKA MARTINEZ-MARTINEZ v. UNITED STATES* (96 Fed. Appx. 187); and *NAVARRO-LOPEZ, AKA LOPEZ-CORTEZ v. UNITED STATES* (95 Fed. Appx. 587). C. A. 5th Cir. Certiorari denied.

No. 03–11089. *BRUGMAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 364 F. 3d 613.

No. 03–11090. *MITCHELL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 03–11091. *ABDUL-KHABIR v. DAVIS, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 877.

No. 04–2. *AISENBERG ET UX. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 358 F. 3d 1327.

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No. 04-3. *BOROWIEC ET AL. v. GATEWAY 2000, INC.* Sup. Ct. Ill. Certiorari denied. Reported below: 209 Ill. 2d 376, 808 N. E. 2d 957.

No. 04-4. *CIT LEASING CORP. v. DENTON CENTRAL APPRAISAL DISTRICT ET AL.* Ct. App. Tex., 2d Dist. Certiorari denied. Reported below: 115 S. W. 3d 261.

No. 04-5. *DOE RUN RESOURCES CORP. ET AL. v. NEILL, JUDGE, TWENTY-SECOND JUDICIAL CIRCUIT, ST. LOUIS, MISSOURI.* Sup. Ct. Mo. Certiorari denied. Reported below: 128 S. W. 3d 502.

No. 04-7. *MILITELLO v. CENTRAL STATES, SOUTHEAST AND SOUTHWEST AREAS PENSION FUND, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 360 F. 3d 681.

No. 04-8. *NEVILLE CHEMICAL CO. v. CALIFORNIA, ON BEHALF OF THE CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL.* C. A. 9th Cir. Certiorari denied. Reported below: 358 F. 3d 661.

No. 04-9. *MOORE v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 887.

No. 04-10. *WILSON v. ILLINOIS DEPARTMENT OF PROFESSIONAL REGULATION ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 344 Ill. App. 3d 897, 801 N. E. 2d 36.

No. 04-11. *PACIFIC PROPERTIES & DEVELOPMENT CORP. v. DISABLED RIGHTS ACTION COMMITTEE.* C. A. 9th Cir. Certiorari denied. Reported below: 358 F. 3d 1097.

No. 04-13. *HAGEN v. JIM CLARK MOTORS, INC.* Ct. App. Kan. Certiorari denied.

No. 04-16. *ADAMS v. TENNESSEE ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 70 Fed. Appx. 795.

No. 04-17. *TY, INC., ET AL. v. PEACEABLE PLANET, INC.* C. A. 7th Cir. Certiorari denied. Reported below: 362 F. 3d 986.

No. 04-19. *BRANDYWINE, INC., DBA EXPRESSWAY VIDEO, ET AL. v. CITY OF RICHMOND, KENTUCKY.* C. A. 6th Cir. Certiorari denied. Reported below: 359 F. 3d 830.

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No. 04–20. *ABELA ET UX. v. GENERAL MOTORS CORP.* Sup. Ct. Mich. Certiorari denied. Reported below: 469 Mich. 603, 677 N. W. 2d 325.

No. 04–21. *PATRY v. TOWN OF GRAND ISLE, VERMONT.* Sup. Ct. Vt. Certiorari denied. Reported below: 176 Vt. 627, 852 A. 2d 573.

No. 04–22. *PLANT FAB INC. ET AL. v. CROMPTON MANUFACTURING Co., INC.* C. A. 5th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 335.

No. 04–25. *DICKERSON v. KANSAS ET AL.* Ct. App. Kan. Certiorari denied. Reported below: 32 Kan. App. 2d xx, 80 P. 3d 1201.

No. 04–26. *CHADWICK v. CAULFIELD, WARDEN.* C. A. 3d Cir. Certiorari denied.

No. 04–27. *AMERICAN NATIONAL INSURANCE CO. ET AL. v. BRATCHER ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 365 F. 3d 408.

No. 04–29. *KAY v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 5th Cir. Certiorari denied. Reported below: 85 Fed. Appx. 362.

No. 04–30. *JARMUTH ET AL. v. KROLCZYK ET AL.* Cir. Ct. Monongalia County, W. Va. Certiorari denied.

No. 04–34. *ELWOOD v. MORIN ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 964 and 87 Fed. Appx. 617.

No. 04–35. *CASEY v. ALBERTSON’S, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 362 F. 3d 1254.

No. 04–36. *COB CLEARINGHOUSE CORP., AKA DIGITAL HEALTHCARE, INC. v. AETNA U. S. HEALTHCARE, INC., ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 362 F. 3d 877.

No. 04–41. *ROCKEFELLER v. REHNQUIST, CHIEF JUSTICE OF THE UNITED STATES, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 04–42. *HAYES v. SMALL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 04-45. *NAVAJO NATION v. KRYSTAL ENERGY CO., INC.* C. A. 9th Cir. Certiorari denied. Reported below: 357 F. 3d 1055.

No. 04-48. *BARIBEAU ET AL. v. GUSTAFSON*. Ct. App. Tex., 4th Dist. Certiorari denied. Reported below: 107 S.W. 3d 52.

No. 04-49. *TIG INSURANCE CO. v. SECURITY INSURANCE COMPANY OF HARTFORD ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 360 F. 3d 322.

No. 04-50. *ALLEN v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 96 Fed. Appx. 688.

No. 04-53. *BUTRY v. GILLIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT COAL TOWNSHIP, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04-54. *APPLING ET AL. v. STATE FARM MUTUAL AUTOMOBILE INSURANCE CO. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 340 F. 3d 769.

No. 04-55. *MICHIGAN ET AL. v. YELLOW TRANSPORTATION, INC.* Ct. App. Mich. Certiorari denied. Reported below: 257 Mich. App. 602, 669 N.W. 2d 553.

No. 04-56. *BISACCIA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 04-57. *MICHIGAN ET AL. v. SCHNEIDER NATIONAL CARRIERS, INC., ET AL.* Ct. App. Mich. Certiorari denied.

No. 04-58. *OLIVARES ET UX. v. BIRDIE L. NIX TRUST*. Ct. App. Tex., 4th Dist. Certiorari denied. Reported below: 126 S.W. 3d 242.

No. 04-61. *LIPKO v. CHRISTIE*. C. A. 2d Cir. Certiorari denied. Reported below: 94 Fed. Appx. 12.

No. 04-62. *STANTINI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 04-63. *CORNEAL ET UX. v. JACKSON TOWNSHIP, HUNTINGDON COUNTY, PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 94 Fed. Appx. 76.

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No. 04-64. *COVUCCI v. SERVICE MERCHANDISE Co., INC.* C. A. 6th Cir. Certiorari denied. Reported below: 178 F. 3d 1294.

No. 04-67. *BRIDWELL ET AL. v. TEXAS WORKERS' COMPENSATION INSURANCE FUND.* Ct. App. Tex., 14th Dist. Certiorari denied.

No. 04-68. *FRANCOLINO v. WALSH, SUPERINTENDENT, SULLIVAN CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 365 F. 3d 137.

No. 04-71. *COMMUNITY MENTAL HEALTH CENTER OF ALEXANDRIA ET AL. v. SOCIAL SECURITY ADMINISTRATION.* C. A. 5th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 777.

No. 04-72. *ELWOOD v. SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY, ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 04-73. *MAYMO-MELENDZ v. ALVAREZ-RAMIREZ ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 364 F. 3d 27.

No. 04-76. *GRAHAM v. ASHCROFT, ATTORNEY GENERAL, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 358 F. 3d 931.

No. 04-77. *SMITH, SHERIFF, SMITH COUNTY, TEXAS, ET AL. v. KINNEY ET AL.*; and

No. 04-86. *GREEN, SHERIFF, HARRISON COUNTY, TEXAS, ET AL. v. KINNEY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 367 F. 3d 337.

No. 04-78. *MADE IN THE USA FOUNDATION v. PHILLIP FOODS, INC., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 365 F. 3d 278.

No. 04-80. *ADCO OIL Co. v. ROVELL.* C. A. 7th Cir. Certiorari denied. Reported below: 357 F. 3d 664.

No. 04-82. *WARD, AKA KING v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 35.

No. 04-84. *SARGA v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.



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No. 04–85. *GROODY ET AL. v. DOE, PARENT AND NATURAL GUARDIAN OF DOE, A MINOR, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 361 F. 3d 232.

No. 04–88. *VARAD v. BARSHAK, CHAIRMAN, MASSACHUSETTS BOARD OF BAR EXAMINERS; and VARAD v. PAIGE, SECRETARY OF EDUCATION, ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 93 Fed. Appx. 255 (first judgment).

No. 04–89. *WITTMAN v. WILSON ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 752.

No. 04–90. *ARNOLD v. ARNOLD.* Ct. App. Wis. Certiorari denied. Reported below: 270 Wis. 2d 705, 679 N. W. 2d 296.

No. 04–91. *W. R. HUFF ASSET MANAGEMENT CO., L. L. C. v. BT SECURITIES CORP. ET AL.* Sup. Ct. Ala. Certiorari denied. Reported below: 891 So. 2d 310.

No. 04–94. *McFARLAND v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 777.

No. 04–96. *CORBETT v. RUMSFELD, SECRETARY OF DEFENSE.* C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 882.

No. 04–100. *SEIBER ET VIR v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 364 F. 3d 1356.

No. 04–102. *RIFENBURY v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 04–106. *PREWITT v. UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI.* C. A. 5th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 397.

No. 04–109. *KITTRELL v. STATE BAR OF CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 04–110. *LISTER v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 77 Fed. Appx. 465.

No. 04–111. *THORNTON v. THOMPSON, SECRETARY OF HEALTH AND HUMAN SERVICES.* C. A. 11th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 151.

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No. 04–114. *J. A. JONES MANAGEMENT SERVICES, INC., T/A JONES MANAGEMENT SERVICES, INC., ET AL. v. ROMA ET UX.* C. A. 3d Cir. Certiorari denied. Reported below: 344 F. 3d 352.

No. 04–115. *CARSON HARBOR VILLAGE, LTD. v. CITY OF CARSON, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 353 F. 3d 824.

No. 04–116. *STATE FARM MUTUAL AUTOMOBILE INSURANCE CO. v. CAMPBELL ET AL.* Sup. Ct. Utah. Certiorari denied. Reported below: 98 P. 3d 409.

No. 04–117. *ADAMS ET AL. v. APOGEE COAL CO. ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 566.

No. 04–119. *PARKER v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 362 F. 3d 1279.

No. 04–122. *HOANG VAN TU ET AL. v. TERRY ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 364 F. 3d 1196.

No. 04–123. *BLAZ v. BELFER ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 368 F. 3d 501.

No. 04–125. *KERSEY v. SUPREME COURT OF NEW HAMPSHIRE PROFESSIONAL CONDUCT COMMITTEE.* Sup. Ct. N. H. Certiorari denied. Reported below: 150 N. H. 585, 842 A. 2d 121.

No. 04–127. *GOLD v. DEUTSCHE AKTIENGESELLSCHAFT ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 365 F. 3d 144.

No. 04–128. *HALLMAN, EXECUTRIX OF THE ESTATE OF WALTERS, DECEASED v. LEE COUNTY, MISSISSIPPI.* C. A. 5th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 351.

No. 04–129. *GANESAN v. UNITED STATES ATTORNEY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 85 Fed. Appx. 384.

No. 04–130. *GERGOS v. ASHCROFT, ATTORNEY GENERAL.* C. A. 1st Cir. Certiorari denied.

No. 04–133. *MEDLOCK v. RUMSFELD, SECRETARY OF DEFENSE.* C. A. 4th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 665.

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No. 04-134. *GRIGSBY v. MIAMI-DADE COUNTY, FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 880.

No. 04-135. *FOTIADES v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied. Reported below: 821 A. 2d 132.

No. 04-136. *TENNESSEE LABORERS HEALTH AND WELFARE FUND v. RODRIGUEZ.* C. A. 6th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 949.

No. 04-138. *LIFE INVESTORS INSURANCE COMPANY OF AMERICA v. JOHNSON ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 814.

No. 04-139. *LAKE PARK POST, INC., ET AL. v. FARMER.* Ct. App. Ga. Certiorari denied. Reported below: 264 Ga. App. 299, 590 S. E. 2d 254.

No. 04-140. *JIMENA v. 111 ZUMA CORP.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 04-141. *KING v. ENTERGY OPERATIONS, INC., ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 470.

No. 04-142. *SANTINI ET AL. v. CONNECTICUT HAZARDOUS WASTE MANAGEMENT SERVICE.* C. A. 2d Cir. Certiorari denied. Reported below: 342 F. 3d 118.

No. 04-143. *BERRY ET AL. v. MERRILL LYNCH, PIERCE, FENNER & SMITH, INC.* C. A. 6th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 243.

No. 04-153. *MOORE v. JUDICIAL INQUIRY COMMISSION OF THE STATE OF ALABAMA.* Sup. Ct. Ala. Certiorari denied. Reported below: 891 So. 2d 848.

No. 04-156. *NAMEY v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 364 F. 3d 843.

No. 04-158. *CHADWICK v. CAULFIELD, WARDEN, ET AL.* Super. Ct. Pa. Certiorari denied. Reported below: 834 A. 2d 562.

No. 04-159. *REGAN v. METROPOLITAN LIFE INSURANCE CO. ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 80 Fed. Appx. 718.

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No. 04-160. *PAGE v. MANTELLO*. C. A. 2d Cir. Certiorari denied.

No. 04-164. *LOMBARD ET AL. v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 356 F. 3d 151.

No. 04-171. *GADDA v. UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 363 F. 3d 861.

No. 04-176. *MINCH ET AL. v. CITY OF CHICAGO, ILLINOIS*. C. A. 7th Cir. Certiorari denied. Reported below: 363 F. 3d 615.

No. 04-178. *DEYNES-TORRES v. UNITED STATES ET AL.* C. A. 1st Cir. Certiorari denied.

No. 04-179. *THOMPSON ET UX. v. HARCO NATIONAL INSURANCE Co.* Ct. App. Tex., 5th Dist. Certiorari denied. Reported below: 120 S. W. 3d 511.

No. 04-182. *TALLMADGE v. KNOWLES, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-187. *CASLER v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 871 So. 2d 957.

No. 04-189. *RIZZO v. MICHIGAN*. 46th Dist. Ct. Oakland County, Mich. Certiorari denied.

No. 04-191. *SMITH v. RUSH RETAIL CENTERS, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 360 F. 3d 504.

No. 04-199. *MACKEY v. THOMPSON, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 360 F. 3d 463.

No. 04-201. *FRANKEL v. NEW JERSEY*. Sup. Ct. N. J. Certiorari denied. Reported below: 179 N. J. 586, 847 A. 2d 561.

No. 04-203. *COTA-MEZA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 367 F. 3d 1218.

No. 04-212. *RAPIER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 04-213. *PARKER v. DEPARTMENT OF DEFENSE*. C. A. 4th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 892.

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No. 04-235. *JOHNSTON ET AL. v. DUDAS*, ACTING DIRECTOR, PATENT AND TRADEMARK OFFICE. C. A. Fed. Cir. Certiorari denied. Reported below: 97 Fed. Appx. 335.

No. 04-253. *ALLEN v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 59 M. J. 478.

No. 04-258. *HILVETY v. COMMISSIONER OF INTERNAL REVENUE*. C. A. D. C. Cir. Certiorari denied.

No. 04-5001. *MAYBERRY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 781.

No. 04-5002. *LEWIS v. SMITH*, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 351.

No. 04-5003. *KULENOVIC v. GOOD*, ACTING SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT PITTSBURGH, ET AL. C. A. 3d Cir. Certiorari denied.

No. 04-5004. *NUNEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 04-5005. *PINKERTON v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 875 So. 2d 616.

No. 04-5006. *RICE v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied.

No. 04-5007. *PEARSON v. SAAR*, SECRETARY, MARYLAND DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 156.

No. 04-5008. *BATES v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 04-5009. *BIRDWELL v. YARBOROUGH*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 866.

No. 04-5011. *J. D. M. v. ILLINOIS*. App. Ct. Ill., 5th Dist. Certiorari denied.

No. 04-5012. *LITTLEFIELD v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

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No. 04–5013. *BELTRAN-RODRIGUEZ v. UNITED STATES; MENDEZ-MARTINEZ v. UNITED STATES; VASQUEZ-CID v. UNITED STATES; and VILLASENOR-PEREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 04–5014. *BROOKS v. KYLER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04–5015. *BARNETT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 04–5016. *BRANDON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 363 F.3d 341.

No. 04–5017. *BOTTONE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 350 F.3d 59.

No. 04–5018. *MEARS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 874 So.2d 1192.

No. 04–5019. *MORA-ZAPATA, AKA COTTO, AKA MORA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 94 Fed. Appx. 63.

No. 04–5020. *MALVERTY v. GEORGIA BOARD OF PARDONS AND PAROLES ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 715.

No. 04–5021. *ALLEN v. MITCHELL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04–5022. *SHEIKH v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 291.

No. 04–5023. *RICHEY v. AULT, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 04–5024. *RUSSO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 93 Fed. Appx. 280.

No. 04–5026. *BLANTON v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 886 So.2d 850.

No. 04–5027. *VEGA v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 04-5028. *ZARVELA v. PHILLIPS, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 364 F. 3d 415.

No. 04-5030. *WHITE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 04-5032. *CASTILLO v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 120 Nev. 1226, 131 P. 3d 589.

No. 04-5033. *CHAPPELL v. FARWELL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04-5034. *ABUHOURLAN, AKA HOURLAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 04-5035. *BERGEN v. UNITED STATES*; and *BROWN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 364 F. 3d 1266 (second judgment); 104 Fed. Appx. 151 (first judgment).

No. 04-5036. *BURDEAU v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 862.

No. 04-5037. *CHEN v. APPLIED MATERIALS, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 995.

No. 04-5038. *RODRIGUEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 139.

No. 04-5039. *CARDENA-GARCIA v. UNITED STATES*; and  
No. 04-5045. *GARCIA-SUAREZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 362 F. 3d 663.

No. 04-5042. *JACKSON v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-5043. *HUGHES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 769.

No. 04-5044. *FYKES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 537.

No. 04-5048. *SIMS v. TANNER*. Super. Ct. Fulton County, Ga. Certiorari denied.

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No. 04–5050. *SHORTRIDGE v. VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 33.

No. 04–5051. *HOLLY v. ANTON*. C. A. 7th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 39.

No. 04–5053. *FELICIANO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 91 Fed. Appx. 236.

No. 04–5055. *HAYES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04–5056. *GEORGE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 71 Fed. Appx. 995.

No. 04–5057. *HALE v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04–5058. *LEE v. WHITE, CHIEF JUSTICE, SUPREME COURT OF MISSOURI*. C. A. 8th Cir. Certiorari denied.

No. 04–5059. *TANH HUU LAM v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 892.

No. 04–5060. *BRIGGINS v. UNICOR FEDERAL PRISON, INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 906.

No. 04–5061. *CELESTINE v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04–5062. *HUDSON v. JONES, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 351 F. 3d 212.

No. 04–5063. *MUSANTE v. SCHRIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04–5065. *CLARK v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 529.

No. 04–5066. *ANGEL CHAIREZ v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.



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No. 04-5067. *PALUMBO v. ORTIZ, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 3.

No. 04-5068. *ABREU ACEVES v. KNOWLES, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04-5069. *PASSARELLI v. GIURBINO, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 04-5071. *THOMAS v. MORGAN, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY.* C. A. 9th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 138.

No. 04-5073. *TASSLER v. BLOOMBERG ET AL.* C. A. 8th Cir. Certiorari denied.

No. 04-5074. *BRADLEY v. LUEBBERS, SUPERINTENDENT, FARMINGTON CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied.

No. 04-5075. *BRUZON v. STEARNS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 782.

No. 04-5076. *BENNETT v. CALIFORNIA.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 04-5078. *MILES v. VIRGINIA.* Sup. Ct. Va. Certiorari denied.

No. 04-5079. *RINALDO v. ROSS.* C. A. 11th Cir. Certiorari denied. Reported below: 82 Fed. Appx. 223.

No. 04-5080. *MITCHELL v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 366 F. 3d 376.

No. 04-5081. *CHEEK v. NORTH CAROLINA.* Gen. Ct. Justice, Super. Ct. Div., New Hanover County, N. C. Certiorari denied.

No. 04-5082. *COLES v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 581.

No. 04-5087. *NARANJO v. MASSACHUSETTS.* App. Ct. Mass. Certiorari denied. Reported below: 60 Mass. App. 1114, 802 N. E. 2d 1069.

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No. 04-5089. *THORNTON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 976.

No. 04-5090. *ZURMILLER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 362 F. 3d 1199.

No. 04-5092. *BOLIN v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 869 So. 2d 1196.

No. 04-5094. *RHODES v. MINNESOTA*. Sup. Ct. Minn. Certiorari denied. Reported below: 675 N. W. 2d 323.

No. 04-5095. *RAMIREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 367 F. 3d 274.

No. 04-5096. *PETTIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 04-5100. *DECICCO v. SPENCER, SUPERINTENDENT, MASSACHUSETTS CORRECTIONAL INSTITUTION AT NORFOLK*. C. A. 1st Cir. Certiorari denied. Reported below: 96 Fed. Appx. 730.

No. 04-5101. *STEWART v. KIRSHNER ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 277.

No. 04-5102. *REEDY v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 04-5103. *SHOLES v. INDIANA*. Ct. App. Ind. Certiorari denied. Reported below: 779 N. E. 2d 981.

No. 04-5105. *SMITH v. DIGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04-5107. *ROBEY v. YARBOROUGH, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 90.

No. 04-5108. *SISK v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 323.

No. 04-5110. *LYONS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-5111. *PORTALATIN v. PATRICK, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HOUTZDALE, ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 04–5112. *LOPEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 90 Fed. Appx. 412.

No. 04–5114. *MARTINEZ v. PASKETT*. C. A. 9th Cir. Certiorari denied.

No. 04–5115. *PEREZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 907.

No. 04–5116. *MERCHANT v. LAMARQUE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04–5118. *XAYASENESOUK v. PAYNE, SUPERINTENDENT, MCNEIL ISLAND CORRECTIONS CENTER*. C. A. 9th Cir. Certiorari denied.

No. 04–5119. *POLK v. KENTUCKY*. Sup. Ct. Ky. Certiorari denied.

No. 04–5120. *ORANGE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 151.

No. 04–5122. *NAVA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 660.

No. 04–5123. *RICE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 904.

No. 04–5124. *BRYANT v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04–5125. *DAVIS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 04–5126. *FERRARIO-POZZI v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 368 F. 3d 5.

No. 04–5127. *HYMAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 265.

No. 04–5128. *HAYES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 476.

No. 04–5131. *GOINS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 675.

No. 04–5133. *GRAHAM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 511.

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No. 04-5134. *HOLLAND v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 176.

No. 04-5135. *FIELDS v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 04-5136. *PAPESKOV v. DIMITROVA ET AL.* C. A. 2d Cir. Certiorari denied.

No. 04-5140. *HULTZ v. KEMNA, SUPERINTENDENT, CROSS-ROADS CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 04-5141. *GEORGE v. LAMARQUE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-5142. *GRETHEN v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Va. Certiorari denied.

No. 04-5143. *DENNIS v. DEPARTMENT OF JUSTICE ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-5144. *ANDRADES ET AL. v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied. Reported below: 113 Cal. App. 4th 817, 7 Cal. Rptr. 3d 74.

No. 04-5145. *CLUCK v. WASHINGTON*. Ct. App. Wash. Certiorari denied.

No. 04-5146. *MOSLEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 04-5147. *BOOSE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 377.

No. 04-5148. *WARREN v. PHILLIPS, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 04-5149. *WALKER v. VAUGHN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-5150. *TAYLOR v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 876.

No. 04-5151. *ALLEN v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 04-5153. *SEALED PETITIONER v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 356 F. 3d 313.

No. 04-5157. *FENNER v. MARYLAND*. Ct. App. Md. Certiorari denied. Reported below: 381 Md. 1, 846 A. 2d 1020.

No. 04-5158. *FERNS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 343 Ill. App. 3d 1285, 856 N. E. 2d 688.

No. 04-5159. *HIGGINS v. BUREAU OF CUSTOMS ET AL.* C. A. 4th Cir. Certiorari denied.

No. 04-5162. *ROUSSAW v. HALL, WARDEN*. Sup. Ct. Ga. Certiorari denied.

No. 04-5163. *MEDICINE BLANKET v. ROSEBUD SIOUX TRIBAL POLICE DEPARTMENT ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 533.

No. 04-5164. *TURNER v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-5165. *BEAN v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 04-5166. *CLELLAND v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 04-5167. *HOPKINS v. JAMROG, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 04-5168. *DAVIS v. AULT, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 04-5170. *EARLEY v. KEENAN*. C. A. 6th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 959.

No. 04-5172. *BILLY, AKA WANGUE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 94 Fed. Appx. 56.

No. 04-5175. *MOORE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 363 F. 3d 631.

No. 04-5176. *SENATOR v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

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No. 04–5177. *BARTON v. RUECHEL*. C. A. 9th Cir. Certiorari denied.

No. 04–5178. *SANDERS v. LEE, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 47.

No. 04–5179. *GREGORY ET UX. v. BRALY FAMILY, LLC, ET AL.* Ct. App. Colo. Certiorari denied.

No. 04–5180. *HEUSS v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 871 So. 2d 892.

No. 04–5181. *MYRON v. KRALIK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 5 App. Div. 3d 707, 774 N. Y. S. 2d 744.

No. 04–5182. *BLACKWELL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 04–5183. *GORE v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 04–5184. *LAINO v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 32 Cal. 4th 878, 87 P. 3d 27.

No. 04–5185. *BLACK v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied. Reported below: 114 Cal. App. 4th 830, 7 Cal. Rptr. 3d 902.

No. 04–5186. *JEREMIAH-NJIRIMANI v. HARBORVIEW MEDICAL CENTER ET AL.* Ct. App. Wash. Certiorari denied.

No. 04–5192. *RYDER v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 83 P. 3d 856.

No. 04–5195. *MENDEZ v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04–5196. *CORONADO-PINEDA v. UNITED STATES* (Reported below: 95 Fed. Appx. 116); *ROJAS-HERNANDEZ v. UNITED STATES* (95 Fed. Appx. 657); *IRACHETA-REYNA v. UNITED STATES* (95 Fed. Appx. 659); *LOERA-GARCIA v. UNITED STATES* (95 Fed. Appx. 597); *GUERRERO-MORALES v. UNITED STATES* (95 Fed. Appx. 660); *COLINDRES v. UNITED STATES* (98 Fed. Appx. 347); *CERVANTES-ESPINO v. UNITED STATES* (95 Fed. Appx. 641); *BERRELLESA-*

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ORTEGA, AKA URREA-GUTIERREZ *v.* UNITED STATES (95 Fed. Appx. 642); ACIAIN-PORRAS *v.* UNITED STATES (95 Fed. Appx. 581); GONZALEZ-ARZOLA, AKA FRANCISCO GONZALEZ, AKA GONZALEZ *v.* UNITED STATES (95 Fed. Appx. 643); CASERES-RODRIGUEZ *v.* UNITED STATES (95 Fed. Appx. 629); CORTEZ-CAVAZOS *v.* UNITED STATES (95 Fed. Appx. 646); MALDONADO-ALAMEDA *v.* UNITED STATES (95 Fed. Appx. 579); ACOSTA-MENDOZA *v.* UNITED STATES (95 Fed. Appx. 647); AGUILAR *v.* UNITED STATES (95 Fed. Appx. 663); LOPEZ-PENA *v.* UNITED STATES (95 Fed. Appx. 634); ALMANZA-TAPIA *v.* UNITED STATES (95 Fed. Appx. 697); and GONZALEZ-MELENDZ *v.* UNITED STATES (95 Fed. Appx. 653). C. A. 5th Cir. Certiorari denied.

No. 04-5198. JOHNSON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 81 Fed. Appx. 793.

No. 04-5199. BRYANT *v.* HOWES. Cir. Ct. Wayne County, Mich. Certiorari denied.

No. 04-5201. HANSEN *v.* WASHINGTON. Ct. App. Wash. Certiorari denied.

No. 04-5202. MORGAN *v.* CALDERON, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 04-5203. MILO *v.* GARCIA, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 04-5204. LATEEF *v.* CALIFORNIA BOARD OF PRISON TERMS. C. A. 9th Cir. Certiorari denied.

No. 04-5205. ADKINS *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied.

No. 04-5206. LANDAU *v.* VASTINE-SMITH ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 94 Fed. Appx. 969.

No. 04-5207. JACKSON *v.* MILLER ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 921.

No. 04-5208. VALENZUELA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 358 F. 3d 1194.

No. 04-5209. WALLACE *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 985.

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No. 04-5211. *WEST, AKA GREEN v. UNITED STATES*; and  
No. 04-5218. *JACKSON v. UNITED STATES*. C. A. 4th Cir.  
Certiorari denied. Reported below: 90 Fed. Appx. 683.

No. 04-5212. *THOMPSON v. NEW JERSEY*. Super. Ct. N. J.,  
App. Div. Certiorari denied.

No. 04-5213. *BROWN v. UNITED STATES*. C. A. 4th Cir. Cer-  
tiorari denied. Reported below: 82 Fed. Appx. 791.

No. 04-5216. *WATERFIELD v. FLORIDA*. Dist. Ct. App. Fla.,  
2d Dist. Certiorari denied.

No. 04-5217. *HAMMON v. DANIELS, WARDEN*. C. A. 9th Cir.  
Certiorari denied.

No. 04-5219. *BURKE v. DRETKE, DIRECTOR, TEXAS DEPART-  
MENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVI-  
SION*. C. A. 5th Cir. Certiorari denied.

No. 04-5221. *DIETELBACH v. OHIO EDISON Co.* C. A. 6th Cir.  
Certiorari denied. Reported below: 76 Fed. Appx. 84.

No. 04-5223. *GROSS v. OHIO*. Ct. App. Ohio, Muskingum  
County. Certiorari denied.

No. 04-5224. *GRASTY v. WOLFE, SUPERINTENDENT, STATE  
CORRECTIONAL INSTITUTION AT ALBION, ET AL.* C. A. 3d Cir.  
Certiorari denied.

No. 04-5225. *SKILLERN v. GEORGIA*. Ct. App. Ga. Certiorari  
denied. Reported below: 266 Ga. App. XXIV.

No. 04-5227. *RUSH v. UNITED STATES*. C. A. 11th Cir. Cer-  
tiorari denied. Reported below: 103 Fed. Appx. 667.

No. 04-5228. *SUDDUTH, AKA MUHAMMAD v. MARTINEZ, SEC-  
RETARY OF HOUSING AND URBAN DEVELOPMENT, ET AL.* C. A.  
3d Cir. Certiorari denied.

No. 04-5229. *RIEBSAME v. PRINCE ET AL.* C. A. 11th Cir.  
Certiorari denied. Reported below: 91 Fed. Appx. 656.

No. 04-5230. *RODRIGUEZ v. TRUSTEES OF COLUMBIA UNIVER-  
SITY IN THE CITY OF NEW YORK ET AL.* Ct. App. N. Y. Certio-  
rari denied. Reported below: 100 N. Y. 2d 532, 791 N. E. 2d 959.



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No. 04-5231. *FARROW v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 364 F. 3d 551.

No. 04-5232. *WILBURN v. EASTMAN KODAK ET AL.* C. A. 2d Cir. Certiorari denied.

No. 04-5234. *VASCONCELLOS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 04-5235. *GALINDO v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 160.

No. 04-5236. *WILKINS v. CALBONE, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied.

No. 04-5237. *UGOCHUKWU v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-5238. *WEBB v. PENNINGTON COUNTY BOARD OF COMMISSIONERS ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 983.

No. 04-5240. *WHITMORE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 04-5241. *BARBER v. OFFICE OF INFORMATION AND PRIVACY, DEPARTMENT OF JUSTICE, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 04-5242. *RUDAN v. YARBOROUGH, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-5243. *SANTOS-ALICEA v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 04-5244. *WAGSTAFF v. PALAKOVICH, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SMITHFIELD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04-5245. *CALLAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 299.

No. 04-5246. *KEELING v. SHANNON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT FRACKVILLE, ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 04-5248. *BUCHANAN v. LAMARQUE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-5252. *CRAVER v. CAMPBELL & TAYLOR*. Ct. App. N. C. Certiorari denied. Reported below: 160 N. C. App. 708.

No. 04-5253. *DONAHOU v. DONAHOU*. Ct. Civ. App. Okla. Certiorari denied.

No. 04-5254. *DAVIS v. WILLIAMS, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 04-5255. *DIAZ v. GIURBINO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-5256. *DINKINS v. JONES, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 04-5257. *CUELLO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 357 F. 3d 162.

No. 04-5258. *DIAZ-RIVERA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 622.

No. 04-5259. *DAVIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 201.

No. 04-5260. *CAPELTON, AKA COLEMAN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 350 F. 3d 231.

No. 04-5261. *CLARK v. BASSETT, WARDEN*. C. A. 4th Cir. Certiorari denied.

No. 04-5264. *MORALES-PALACIOS, AKA RESENDIZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 588.

No. 04-5265. *RICE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 921.

No. 04-5266. *ROBINSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 197.

No. 04-5267. *ROMERO v. YARBOROUGH, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 242.

No. 04-5268. *TREVINO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 04-5269. *PRICE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 792.

No. 04-5270. *WILLARD v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-5271. *BILBREY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-5273. *VETA v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 04-5274. *HARRIS v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-5275. *KING v. ELLINGBURG ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 104.

No. 04-5276. *LYNN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 365 F. 3d 1225.

No. 04-5277. *LAZO-RAYA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 577.

No. 04-5278. *LIGON v. BOSWELL*. C. A. 11th Cir. Certiorari denied.

No. 04-5279. *JACKSON v. VIRGINIA*. Sup. Ct. Va. Certiorari denied. Reported below: 267 Va. 178, 590 S. E. 2d 520.

No. 04-5281. *WATSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 381.

No. 04-5282. *VILLARREAL-FUENTES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 596.

No. 04-5283. *CARROLL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-5284. *ARNESON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 666.

No. 04-5285. *CANTU-SANCHEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 705.

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No. 04-5287. *DEYOUNG v. SCHOFIELD, WARDEN*. Super. Ct. Butts County, Ga. Certiorari denied.

No. 04-5290. *PUIG v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 665.

No. 04-5291. *MCADOO v. ELO, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 365 F. 3d 487.

No. 04-5292. *DANIELS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 228.

No. 04-5294. *MENDOZA-CABALLERO ET AL. v. ASHCROFT, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 543.

No. 04-5299. *ONUOHAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 82.

No. 04-5300. *MCGEE v. McDONALD'S RESTAURANTS OF CALIFORNIA, INC., ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 63 Fed. Appx. 409.

No. 04-5301. *RUSH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 695.

No. 04-5303. *RILEY v. KURTZ*. C. A. 6th Cir. Certiorari denied. Reported below: 361 F. 3d 906.

No. 04-5304. *ARREDONDO v. ORTIZ, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 365 F. 3d 778.

No. 04-5307. *NIETO-CRUZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 703.

No. 04-5309. *MANN v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 868 So. 2d 524.

No. 04-5310. *KAY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 871.

No. 04-5311. *BELCHER v. KEMNA, SUPERINTENDENT, CROSSROADS CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 04-5312. *POWELL v. VIRGINIA*. Sup. Ct. Va. Certiorari denied. Reported below: 267 Va. 107, 590 S. E. 2d 537.

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No. 04-5313. *MEANS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-5314. *L'HEUREUX v. ARIZONA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04-5315. *LARRY v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 361 F. 3d 890.

No. 04-5316. *JACKSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-5317. *PIMENTEL v. WALSH, SUPERINTENDENT, SULLIVAN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 04-5319. *CHRISTOPHER v. TRANSIT INSURANCE GROUP*. Cir. Ct. Baltimore County, Md. Certiorari denied.

No. 04-5320. *CARNOHAN v. NEWCOMB*. Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 04-5321. *OCHOA CANALES v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-5322. *STEELE v. MURPHY, SUPERINTENDENT, MASSACHUSETTS TREATMENT CENTER*. C. A. 1st Cir. Certiorari denied. Reported below: 365 F. 3d 14.

No. 04-5324. *SPARKS v. OREGON*. Sup. Ct. Ore. Certiorari denied. Reported below: 336 Ore. 298, 83 P. 3d 304.

No. 04-5325. *MCCREARY v. JEFFERSON SMURFIT CORP.* C. A. 11th Cir. Certiorari denied. Reported below: 49 Fed. Appx. 289.

No. 04-5326. *WILLIAMS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 185.

No. 04-5328. *WILSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 608.

No. 04-5329. *BRIDGMAN v. BARNHART, COMMISSIONER OF SOCIAL SECURITY*. C. A. 8th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 370.

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No. 04-5334. *REINHOLT v. REINHOLT*. Sup. Ct. Fla. Certiorari denied. Reported below: 868 So. 2d 524.

No. 04-5335. *SATTERFIELD v. HUSKEY, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-5336. *McKENZIE v. McGRATH, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-5338. *ATCHERLEY v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 04-5339. *RODRIGUEZ v. FISCHER, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 04-5341. *MORALES v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 2d Cir. Certiorari denied.

No. 04-5342. *DAVIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-5343. *CAIN v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 04-5344. *COYAZO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 261.

No. 04-5345. *ADAMS v. ROSEMEYER, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT LAUREL HIGHLANDS*. C. A. 3d Cir. Certiorari denied.

No. 04-5346. *EVANS v. YOUNG, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 611.

No. 04-5347. *ORTEGA v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 04-5348. *PEPPERS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 95 Fed. Appx. 406.

No. 04-5350. *BARBER v. FEDERAL BUREAU OF PRISONS ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 04-5351. *SPITZNAS v. BOONE, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 820.

No. 04-5353. *MILLS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 666.

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No. 04-5354. *MCBRIDE v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 04-5355. *MORGAN v. CROSBY*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied.

No. 04-5356. *ORTIZ v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 835 A. 2d 835.

No. 04-5357. *AUSTIN v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 847 A. 2d 391.

No. 04-5359. *MATEO-ROJAS v. UNITED STATES*; and *MELO OSORIO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 624 (second judgment) and 627 (first judgment).

No. 04-5360. *LAZENBY v. LEXUS OF CLEAR LAKE*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 558.

No. 04-5361. *OUTLER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-5362. *ESTEP v. SPENCER*, SUPERINTENDENT, MASSACHUSETTS CORRECTIONAL INSTITUTION AT NORFOLK. C. A. 1st Cir. Certiorari denied.

No. 04-5364. *CHAVFUL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 226.

No. 04-5366. *COSSYLEON-BECERRA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 47 Fed. Appx. 455.

No. 04-5367. *DENNIS v. MITCHEM*, WARDEN. C. A. 11th Cir. Certiorari denied.

No. 04-5368. *NEELY v. DIGUGLIELMO*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL. C. A. 3d Cir. Certiorari denied.

No. 04-5369. *DAVIS v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 04-5370. *COX v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 855 So. 2d 142.

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No. 04–5371. *COMBS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 04–5373. *ZOCHLINSKI v. HANDY ET AL.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 04–5375. *WILLIAMS v. RUSHTON, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied.

No. 04–5376. *TUCKER v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 103 Fed. Appx. 417.

No. 04–5377. *VILLEGAS v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 04–5378. *WELLS v. JOHNSON, JUDGE, JUVENILE COURT OF LOUISIANA, EAST BATON ROUGE PARISH*. Ct. App. La., 1st Cir. Certiorari denied. Reported below: 864 So. 2d 905.

No. 04–5379. *WASKO v. GONZALES*. Ct. App. N. M. Certiorari denied.

No. 04–5380. *WYNTER v. BURGE, SUPERINTENDENT, AUBURN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 04–5381. *WATSON v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 04–5382. *VOELKER v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 04–5383. *WAHAB v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04–5384. *ROBERTS v. UNIVERSITY OF PENNSYLVANIA ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 94 Fed. Appx. 969.

No. 04–5385. *WRIGHT v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 83 Fed. Appx. 432.

No. 04–5387. *OWENS v. MISSOURI DEPARTMENT OF SOCIAL SERVICES, DIVISION OF CHILDREN’S SERVICES, ET AL.* Sup. Ct. Mo. Certiorari denied. Reported below: 131 S. W. 3d 782.

No. 04–5389. *MUNGUIA-SANCHEZ, AKA MANGUIA-SANCHEZ, AKA SANCHEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 365 F. 3d 877.



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No. 04-5390. *STEVENSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 604.

No. 04-5391. *RUBALCABA v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

No. 04-5393. *STOKES v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-5394. *SCOTT v. ANDREWS, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 04-5395. *MORALES v. TADLOCK, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-5396. *PEARSON v. PEGUESE, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 161.

No. 04-5397. *SLOAN v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-5398. *BODDIE v. RAY ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 184.

No. 04-5399. *DAVILA v. CONNECTICUT*. App. Ct. Conn. Certiorari denied. Reported below: 75 Conn. App. 432, 816 A. 2d 673.

No. 04-5400. *DOLENZ v. UNITED STATES EX REL. BOUNDY*. C. A. 5th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 992.

No. 04-5401. *EVANS v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied.

No. 04-5402. *CURRIE v. BLANKS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 644.

No. 04-5403. *CLEMENTS v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 655.

No. 04-5405. *CRISAMORE v. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 04-5406. *ESTEBAN GUERRERO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 140.

No. 04-5407. *HEWITT v. EARLY, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-5408. *BROWN v. HICKS, CLERK, SUPERIOR COURT OF GEORGIA, ATLANTA JUDICIAL CIRCUIT, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-5409. *CARTER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 80 Fed. Appx. 253.

No. 04-5410. *CALHOUN-EL v. PEGUESE, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 183.

No. 04-5412. *DEVALLE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 906.

No. 04-5413. *DAVIS v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-5414. *REYNOLDS v. BARNES ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 672.

No. 04-5415. *BACA SANCHEZ v. RAWERS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-5416. *SHIPLEY v. GIURBINO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-5417. *BURRELL v. CARLTON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 04-5418. *SPEIGHTS v. FRANK, SECRETARY, WISCONSIN DEPARTMENT OF CORRECTIONS*. C. A. 7th Cir. Certiorari denied. Reported below: 361 F. 3d 962.

No. 04-5419. *RANDOLPH v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-5420. *SIMUEL v. COOPER, ATTORNEY GENERAL OF NORTH CAROLINA*. C. A. 4th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 971.

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No. 04-5421. *STIDHAM v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 874 So. 2d 1193.

No. 04-5422. *SMITH v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 04-5423. *MARQUEZ v. WORKMAN, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 04-5424. *LINDSEY v. FEDERAL BUREAU OF INVESTIGATION OFFICES ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 80 Fed. Appx. 654.

No. 04-5425. *LUI v. HENRY, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-5427. *DEAN v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-5428. *BENITEZ-BENITEZ v. UNITED STATES*; and *RAMIREZ-IBARRA, AKA ROSARIO, AKA RAMIREZ, AKA CRUZ ROSARIO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 639 (second judgment) and 670 (first judgment).

No. 04-5430. *SINGLETON v. JONES*. C. A. 5th Cir. Certiorari denied.

No. 04-5433. *PINEDA-CISNEROS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 609.

No. 04-5434. *MERCADO-LUJAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 655.

No. 04-5437. *NORMAN v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 04-5438. *LIGON v. BOSWELL*. C. A. 11th Cir. Certiorari denied.

No. 04-5439. *MARTINEZ-CANIZALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 649.

No. 04-5443. *URIBE-JIMENEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 86.

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No. 04-5445. *TOWNSEND v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 118.

No. 04-5446. *ACOSTA-FLORES v. UNITED STATES* (Reported below: 95 Fed. Appx. 591); *AMADOR-LUJAN v. UNITED STATES* (95 Fed. Appx. 572); *BOJORQUEZ-LUCERO v. UNITED STATES* (95 Fed. Appx. 677); *CHAVEZ-RENTERIA v. UNITED STATES* (95 Fed. Appx. 686); *DELEON-ARTEAGA v. UNITED STATES* (95 Fed. Appx. 694); *DELGADO-NAJERA v. UNITED STATES* (95 Fed. Appx. 576); *FERRAL-TAMEZ v. UNITED STATES* (95 Fed. Appx. 691); *GALLEGOS-RENTERIA v. UNITED STATES* (95 Fed. Appx. 668); *GARCIA-RAMIREZ v. UNITED STATES* (95 Fed. Appx. 693); *GARCIA-RUBIO v. UNITED STATES* (95 Fed. Appx. 567); *GUERRA-GARCIA v. UNITED STATES* (95 Fed. Appx. 672); *GUTIERREZ-ENRIQUEZ v. UNITED STATES* (95 Fed. Appx. 616); *HERNANDEZ-MUNOZ v. UNITED STATES* (95 Fed. Appx. 569); *LAGUNAS-SANCHEZ v. UNITED STATES* (95 Fed. Appx. 620); *LEMUS-ALVAREZ v. UNITED STATES* (95 Fed. Appx. 573); *LOPEZ-REYES v. UNITED STATES* (95 Fed. Appx. 675); *MADRIGAL-OCHOA v. UNITED STATES* (95 Fed. Appx. 575); *MARTINEZ-MENDOZA v. UNITED STATES* (95 Fed. Appx. 678); *MENDEZ-AGUILAR v. UNITED STATES* (95 Fed. Appx. 584); *MORENO-CONTRERAS v. UNITED STATES* (95 Fed. Appx. 614); *NUNEZ-CERDA v. UNITED STATES* (95 Fed. Appx. 696); *PALACIOS-RIVERA v. UNITED STATES* (96 Fed. Appx. 189); *RIVERA-CARRILLO v. UNITED STATES* (95 Fed. Appx. 618); *RUIZ-PEREZ v. UNITED STATES* (95 Fed. Appx. 698); *SEPULVERA-DIAZ v. UNITED STATES* (95 Fed. Appx. 665); *VENCES-GONZALEZ v. UNITED STATES* (95 Fed. Appx. 619); and *VIDALES-LOPEZ v. UNITED STATES* (95 Fed. Appx. 574). C. A. 5th Cir. Certiorari denied.

No. 04-5447. *LOPEZ-GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 114.

No. 04-5449. *LEE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 81 Fed. Appx. 453.

No. 04-5452. *RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 446.

No. 04-5454. *ANTUNEZ-PINEDA v. UNITED STATES*; *RENTERIA-BARRIENTOS v. UNITED STATES*; *MENA-MONTOYA v. UNITED STATES*; *MARTINEZ-VENCES v. UNITED STATES*;

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SALGADO-DIAZ *v.* UNITED STATES; and VELASQUEZ-MEZA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 568 (fourth judgment), 592 (first judgment), 617 (fifth judgment), 682 (sixth judgment), 683 (second judgment), and 688 (third judgment).

No. 04–5455. MOORE *v.* UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 914.

No. 04–5457. LOPEZ-LABASTIDA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 116.

No. 04–5458. MACIAS-CRUZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 202.

No. 04–5459. MUNOZ-PERALTA, AKA ESTRADA GONZALEZ *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 719.

No. 04–5460. BEMIS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 423.

No. 04–5461. IRIZARRY SANABRIA *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 04–5464. HURLEY *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 452.

No. 04–5467. MCCUTTING *v.* WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS. C. A. 9th Cir. Certiorari denied.

No. 04–5468. GIBSON *v.* UNITED STATES. Ct. App. D. C. Certiorari denied. Reported below: 848 A. 2d 616.

No. 04–5472. GARCIA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 661.

No. 04–5473. FANNIN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 234.

No. 04–5475. PIERCE *v.* WRIGHT, WARDEN. C. A. 4th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 38.

No. 04–5477. RICHARDSON *v.* DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS

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DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 85 Fed. Appx. 394.

No. 04-5478. *BROWN v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-5479. *SANTIAGO v. HINSLEY, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 74.

No. 04-5480. *RUBEN v. PHOENIX POLICE DEPARTMENT ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04-5482. *GRIEGO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 781.

No. 04-5483. *GERONIMO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 78 Fed. Appx. 664.

No. 04-5484. *GONZALEZ-CLEMENTE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 79.

No. 04-5486. *HALL v. LEWIS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 829.

No. 04-5487. *HOPSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 134 Fed. Appx. 781.

No. 04-5489. *FERMIN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 96 Fed. Appx. 35.

No. 04-5490. *HUDGENS v. BARNHART, COMMISSIONER OF SOCIAL SECURITY*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 706.

No. 04-5491. *BLOOME v. DEPARTMENT OF THE TREASURY ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 80 Fed. Appx. 730.

No. 04-5492. *ACOSTA-MARTINEZ v. UNITED STATES; GONZALEZ-FLOTA v. UNITED STATES; GUZMAN-SANCHEZ v. UNITED STATES; HERNANDEZ-ALVAREZ v. UNITED STATES; NORIEGA-CISNEROS, AKA NORIEGA, ET AL. v. UNITED STATES; ORTIZ-GALINDO v. UNITED STATES; PASILLAS-MARTINEZ v. UNITED STATES; and SOLORZANO-PALMAS, AKA SOLORZANO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported

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below: 95 Fed. Appx. 108 (seventh judgment), 621 (first judgment), 622 (fifth judgment), 636 (eighth judgment), 679 (sixth judgment), 680 (fourth judgment), and 681 (third judgment); 96 Fed. Appx. 190 (second judgment).

No. 04–5494. *LUCAS v. DAVIS, DIRECTOR, TEXAS DEPARTMENT OF PUBLIC SAFETY, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 100.

No. 04–5495. *JOHNSON v. CAMBRA, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 359.

No. 04–5496. *ANDERSON v. SOWDERS, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 944.

No. 04–5498. *LAFOUNTAIN v. FLORIDA.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 880 So. 2d 1225.

No. 04–5499. *LAMPKIN v. UNITED STATES.* C. A. 3d Cir. Certiorari denied.

No. 04–5500. *KING v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 04–5503. *KNIGHT v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 85 Fed. Appx. 875.

No. 04–5505. *DUNBAR v. CONNECTICUT COMMISSIONER OF MOTOR VEHICLES.* App. Ct. Conn. Certiorari denied.

No. 04–5506. *DELGADO v. UNITED STATES.* C. A. 2d Cir. Certiorari denied.

No. 04–5507. *CROSSLAND v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 04–5508. *DEGLACE v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 880.

No. 04–5509. *AMILPAS-WENCES, AKA AMILPAS-BENITEZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 711.

No. 04–5510. *WILLIAMS v. WEST VIRGINIA.* Sup. Ct. App. W. Va. Certiorari denied. Reported below: 215 W. Va. 201, 599 S. E. 2d 624.

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No. 04–5511. *TRUAX v. GIURBINO, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 570.

No. 04–5512. *WADE v. CAREY, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 776.

No. 04–5513. *WATTS v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied. Reported below: 356 F. 3d 937.

No. 04–5514. *TAMAKLOE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 04–5515. *WASHINGTON v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 04–5518. *LEWIS v. VIRGINIA*. Sup. Ct. Va. Certiorari denied. Reported below: 267 Va. 302, 593 S. E. 2d 220.

No. 04–5519. *PERRY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 598.

No. 04–5521. *AKBAR v. SOUTH CAROLINA DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 28.

No. 04–5522. *DAVIS v. COKER COURT REPORTING, INC., ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04–5524. *RING v. APPLETON ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 993.

No. 04–5526. *THOMPSON v. TISCHLER ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 94 Fed. Appx. 970.

No. 04–5527. *THOMPSON v. CALDWELL ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 94 Fed. Appx. 970.

No. 04–5529. *JONES v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 178.

No. 04–5530. *K. E. v. FLORIDA BOARD OF BAR EXAMINERS*. Sup. Ct. Fla. Certiorari denied.

No. 04–5531. *BRIGHT v. SHANNON ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 89 Fed. Appx. 802.



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No. 04-5532. *DENNIS v. YUKINS, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 986.

No. 04-5533. *LIVERPOOL v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 852 A. 2d 962.

No. 04-5534. *DE LA CRUZ-OCCHOA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 150.

No. 04-5535. *COLEMAN v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-5536. *COLLIER v. HOME DEPOT*. C. A. 11th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 656.

No. 04-5537. *SMITH v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 344 Ill. App. 3d 1217, 859 N. E. 2d 318.

No. 04-5538. *SPEARMAN v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 04-5539. *BOND v. WALSH, SUPERINTENDENT, SULLIVAN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 04-5542. *WATTERS v. WYOMING*. Sup. Ct. Wyo. Certiorari denied.

No. 04-5544. *ST. YVES v. MERRILL, WARDEN*. C. A. 1st Cir. Certiorari denied. Reported below: 78 Fed. Appx. 136.

No. 04-5547. *SMITH v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 04-5548. *STEWART v. MICHIGAN*. Cir. Ct. Wayne County, Mich. Certiorari denied.

No. 04-5549. *JENNINGS v. GIURBINO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-5550. *MILLER v. TERRY, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-5551. *MILLER-BEY v. PARKER, WARDEN*. C. A. 6th Cir. Certiorari denied.

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No. 04–5552. *LEMAN v. AYERS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04–5553. *SIMONS v. UNIVERSITY OF TULSA COLLEGE OF LAW ET AL.* C. A. 5th Cir. Certiorari denied.

No. 04–5554. *THOMPSON v. NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES ET AL.* C. A. 8th Cir. Certiorari denied.

No. 04–5556. *TABOR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 284.

No. 04–5557. *WILLIAMS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 04–5559. *WOOTEN v. BATES*. C. A. 6th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 14.

No. 04–5561. *WALKER v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 859 A. 2d 651.

No. 04–5563. *CLARK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 04–5565. *CANNON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 336.

No. 04–5566. *CASHWELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 83 Fed. Appx. 574.

No. 04–5567. *CAUSER v. NORTH DAKOTA*. Sup. Ct. N. D. Certiorari denied. Reported below: 678 N. W. 2d 552.

No. 04–5569. *ALLEN v. POLK, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 366 F. 3d 319.

No. 04–5572. *MEZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 215.

No. 04–5573. *MEYER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 359 F. 3d 820.

No. 04–5576. *TRUJILLO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 04–5580. *CALHOUN, AKA MARTIN v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 98 Fed. Appx. 840.

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No. 04-5581. *CHAVARRIYA-MEJIA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 367 F. 3d 1249.

No. 04-5583. *PATTERSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 97 Fed. Appx. 389.

No. 04-5585. *PORTILLO-AMAYA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 151.

No. 04-5591. *JONES v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 277 Kan. ix, 89 P. 3d 656.

No. 04-5597. *BERBER-CHAVEZ v. UNITED STATES*; *HERRERA-SUAREZ, AKA SANTANA v. UNITED STATES*; *PONCE-HERNANDEZ v. UNITED STATES*; *RODRIGUEZ-HERNANDEZ v. UNITED STATES*; and *SANCHEZ-MARTINEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 04-5598. *YOUNG v. YARBOROUGH, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-5600. *WALKER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 561.

No. 04-5602. *JONES, AKA JOHNSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 576.

No. 04-5603. *MAJID v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 04-5604. *KANIADAKIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 04-5605. *BOYCE v. SCHRIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 85 Fed. Appx. 658.

No. 04-5609. *MURPHY v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied.

No. 04-5611. *PALMER v. LAMARQUE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-5613. *ALEJANDRO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 368 F. 3d 130.

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No. 04-5615. *TURNER v. GEORGETOWN UNIVERSITY LAW CENTER*. Ct. App. D. C. Certiorari denied.

No. 04-5619. *THOMAS v. MCBRIDE, WARDEN*. Cir. Ct. Monongalia County, W. Va. Certiorari denied.

No. 04-5622. *DONOVAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 04-5625. *CONFORTI v. MILLER, SUPERINTENDENT, EASTERN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 04-5626. *CORBEIL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 81 Fed. Appx. 662.

No. 04-5627. *ELLIS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 04-5629. *WILKERSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 361 F. 3d 717.

No. 04-5638. *WEINLEIN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 04-5640. *SMITH v. \*NSYNC ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-5643. *VOLITON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 381.

No. 04-5644. *BRENNAN v. WALL, DIRECTOR, RHODE ISLAND DEPARTMENT OF CORRECTIONS*. C. A. 1st Cir. Certiorari denied. Reported below: 100 Fed. Appx. 4.

No. 04-5648. *FREGOSO, AKA FREGOSO GUADALUPE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 358 F. 3d 1221.

No. 04-5649. *HIGHSMITH v. GOORD, COMMISSIONER, NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES*. C. A. 2d Cir. Certiorari denied.

No. 04-5650. *IZUEL v. WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 81 Fed. Appx. 972.

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No. 04-5651. *GOLJAH-MOFRAD v. ASHCROFT, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 233.

No. 04-5654. *ETTIENNE v. ASHCROFT, ATTORNEY GENERAL*. C. A. 11th Cir. Certiorari denied.

No. 04-5658. *SOTO v. CIRCUIT COURT OF ILLINOIS, COOK COUNTY*. Sup. Ct. Ill. Certiorari denied.

No. 04-5663. *FALCONE v. RHODE ISLAND ET AL.* C. A. 1st Cir. Certiorari denied.

No. 04-5665. *HATFIELD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 365 F. 3d 332.

No. 04-5669. *HEMPHILL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 985.

No. 04-5670. *BROWNE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 96 Fed. Appx. 40.

No. 04-5672. *R. J. S. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 366 F. 3d 960.

No. 04-5682. *JENSEN v. SCHUETZLE, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 04-5685. *GONZALEZ QUINTANA v. ASHCROFT, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied.

No. 04-5688. *GRIMM v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 04-5690. *RAMIREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 233.

No. 04-5691. *STEVENS v. MEACHAM ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 588.

No. 04-5693. *DUMBRIQUE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 978.

No. 04-5696. *DRAKEFORD v. NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES*. Ct. App. N. Y. Certiorari denied. Reported below: 2 N. Y. 3d 779, 812 N. E. 2d 1253.

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No. 04-5697. *CARMICKEL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 04-5698. *SIMON v. FEDERAL PRISON INDUSTRIES ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 91 Fed. Appx. 161.

No. 04-5704. *URNS v. UNITED STATES*;  
No. 04-5739. *CROCKETT v. UNITED STATES*; and  
No. 04-5890. *BEVERLY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 369 F. 3d 516.

No. 04-5711. *LUMPKIN v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-5718. *MALONEY ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 3d Cir. Certiorari denied. Reported below: 94 Fed. Appx. 969.

No. 04-5725. *ROCHESTER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 667.

No. 04-5727. *BALDERAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 354.

No. 04-5731. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 364 F. 3d 556.

No. 04-5733. *TENNEY v. ILLINOIS*. App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 347 Ill. App. 3d 359, 807 N. E. 2d 705.

No. 04-5737. *GORGONE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 49.

No. 04-5746. *BURNS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 04-5754. *DELGADO v. DEPARTMENT OF JUSTICE, BUREAU OF PRISONS*. C. A. 5th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 348.

No. 04-5761. *LOMELI GONZALEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 365 F. 3d 796.

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No. 04–5766. *CANNON v. DEPARTMENT OF JUSTICE ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04–5767. *COX v. UNITED STATES.* C. A. 5th Cir. Certiorari denied.

No. 04–5773. *RANSOM v. CORONA.* C. A. 9th Cir. Certiorari denied.

No. 04–5780. *GRAHAM v. WEBBER ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 102.

No. 04–5782. *GRINER v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 870 So. 2d 821.

No. 04–5783. *HEBERT v. CAIN, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 04–5787. *FOSTER v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 04–5789. *FONVILLE v. FLEMING, SUPERINTENDENT, MONROE CORRECTIONAL COMPLEX.* C. A. 9th Cir. Certiorari denied. Reported below: 71 Fed. Appx. 765.

No. 04–5790. *GRANT v. MILLER, SUPERINTENDENT, EASTERN NEW YORK CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied. Reported below: 87 Fed. Appx. 764.

No. 04–5792. *GIVENS v. WEST VIRGINIA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 39.

No. 04–5797. *LUNA v. ROCHE, SECRETARY OF THE AIR FORCE.* C. A. 5th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 878.

No. 04–5798. *SCHOPPERT v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 362 F. 3d 451.

No. 04–5800. *JACKSON v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 11th Cir. Certiorari denied.

No. 04–5803. *AGUIRRE-ESPINOZA v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 244.

No. 04–5812. *FULTZ v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

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No. 04–5817. *HOWELL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 04–5821. *GIBSON v. IDAHO STATE TAX COMMISSION*. Ct. App. Idaho. Certiorari denied. Reported below: 140 Idaho 346, 92 P. 3d 1093.

No. 04–5824. *HINTON, AKA ABDUS-SALAAM v. MOORE, ADMINISTRATOR, EAST JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04–5825. *HARDY v. UNITED STATES* (two judgments). C. A. 4th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 301 (second judgment); 92 Fed. Appx. 958 (first judgment).

No. 04–5827. *CRUZ-MARTINEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 644.

No. 04–5828. *CHAPA-IBARRA, AKA IBARRA CHAPA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 973.

No. 04–5832. *MENDEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 598.

No. 04–5840. *FOUCHE v. SLADE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04–5843. *MUHAMMAD v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 04–5844. *SARBIA, AKA VIZCARRA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 367 F. 3d 1079.

No. 04–5861. *OGLETREE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 210.

No. 04–5862. *GALDI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 146.

No. 04–5869. *ACOSTA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 152.

No. 04–5873. *WOODARD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 131.



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No. 04-5874. *THOMAS v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 772 A. 2d 818.

No. 04-5875. *WEARRY v. BLAINE ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04-5877. *HOUGH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 100 Fed. Appx. 97.

No. 04-5880. *LONGLEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 04-5882. *RICH v. HATIN, SUPERINTENDENT, NORTHWEST STATE CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 369 F. 3d 83.

No. 04-5888. *CRAGER v. MEYERS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04-5896. *HEARD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 367 F. 3d 1275.

No. 04-5900. *HAIRSTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 875.

No. 04-5904. *CHANDLER v. POLK, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 830.

No. 04-5906. *CLAY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 388.

No. 04-5909. *RIGGANS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 891.

No. 04-5911. *AREVALO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 67 Fed. Appx. 589.

No. 04-5913. *ALVEREZ, AKA ALVAREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-5914. *GREEN v. BROWNLEE, ACTING SECRETARY OF THE ARMY*. C. A. 3d Cir. Certiorari denied. Reported below: 94 Fed. Appx. 902.

No. 04-5919. *COOPER v. DIGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 04–5920. *EDMOND v. NIGHTHAWK SYSTEMS, INC., ET AL.* Ct. App. Colo. Certiorari denied.

No. 04–5923. *BLOM v. UNITED STATES.* C. A. 8th Cir. Certiorari denied.

No. 04–5925. *CAMPBELL v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 04–5927. *ESCOBAR DE JESUS v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 102 Fed. Appx. 768.

No. 04–5932. *BROWN v. UNITED STATES.* C. A. 4th Cir. Certiorari denied.

No. 04–5935. *GONEY, AKA HARRIS, AKA THOMAS v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 97 Fed. Appx. 396.

No. 04–5936. *MICHAU v. TAYLOR, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 770.

No. 04–5940. *SLICER v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 361 F. 3d 1085.

No. 04–5941. *REDMOND v. UNITED STATES.* Ct. App. D. C. Certiorari denied. Reported below: 829 A. 2d 229.

No. 04–5949. *BARBER v. DEPARTMENT OF JUSTICE ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 04–5952. *ALCANTAR-CHAIDEZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 489.

No. 04–5954. *BELL v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 371 F. 3d 239.

No. 04–5962. *BOGGS v. UNITED STATES.* C. A. 1st Cir. Certiorari denied.

No. 04–5964. *BUTLER v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 04–5966. *BECK v. BOWERSOX, SUPERINTENDENT, SOUTH CENTRAL CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied. Reported below: 362 F. 3d 1095.

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No. 04–5967. *PUGH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 490.

No. 04–5968. *McKENZIE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 164.

No. 04–5971. *BEW v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 554.

No. 04–5973. *JOYCE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 357 F. 3d 921.

No. 04–5988. *WEBBER v. DEPARTMENT OF JUSTICE ET AL.* C. A. 5th Cir. Certiorari denied.

No. 04–5991. *TUCKER v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 99 Fed. Appx. 328.

No. 04–5992. *UDOGWU ET UX. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 04–5994. *CRUM v. UNITED STATES ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 04–5997. *CROCKETT, AKA NEILL, AKA POPE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 285.

No. 04–6000. *ADEDOYIN, AKA OMOADEDYOIN, AKA FAMAKINDE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 369 F. 3d 337.

No. 04–6003. *BROWN v. UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI*. C. A. 5th Cir. Certiorari denied.

No. 04–6010. *GRAY-BEY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 04–6011. *HARRIS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 369 F. 3d 1157.

No. 04–6018. *GARCIA-GONZALES ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 665.

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No. 04–6024. *GREENUP v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 167.

No. 04–6025. *MOSS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 04–6028. *THOMAS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 960.

No. 04–6031. *LOCUST v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 507.

No. 04–6034. *JARVIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 877.

No. 04–6040. *PRIETO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 04–6048. *PAYNE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 204.

No. 04–6053. *BARNER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 04–6056. *LILES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 519.

No. 04–6058. *SOWERS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04–6075. *BOLDEN v. FISCHER, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 93 Fed. Appx. 322.

No. 04–6090. *AREVALO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 03–1410. *BANK UNITED ET AL. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. JUSTICE O’CONNOR took no part in the consideration or decision of this petition. Reported below: 80 Fed. Appx. 663.

No. 03–1431. *HOSPITALITY MANAGEMENT ASSOCIATES, INC., ET AL. v. SHELL OIL CO., DBA SHELL CHEMICAL CO., ET AL.* Sup. Ct. S. C. Certiorari denied. JUSTICE O’CONNOR took no part in the consideration or decision of this petition. Reported below: 356 S. C. 644, 591 S. E. 2d 611.

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No. 03–1482. *ASSA’AD-FALTAS v. ASHCROFT, ATTORNEY GENERAL, ET AL.* C. A. 11th Cir. Certiorari denied. JUSTICE SOUTER took no part in the consideration or decision of this petition. Reported below: 332 F. 3d 1321.

No. 03–1496. *RANEY v. ALLSTATE INSURANCE CO. ET AL.* C. A. 11th Cir. Certiorari before judgment denied.

No. 03–1498. *PAYNE v. RILEY.* C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 352 F. 3d 1313.

No. 03–1505. *MILLER ET AL. v. PFIZER, INC. (ROERIG DIVISION).* C. A. 10th Cir. Certiorari denied. JUSTICE O’CONNOR took no part in the consideration or decision of this petition. Reported below: 356 F. 3d 1326.

No. 03–1522. *DURRUTHY v. PASTOR.* C. A. 11th Cir. Motion of National Press Photographers Association et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 351 F. 3d 1080.

No. 03–1543. *RICHARD v. HOECHST CELANESE CHEMICAL GROUP, INC., ET AL.* C. A. 5th Cir. Certiorari denied. JUSTICE O’CONNOR took no part in the consideration or decision of this petition. Reported below: 355 F. 3d 345.

No. 03–1586. *BOURNE, A MINOR, BY AND THROUGH HIS PARENTS, NEXT FRIENDS AND NATURAL GUARDIANS, BOURNE ET AL. v. E. I. DU PONT DE NEMOURS & Co.* C. A. 4th Cir. Certiorari denied. JUSTICE O’CONNOR took no part in the consideration or decision of this petition. Reported below: 85 Fed. Appx. 964.

No. 03–1644. *CANDELARIO-RAMOS ET AL. v. BAXTER HEALTHCARE CORPORATION OF PUERTO RICO ET AL.* C. A. 1st Cir. Certiorari denied. JUSTICE O’CONNOR took no part in the consideration or decision of this petition. Reported below: 360 F. 3d 53.

No. 03–1648. *HANNA v. INFOTECH CONTRACT SERVICES, INC., ET AL.* C. A. 2d Cir. Certiorari denied. JUSTICE O’CONNOR took no part in the consideration or decision of this petition. Reported below: 91 Fed. Appx. 737.

No. 03–1688. *PT PERTAMINA (PERSERO), FKA PERUSAHAAN PERTAMBANGAN MINYAK DAN GAS BUMI NEGARA v. KARAH*

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BODAS CO., L. L. C. C. A. 5th Cir. Motion of Republic of Indonesia for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 364 F. 3d 274.

No. 03-10177. HOLLIS-ARRINGTON *v.* CENDANT MORTGAGE CORP. ET AL. C. A. 9th Cir. Certiorari denied. JUSTICE O'CONNOR and JUSTICE BREYER took no part in the consideration or decision of this petition.

No. 03-10325. ORTIZ DIAMOND *v.* BANK OF AMERICA ET AL. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition.

No. 03-10438. BOKIN *v.* SCHWARZENEGGER, GOVERNOR OF CALIFORNIA, ET AL. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition.

No. 03-10527. KLAT *v.* CALIFORNIA BOARD OF REGISTERED NURSING. Ct. App. Cal., 3d App. Dist. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

No. 03-10721. KLAT *v.* REGENTS OF THE UNIVERSITY OF CALIFORNIA, SAN DIEGO. Ct. App. Cal., 4th App. Dist. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

No. 03-11033. COLLIER *v.* ZAGEL, JUDGE, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS. C. A. 7th Cir. Certiorari before judgment denied.

No. 04-14. AIR LIQUIDE AMERICA L. P., FKA AIR LIQUIDE AMERICA CORP., ET AL. *v.* UNITED STATES ARMY CORPS OF ENGINEERS ET AL. C. A. 5th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 359 F. 3d 358.

No. 04-43. HING QUAN LUM ET AL. *v.* BANK OF AMERICA ET AL. C. A. 3d Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 361 F. 3d 217.

No. 04-44. BURLINGTON NORTHERN & SANTA FE RAILWAY CO. *v.* RAMSEY. Ct. App. Mo., Eastern Dist. Motion of Associa-

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tion of American Railroads for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 130 S.W. 3d 646.

No. 04-124. KANT ET UX. *v.* BREGMAN, BERBERT & SCHWARTZ, L. L. C. C. A. 4th Cir. Motion of Property Rights Foundation of America for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 84 Fed. Appx. 355.

No. 04-147. POLK, WARDEN *v.* ALLEN. C. A. 4th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 366 F. 3d 319.

No. 04-192. DE ARMAS ET AL. *v.* KINGSLAND. C. A. 11th Cir. Motion of petitioners to defer consideration of petition for writ of certiorari denied. Certiorari denied. Reported below: 369 F. 3d 1210.

No. 04-266. MORRIS COMMUNICATIONS Co., LLC *v.* PGA TOUR, INC. C. A. 11th Cir. Motion of American Society of Newspaper Editors et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 364 F. 3d 1288.

No. 04-5093. MILLER *v.* VANNATTA, SUPERINTENDENT, MIAMI CORRECTIONAL FACILITY. C. A. 7th Cir. Certiorari before judgment denied.

No. 04-5138. GREEN *v.* RAWERS, WARDEN. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 100 Fed. Appx. 635.

No. 04-5139. JONES *v.* BOSTON HOUSING AUTHORITY ET AL. C. A. 1st Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition.

No. 04-5197. METZSCH *v.* AVAYA, INC. C. A. 8th Cir. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition.

No. 04-5297. HUICOCHEA MEJIA *v.* UNITED STATES. C. A. 11th Cir. Motion of petitioner to consolidate this case with No. 04-104, *United States v. Booker*, and No. 04-105, *United States v. Fanfan* [certiorari granted, 542 U.S. 956], denied. Certiorari denied. Reported below: 104 Fed. Appx. 152.

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No. 04–5759. *MILLER v. BUSH*, PRESIDENT OF THE UNITED STATES, ET AL. C. A. D. C. Cir. Certiorari before judgment denied.

*Rehearing Denied*

No. 03–9760. *JOHNSON v. ALAMEIDA*, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, 542 U. S. 906;

No. 03–9984. *JOHNSON v. ILLINOIS*, 542 U. S. 940;

No. 03–10168. *PHELPS ET UX. v. NATIONWIDE INSURANCE CO.*, 542 U. S. 942; and

No. 03–10267. *ROJAS AFANADOR v. UNITED STATES*, 542 U. S. 912. Petitions for rehearing denied.

OCTOBER 5, 2004

*Miscellaneous Order*

No. 04A265. *GREEN v. TEXAS*. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

OCTOBER 7, 2004

*Dismissal Under Rule 46*

No. 03–9939. *BORDEN v. UNITED STATES*. C. A. 2d Cir. Certiorari dismissed under this Court’s Rule 46. Reported below: 86 Fed. Appx. 475.

*Miscellaneous Order*

No. 04A269. *BECK*, SECRETARY, NORTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL. *v. PERKINS*. Application to vacate the preliminary injunction entered by the United States District Court for the Eastern District of North Carolina on October 1, 2004, presented to THE CHIEF JUSTICE, and by him referred to the Court, granted. JUSTICE STEVENS, JUSTICE SOUTER, JUSTICE GINSBURG, and JUSTICE BREYER would deny the application to vacate the preliminary injunction.

*Certiorari Denied*

No. 04–6693 (04A272). *PERKINS v. NORTH CAROLINA*. Gen. Ct. Justice, Super. Ct. Div., Pitt County, N. C. Application for stay of execution of sentence of death, presented to THE CHIEF



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JUSTICE, and by him referred to the Court, denied. Certiorari denied.

OCTOBER 12, 2004

*Certiorari Dismissed*

No. 04–5656. COLE *v.* FLORIDA. Sup. Ct. Fla. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 870 So. 2d 820.

No. 04–5695. COOPER *v.* LOCK, SUPERINTENDENT, CENTRAL MISSOURI CORRECTIONAL CENTER. Sup. Ct. Mo. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 04–5726. SMITH *v.* GRIMES, JUDGE, COURT OF COMMON PLEAS, 13TH JUDICIAL DISTRICT OF PENNSYLVANIA, ET AL. C. A. 3d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 85 Fed. Appx. 874.

No. 04–6249. PATTERSON *v.* DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, ET AL. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein. Reported below: 95 Fed. Appx. 705.

*Miscellaneous Orders*

No. 04A285. ALDRICH *v.* JOHNSON, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

No. D–2378. IN RE DISCIPLINE OF LEVINE. Mel Levine, of Phoenix, Ariz., is suspended from the practice of law in this

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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-2379. *IN RE DISCIPLINE OF NERENBERG*. Mark Joel Nerenberg, of Little Neck, 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-2380. *IN RE DISCIPLINE OF JAMPOL*. David Robert Jampol, of Hauppauge, 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-2381. *IN RE DISCIPLINE OF HANKIN*. Jerard Steven Hankin, of Poughkeepsie, 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-2382. *IN RE DISCIPLINE OF BATTS*. Rodney Batts, 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-2383. *IN RE DISCIPLINE OF HILAIRE*. Elmina M. Hilaire, of Westbury, N. Y., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring her to show cause why she should not be disbarred from the practice of law in this Court.

No. D-2384. *IN RE DISCIPLINE OF ALLEN*. Jessica Allen, of Seldon, N. Y., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring her to show cause why she should not be disbarred from the practice of law in this Court.

No. 04M12. *SCOTT v. WASHINGTON DEPARTMENT OF LABOR AND INDUSTRIES*. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

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No. 04M13. *BOGGS v. UNITED STATES*. Motion for leave to file petition for writ of certiorari under seal with redacted copies for the public record granted.

No. 03-1559. *BANK OF CHINA, NEW YORK BRANCH v. NBM L. L. C. ET AL.* C. A. 2d Cir.;

No. 04-31. *McFARLING v. MONSANTO Co.* C. A. Fed. Cir.; and

No. 04-165. *COMSTOCK RESOURCES, INC., ET AL. v. KENNARD ET AL.* C. A. 10th Cir. The Acting Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 04-5703. *PARIS v. SOUTHWESTERN BELL TELEPHONE Co.* C. A. 10th Cir.; and

No. 04-5794. *GOLDSTEIN v. HARVARD UNIVERSITY*. C. A. 1st Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until November 2, 2004, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

No. 04-6201. *IN RE BROWN*;

No. 04-6205. *IN RE PARKER*;

No. 04-6206. *IN RE POTTS*;

No. 04-6209. *IN RE RIDDICK*; and

No. 04-6276. *IN RE TWITTY*. Petitions for writs of habeas corpus denied.

No. 04-5616. *IN RE TWILLEY*; and

No. 04-5620. *IN RE WILLIAMS*. Petitions for writs of mandamus denied.

No. 04-226. *IN RE ARIZPE*;

No. 04-5577. *IN RE DEROCK*; and

No. 04-6087. *IN RE BOAKYE-YIADOM*. Petitions for writs of mandamus and/or prohibition denied.

No. 04-5786. *IN RE GRISSOM*. Petition for writ of prohibition denied.

*Certiorari Granted*

No. 03-1500. *VAN ORDEN v. PERRY, IN HIS OFFICIAL CAPACITY AS GOVERNOR OF TEXAS AND CHAIRMAN, STATE PRESERVA-*

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TION BOARD, ET AL. C. A. 5th Cir. Certiorari granted. Reported below: 351 F. 3d 173.

No. 03–1566. ORFF ET AL. *v.* UNITED STATES ET AL. C. A. 9th Cir. Certiorari granted. Reported below: 358 F. 3d 1137.

No. 03–1693. MCCREARY COUNTY, KENTUCKY, ET AL. *v.* AMERICAN CIVIL LIBERTIES UNION OF KENTUCKY ET AL. C. A. 6th Cir. Certiorari granted. Reported below: 354 F. 3d 438.

No. 03–1696. EXXON MOBIL CORP. ET AL. *v.* SAUDI BASIC INDUSTRIES CORP. C. A. 3d Cir. Certiorari granted. Reported below: 364 F. 3d 102.

No. 03–9877. CUTTER ET AL. *v.* WILKINSON, OHIO DEPARTMENT OF REHABILITATION AND CORRECTION, ET AL. C. A. 6th Cir. Motions of petitioners for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 349 F. 3d 257.

No. 04–70. EXXON MOBIL CORP. *v.* ALLAPATTAH SERVICES, INC., ET AL. C. A. 11th Cir.; and

No. 04–79. DEL ROSARIO ORTEGA ET AL. *v.* STAR-KIST FOODS, INC. C. A. 1st Cir. Certiorari in No. 04–70 granted limited to Question 1 presented by the petition. Certiorari in No. 04–79 granted. Cases consolidated, and a total of 90 minutes is allotted for oral argument. Reported below: 04–70, 333 F. 3d 1248; No. 04–79, 370 F. 3d 124.

No. 04–163. LINGLE, GOVERNOR OF HAWAII, ET AL. *v.* CHEVRON U. S. A. INC. C. A. 9th Cir. Certiorari granted. Reported below: 363 F. 3d 846.

*Certiorari Denied*

No. 03–1520. LEE *v.* ALABAMA. Ct. Crim. App. Ala. Certiorari denied. Reported below: 898 So. 2d 790.

No. 03–1579. RECORDING INDUSTRY ASSOCIATION OF AMERICA, INC. *v.* VERIZON INTERNET SERVICES, INC.; and

No. 03–1722. VERIZON INTERNET SERVICES, INC. *v.* RECORDING INDUSTRY ASSOCIATION OF AMERICA, INC. C. A. D. C. Cir. Certiorari denied. Reported below: 351 F. 3d 1229.

No. 03–1585. BOXER ET AL. *v.* COX ET UX. C. A. 9th Cir. Certiorari denied. Reported below: 359 F. 3d 1105.

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No. 03-1610. *WHITAKER ET AL. v. THOMPSON, SECRETARY OF HEALTH AND HUMAN SERVICES, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 353 F. 3d 947.

No. 03-9549. *COLVIN v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 353 F. 3d 569.

No. 03-9808. *MALLET v. BARNHART, COMMISSIONER OF SOCIAL SECURITY.* C. A. 7th Cir. Certiorari denied. Reported below: 81 Fed. Appx. 580.

No. 03-10625. *STEELE v. FEDERAL BUREAU OF PRISONS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 355 F. 3d 1204.

No. 03-10817. *HAMBLIN v. MITCHELL, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 354 F. 3d 482.

No. 03-10824. *RIBLET v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 128.

No. 03-10945. *DIAZ-VALENZUELA v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 198.

No. 04-12. *NATIONAL ASSOCIATION OF REGULATORY UTILITY COMMISSIONERS ET AL. v. UNITED STATES TELECOM ASSN. ET AL.;*

No. 04-15. *AT&T CORP. ET AL. v. UNITED STATES TELECOM ASSN. ET AL.;* and

No. 04-18. *CALIFORNIA ET AL. v. UNITED STATES TELECOM ASSN. ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 359 F. 3d 554.

No. 04-24. *JONES v. DELGADO.* C. A. 7th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 185.

No. 04-32. *MEDRAD, INC. v. LIEBEL-FLARSHEIM CO. ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 358 F. 3d 898.

No. 04-33. *FLYNT ET AL. v. RUMSFELD, SECRETARY OF DEFENSE, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 355 F. 3d 697.

No. 04-39. *GOLLIE v. ELKAY MINING CO. ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 52.

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No. 04-97. *BERENS, AS SUCCESSOR TO STRUYK, TRUSTEE, ET AL. v. C. W. M. ET AL.*; and

No. 04-152. *A. M. P. ET AL. v. C. W. M. ET AL.* Ct. App. Minn. Certiorari denied. Reported below: 674 N. W. 2d 222.

No. 04-99. *RENDEROS v. CALIFORNIA.* Ct. App. Cal., 1st App. Dist. Certiorari denied. Reported below: 114 Cal. App. 4th 961, 8 Cal. Rptr. 3d 163.

No. 04-144. *NORFOLK & WESTERN RAILWAY CO. ET AL. v. ANDERSON.* Ct. App. Ohio, Cuyahoga County. Certiorari denied. Reported below: 154 Ohio App. 3d 393, 797 N. E. 2d 537.

No. 04-148. *PABST v. CITY OF FLINT, MICHIGAN, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 29.

No. 04-151. *PUBLIC EMPLOYEES RETIREMENT BOARD OF THE PUBLIC EMPLOYEES RETIREMENT ASSOCIATION OF NEW MEXICO v. GILL.* Sup. Ct. N. M. Certiorari denied. Reported below: 135 N. M. 472, 90 P. 3d 491.

No. 04-155. *TUCKER ET UX. v. METROWEST MEDICAL CENTER ET AL.* App. Ct. Mass. Certiorari denied. Reported below: 60 Mass. App. 1108, 800 N. E. 2d 726.

No. 04-161. *DJ MANUFACTURING CORP. v. TEX-SHIELD, INC., ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 347 F. 3d 337.

No. 04-167. *GIBSON v. MERRILL ET UX.* Sup. Ct. Idaho. Certiorari denied. Reported below: 139 Idaho 840, 87 P. 3d 949.

No. 04-170. *HAHN v. VILLAS OF ST. THERESE ASSISTED LIVING, INC.* Sup. Ct. Ohio. Certiorari denied. Reported below: 102 Ohio St. 3d 1421, 807 N. E. 2d 366.

No. 04-172. *U. S. BANK NATIONAL ASSN. ET AL. v. HSBC BANK USA ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 364 F. 3d 355.

No. 04-185. *LAATSCH ET AL. v. MIHAILOVICH.* C. A. 7th Cir. Certiorari denied. Reported below: 359 F. 3d 892.

No. 04-188. *WILLIAMS v. RHOADES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 354 F. 3d 1101.

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No. 04-194. *HALL v. PENNSYLVANIA BOARD OF PROBATION AND PAROLE*. Sup. Ct. Pa. Certiorari denied. Reported below: 578 Pa. 245, 851 A. 2d 859.

No. 04-195. *FRIERSON v. GOETZ*. C. A. 6th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 649.

No. 04-196. *GAUS v. CONAIR CORP.* C. A. Fed. Cir. Certiorari denied. Reported below: 363 F. 3d 1284.

No. 04-200. *MARSHALL, WARDEN v. CALIENDO*. C. A. 9th Cir. Certiorari denied. Reported below: 365 F. 3d 691.

No. 04-204. *WALLACE, INDIVIDUALLY AND AS ADMINISTRATOR OF THE ESTATE OF WALLACE, ET AL. v. OHIO DEPARTMENT OF COMMERCE, DIVISION OF STATE FIRE MARSHAL*. Ct. App. Ohio, Franklin County. Certiorari denied.

No. 04-210. *ENYEART v. MINNESOTA*. Ct. App. Minn. Certiorari denied. Reported below: 676 N. W. 2d 311.

No. 04-220. *RHOADS v. FEDERAL DEPOSIT INSURANCE CORPORATION ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 187.

No. 04-224. *BEVINGTON v. OHIO UNIVERSITY ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 748.

No. 04-225. *PEREZ v. NORWEGIAN-AMERICAN HOSPITAL, INC., ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 910.

No. 04-240. *ROSE v. POTTER, POSTMASTER GENERAL*. C. A. 7th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 951.

No. 04-243. *COHEN ET AL. v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 9 App. Div. 3d 71, 773 N. Y. S. 2d 371.

No. 04-248. *MCCREARY v. HOKE, SUPERINTENDENT, EASTERN CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 04-257. *MOTTL v. MISSOURI LAWYER TRUST ACCOUNT FOUNDATION ET AL.* Ct. App. Mo., Western Dist. Certiorari denied. Reported below: 133 S. W. 3d 142.

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No. 04-270. *LATEEF v. ASHCROFT, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 443.

No. 04-272. *PARK v. STATE BAR OF CALIFORNIA ET AL.* Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 04-276. *PEASLEY v. STATE BAR OF ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 208 Ariz. 27, 90 P. 3d 764.

No. 04-290. *MILLIGAN ET UX. v. EQUITY RESIDENTIAL PROPERTIES MANAGEMENT CORP. ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 991.

No. 04-299. *KOLKER v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 552.

No. 04-309. *NASS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 415.

No. 04-344. *COTSWALD TRADING CO., LTD. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 362 F. 3d 413.

No. 04-348. *GERARD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 362 F. 3d 484.

No. 04-365. *BOYKIN v. MINETA, SECRETARY OF TRANSPORTATION*. C. A. 4th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 968.

No. 04-5064. *HALL v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 04-5088. *TAYLOR v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 134 S. W. 3d 21.

No. 04-5132. *HAAS v. BARNHART, COMMISSIONER OF SOCIAL SECURITY*. C. A. 5th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 942.

No. 04-5220. *DELGADO-MORENO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 646.

No. 04-5543. *THOMAS v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 117 Wash. App. 1071.



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No. 04-5555. *WOODS v. HALL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-5558. *BASALO v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-5560. *THOMAS v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 733.

No. 04-5562. *DAY v. MITCHELL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-5568. *DEAN v. SMITH COUNTY, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 75.

No. 04-5570. *AUGE v. HENDRICKS, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 75 Fed. Appx. 867.

No. 04-5575. *JOYNER v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 829.

No. 04-5579. *CALHOUN, AKA MARTIN v. FRISCO RAILROAD ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 576.

No. 04-5587. *BARNES v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 04-5590. *LASTER v. SMALL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-5596. *RUDDICK v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-5608. *BOWIE v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 80 Fed. Appx. 856.

No. 04-5610. *PARKER v. MORENO*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 84.

No. 04-5612. *JENKINS v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 873 So. 2d 337.

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No. 04-5618. *UMOREN v. HINES*, WARDEN. C. A. 10th Cir. Certiorari denied.

No. 04-5621. *DAVIS v. POWELL ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 495.

No. 04-5624. *CRENSHAW v. PLILER*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 04-5635. *JOHNSON v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 872 So. 2d 914.

No. 04-5636. *BAKER v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 04-5637. *BROWN v. WOLSTEIN ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 71 Fed. Appx. 96.

No. 04-5642. *RIVERS v. BITZEL ET AL.* Sup. Ct. Pa. Certiorari denied.

No. 04-5645. *DALY v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 04-5652. *MAGANA CARDONA v. WOODFORD*, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS. C. A. 9th Cir. Certiorari denied.

No. 04-5653. *COLLINS v. CROSBY*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied.

No. 04-5655. *MONGE DELGADO v. WORKMAN*, WARDEN, ET AL. C. A. 10th Cir. Certiorari denied.

No. 04-5657. *COOK v. FLORIDA*. C. A. 11th Cir. Certiorari denied.

No. 04-5660. *HUTCHINSON v. FARWELL*, WARDEN, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 292.

No. 04-5661. *HADLEY v. WALKER*, DIRECTOR, ILLINOIS DEPARTMENT OF CORRECTIONS, ET AL. C. A. 7th Cir. Certiorari denied.

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No. 04-5664. *GRANDOIT v. TECHNICAL AID CORP.* App. Ct. Mass. Certiorari denied. Reported below: 59 Mass. App. 1105, 796 N. E. 2d 896.

No. 04-5666. *GREEN v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 04-5673. *ROSS v. GARCIA, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 898.

No. 04-5674. *STAUFFER v. WOLFE, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ALBION.* C. A. 3d Cir. Certiorari denied.

No. 04-5675. *TORRES v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 04-5676. *BRANUM v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 04-5677. *APPLIN v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 04-5684. *ROLLINS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 04-5687. *GRANT v. TRUE, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 277.

No. 04-5700. *MOORE v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 04-5710. *HILSKA v. ASHCROFT, ATTORNEY GENERAL.* C. A. 4th Cir. Certiorari denied.

No. 04-5712. *ARROYO MARTINEZ v. KNOWLES, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 04-5713. *LONG v. KENTUCKY ET AL.* Ct. App. Ky. Certiorari denied.

No. 04-5714. *PERRY v. ALABAMA.* Ct. Civ. App. Ala. Certiorari denied. Reported below: 912 So. 2d 1165.

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No. 04–5715. *PRUITT v. OZMINT*, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 4th Cir. Certiorari denied.

No. 04–5717. *JOHNSTON v. ROPER*, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER. Sup. Ct. Mo. Certiorari denied.

No. 04–5719. *FLEMING v. GOOD*, ACTING SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT PITTSBURGH, ET AL. C. A. 3d Cir. Certiorari denied.

No. 04–5728. *BURDAN v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 04–5729. *BEDARD v. IOWA*. Sup. Ct. Iowa. Certiorari denied. Reported below: 668 N. W. 2d 598.

No. 04–5735. *RAMIREZ BARRON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 840.

No. 04–5736. *HARSHMAN v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 815 A. 2d 1126.

No. 04–5741. *CONATZER v. MEDICAL PROFESSIONAL BUILDING SERVICES CORP.* C. A. 10th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 276.

No. 04–5742. *CALHOUN-EL v. KAVANAGH ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 961.

No. 04–5743. *ROTH v. COLORADO*. Ct. App. Colo. Certiorari denied. Reported below: 85 P. 3d 571.

No. 04–5744. *RUCKER v. SANTA CLARA COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04–5747. *JOHNSON v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 356 Ark. 534, 157 S. W. 3d 151.

No. 04–5748. *JACOBS v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 162 N. C. App. 722, 592 S. E. 2d 294.

No. 04–5749. *LEWIS v. EARLY*, WARDEN. C. A. 9th Cir. Certiorari denied.

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No. 04-5750. *HOWELL v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 04-5753. *COCHRAN v. JOHNSON*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 275.

No. 04-5755. *COLEMAN v. NASSAU COUNTY*, NEW YORK. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 2 App. Div. 3d 562, 768 N. Y. S. 2d 371.

No. 04-5756. *DUNCAN v. JONES*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 04-5757. *PEACOCK v. SMITH ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 413.

No. 04-5758. *BRADLEY v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 4 App. Div. 3d 155, 772 N. Y. S. 2d 41.

No. 04-5760. *PREE v. KAPTURE*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 04-5764. *FLEEKES v. POPPELL*, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 251.

No. 04-5768. *CARPINO v. NOVA CARE PROSTHETICS, INC., ET AL.* Sup. Ct. Nev. Certiorari denied. Reported below: 120 Nev. 1226, 131 P. 3d 588.

No. 04-5772. *PHILLIPS v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 04-5774. *COATES v. ELO*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 04-5775. *CHRISTIAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 356 F. 3d 1103.

No. 04-5776. *WELCH v. BEAUCLAIR ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04-5777. *TIMMONS v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

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No. 04-5778. *SCOTT v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-5779. *HUDSON v. GEORGIA.* Sup. Ct. Ga. Certiorari denied. Reported below: 277 Ga. 581, 591 S. E. 2d 807.

No. 04-5781. *FRAZIER v. BRIGANO, WARDEN.* Sup. Ct. Ohio. Certiorari denied. Reported below: 102 Ohio St. 3d 148, 807 N. E. 2d 346.

No. 04-5784. *HOAG v. WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04-5785. *GUTIERREZ v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 04-5788. *HYMES v. MCILWAIN ET AL.* Sup. Ct. Miss. Certiorari denied. Reported below: 866 So. 2d 473.

No. 04-5791. *HOBBS, AKA BROWN v. UNITED STATES.* C. A. D. C. Cir. Certiorari denied.

No. 04-5793. *GUOAN v. LAVIGNE, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 04-5799. *STARK v. SUPREME COURT OF KENTUCKY.* Sup. Ct. Ky. Certiorari denied.

No. 04-5801. *PUSKAC v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied. Reported below: 85 Fed. Appx. 725.

No. 04-5804. *IBRAHIM v. IBRAHIM.* Sup. Ct. N. J. Certiorari denied.

No. 04-5805. *BROOKS v. SOCIAL SECURITY ADMINISTRATION.* C. A. Fed. Cir. Certiorari denied. Reported below: 97 Fed. Appx. 301.

No. 04-5806. *TAALIB-DIN v. CITY OF DETROIT, MICHIGAN, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 89 Fed. Appx. 281.

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No. 04–5807. *HAMPTON v. MARION ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 410.

No. 04–5809. *ETORIA v. SMITH, SUPERINTENDENT, SHAWANGUNK CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 04–5810. *DEBOSE v. LAIN.* C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 97.

No. 04–5818. *GRAZIANO v. CUNNINGHAM, SUPERINTENDENT, WOODBOURNE CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied. Reported below: 78 Fed. Appx. 162.

No. 04–5823. *GOTT v. LEE, WARDEN.* C. A. 4th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 609.

No. 04–5847. *JONES v. SHANNON VILLAS CONDOMINIUM ASSN.* Ct. App. Ga. Certiorari denied.

No. 04–5848. *LYLE v. SHANNON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT FRACKVILLE, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04–5853. *KING v. HUNTER, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 04–5855. *GRATTON v. CEPAC, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 391.

No. 04–5870. *SHEEHAN v. TEXAS.* Ct. App. Tex., 2d Dist. Certiorari denied.

No. 04–5871. *WILSON v. BRILEY, WARDEN.* C. A. 7th Cir. Certiorari denied.

No. 04–5886. *CVIJETINOVIC v. OHIO.* Ct. App. Ohio, Cuyahoga County. Certiorari denied.

No. 04–5892. *ROACHE v. NEW YORK.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 308 App. Div. 2d 388, 764 N. Y. S. 2d 622.

No. 04–5894. *VAUGHAN v. SOUTHERN AIR ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 879 So. 2d 625.

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No. 04–5895. *PEOPLES v. SMITH*, SUPERINTENDENT, EASTERN CORRECTIONAL INSTITUTION. C. A. 4th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 771.

No. 04–5929. *PERKINS v. LOCKYER*, ATTORNEY GENERAL OF CALIFORNIA, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 914.

No. 04–5953. *BLACKWELL v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 357 Ark. xvi.

No. 04–5955. *ROTH v. HOFFER*. Sup. Ct. N. D. Certiorari denied. Reported below: 688 N. W. 2d 402.

No. 04–5956. *RODRIGUEZ v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 278 Kan. —, 91 P. 3d 1238.

No. 04–5963. *ASH v. ASH*, CONSERVATOR/GUARDIAN OF ASH, DECEASED. Ct. App. Ore. Certiorari denied.

No. 04–5965. *DENNIS v. OHIO*. Ct. App. Ohio, Trumbull County. Certiorari denied.

No. 04–5969. *McGOWAN v. GREER*, WARDEN. C. A. 5th Cir. Certiorari denied.

No. 04–5970. *LOVELACE v. IDAHO*. Sup. Ct. Idaho. Certiorari denied. Reported below: 140 Idaho 73, 90 P. 3d 298.

No. 04–5986. *STALLONE v. GIRDICH*, SUPERINTENDENT, UP-STATE CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 04–6016. *DAVIS v. MCKUNE*, WARDEN, ET AL. C. A. 10th Cir. Certiorari denied.

No. 04–6017. *MORENO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 993.

No. 04–6022. *GODWIN v. PEGUESE*, WARDEN. C. A. 4th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 871.

No. 04–6026. *WRIGHT v. WEST*, SUPERINTENDENT, ELMIRA CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 04–6032. *JACKSON v. ILLINOIS*. App. Ct. Ill., 3d Dist. Certiorari denied. Reported below: 344 Ill. App. 3d 1233, 859 N. E. 2d 325.



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No. 04-6036. *BARRETT v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 862 So. 2d 44.

No. 04-6044. *RISDAL v. VILSACK, GOVERNOR OF IOWA, ET AL.* Sup. Ct. Iowa. Certiorari denied.

No. 04-6059. *SPURLOCK v. ARMY CORPS OF ENGINEERS*. C. A. 4th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 916.

No. 04-6060. *EVANS v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 04-6071. *LA COCK v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 366 F. 3d 883.

No. 04-6072. *McKINNEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 245.

No. 04-6077. *FREE, AKA COIN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 04-6079. *UNDERWOOD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 364 F. 3d 956.

No. 04-6097. *WARD v. BARRON, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 41.

No. 04-6100. *CANTILLO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 369 F. 3d 1229.

No. 04-6101. *BLACK v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 369 F. 3d 1171.

No. 04-6103. *DICKERSON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 370 F. 3d 1330.

No. 04-6105. *CROSS v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 278 Kan. —, 91 P. 3d 1238.

No. 04-6107. *MCLEAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 892.

No. 04-6109. *MYERS v. WILSON, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY*. C. A. 5th Cir. Certiorari denied.

No. 04-6111. *PEREZ-OLIVO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

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No. 04-6112. *RANDOLPH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 364 F. 3d 118.

No. 04-6115. *LERMA-ANGULO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 893.

No. 04-6123. *BRISBANE v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 367 F. 3d 910.

No. 04-6124. *CHAVEZ-REYES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 36.

No. 04-6126. *KOKOSKI v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 54.

No. 04-6128. *GARCIA-SANCHEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 648.

No. 04-6142. *HAMMONDS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-6144. *HARWOOD v. FLEMING, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 546.

No. 04-6147. *MCDOWELL v. WISCONSIN*. Sup. Ct. Wis. Certiorari denied. Reported below: 272 Wis. 2d 488, 681 N. W. 2d 500.

No. 04-6156. *ELDRIDGE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 36.

No. 04-6159. *DANIEL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-6165. *ROBINSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 389.

No. 04-6167. *MEANS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-6171. *WHITE v. HAINES, WARDEN*. Sup. Ct. App. W. Va. Certiorari denied. Reported below: 215 W. Va. 698, 601 S. E. 2d 18.

No. 04-6173. *WILLIAMS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 111 Fed. Appx. 221.

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No. 04–6179. *WAGNER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 593.

No. 04–6180. *EBRON v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 838 A. 2d 1140.

No. 04–6192. *RICHARDS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 04–6202. *AVILLA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 963.

No. 04–6217. *ADKINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 159.

No. 04–6223. *NAGHANI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 361 F. 3d 1255.

No. 04–6230. *TOWERS v. UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 98 Fed. Appx. 169.

No. 04–6235. *RETTA-HERNANDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 106 Fed. Appx. 879.

No. 04–6238. *FLORES MOLINA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 689.

No. 04–6247. *BURNS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 82.

No. 04–6278. *WILLIAMS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 03–779. *ANDRX PHARMACEUTICALS, INC. v. KROGER CO. ET AL.* C. A. 6th Cir. Motions of New York Intellectual Property Law Association, Pharmaceutical Research and Manufacturers of America, Washington Legal Foundation, American Intellectual Property Law Association, and Center for the Advancement of Capitalism for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 332 F. 3d 896.

No. 03–1175. *VALLEY DRUG CO. ET AL. v. GENEVA PHARMACEUTICALS, INC.*; and

No. 03–1178. *WALGREEN CO. ET AL. v. ABBOTT LABORATORIES ET AL.* C. A. 11th Cir. Certiorari denied. JUSTICE O’CONNOR

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took no part in the consideration or decision of these petitions. Reported below: 344 F. 3d 1294.

No. 03–1457. METROPOLITAN STEVEDORE CO. *v.* CRESCENT WHARF & WAREHOUSE CO. ET AL. C. A. 9th Cir. Motion of National Association of Waterfront Employers et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 339 F. 3d 1102.

No. 04–6. DENNY’S, INC., IN ITS FIDUCIARY CAPACITY AS PLAN ADMINISTRATOR, ET AL. *v.* CAKE, ACTING DIRECTOR, CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS, ET AL. C. A. 4th Cir. Motions of National Council of Chain Restaurants, National Restaurant Association, and Chamber of Commerce of the United States of America for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 364 F. 3d 521.

No. 04–47. UNION PACIFIC RAILROAD CO. *v.* BARBER ET AL. Sup. Ct. Ark. Motion of American Tort Reform Association et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 356 Ark. 268, 149 S. W. 3d 325.

No. 04–215. ROBERT *v.* ALASKA. Ct. App. Alaska. Motion of American Mint LLC for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 82 P. 3d 787.

No. 04–6286. KING ET AL. *v.* UNITED STATES. C. A. 11th Cir. Certiorari before judgment denied.

*Rehearing Denied*

No. 03–1115. MALLOY *v.* TELEPHONICS CORP., 541 U. S. 974; and

No. 03–1476. MCGREGOR *v.* MINETA, SECRETARY OF TRANSPORTATION, 542 U. S. 905. Petitions for rehearing denied.

No. 03–6446. LINDSEY *v.* BENJAMIN ET AL., 540 U. S. 1052; and

No. 03–9756. FLOYD *v.* UNITED STATES, 541 U. S. 1054. Motions of petitioners for leave to file petitions for rehearing denied.

No. 03–9309. BREEN *v.* UNITED STATES, 541 U. S. 999 and 1096. Motion of petitioner for leave to file second petition for rehearing denied.

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*Dismissal Under Rule 46*

No. 04–260. GEN-PROBE INC. *v.* VYSIS, INC. C. A. Fed. Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 359 F. 3d 1376.

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*Vacated and Remanded on Appeal*

No. 03–1391. JACKSON ET AL. *v.* PERRY, GOVERNOR OF TEXAS, ET AL.;

No. 03–1396. AMERICAN GI FORUM OF TEXAS ET AL. *v.* PERRY, GOVERNOR OF TEXAS, ET AL.;

No. 03–1399. LEE ET AL. *v.* PERRY, GOVERNOR OF TEXAS, ET AL.;

No. 03–1400. TRAVIS COUNTY, TEXAS *v.* PERRY, GOVERNOR OF TEXAS, ET AL.; and

No. 03–9644. HENDERSON *v.* PERRY, GOVERNOR OF TEXAS, ET AL. Appeals from D. C. E. D. Tex. Motion of appellant in No. 03–9644 for leave to proceed *in forma pauperis* granted. Judgment vacated, and cases remanded for further consideration in light of *Vieth v. Jubelirer*, 541 U. S. 267 (2004). Reported below: 298 F. Supp. 2d 451.

*Miscellaneous Orders*

No. 04M14. DYSON *v.* CALIFORNIA ET AL. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 03–9629. RIVERS *v.* UNITED STATES. C. A. 11th Cir. Motion of petitioner to consolidate this case with No. 03–9685, *Johnson v. United States* [certiorari granted, 542 U. S. 965], denied.

No. 04–5897. FITZGERALD *v.* FITZGERALD ET AL. App. Div., Sup. Ct. N. Y., 3d Jud. Dept.; and

No. 04–5908. SCOTT *v.* PENNSYLVANIA DEPARTMENT OF PUBLIC WELFARE. C. A. 3d Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until November 8, 2004, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

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No. 04–6428. IN RE EDELMANN;  
No. 04–6456. IN RE PAYNE;  
No. 04–6462. IN RE VIVERO; and  
No. 04–6491. IN RE CAIN ET AL. Petitions for writs of habeas corpus denied.

No. 04–5903. IN RE EDMOND. Petition for writ of mandamus denied.

No. 04–6116. IN RE BELLON. Petition for writ of mandamus and/or prohibition denied.

*Certiorari Granted*

No. 04–5293. DECK *v.* MISSOURI. Sup. Ct. Mo. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 136 S. W. 3d 481.

*Certiorari Denied*

No. 03–1635. SHAFFER *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 89 Fed. Appx. 265.

No. 03–10414. COCKRELL *v.* DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 34.

No. 03–10539. TROCHES *v.* WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS. C. A. 9th Cir. Certiorari denied. Reported below: 74 Fed. Appx. 736.

No. 03–10546. DOBYNES *v.* HUBBARD, WARDEN, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 81 Fed. Appx. 188.

No. 03–10695. SMALLS *v.* UNITED STATES ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 87 Fed. Appx. 167.

No. 04–51. HOWARD ET AL. *v.* SOUTHERN ILLINOIS RIVERBOAT/CASINO CRUISES, INC., DBA PLAYERS ISLAND CASINO, ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 364 F. 3d 854.

No. 04–69. BERNARDO ET AL. *v.* PLANNED PARENTHOOD FEDERATION OF AMERICA ET AL. Ct. App. Cal., 4th App. Dist.,

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Div. 1. Certiorari denied. Reported below: 115 Cal. App. 4th 322, 9 Cal. Rptr. 3d 197.

No. 04-74. *SOUTH DAKOTA v. CUMMINGS*. Sup. Ct. S. D. Certiorari denied. Reported below: 679 N. W. 2d 484.

No. 04-83. *TUCKER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 04-202. *KHASHAN v. WFS FINANCIAL SERVICES, INC.* C. A. 9th Cir. Certiorari denied.

No. 04-205. *AKAN-ETUK v. SANTA CLARA COUNTY, CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 04-207. *LEWIS v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 101 Ohio St. 3d 170, 803 N. E. 2d 777.

No. 04-211. *JOHNSON v. U. S. BANK N. A., FKA FIRST BANK N. A., ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 387.

No. 04-214. *GREENBLATT v. ORENBERG ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 102 Fed. Appx. 768.

No. 04-216. *MCDONALD v. MCDONALD*. Sup. Ct. Miss. Certiorari denied. Reported below: 876 So. 2d 296.

No. 04-217. *OSBURN ET AL. v. GEORGIA ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 369 F. 3d 1283.

No. 04-234. *MAYS, TRUSTEE, ET AL. v. ST. PAT PROPERTIES, LLC, ET AL.* Sup. Ct. Ark. Certiorari denied. Reported below: 357 Ark. 482, 182 S. W. 3d 84.

No. 04-238. *WALKER v. WAINWRIGHT*. C. A. 11th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 152.

No. 04-241. *RANGEL-QUINONEZ ET AL. v. ASHCROFT, ATTORNEY GENERAL*. C. A. 10th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 114.

No. 04-269. *STOKOVICH v. VILLAGE OF LAKE VILLA, ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 211 Ill. 2d 106, 810 N. E. 2d 13.

No. 04-302. *PANG v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 362 F. 3d 1187.

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No. 04–303. *PHILLIPS v. VILLAGE OF OAK PARK, ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 336 Ill. App. 3d 1042, 841 N. E. 2d 540.

No. 04–321. *TAMAI v. STEVENS*. C. A. Fed. Cir. Certiorari denied. Reported below: 366 F. 3d 1325.

No. 04–362. *ANKERMAN v. CONNECTICUT*. App. Ct. Conn. Certiorari denied. Reported below: 81 Conn. App. 503, 840 A. 2d 1182.

No. 04–5474. *HANKINS v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 132 S. W. 3d 380.

No. 04–5722. *REESE v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 503.

No. 04–5796. *PRIMEAUX v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 88 P. 3d 893.

No. 04–5813. *GIBSON v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04–5814. *HANSON v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 04–5815. *BRONSON v. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Pa. Certiorari denied. Reported below: 577 Pa. 653, 848 A. 2d 917.

No. 04–5819. *GAUTHIER v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 04–5820. *HART v. MCKEE, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 04–5829. *MORROW v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 505.

No. 04–5835. *HOLLOWAY v. YARBOROUGH, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 656.



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No. 04-5836. *MAYJACK v. WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04-5838. *VAUGHAN v. VAUGHAN ET AL.* Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 838 So. 2d 657.

No. 04-5839. *PEARSON v. SAAR, SECRETARY, MARYLAND DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.* C. A. 4th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 482.

No. 04-5842. *PENDLEY v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 04-5846. *HARRIS v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 04-5854. *LYONS v. FLOYD, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 877.

No. 04-5856. *ANDREOZZI v. CALIFORNIA.* C. A. 9th Cir. Certiorari denied.

No. 04-5859. *PARKER v. MEYERS.* C. A. 5th Cir. Certiorari denied. Reported below: 82 Fed. Appx. 967.

No. 04-5860. *ACKLES v. BULLARD, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-5866. *SPUCK v. DESUTA, SUPERINTENDENT, STATE REGIONAL CORRECTIONAL FACILITY AT MERCER, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04-5868. *BUTTI v. GIAMBRUNO, SUPERINTENDENT, WYOMING CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 04-5872. *THOMPSON v. BOOKER, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 04-5885. *STEWART v. YATES, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 777.

No. 04-5889. *JACKSON v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

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No. 04–5893. *VAUGHAN v. PUTNAM COUNTY, FLORIDA, ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 881 So. 2d 1115.

No. 04–5898. *FELL v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 360 F. 3d 135.

No. 04–5901. *MILLER v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 04–5905. *COTTON v. AGNES SLACK LP OF GEORGIA.* C. A. 11th Cir. Certiorari denied.

No. 04–5907. *DAVIS v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 616.

No. 04–5910. *SMITH v. NEW MEXICO ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 780.

No. 04–5912. *JONES v. CITY OF ST. LOUIS, MISSOURI.* Ct. App. Mo., Eastern Dist. Certiorari denied. Reported below: 132 S. W. 3d 896.

No. 04–5916. *PAVLICHKO v. DiGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04–5921. *CIEMPA v. WORKMAN, WARDEN.* C. A. 10th Cir. Certiorari denied.

No. 04–5922. *MONROE v. MOSLEY, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 875.

No. 04–5924. *VIZCAINO v. ESCALON PREMIER BRANDS ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 332.

No. 04–5934. *CASTILLO v. JAMBON ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 931.

No. 04–5937. *CRAWFORD v. TURPIN ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 921.

No. 04–5938. *FAGAN v. WALSH, SUPERINTENDENT, SULLIVAN CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied. Reported below: 96 Fed. Appx. 785.

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No. 04-5939. *CRAMER v. ENGLERT ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 93 Fed. Appx. 263.

No. 04-5948. *KELLY v. NORTEL NETWORKS CORP.* C. A. 1st Cir. Certiorari denied. Reported below: 86 Fed. Appx. 439.

No. 04-5951. *NEWMAN v. ROWLEY, SUPERINTENDENT, MISSOURI EASTERN CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied.

No. 04-5999. *LITTLEJOHN v. OKLAHOMA.* Ct. Crim. App. Okla. Certiorari denied. Reported below: 85 P. 3d 287.

No. 04-6019. *GADDIE v. COTTON, SUPERINTENDENT, PENDLETON CORRECTIONAL FACILITY.* C. A. 7th Cir. Certiorari denied.

No. 04-6020. *HARRIS v. MICHIGAN.* Sup. Ct. Mich. Certiorari denied. Reported below: 470 Mich. 56, 679 N. W. 2d 41.

No. 04-6021. *GRAY v. WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS.* C. A. 9th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 756.

No. 04-6061. *COLLINS v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 04-6067. *NEWTON v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 369 F. 3d 659.

No. 04-6068. *CARTER v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 344 Ill. App. 3d 1210, 859 N. E. 2d 315.

No. 04-6069. *JONES v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 344 Ill. App. 3d 1214, 859 N. E. 2d 316.

No. 04-6081. *POTTER v. CASTRO, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04-6085. *BROWN v. PENNSYLVANIA DEPARTMENT OF CORRECTIONS ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04-6122. *CLEM ET AL. v. NEVADA.* Sup. Ct. Nev. Certiorari denied. Reported below: 119 Nev. 615, 81 P. 3d 521.

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No. 04-6131. *JONES v. YARBOROUGH, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-6132. *NOEM VETA v. DUPNIK*. C. A. 9th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 805.

No. 04-6143. *GRETHEN v. CIRCUIT COURT OF VIRGINIA, CITY OF SUFFOLK*. Sup. Ct. Va. Certiorari denied.

No. 04-6164. *ALVAREZ CASTILLO v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 131.

No. 04-6229. *WISE v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 359 S. C. 14, 596 S. E. 2d 475.

No. 04-6243. *GARDNER v. PRINCIPI, SECRETARY OF VETERANS AFFAIRS*. C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 875.

No. 04-6245. *PARRIMON v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 892.

No. 04-6252. *JARVIS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 04-6256. *DOOLIN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 04-6258. *PRINCE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 210.

No. 04-6263. *GIVEN v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 441 Mass. 741, 808 N. E. 2d 788.

No. 04-6265. *HARDIN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 525.

No. 04-6282. *MCCOY v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 859 A. 2d 652.

No. 04-6284. *TOURON v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. Fed. Cir. Certiorari denied. Reported below: 102 Fed. Appx. 671.

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No. 04-6285. *LINN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 362 F. 3d 1261.

No. 04-6298. *RHODES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 477.

No. 04-6310. *DODD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 739.

No. 04-6315. *BRYANT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 138.

No. 04-6317. *WRIGHT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 742.

No. 04-6319. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 162.

No. 04-6320. *WELDON v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 845 A. 2d 550.

No. 04-6327. *BOCANEGRA-GUTIERREZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 565.

No. 04-6328. *BARAJAS-ARCILIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 549.

No. 04-6329. *BENNETT v. WEST VIRGINIA*. Cir. Ct. Mercer County, W. Va. Certiorari denied.

No. 04-6330. *ANSALDI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 372 F. 3d 118.

No. 04-6331. *LEE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 665.

No. 04-6335. *ROANE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 901.

No. 04-6339. *MOORE v. OLSON, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 368 F. 3d 757.

No. 04-6342. *DUNN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 600.

No. 04-6343. *CORREA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

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No. 04–6344. *DURAN-ROMERO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 753.

No. 04–6350. *BATTLE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 04–6351. *ORTIZ-BAEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 04–6354. *CHAVEZ-ARRIAGA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 564.

No. 04–6356. *RAYMOND v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 04–6361. *ALVAREZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 276.

No. 04–6364. *ASHTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 643.

No. 04–6370. *CAZARES-ALVARADO v. UNITED STATES*; *TABAREZ-RAMIREZ, AKA RODRIGUEZ v. UNITED STATES*; *ZARCO FLORES v. UNITED STATES*; *CONTRERAS v. UNITED STATES*; *VIDAL v. UNITED STATES*; *GARZA v. UNITED STATES*; *DIAZ v. UNITED STATES*; *MANCILLA REAL v. UNITED STATES*; and *DAMON COURVILLE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 468 (second judgment), 552 (fifth judgment), and 971 (first judgment); 102 Fed. Appx. 400 (third judgment); 106 Fed. Appx. 918 (sixth judgment); 108 Fed. Appx. 875 (eighth judgment), 876 (ninth judgment), and 877 (fourth judgment).

No. 04–6372. *BERMEA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 510.

No. 04–6373. *BENNETT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 363 F. 3d 947.

No. 04–6377. *DAVIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 380 F. 3d 183.

No. 04–6381. *DRABOVSKIY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 04–6386. *KEITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 375 F. 3d 346.

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No. 04–6393. LAFLAM, AKA CHARBONNEAU *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 369 F. 3d 153.

No. 04–6408. ERNESTO ARMAS *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 03–10623. AYERS *v.* THOMPSON, UNITED STATES CONGRESSMAN, ET AL. C. A. 5th Cir. Motion of petitioner for leave to file an amended petition for writ of certiorari granted. Motions of Ivory Phillips, Chairman of Mississippi Coalition for Higher Education, et al., and Alcorn State University National Alumni et al. for leave to file briefs as *amici curiae* granted. Certiorari denied. Reported below: 358 F. 3d 356.

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*Dismissal Under Rule 46*

No. 04–6189. ROBINSON *v.* UNITED STATES. C. A. 7th Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 102 Fed. Appx. 47.

*Miscellaneous Order*

No. 04A283 (04–5129). MORROW *v.* DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS 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. JUSTICE STEVENS, JUSTICE SOUTER, and JUSTICE BREYER would grant the application for stay of execution.

## OCTOBER 23, 2004

*Miscellaneous Order*

No. 04A320. NADER ET AL. *v.* SERODY ET AL. Application to stay enforcement of judgment of the Pennsylvania Supreme Court pending filing and disposition of petition for writ of certiorari, presented to JUSTICE SOUTER, and by him referred to the Court, denied. JUSTICE O'CONNOR took no part in the consideration or decision of this application.

## OCTOBER 26, 2004

*Miscellaneous Orders*

No. 04A321. BLANKENSHIP ET AL. *v.* BLACKWELL, SECRETARY OF STATE OF OHIO, ET AL. C. A. 6th Cir. Application for injunc-

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tion pending appeal, presented to JUSTICE STEVENS, and by him referred to the Court, denied.

No. 04A336. *GREEN v. HARRIS COUNTY DISTRICT ATTORNEY'S OFFICE ET AL.* Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

*Rehearing Denied*

No. 03-9823 (04A317). *GREEN v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, ante, p. 823. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Petition for rehearing denied.

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*Miscellaneous Order*

No. 04A284. *PHILIP MORRIS USA INC. v. HENLEY*. Ct. App. Cal., 1st App. Dist. Application for stay of remittitur, presented to JUSTICE O'CONNOR, and by her referred to the Court, granted pending the timely filing and disposition of a 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 terminate upon the issuance of the mandate of this Court.

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*Certiorari Dismissed*

No. 04-5574. *JORDAN v. OHIO*. Sup. Ct. Ohio. Certiorari dismissed as moot. Reported below: 101 Ohio St. 3d 216, 804 N. E. 2d 1.

*Miscellaneous Orders*

No. 04A208. *SEARLES v. BOARD OF EDUCATION OF CHICAGO ET AL.* C. A. 7th Cir. Application for injunctive relief, addressed to JUSTICE GINSBURG and referred to the Court, denied.

No. 04A229. *ANKERMAN v. CONNECTICUT*. App. Ct. Conn. Application for stay, addressed to JUSTICE THOMAS and referred to the Court, denied.



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No. 04A252 (04–385). STERN *v.* UNITED STATES. C. A. 1st Cir. Application for bail, addressed to JUSTICE SCALIA and referred to the Court, denied.

No. 04A255. GRAVES *v.* SCHROEDER, JUDGE, UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT, ET AL. C. A. 9th Cir. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. 04M15. JOYNER *v.* NEWS JOURNAL ET AL. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 128, Orig. ALASKA *v.* UNITED STATES. Motion of Alaska for leave to file a surreply denied. Exceptions to the Report of the Special Master are set for oral argument in due course. [For earlier order herein, see, *e. g.*, 541 U. S. 1061.]

No. 02–1672. JACKSON *v.* BIRMINGHAM BOARD OF EDUCATION. C. A. 11th Cir. [Certiorari granted, 542 U. S. 903.] Motion of Alabama et al. for leave to participate in oral argument as *amici curiae* and for divided argument granted. The time is divided as follows: 20 minutes to respondent and 10 minutes to Alabama et al. Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 03–710. DEVENPECK ET AL. *v.* ALFORD. C. A. 9th Cir. [Certiorari granted, 541 U. S. 987.] Motion of National Association of Criminal Defense Lawyers for leave to participate in oral argument as *amicus curiae* and for divided argument denied.

No. 03–855. CITY OF SHERRILL, NEW YORK *v.* ONEIDA INDIAN NATION OF NEW YORK ET AL. C. A. 2d Cir. [Certiorari granted, 542 U. S. 936.] Motion of New York for leave to participate in oral argument as *amicus curiae* and for divided argument granted. Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 03–923. ILLINOIS *v.* CABALLES. Sup. Ct. Ill. [Certiorari granted, 541 U. S. 972.] Motion of petitioner to dispense with printing the joint appendix granted.

No. 03–1116. GRANHOLM, GOVERNOR OF MICHIGAN, ET AL. *v.* HEALD ET AL. C. A. 6th Cir.;

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No. 03–1120. MICHIGAN BEER & WINE WHOLESALERS ASSN. *v.* HEALD ET AL. C. A. 6th Cir.; and

No. 03–1274. SWEDENBURG ET AL. *v.* KELLY, CHAIRMAN, NEW YORK DIVISION OF ALCOHOLIC BEVERAGE CONTROL, STATE LIQUOR AUTHORITY, ET AL. C. A. 2d Cir. [Certiorari granted, 541 U. S. 1062.] Motion to reorder presentation of oral argument and for divided argument granted.

No. 03–1423. MUEHLER ET AL. *v.* MENA. C. A. 9th Cir. [Certiorari granted, 542 U. S. 903.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 04–293. HONEYWELL INTERNATIONAL INC. ET AL. *v.* HAMILTON SUNDSTRAND CORP. C. A. Fed. Cir. The Acting Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 04–5990. WAYNE *v.* SANTA CLARA VALLEY TRANSPORTATION AUTHORITY. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until November 22, 2004, 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. 04–6568. IN RE CAMPBELL;

No. 04–6591. IN RE HAWKINS;

No. 04–6599. IN RE PRETEL GOMEZ;

No. 04–6640. IN RE SHORTER;

No. 04–6674. IN RE DURAN ESPINOZA;

No. 04–6721. IN RE GREEN; and

No. 04–6745. IN RE WEINSTEIN. Petitions for writs of habeas corpus denied.

No. 04–6639. IN RE ROLLER. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of habeas corpus dismissed. See this Court's Rule 39.8.

No. 04–6027. IN RE YOUNG;

No. 04–6073. IN RE NORMAN; and

No. 04–6152. IN RE WALTERS. Petitions for writs of mandamus denied.

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*Certiorari Granted*

No. 04-278. TOWN OF CASTLE ROCK, COLORADO *v.* GONZALES, INDIVIDUALLY AND AS NEXT BEST FRIEND OF HER DECEASED MINOR CHILDREN, GONZALES ET AL. C. A. 10th Cir. Certiorari granted. Reported below: 366 F. 3d 1093.

*Certiorari Denied*

No. 03-1475. RICE *v.* MCCANN, WARDEN. C. A. 7th Cir. Certiorari denied. Reported below: 339 F. 3d 546.

No. 03-1672. CONNECTICUT DEPARTMENT OF SOCIAL SERVICES *v.* OSSEN, TRUSTEE. C. A. 2d Cir. Certiorari denied. Reported below: 361 F. 3d 760.

No. 03-1691. LEE *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 359 F. 3d 194.

No. 03-1699. FRED SETTOON, INC. *v.* GROS. Ct. App. La., 3d Cir. Certiorari denied. Reported below: 865 So. 2d 143.

No. 03-10604. PIMENTEL *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 346 F. 3d 285.

No. 03-10726. LINARES *v.* ELLIS, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 03-10776. SINGLETARY *v.* SHANNON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT FRACKVILLE, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 89 Fed. Appx. 790.

No. 03-11038. RIGSBY *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 103.

No. 03-11063. GOULD *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 364 F. 3d 578.

No. 04-40. INVENTION SUBMISSION CORP. *v.* DUDAS, AS UNDERSECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND DIRECTOR, PATENT AND TRADEMARK OFFICE, DEPARTMENT OF COMMERCE. C. A. 4th Cir. Certiorari denied. Reported below: 357 F. 3d 452.

No. 04-60. MARTINGALE, LLC *v.* CITY OF LOUISVILLE, KENTUCKY, ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 361 F. 3d 297.

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No. 04–98. SNAKE RIVER VALLEY ELECTRIC ASSN. *v.* PACIFIC CORP ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 357 F. 3d 1042.

No. 04–103. STUMBO, ATTORNEY GENERAL OF KENTUCKY, ET AL. *v.* ANDERSON ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 356 F. 3d 651.

No. 04–112. TATE *v.* KOPEC. C. A. 3d Cir. Certiorari denied. Reported below: 361 F. 3d 772.

No. 04–131. PACIFIC GAS & ELECTRIC CO. ET AL. *v.* CALIFORNIA PUBLIC UTILITIES COMMISSION ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 350 F. 3d 932.

No. 04–146. AEROFLOT RUSSIAN AIRLINES *v.* MGM PRODUCTIONS GROUP, INC. C. A. 2d Cir. Certiorari denied. Reported below: 91 Fed. Appx. 716.

No. 04–149. BAKER ET AL. *v.* IBP, INC. C. A. 7th Cir. Certiorari denied. Reported below: 357 F. 3d 685.

No. 04–177. MCKEE ET AL. *v.* CITY OF CASSELBERRY, FLORIDA. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 873 So. 2d 373.

No. 04–209. HOWARD *v.* COLUMBIA PUBLIC SCHOOL DISTRICT ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 363 F. 3d 797.

No. 04–219. SHUMSKY *v.* CHEIN. C. A. 9th Cir. Certiorari denied. Reported below: 373 F. 3d 978.

No. 04–227. SELLENS *v.* AMERICAN STATES INSURANCE CO. Ct. App. Kan. Certiorari denied. Reported below: 32 Kan. App. 2d xxx, 85 P. 3d 228.

No. 04–228. FIRST NATIONAL BANK OF MILACA *v.* BENJAMIN ET AL.; and

No. 04–229. MILLE LACS COUNTY, MINNESOTA *v.* BENJAMIN ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 361 F. 3d 460.

No. 04–230. LATINO *v.* UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA. C. A. 9th Cir. Certiorari denied.

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No. 04-236. *ENWONWU v. TRANS UNION, LLC, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-239. *SCRINGER v. GREEN POINT BANK.* C. A. 2d Cir. Certiorari denied. Reported below: 85 Fed. Appx. 796.

No. 04-247. *LANHAM FORD, INC. v. FORD MOTOR CO.* C. A. 4th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 381.

No. 04-252. *MACY'S EAST, INC. v. COMMISSIONER OF REVENUE OF MASSACHUSETTS.* Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 441 Mass. 797, 808 N. E. 2d 1244.

No. 04-254. *MILLS v. LAW OFFICE OF MELBOURNE MILLS, JR., ET AL.* Ct. App. Ky. Certiorari denied.

No. 04-255. *PEREZ ET AL. v. GEORGIA.* Ct. App. Ga. Certiorari denied. Reported below: 266 Ga. App. 82, 596 S. E. 2d 191.

No. 04-261. *ROMERO-MORALES v. COLORADO.* Dist. Ct. Colo., Denver County. Certiorari denied.

No. 04-263. *NEXTEL WEST CORP. v. P. J.'S CONCRETE PUMPING SERVICE, INC.* App. Ct. Ill., 2d Dist. Certiorari denied. Reported below: 345 Ill. App. 3d 992, 803 N. E. 2d 1020.

No. 04-265. *ALTAMIMI v. BRABENDER ET AL.* Super. Ct. Pa. Certiorari denied. Reported below: 839 A. 2d 1133.

No. 04-267. *HALL v. UNITED PARCEL SERVICE, INC.* C. A. 10th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 764.

No. 04-268. *GLAVEY v. DIME SAVINGS BANK OF NEW YORK.* Ct. App. N. Y. Certiorari denied. Reported below: 2 N. Y. 3d 702, 810 N. E. 2d 913.

No. 04-271. *BEAUMONT v. CASTATOR, AS EXECUTOR AND AS POTENTIAL HEIR OF THE ESTATE OF MEADOWS, ET AL.* Ct. Civ. App. Okla. Certiorari denied.

No. 04-275. *FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES v. DOBRIN.* Sup. Ct. Fla. Certiorari denied. Reported below: 874 So. 2d 1171.

No. 04-282. *CONNECTICUT v. SPENCER.* Sup. Ct. Conn. Certiorari denied. Reported below: 268 Conn. 575, 848 A. 2d 1183.

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No. 04–284. *WAGNER v. FIRST UNUM LIFE INSURANCE CO.* C. A. 2d Cir. Certiorari denied. Reported below: 100 Fed. Appx. 862.

No. 04–285. *SEIBEL ET UX. v. JLG INDUSTRIES, INC., ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 362 F. 3d 480.

No. 04–286. *NELSON v. MITCHELL, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 04–289. *LUGO RODRIGUEZ ET AL. v. PUERTO RICO INSTITUTE OF CULTURE ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 98 Fed. Appx. 15.

No. 04–291. *BATOR v. FREUND ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 83 Fed. Appx. 930.

No. 04–292. *ICE EMBASSY, INC., ET AL. v. CITY OF HOUSTON, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 352 F. 3d 162.

No. 04–298. *WILLIAMS v. NEVADA.* Sup. Ct. Nev. Certiorari denied. Reported below: 120 Nev. 473, 93 P. 3d 1258.

No. 04–304. *HANNIGAN v. GOORD, COMMISSIONER, NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES.* C. A. 2d Cir. Certiorari denied. Reported below: 94 Fed. Appx. 6.

No. 04–305. *PRE-PAID LEGAL SERVICES, INC., ET AL. v. BATTLE ET AL.* Sup. Ct. Miss. Certiorari denied. Reported below: 873 So. 2d 79.

No. 04–307. *WAUQUIN VELA ET AL. v. CASTELLANO ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 786.

No. 04–310. *SIRLEAF v. ALLSTATE MOVING AND STORAGE.* Ct. Sp. App. Md. Certiorari denied.

No. 04–317. *VOZNICK v. SHURFLO, INC.* Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 04–319. *LALJI v. ASHCROFT, ATTORNEY GENERAL.* C. A. 11th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 665.

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No. 04-324. *BROWN v. SNOW, SECRETARY OF THE TREASURY, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 369.

No. 04-336. *CRETU v. ASHCROFT, ATTORNEY GENERAL.* C. A. 5th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 991.

No. 04-341. *ZOELICK v. WISCONSIN.* Ct. App. Wis. Certiorari denied. Reported below: 272 Wis. 2d 857, 679 N. W. 2d 927.

No. 04-352. *GIUTTARI v. AMERICAN HOME PRODUCTS CORP.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 04-353. *KELLY v. VIRGINIA.* Sup. Ct. Va. Certiorari denied.

No. 04-363. *CRUZ-VARGAS ET AL. v. R. J. REYNOLDS TOBACCO CO.* C. A. 1st Cir. Certiorari denied. Reported below: 348 F. 3d 271.

No. 04-369. *RENDALL ET AL. v. SECURITIES AND EXCHANGE COMMISSION.* C. A. 10th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 271.

No. 04-370. *MURRAY HILL PUBLICATIONS, INC. v. TWENTIETH CENTURY FOX FILM CORP.* C. A. 6th Cir. Certiorari denied. Reported below: 361 F. 3d 312.

No. 04-371. *JAMES v. BOOZ-ALLEN & HAMILTON, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 368 F. 3d 371.

No. 04-372. *CORRIGAN v. DOLLAR.* C. A. Fed. Cir. Certiorari denied. Reported below: 89 Fed. Appx. 238.

No. 04-380. *KEVORKIAN v. WARREN, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 04-387. *MORRISON v. CSX TRANSPORTATION, INC.* Cir. Ct. Ohio County, W. Va. Certiorari denied.

No. 04-391. *SARDANA v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 101 Fed. Appx. 851.

No. 04-393. *ASCHEIM v. JUG ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 04-400. *GATES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 372 F. 3d 118.

No. 04-411. *ARMSTRONG v. BOULDEN, BANKRUPTCY JUDGE, UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF UTAH, ET AL.*; *ARMSTRONG v. CORNISH, CHIEF BANKRUPTCY JUDGE, UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF OKLAHOMA, ET AL.*; and *ARMSTRONG v. CORNISH, CHIEF BANKRUPTCY JUDGE, UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF OKLAHOMA, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 287 (third judgment); 101 Fed. Appx. 773 (first judgment); 102 Fed. Appx. 118 (second judgment).

No. 04-435. *MURRELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 368 F. 3d 1283.

No. 04-437. *WYETH v. SMART ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 369 F. 3d 293.

No. 04-5029. *WATKINS v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 577 Pa. 194, 843 A. 2d 1203.

No. 04-5046. *HEARN v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 04-5072. *VANDELFT v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 118 Wash. App. 1071.

No. 04-5109. *SHAW v. BENNETT ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 76.

No. 04-5129. *MORROW v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 367 F. 3d 309.

No. 04-5247. *HARVEY v. NEVADA*. C. A. 9th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 133.

No. 04-5392. *SIMMONS v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 869 So. 2d 995.

No. 04-5429. *QUINCE v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 360 F. 3d 1259.



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No. 04-5617. *BELL v. LAMARQUE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-5852. *DANKS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 32 Cal. 4th 269, 82 P. 3d 1249.

No. 04-5884. *ALLEN v. PHILLIPS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 04-5942. *WATSON v. ADAMS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 177.

No. 04-5944. *WILLIAMSON v. GOORD, COMMISSIONER, NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES*. C. A. 2d Cir. Certiorari denied.

No. 04-5958. *HOTCHKISS v. CLAY TOWNSHIP*. Ct. App. Mich. Certiorari denied.

No. 04-5961. *WILLIAMS v. RUNNELS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 562.

No. 04-5972. *JACKSON v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 77 Fed. Appx. 504.

No. 04-5974. *JAMES v. TENNIS*. C. A. 9th Cir. Certiorari denied.

No. 04-5975. *AUSTIN v. SUPERIOR COURT OF CALIFORNIA, SAN DIEGO COUNTY*. Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 04-5977. *MUWAKKIL v. VIRGINIA ET AL.* (two judgments). Sup. Ct. Va. Certiorari denied.

No. 04-5979. *MURRAY v. TOWN OF MANSURA, LOUISIANA, ET AL.* Sup. Ct. La. Certiorari denied. Reported below: 871 So. 2d 335.

No. 04-5980. *EDWARDS v. STRINGER ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 663.

No. 04-5982. *JONES v. WALKER, WARDEN*. Sup. Ct. Ga. Certiorari denied.

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No. 04–5984. *REID v. GOOD*, ACTING SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT PITTSBURGH, ET AL. C. A. 3d Cir. Certiorari denied.

No. 04–5995. *BOOSE v. JOHNSON*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT PINE GROVE, ET AL. C. A. 3d Cir. Certiorari denied.

No. 04–5998. *MOLINA LOPEZ v. ARIZONA*. Super. Ct. Ariz., County of Pima. Certiorari denied.

No. 04–6004. *NOLEN v. TENNIS*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW. C. A. 3d Cir. Certiorari denied. Reported below: 98 Fed. Appx. 97.

No. 04–6005. *MEJIA v. HENDRICKS*, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL. C. A. 3d Cir. Certiorari denied.

No. 04–6007. *EDWARDS v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 04–6008. *STRONG v. ILLINOIS VOCATIONAL REHABILITATION PROGRAM*. C. A. 7th Cir. Certiorari denied.

No. 04–6009. *BROWN v. DORMIRE*, SUPERINTENDENT, MISSOURI STATE PENITENTIARY. C. A. 8th Cir. Certiorari denied.

No. 04–6013. *BLANCO v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 04–6029. *PITTMAN v. IOWA*. Ct. App. Iowa. Certiorari denied. Reported below: 680 N. W. 2d 378.

No. 04–6035. *GRIFFIN v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 866 So. 2d 1.

No. 04–6037. *DORROUGH v. CAMBRA*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 28.

No. 04–6038. *ELLIBEE v. SIMMONS ET AL.* Ct. App. Kan. Certiorari denied. Reported below: 32 Kan. App. 2d 519, 85 P. 3d 216.

No. 04–6043. *MARSHALL v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 265 Ga. App. 556, 594 S. E. 2d 661.

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No. 04-6045. *SCHROEDER v. SCHRIRO*, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS. C. A. 9th Cir. Certiorari denied.

No. 04-6047. *NICKLES v. O'MALLEY*. C. A. 4th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 421.

No. 04-6049. *TIMMONS v. MANATT, PHELPS & PHILLIPS, LLP, ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 04-6054. *MASI v. MCCRAY*, SUPERINTENDENT, GOWANDA CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 04-6055. *MANNING v. HAMLET*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 04-6063. *TUCKER v. MICHIGAN DEPARTMENT OF CORRECTIONS ET AL.* C. A. 6th Cir. Certiorari denied.

No. 04-6064. *WHEELER v. CROSBY*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied.

No. 04-6065. *VAUGHN v. BELL*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 04-6070. *FISHER v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 04-6074. *MCGHEE v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied.

No. 04-6080. *MITCHELL v. MISSOURI*. Ct. App. Mo., Western Dist. Certiorari denied. Reported below: 128 S. W. 3d 518.

No. 04-6082. *FERRI v. PAPPERT*, ATTORNEY GENERAL OF PENNSYLVANIA. C. A. 3d Cir. Certiorari denied.

No. 04-6083. *BROWN v. UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS*. C. A. 5th Cir. Certiorari denied.

No. 04-6084. *JACKSON v. LAMARQUE*, WARDEN. C. A. 9th Cir. Certiorari denied.

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No. 04-6086. *NELSON v. HOWERTON, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 371 F. 3d 768.

No. 04-6089. *ANDERSON v. HATCHER, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 658.

No. 04-6091. *MOODY v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 888 So. 2d 532.

No. 04-6092. *MILLER v. TEXAS*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 04-6098. *MACON v. HARTFORD POLICE DEPARTMENT*. C. A. 2d Cir. Certiorari denied.

No. 04-6099. *ARROYO v. GIURBINO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-6106. *ELCHAHED v. CITY OF LAS VEGAS, NEVADA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04-6108. *NEWTON v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 371 F. 3d 250.

No. 04-6113. *SMITH v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS*. C. A. 10th Cir. Certiorari denied.

No. 04-6114. *SMYRE v. YOUNG, WARDEN*. Sup. Ct. Va. Certiorari denied.

No. 04-6117. *LOTUS v. COLORADO*. Dist. Ct. Colo., Teller County. Certiorari denied.

No. 04-6118. *KOSTER v. LUDWICK, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 04-6127. *GRAZIANO v. CUNNINGHAM, SUPERINTENDENT, WOODBURNE CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 78 Fed. Appx. 162.

No. 04-6129. *GRANT v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 58 P. 3d 783 and 95 P. 3d 178.

No. 04-6137. *LIMEHOUSE v. STEAK & ALE RESTAURANT CORP. ET AL.* Sup. Ct. Del. Certiorari denied. Reported below: 850 A. 2d 302.

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No. 04–6140. *HARRISON v. MCGRATH, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 771.

No. 04–6146. *PEREZ v. LAMARQUE, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04–6149. *BURNETT v. ASHCROFT, ATTORNEY GENERAL, ET AL.* C. A. 6th Cir. Certiorari denied.

No. 04–6150. *PIPER v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 04–6151. *FRANCOIS v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 151.

No. 04–6153. *WILSON v. TAYLOR*. C. A. 5th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 282.

No. 04–6157. *PRATT v. BELOM ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 94 Fed. Appx. 969.

No. 04–6161. *CANO v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 04–6162. *CANDELARIA v. UTAH*. Ct. App. Utah. Certiorari denied.

No. 04–6163. *BRANDON v. GOOD, ACTING SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT PITTSBURGH, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04–6172. *WALKER v. VAUGHN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04–6175. *SMITH v. BRUCE, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 342.

No. 04–6177. *MACK v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 4 App. Div. 3d 126, 771 N. Y. S. 2d 343.

No. 04–6184. *GRIFFIN ET UX. v. TEXAS DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES*. Ct. App. Tex., 5th Dist. Certiorari denied. Reported below: 113 S. W. 3d 605.

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No. 04-6211. *BRISCOE v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 102 Ohio St. 3d 1471, 809 N. E. 2d 1158.

No. 04-6216. *BOULIER v. CONNECTICUT*. App. Ct. Conn. Certiorari denied. Reported below: 81 Conn. App. 824, 841 A. 2d 1217.

No. 04-6226. *MAYERS v. SEDGWICK CLAIMS MANAGEMENT SERVICES, INC.* C. A. 6th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 591.

No. 04-6237. *ELLIS v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied.

No. 04-6246. *STRONG v. MCCUSKEY, JUDGE, UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF ILLINOIS*. C. A. 7th Cir. Certiorari denied.

No. 04-6248. *NAILOR v. UNITED STATES ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 96 Fed. Appx. 2.

No. 04-6261. *HIGHTOWER v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 04-6272. *PACE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 04-6274. *WILLIAMS v. GARCIA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 173.

No. 04-6281. *LANEY v. MARYLAND*. Ct. App. Md. Certiorari denied. Reported below: 379 Md. 522, 842 A. 2d 773.

No. 04-6287. *MACK v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 161 N. C. App. 595, 589 S. E. 2d 168.

No. 04-6292. *ARNOLD v. TOWN OF SLAUGHTER, LOUISIANA, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 321.

No. 04-6306. *CHAYOON v. REELS ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 355 F. 3d 141.

No. 04-6313. *WENDT v. RAINEY, JUDGE, UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS, ET AL.*

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C. A. 5th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 303.

No. 04-6358. *HENTON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 374 F. 3d 467.

No. 04-6362. *TAVERA-PEREZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 580.

No. 04-6363. *YEKIMOFF v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 04-6371. *FARRIS v. SUTER, CLERK, SUPREME COURT OF THE UNITED STATES, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 98 Fed. Appx. 10.

No. 04-6379. *LIMAS-HIDROGO v. UNITED STATES* (Reported below: 101 Fed. Appx. 516); *MENDEZ-LEMONS v. UNITED STATES* (101 Fed. Appx. 466); *GALLEGOS-FLORES, AKA GUTIERREZ-CABRERA v. UNITED STATES* (101 Fed. Appx. 513); *HERNANDEZ-ESTALA v. UNITED STATES* (101 Fed. Appx. 458); *MEJIA-CARDENAS v. UNITED STATES* (101 Fed. Appx. 511); *SALDANA-SILVA v. UNITED STATES* (101 Fed. Appx. 451); *RODRIGUEZ-FLORES, AKA MILLAN-FLORES v. UNITED STATES* (101 Fed. Appx. 541); *MARTINEZ-RIOS v. UNITED STATES* (101 Fed. Appx. 520); *OCHOA-CORNEJO v. UNITED STATES* (101 Fed. Appx. 496); *BLAS-LOPEZ v. UNITED STATES*; *BENAVIDES-DAVILA v. UNITED STATES*; *HERNANDEZ-PUGA v. UNITED STATES* (101 Fed. Appx. 463); *SOLIS-LUNA, AKA REYNA v. UNITED STATES* (101 Fed. Appx. 489); *BRISENO-LEMONS v. UNITED STATES*; *RIOS-MARTINEZ v. UNITED STATES*; *SANCHEZ-RODRIGUEZ, AKA LOPEZ-RODRIGUEZ v. UNITED STATES* (101 Fed. Appx. 491); *SANCHEZ-LOREDO v. UNITED STATES* (101 Fed. Appx. 551); *RECIO-ROSAS, AKA RODRIGUEZ-GONZALEZ v. UNITED STATES* (101 Fed. Appx. 490); and *FLORES-JULIAN v. UNITED STATES* (101 Fed. Appx. 500). C. A. 5th Cir. Certiorari denied.

No. 04-6382. *COFIELD v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 154 Md. App. 695.

No. 04-6384. *MARTINEZ-HUITRON v. UNITED STATES*; *MARTINEZ-SANCHEZ v. UNITED STATES*; *MIRELES-TORRES v. UNITED STATES*; *ORDUNA-OCHOA v. UNITED STATES*; *OSORIO DE*

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KEITH, AKA KEITH, AKA GONZALEZ, AKA GONZALEZ DE GOMEZ *v.* UNITED STATES; RAMOS-PENA *v.* UNITED STATES; ROJAS-MONDRAGON *v.* UNITED STATES; VALDEZ-ORTIZ *v.* UNITED STATES; and ZAPATA-IBARRA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 455 (sixth judgment), 457 (fourth judgment), 460 (eighth judgment), 462 (seventh judgment), 497 (third judgment), 529 (second judgment), and 555 (fifth judgment).

No. 04-6385. MELGAR-ARRAZOLA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 558.

No. 04-6387. GENSEL *v.* BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 3d Cir. Certiorari denied.

No. 04-6392. MARINA *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 04-6396. GUZMAN-RAMIREZ *v.* UNITED STATES; NAVARRO-PEREZ *v.* UNITED STATES; BAIREZ-ABARCA *v.* UNITED STATES; HERNANDEZ-JUAREZ *v.* UNITED STATES; and MENDEZ-MADRID *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 534 (third judgment), 548 (second judgment), and 976 (fifth judgment); 106 Fed. Appx. 291 (fourth judgment).

No. 04-6397. GONZALES-VELASQUEZ *v.* UNITED STATES; DAMIAN-GARCIA *v.* UNITED STATES; OLIVA-BANEGAS *v.* UNITED STATES; GONZALEZ-JIMENEZ *v.* UNITED STATES; AGUILERA-GUERRERO, AKA RANGEL *v.* UNITED STATES; BANEGAS-SANCHEZ *v.* UNITED STATES; and RANGEL-RENDON *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 465 (second judgment) and 546 (fifth judgment); 102 Fed. Appx. 851 (first judgment); 104 Fed. Appx. 1000 (third judgment); 105 Fed. Appx. 637 (seventh judgment); 108 Fed. Appx. 879 (fourth judgment) and 880 (sixth judgment).

No. 04-6398. GALINDO *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 637.

No. 04-6401. SABETTA *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 373 F. 3d 75.

No. 04-6402. REED *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 519.



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No. 04–6405. *STRONG v. BAKER, JUDGE, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS*. C. A. 7th Cir. Certiorari denied.

No. 04–6410. *BROOKS v. SMITH, SUPERINTENDENT, CASWELL CORRECTIONAL CENTER*. C. A. 4th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 936.

No. 04–6411. *THOMAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 507.

No. 04–6412. *BLOOMQUIST v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 893.

No. 04–6415. *BROWN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 04–6417. *GUTIERREZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 172.

No. 04–6418. *GILLAUM v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 372 F. 3d 848.

No. 04–6420. *GAINES v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 859 A. 2d 651.

No. 04–6422. *JONES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 04–6424. *GARCIA-MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 459.

No. 04–6425. *FARMER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 418.

No. 04–6427. *CHAVIRA-CRUZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 952.

No. 04–6429. *CAMPBELL v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 88 Fed. Appx. 465.

No. 04–6433. *LONG v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. Reported below: 268 Conn. 508, 847 A. 2d 862.

No. 04–6435. *ANDERSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 390.

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No. 04-6437. *REID v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 04-6440. *REED v. UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT*. C. A. 9th Cir. Certiorari denied.

No. 04-6443. *GUNTER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 527.

No. 04-6445. *DANIEL v. UNITED STATES ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-6447. *CORTEZ-VASQUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 544.

No. 04-6448. *DEMJEANJUK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 367 F. 3d 623.

No. 04-6452. *ANTHES v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04-6457. *VILLALBA-LOPEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 251.

No. 04-6458. *WRIGHT v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 89 Fed. Appx. 733.

No. 04-6459. *WOODWORTH v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 04-6460. *WATSON v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 04-6463. *NOLAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 152.

No. 04-6464. *PONDER v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 04-6466. *BOLZER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 367 F. 3d 1032.

No. 04-6467. *CRIPPEN v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 371 F. 3d 842.

No. 04-6473. *RAMOS-FLORES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 721.

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No. 04–6474. *SMITH v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 99 Fed. Appx. 372.

No. 04–6475. *SAUCEDO-VASQUEZ, AKA BELLO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 389.

No. 04–6476. *LOZANO RIVAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 498.

No. 04–6479. *WARD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 665.

No. 04–6481. *ARANO-LARA v. UNITED STATES* (Reported below: 101 Fed. Appx. 453); *CHAVEZ-MUNIZ v. UNITED STATES* (101 Fed. Appx. 474); *ESCALANTE-ALONZO v. UNITED STATES* (101 Fed. Appx. 524); *GARCIA-RIOS v. UNITED STATES* (101 Fed. Appx. 485); *GONZALEZ-AVILA v. UNITED STATES*; *HUERTA-PIMENTAL, AKA HUERTA v. UNITED STATES* (101 Fed. Appx. 508); *MIRANDA-BARRERA v. UNITED STATES* (101 Fed. Appx. 505); *MONTELONGO-CHAVEZ v. UNITED STATES* (101 Fed. Appx. 506); *RUIZ-RUIZ, AKA BAUELOS-GARCIA, AKA BANUELOS-GARCIA v. UNITED STATES* (101 Fed. Appx. 471); and *TISCARENO-RUELAS v. UNITED STATES* (101 Fed. Appx. 477). C. A. 5th Cir. Certiorari denied.

No. 04–6483. *PULIDO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 446.

No. 04–6485. *SKINNER, AKA WILLIS, AKA SHARP v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 04–6488. *OLIVAS-QUIROZ, AKA QUIROZ-OLIVAS v. UNITED STATES*; and *PETRONI-ADAME v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 553 (first judgment).

No. 04–6492. *BITRON-GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 533.

No. 04–6494. *MENDOZA-MORALES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 04–6495. *MEDRANO-JASSO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 518.

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No. 04–6496. *AGUILAR-ALARCON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 04–6497. *RODRIGUEZ-HORTA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 895.

No. 04–6501. *LOZOYA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 472.

No. 04–6504. *MUHAMMAD v. LAMANNA, WARDEN*. C. A. 3d Cir. Certiorari denied.

No. 04–6508. *VASQUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 478.

No. 04–6509. *BOXLEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 373 F. 3d 759.

No. 04–6510. *MADDEN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 331.

No. 04–6511. *JAMERSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 965.

No. 04–6512. *CAMARILLO-VELASQUEZ, AKA GALVEZ, AKA SIERRA, AKA CANDELARIO GALVES, AKA GAMEZ, AKA GALVES, AKA CAMARILLO, AKA GUERRA v. UNITED STATES* (Reported below: 101 Fed. Appx. 495); *CARDONA-MENDEZ v. UNITED STATES* (101 Fed. Appx. 530); *DELGADO-BALDERAS v. UNITED STATES* (101 Fed. Appx. 531); *ESCOBEDO-SOLTERO v. UNITED STATES*; *LUCERO-ESTRADA v. UNITED STATES* (101 Fed. Appx. 537); *MEDINA-MARTINEZ v. UNITED STATES* (101 Fed. Appx. 484); *MONTOYA-NAVA v. UNITED STATES*; *MUNOZ-MORQUECHO, AKA MUNOZ, AKA MORQUECHO, AKA CONTRERAS, AKA ESTRADA CONTRERAS, AKA MORQUECHO MUNOZ, AKA MUNOS, AKA ESTRADA v. UNITED STATES*; *NAVA-VIRRUETA, AKA NAVA v. UNITED STATES* (101 Fed. Appx. 526); *RODRIGUEZ-PENA v. UNITED STATES* (101 Fed. Appx. 554); *SALAZAR-ARMENDARIZ v. UNITED STATES*; *VARELA-RODRIGUEZ v. UNITED STATES* (101 Fed. Appx. 494); and *VELASQUEZ-RODRIGUEZ v. UNITED STATES* (101 Fed. Appx. 556). C. A. 5th Cir. Certiorari denied.

No. 04–6513. *DAVIS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

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No. 04-6514. *EL-AMIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 780.

No. 04-6515. *CASTRO v. ROMINE, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 85 Fed. Appx. 869.

No. 04-6516. *JAMES v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 588.

No. 04-6517. *MURPHY v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied.

No. 04-6518. *AHMED, AKA SHAH v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 96 Fed. Appx. 773.

No. 04-6519. *KING v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 04-6525. *OLIVAR-VERDIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 230.

No. 04-6531. *NAVA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 363 F. 3d 942.

No. 04-6533. *OCHOA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 04-6535. *DADI v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 04-6537. *BROWN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 13.

No. 04-6538. *CAYTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 896.

No. 04-6541. *DIBBLE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 593.

No. 04-6542. *CULOTTA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 881.

No. 04-6546. *WEST v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 103 Fed. Appx. 460.

No. 04-6547. *WOLFF v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 778.

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No. 04–6549. *RIVERA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04–6551. *SPEARS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 80 Fed. Appx. 806.

No. 04–6555. *SPOTTS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 937.

No. 04–6560. *MITCHELL v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 365 F. 3d 215.

No. 04–6563. *KELLUM v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 372 F. 3d 1141.

No. 04–6575. *GOMES v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 376 F. 3d 42.

No. 04–6576. *HAYNES v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 372 F. 3d 1164.

No. 04–6580. *GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 966.

No. 04–6581. *HERRERA-MATOS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04–6582. *GINEZ-PEREZ v. UNITED STATES* (Reported below: 101 Fed. Appx. 564); *DOMINGUEZ v. UNITED STATES* (101 Fed. Appx. 458); *MORENO-PEREZ v. UNITED STATES* (101 Fed. Appx. 563); *VILLALBA-FLORES v. UNITED STATES* (101 Fed. Appx. 492); *AYALA-CASTANON v. UNITED STATES* (101 Fed. Appx. 560); *GUTIERREZ-SALAZAR v. UNITED STATES* (101 Fed. Appx. 464); *RUIZ-SIMENTAL v. UNITED STATES* (101 Fed. Appx. 559); *GARCIA v. UNITED STATES* (101 Fed. Appx. 483); *PEREA-DE JARA v. UNITED STATES* (101 Fed. Appx. 509); *CANDANOZA-RUIZ v. UNITED STATES* (101 Fed. Appx. 481); *HERNANDEZ-ACOSTA, AKA JIMENEZ-ACOSTA v. UNITED STATES* (101 Fed. Appx. 523); *GONZALEZ v. UNITED STATES* (101 Fed. Appx. 985); *ACOSTA-HERNANDEZ v. UNITED STATES* (101 Fed. Appx. 521); *CHAVEZ-GUIDO v. UNITED STATES* (101 Fed. Appx. 461); *VALLE-RIVERA v. UNITED STATES* (101 Fed. Appx. 538); *FLORES-CORTEZ v. UNITED STATES*; *SANCHEZ-GARCIA v. UNITED STATES*; *CANTU-QUINTERO v. UNITED STATES*; *MARTINEZ-PENA v. UNITED STATES* (101 Fed. Appx. 545); *AGUILAR ARREOLA v. UNITED STATES* (101 Fed.

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Appx. 543); *GOMEZ-HERNANDEZ v. UNITED STATES* (101 Fed. Appx. 542); *SOTELO-MORENO, AKA SOTELO, AKA GONZALEZ-MURRIETA v. UNITED STATES* (101 Fed. Appx. 550); *ROMERO-MARTINEZ v. UNITED STATES* (101 Fed. Appx. 504); *ALVARADO-RAMIREZ v. UNITED STATES* (101 Fed. Appx. 501); *CHAVEZ-TREJO v. UNITED STATES* (101 Fed. Appx. 535); and *VILLA-HERNANDEZ, AKA VILLAREAL-CORDOVA v. UNITED STATES* (101 Fed. Appx. 488). C. A. 5th Cir. Certiorari denied.

No. 04-6584. *STOKES, AKA MUHAMMED v. UNITED STATES PA-ROLE COMMISSION*. C. A. D. C. Cir. Certiorari denied. Reported below: 374 F. 3d 1235.

No. 04-6586. *PORTILLO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 363 F. 3d 1161.

No. 04-6602. *MARRANCA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 98 Fed. Appx. 179.

No. 04-6603. *AMAYA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 76.

No. 04-6607. *SWARTZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 237.

No. 04-6608. *SAMUELS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 869.

No. 04-6610. *ROBINSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 47.

No. 04-6619. *CHAVEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 04-6620. *DOE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 365 F. 3d 150.

No. 04-6622. *CARRIZALES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 628.

No. 04-6623. *ESCANDON-FIGUEROA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 560.

No. 04-6624. *BUGG v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 25.

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No. 04-6631. LOPEZ-CARDENAS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 375.

No. 04-6632. COUNTY *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 377 F. 3d 486.

No. 04-6636. MARTINEZ-LEGARDA *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 652.

No. 04-6645. BROWN *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 334.

No. 04-6646. MASON *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 04-87. KOYO SEIKO CO., LTD., ET AL. *v.* UNITED STATES. C. A. Fed. Cir. Motion of Government of Japan for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 354 F. 3d 1334.

No. 04-101. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL. *v.* HOLLOWAY. C. A. 3d Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 355 F. 3d 707.

No. 04-237. IRVIN, INDIVIDUALLY AND ON BEHALF OF HER MINOR CHILD, IRVIN, ET AL. *v.* HYDROCHEM INC. ET AL. C. A. 5th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 367 F. 3d 473.

No. 04-6449. MEADOR *v.* UNITED STATES ET AL. C. A. 6th Cir. Certiorari before judgment denied.

*Rehearing Denied*

No. 03-1402. SATRE-BUISSON *v.* ASHCROFT, ATTORNEY GENERAL, 541 U. S. 1086. Petition for rehearing denied.

No. 03-22. TROUT ET AL. *v.* JOHNSON, ACTING SECRETARY OF THE NAVY, ET AL., 540 U. S. 981. Motion for leave to file petition for rehearing denied.

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*Certiorari Granted—Vacated and Remanded*

No. 04-46. WATT *v.* WASHINGTON. Ct. App. Wash. Certiorari granted, judgment vacated, and case remanded for further



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consideration in light of *Crawford v. Washington*, 541 U. S. 36 (2004). Reported below: 117 Wash. App. 1089.

*Miscellaneous Orders*

No. 04M16. CARTER *v.* UNITED STATES. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. D-2377. IN RE DISBARMENT OF VINYARD. Disbarment entered. [For earlier order herein, see 542 U. S. 956.]

No. D-2385. IN RE DISCIPLINE OF MASON. Reynold N. Mason, of Brooklyn, 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-2386. IN RE DISCIPLINE OF MCGOWAN. Edward Michael McGowan, of Maspeth, 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. 03-287. WILKINSON, DIRECTOR, OHIO DEPARTMENT OF REHABILITATION AND CORRECTION, ET AL. *v.* DOTSON ET AL. C. A. 6th Cir. [Certiorari granted, 541 U. S. 935.] Motion of respondents for divided argument granted.

No. 03-1164. VENEMAN, SECRETARY OF AGRICULTURE, ET AL. *v.* LIVESTOCK MARKETING ASSN. ET AL.; and

No. 03-1165. NEBRASKA CATTLEMEN, INC., ET AL. *v.* LIVESTOCK MARKETING ASSN. ET AL. C. A. 8th Cir. [Certiorari granted, 541 U. S. 1062.] Motion of the Acting Solicitor General for divided argument granted.

No. 03-1454. ASHCROFT, ATTORNEY GENERAL, ET AL. *v.* RAICH ET AL. C. A. 9th Cir. [Certiorari granted, 542 U. S. 936.] Motion of Drug Watch International for leave to file a brief as *amicus curiae* denied.

No. 03-9560. HOWELL, AKA COX *v.* MISSISSIPPI. Sup. Ct. Miss. [Certiorari granted, 542 U. S. 936.] Motion to appoint William Odum Richardson as counsel for petitioner granted. William Odum Richardson, Esq., of Fayetteville, N. C., is appointed

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to serve as counsel for petitioner in this case. Motion to appoint Andre de Gruy as counsel for petitioner denied.

No. 04-5173. *WRIGHT v. UNITED STATES*. C. A. 3d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 806] denied.

No. 04-6787. *IN RE STEELE*; and

No. 04-6806. *IN RE WOODBERRY*. Petitions for writs of habeas corpus denied.

No. 04-5996. *IN RE CASIANO*;

No. 04-6423. *IN RE NORMAN*; and

No. 04-6658. *IN RE WALKER*. Petitions for writs of mandamus denied.

No. 04-311. *IN RE RESEARCH AIR, INC., ET AL.*; and

No. 04-6170. *IN RE SCRUGGS*. Petitions for writs of mandamus and/or prohibition denied.

*Certiorari Denied*

No. 03-1655. *LEWIS, AS PARENT AND GUARDIAN OF LEWIS, ET AL. v. UNITED STATES ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 384.

No. 03-10620. *NELSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 347 F. 3d 701.

No. 03-10964. *FRYE v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied.

No. 04-157. *REEVES v. FURNES*. C. A. 11th Cir. Certiorari denied. Reported below: 362 F. 3d 702.

No. 04-174. *JOYCE ET AL. v. EAST TENNESSEE NATURAL GAS Co.*; and

No. 04-221. *GOFORTH ET AL. v. EAST TENNESSEE NATURAL GAS Co.* C. A. 4th Cir. Certiorari denied. Reported below: 361 F. 3d 808.

No. 04-175. *MUNTAQIM, AKA BOTTOM v. COOMBE ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 366 F. 3d 102.

No. 04-183. *IACABONI v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 363 F. 3d 1.

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No. 04-312. *AMERICAN CHIROPRACTIC ASSN., INC., ET AL. v. TRIGON HEALTHCARE, INC., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 367 F. 3d 212.

No. 04-313. *PORTLAND PUBLIC SCHOOLS, MULTNOMAH SCHOOL DISTRICT No. 1, ET AL. v. SETTLEGOODE.* C. A. 9th Cir. Certiorari denied. Reported below: 371 F. 3d 503.

No. 04-315. *WILFERT BROTHERS REALTY CO. ET AL. v. MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION ET AL.* Sup. Jud. Ct. Mass. Certiorari denied. Reported below: 441 Mass. 549, 808 N. E. 2d 205.

No. 04-316. *UMS GENERALI MARINE S. P. A., FKA UNIONE MEDITERRANEA DI SICURTA v. ADAMS ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 364 F. 3d 646.

No. 04-325. *BRACKMAN v. INDIANA ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 989.

No. 04-342. *KINDER v. MISSOURI.* Ct. App. Mo., Western Dist. Certiorari denied. Reported below: 129 S. W. 3d 5.

No. 04-343. *RIOS-DE AGUAYO v. ASHCROFT, ATTORNEY GENERAL.* C. A. 9th Cir. Certiorari denied.

No. 04-360. *HERNANDEZ-GALICIA ET AL. v. ASHCROFT, ATTORNEY GENERAL.* C. A. 9th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 631.

No. 04-415. *LATIMER v. BURT, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 427.

No. 04-455. *MORSE v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 430.

No. 04-5440. *BEAUDOIN v. UNITED STATES.* C. A. 1st Cir. Certiorari denied. Reported below: 362 F. 3d 60.

No. 04-5584. *NEWTON v. KEMNA, SUPERINTENDENT, CROSSROADS CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied. Reported below: 354 F. 3d 776.

No. 04-5681. *BENEFIEL v. DAVIS, SUPERINTENDENT, INDIANA STATE PRISON.* C. A. 7th Cir. Certiorari denied. Reported below: 357 F. 3d 655.

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No. 04-5686. *PHILLIPS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 356 F. 3d 1086 and 87 Fed. Appx. 650.

No. 04-6110. *MORENO v. WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied.

No. 04-6166. *REED v. FLORIDA ET AL.* Sup. Ct. Fla. Certiorari denied. Reported below: 875 So. 2d 415.

No. 04-6168. *RODRIGUEZ v. GAILOR ET AL.* C. A. 2d Cir. Certiorari denied.

No. 04-6169. *RIOS v. WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 582.

No. 04-6174. *WOODMAN v. KNOWLES, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-6178. *JOHNSON v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied.

No. 04-6182. *CHARLES v. FRANK, SECRETARY, WISCONSIN DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 634.

No. 04-6183. *SEARLES v. BOARD OF EDUCATION OF THE CITY OF CHICAGO, ILLINOIS, ET AL.* C. A. 7th Cir. Certiorari denied.

No. 04-6191. *ROJAS v. GARCIA, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-6194. *MYERS v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 359 S. C. 40, 596 S. E. 2d 488.

No. 04-6212. *BARBER v. OHIO*. Ct. App. Ohio, Fairfield County. Certiorari denied.

No. 04-6236. *PURTLE v. KNOWLES, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 169.

No. 04-6239. *DORAN-BEY v. BRUCE, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 220.

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No. 04-6240. *CRANE v. ALBERTELLI*. Ct. App. Ga. Certiorari denied. Reported below: 264 Ga. App. 910, 592 S. E. 2d 684.

No. 04-6259. *HODGE ET VIR v. UNITED STATES POST OFFICE, LEXINGTON PARK, MARYLAND, ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 04-6277. *WILLIAMS v. HARVEY, ATTORNEY GENERAL OF NEW JERSEY*. C. A. 3d Cir. Certiorari denied.

No. 04-6288. *JENDRZEJEWSKI v. LAVIGNE, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 04-6289. *KASEMYAN v. ASHCROFT, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied.

No. 04-6301. *NICKERSON v. POTTER, POSTMASTER GENERAL*. C. A. 6th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 936.

No. 04-6305. *DONALDSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 902.

No. 04-6309. *EADS v. INDIANA*. Ct. App. Ind. Certiorari denied. Reported below: 799 N. E. 2d 1208.

No. 04-6321. *ANDERSON v. TURNER ENTERTAINMENT NETWORKS, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 152.

No. 04-6334. *DRABOVSKIY v. KENTUCKY BOARD OF MEDICAL LICENSURE*. Ct. App. Ky. Certiorari denied.

No. 04-6360. *TIATIA v. ADAMS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-6374. *MCBRIDE v. BROWN, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 636.

No. 04-6383. *MANYPENNY v. MINNESOTA*. Sup. Ct. Minn. Certiorari denied. Reported below: 682 N. W. 2d 143.

No. 04-6399. *NELSON v. HAMILTON ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 897.

No. 04-6414. *KOGER v. KAPLAN, INC., ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 04–6468. *DREYDAHL v. HALL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04–6469. *CALDERON v. CONNECTICUT*. App. Ct. Conn. Certiorari denied. Reported below: 82 Conn. App. 315, 844 A. 2d 866.

No. 04–6522. *DANIELS v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 278 Kan. 53, 91 P. 3d 1147.

No. 04–6523. *MILTON v. FARWELL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04–6626. *ROBREDO v. PALISADES MEDICAL CENTER, NEW YORK PRESBYTERIAN HEALTHCARE SYSTEM*. C. A. 3d Cir. Certiorari denied. Reported below: 95 Fed. Appx. 463.

No. 04–6637. *ARMSTRONG v. MORGAN, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 372 F. 3d 778.

No. 04–6649. *PEDRAZA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 314.

No. 04–6650. *JONES v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 04–6653. *COUCH v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 373.

No. 04–6657. *ANDREWS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 894.

No. 04–6660. *WRIGHT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 917.

No. 04–6664. *CORREA, AKA ALVAREZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 362 F. 3d 1306.

No. 04–6665. *EVANS v. UNITED STATES ATTORNEY ET AL.* C. A. 6th Cir. Certiorari denied.

No. 04–6672. *MORRISON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 939.

No. 04–6680. *NORIE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 04–6686. *GARCIA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 780.

No. 04–6691. *HAFF v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 04–6694. *ROGERS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 04–6699. *GALVEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 425.

No. 04–6704. *GAUGHAN v. FEDERAL BUREAU OF PRISONS ET AL.* C. A. 7th Cir. Certiorari denied.

No. 04–6705. *AILSWORTH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 04–6706. *HODGE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04–6707. *YUK RUNG TSANG v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 318.

No. 04–6709. *TERRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 366 F. 3d 312.

No. 04–6712. *TAYLOR v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 04–6716. *HERNANDEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 931.

No. 04–6718. *GONZALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 04–6724. *PEREZ v. HASTINGS, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 04–6728. *DORMAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 228.

No. 04–6729. *DOMINGUEZ-GONZALES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 429.

No. 04–6746. *BRASLAU v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 417.

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No. 03–1597. *LOCKE, GOVERNOR OF WASHINGTON, ET AL. v. FARRAKHAN ET AL.* C. A. 9th Cir. Motion of Thomas Johnson et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 338 F. 3d 1009.

No. 04–242. *EMMERMAN ET VIR v. CITY OF HIGHLAND PARK, ILLINOIS, ET AL.* App. Ct. Ill., 2d Dist. Motion of National Association of Home Builders for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 344 Ill. App. 3d 259, 799 N. E. 2d 781.

No. 04–330. *LARIMER v. INTERNATIONAL BUSINESS MACHINES CORP.* C. A. 7th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 370 F. 3d 698.

*Rehearing Denied*

No. 03–10106. *ATAMIAN v. HAWK ET AL.*, *ante*, p. 825;

No. 03–10373. *IN RE COLE*, *ante*, p. 808;

No. 03–10678. *BEATON-PAEZ v. UNITED STATES*, *ante*, p. 844;

No. 03–10683. *IN SOO CHUN v. BUSH, PRESIDENT OF THE UNITED STATES, ET AL.*, *ante*, p. 844;

No. 03–11006. *KIRKHAM, AKA RO v. UNITED STATES*, *ante*, p. 863; and

No. 04–5159. *HIGGINS v. BUREAU OF CUSTOMS ET AL.*, *ante*, p. 885. Petitions for rehearing denied.

NOVEMBER 9, 2004

*Dismissal Under Rule 46*

No. 04–93. *POEPEL v. HARTFORD INSURANCE CO.* C. A. 4th Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 87 Fed. Appx. 885.

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*Dismissal Under Rule 46*

No. 04–462. *BOARD OF EDUCATION OF THE WAPPINGERS FALLS CENTRAL SCHOOL DISTRICT ET AL. v. ABRAHAMSON ET AL.* C. A. 2d Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 374 F. 3d 66.



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*Certiorari Granted—Vacated and Remanded*

No. 02–813. GREEN FIRE & MARINE INSURANCE CO., LTD., FKA KUKJE HWAJAE INSURANCE CO., LTD. *v.* M/V HYUNDAI LIBERTY. C. A. 9th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Norfolk Southern R. Co. v. James N. Kirby, Pty Ltd.*, *ante*, p. 14. Reported below: 294 F. 3d 1171.

No. 04–5876. ABUL-KABIR, FKA COLE *v.* DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Tennard v. Dretke*, 542 U. S. 274 (2004). Reported below: 99 Fed. Appx. 523.

*Certiorari Granted—Reversed and Remanded.* (See No. 04–5323, *ante*, p. 37.)

*Certiorari Dismissed*

No. 04–6290. LEVY *v.* FAIRFAX COUNTY, VIRGINIA, ET AL. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

*Miscellaneous Orders*

No. 04A259. GRAVES *v.* ASHCROFT, ATTORNEY GENERAL, ET AL. C. A. 9th Cir. Application for stay, addressed to THE CHIEF JUSTICE and referred to the Court, denied.

No. 04M17. JACKSON *v.* AMETEK, INC./HAVEG DIVISION;

No. 04M18. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS *v.* DAVIS;

No. 04M19. STANKEWITZ *v.* BROWN, ACTING WARDEN;

No. 04M20. HENDERSON *v.* TENNESSEE; and

No. 04M21. ERICKSON *v.* WATERTOWN HEALTH DEPARTMENT ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 03–1294. HALL *v.* UNITED STATES. C. A. 11th Cir. [Certiorari granted, 542 U. S. 918.] Motion of petitioner for appoint-

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ment of counsel granted. Sharon Samek, Esq., of Tampa, Fla., is appointed to serve as counsel for petitioner in this case.

No. 03–8661. *SMITH v. MASSACHUSETTS*. App. Ct. Mass. [Certiorari granted, 542 U. S. 903.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 04–5154. *ORTLOFF v. UNITED STATES*. C. A. 5th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 803] denied.

No. 04–6297. *JEVTIC v. LIBERTY MUTUAL INSURANCE CO.* Sup. Ct. N. Y., Erie County; and

No. 04–6314. *IN RE TAHA*. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until December 6, 2004, 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. 04–6869. *IN RE SMITH*. Petition for writ of habeas corpus denied.

No. 03–10574. *IN RE SHEMONSKY*;

No. 03–10857. *IN RE SHEMONSKY*;

No. 04–346. *IN RE GRACE ET AL.*; and

No. 04–6318. *IN RE ANDERSON*. Petitions for writs of mandamus denied.

#### *Certiorari Denied*

No. 03–1581. *KNIGHT-RIDDER, INC. v. CAPITAL FACTORS, INC.*; and

No. 03–1583. *HANDLEMAN CO. v. CAPITAL FACTORS, INC., ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 359 F. 3d 866.

No. 03–8968. *VENEGAS-ORNELAS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 348 F. 3d 1273.

No. 03–9345. *OWEN v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 862 So. 2d 687.

No. 04–107. *CIBAO MEAT PRODUCTS v. NATIONAL LABOR RELATIONS BOARD*. C. A. 2d Cir. Certiorari denied. Reported below: 84 Fed. Appx. 155.

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No. 04-113. *LOULOU v. ASHCROFT, ATTORNEY GENERAL*. C. A. 8th Cir. Certiorari denied. Reported below: 354 F. 3d 706.

No. 04-184. *C. M. C. v. G. A. L. ET UX.* Sup. Ct. Colo. Certiorari denied. Reported below: 88 P. 3d 599.

No. 04-323. *GIDDINGS v. NORTHERN TELECOM, INC., ET AL.* Ct. App. Colo. Certiorari denied.

No. 04-327. *SSA GULF, INC., FKA SSA GULF TERMINALS, INC. v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF LOUISIANA.* C. A. 5th Cir. Certiorari denied.

No. 04-328. *TURNER ET AL. v. COOK ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 362 F. 3d 1219.

No. 04-329. *TALLY ET AL. v. EDMONDSON, ATTORNEY GENERAL OF OKLAHOMA, ET AL.* Sup. Ct. Okla. Certiorari denied. Reported below: 91 P. 3d 605.

No. 04-345. *DONAHUE v. CITY OF BOSTON, MASSACHUSETTS, ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 371 F. 3d 7.

No. 04-347. *HERERO PEOPLE'S REPARATION CORP. ET AL. v. DEUTSCHE BANK, A. G., ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 370 F. 3d 1192.

No. 04-349. *GASS ET AL. v. ALLEGHENY COUNTY, PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 371 F. 3d 134.

No. 04-351. *LACY ET AL. v. CSX TRANSPORTATION, INC.* Cir. Ct. Kanawha County, W. Va. Certiorari denied.

No. 04-355. *JOU v. FIRST INSURANCE COMPANY OF HAWAII, LTD.* Sup. Ct. Haw. Certiorari denied.

No. 04-361. *CLISSURAS ET AL. v. CITY UNIVERSITY OF NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 359 F. 3d 79 and 90 Fed. Appx. 566.

No. 04-382. *SHAIEB v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 04-388. *WASHBURN v. DEPARTMENT OF JUSTICE ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 328.

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No. 04–395. *CHIPPEWA TRADING CO. v. COX, ATTORNEY GENERAL OF MICHIGAN, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 365 F. 3d 538.

No. 04–399. *ITTELLA FOODS, INC. v. ZURICH INSURANCE CO. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 689.

No. 04–404. *HERMAN ET AL. v. ASHCROFT, ATTORNEY GENERAL.* C. A. 6th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 474.

No. 04–412. *CUYLER, SPECIAL ADMINISTRATOR OF THE ESTATE OF CUYLER, DECEASED v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. Reported below: 362 F. 3d 949.

No. 04–418. *GARY S. ET UX., INDIVIDUALLY AND ON BEHALF OF THEIR SON, ANDREW S. v. MANCHESTER SCHOOL DISTRICT.* C. A. 1st Cir. Certiorari denied. Reported below: 374 F. 3d 15.

No. 04–419. *SOUTHERN v. POWELL, SECRETARY OF STATE.* C. A. D. C. Cir. Certiorari denied.

No. 04–443. *DRAPER v. REYNOLDS.* C. A. 11th Cir. Certiorari denied. Reported below: 369 F. 3d 1270.

No. 04–458. *MARSHALL v. BOWLES, JUDGE.* C. A. 6th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 283.

No. 04–497. *DEJOHN v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 368 F. 3d 533.

No. 04–512. *KROUSE v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 370 F. 3d 965 and 100 Fed. Appx. 668.

No. 04–513. *NG, AKA ENG v. UNITED STATES.* C. A. 6th Cir. Certiorari denied.

No. 04–533. *KOLOSKY v. FAIRVIEW UNIVERSITY MEDICAL CENTER.* C. A. 8th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 64.

No. 04–5593. *SMITH v. NEW YORK.* App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 6 App. Div. 3d 338, 775 N. Y. S. 2d 148.

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No. 04-5689. *RIOS-CRUZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 376 F. 3d 303 and 98 Fed. Appx. 322.

No. 04-6195. *BAGWELL v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 372 F. 3d 748.

No. 04-6197. *CHI v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 04-6203. *BRENNAN v. WALL, DIRECTOR, RHODE ISLAND DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 1st Cir. Certiorari denied.

No. 04-6204. *McKENZIE v. JONES, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 362.

No. 04-6207. *MILLER v. TRAWICK ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-6208. *SPOTTSVILLE v. TERRY, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 04-6210. *SANDERS v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-6213. *ROYSTER v. SENKOWSKI, SUPERINTENDENT, CLINTON CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 04-6214. *SHAW v. WORKMAN, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 04-6215. *REID v. EARLY, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-6222. *BONILLA v. HURLEY, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 370 F. 3d 494.

No. 04-6227. *WASHINGTON v. BROWN, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 165.

No. 04-6231. *BARRON v. SHEEDY, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 416.

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No. 04-6232. *CREVELING v. MOHAVE COUNTY, ARIZONA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04-6233. *NEWBURY v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied. Reported below: 135 S. W. 3d 22.

No. 04-6241. *MURRAY v. PERLOW.* C. A. 1st Cir. Certiorari denied. Reported below: 96 Fed. Appx. 5.

No. 04-6244. *MORRILL v. JOHNS HOPKINS UNIVERSITY.* Ct. Sp. App. Md. Certiorari denied. Reported below: 154 Md. App. 697 and 699.

No. 04-6250. *MARTIN v. WORKMAN, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied.

No. 04-6251. *LARRIMORE v. OZMINT, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 197.

No. 04-6253. *PHILLIPS v. LANSING SCHOOL DISTRICT ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 570.

No. 04-6254. *ELROD v. SUPREME COURT OF MICHIGAN ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 506.

No. 04-6255. *DAVIS v. JACKSON, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 04-6262. *HALEY v. GALLOWAY ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 379.

No. 04-6267. *PEREZ GUZMAN v. ROSSELLO GONZALEZ ET AL.* Sup. Ct. P. R. Certiorari denied.

No. 04-6268. *LACKING v. UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI.* C. A. 5th Cir. Certiorari denied.

No. 04-6269. *LONGWORTH v. LANE, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 04-6270. *WILLIAMS v. DAHM, WARDEN.* C. A. 8th Cir. Certiorari denied.

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No. 04-6271. *WARD v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 04-6275. *WALKER v. FAMILY INDEPENDENCE AGENCY*. Ct. App. Mich. Certiorari denied.

No. 04-6283. *MISSOURI EX REL. TOMPRAS ET AL. v. BOARD OF ELECTION COMMISSIONERS OF ST. LOUIS COUNTY ET AL.* Sup. Ct. Mo. Certiorari denied. Reported below: 136 S. W. 3d 65.

No. 04-6291. *R. M. v. RIVERSIDE COUNTY DEPARTMENT OF PUBLIC SOCIAL SERVICES*. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 04-6293. *MURPHY v. MISSOURI DEPARTMENT OF CORRECTIONS ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 372 F. 3d 979.

No. 04-6294. *POWELL v. SCOTT, ADMINISTRATOR, SOUTHWESTERN REGIONAL JAIL*. Cir. Ct. Wetzel County, W. Va. Certiorari denied.

No. 04-6296. *LEWIS v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-6303. *SVANHOLM v. MONTGOMERY COUNTY, MARYLAND, ET AL.* Ct. Sp. App. Md. Certiorari denied. Reported below: 150 Md. App. 708 and 710.

No. 04-6304. *DEBLASE v. KLEM, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT MAHANOEY, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04-6308. *SCALES v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-6311. *DOMINGUEZ v. GIURBINO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-6325. *WHITE v. MORGAN, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY*. C. A. 9th Cir. Certiorari denied. Reported below: 370 F. 3d 1002.

No. 04-6332. *KOEHL v. SENKOWSKI, SUPERINTENDENT, CLINTON CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

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No. 04–6333. *MARTIN v. CAREY, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 900.

No. 04–6431. *BROWN v. MISSOURI BOARD OF PROBATION AND PAROLE*. C. A. 8th Cir. Certiorari denied.

No. 04–6450. *JOY v. HALL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04–6498. *SMITH v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 162 N. C. App. 723, 592 S. E. 2d 294.

No. 04–6502. *JOHNSON v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 04–6520. *JACKSON v. MCDANIEL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04–6527. *RUSSELL v. ASHCROFT, ATTORNEY GENERAL*. C. A. 11th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 183.

No. 04–6558. *BRYSON ET AL. v. JOHNSTON, JUDGE, SUPERIOR COURT OF NORTH CAROLINA, MECKLENBURG COUNTY, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 417.

No. 04–6595. *HULLUM v. DENNEHY, COMMISSIONER, MASSACHUSETTS DEPARTMENT OF CORRECTION*. C. A. 1st Cir. Certiorari denied. Reported below: 105 Fed. Appx. 278.

No. 04–6601. *MAUWEE v. HELLING, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04–6606. *AL-AMIN v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 278 Ga. 74, 597 S. E. 2d 332.

No. 04–6611. *VERDUZCO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 373 F. 3d 1022.

No. 04–6720. *HARGROVE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 04–6737. *MITCHELL, AKA GREENE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 106 Fed. Appx. 5.



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No. 04–6741. SCHNUPP, AKA LYLE *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 368 F. 3d 331.

No. 04–6744. SERRANO-LUVIANO *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 112 Fed. Appx. 1.

No. 04–6748. WOOTEN *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 377 F. 3d 1134.

No. 04–6751. BURBAGE *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 365 F. 3d 1174.

No. 04–6753. DILLER *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 04–6759. STUBBS *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. Reported below: 103 Fed. Appx. 471.

No. 04–6769. BURRELL *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 384 F. 3d 22.

No. 04–6770. PETRUCELLI *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 97 Fed. Appx. 355.

No. 04–6772. WYNN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 325.

No. 04–6773. WADE *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 112 Fed. Appx. 2.

No. 04–6776. MATHIS *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 666.

No. 04–6783. MEDINA-ROMAN *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Reported below: 376 F. 3d 1.

No. 04–6800. JOHNSON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 926.

No. 04–6801. HALL *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 71 Fed. Appx. 985.

No. 04–6812. PAYNE *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 213.

No. 04–6815. SPENCER *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 374 F. 3d 321.

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No. 04–6816. *CHEN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 378 F. 3d 151.

No. 04–6818. *RICHBURG v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04–6833. *MINUTOLI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 374 F. 3d 236.

No. 04–6835. *MARTINEZ-MENDEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 428.

No. 04–6839. *APODACA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 300.

No. 04–6843. *DE JESUS-MATEO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 373 F. 3d 70.

No. 04–6846. *FLORES-BARAJAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 600.

No. 04–6847. *GADSDEN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 503.

No. 04–6850. *JANGULA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 907.

No. 04–6852. *MADRID-CORTEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 290.

No. 04–6859. *POUX v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 182.

No. 04–6860. *POWELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04–6863. *LESLIE v. HOLDER, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 880.

No. 04–6872. *CALDWELL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 04–6877. *LEBLANC v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 882.

No. 04–6893. *WOLFE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 286.

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No. 04-6898. VASQUEZ-FONSECA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 611.

No. 04-6899. JOELSON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 03-1514. UNITED STATES *v.* VARGAS-DURAN. C. A. 5th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 356 F. 3d 598.

No. 04-181. IRVING PULP & PAPER, LTD., DBA IRVING PAPER *v.* CAPITAL FACTORS, INC. C. A. 7th Cir. Motion of Travelers Casualty and Surety Company of America et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 359 F. 3d 866.

No. 04-333. LOWE *v.* WAL-MART STORES, INC. ASSOCIATES HEALTH AND WELFARE PLAN ET AL. C. A. 11th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 90 Fed. Appx. 388.

No. 04-354. KENNEDY ET UX. *v.* CHASE MANHATTAN BANK, USA, NA, ET AL. C. A. 5th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 369 F. 3d 833.

No. 04-6242. KLAT *v.* CALIFORNIA BOARD OF REGISTERED NURSING. Ct. App. Cal., 3d App. Dist. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

No. 04-6609. ROBINSON *v.* GIURBINO, WARDEN. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 107 Fed. Appx. 711.

*Rehearing Denied*

No. 03-10245. ERICKSON *v.* WATERTOWN HEALTH DEPARTMENT ET AL., *ante*, p. 829;

No. 03-10873. GARCIA *v.* TEXAS, *ante*, p. 855;

No. 04-297. IN RE CALIFORNIAA, *ante*, p. 807;

No. 04-5455. MOORE *v.* UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON ET AL., *ante*, p. 901; and

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No. 04–5491. *BLOOME v. DEPARTMENT OF THE TREASURY ET AL.*, *ante*, p. 902. Petitions for rehearing denied.

No. 03–10527. *KLAT v. CALIFORNIA BOARD OF REGISTERED NURSING*, *ante*, p. 918; and

No. 03–10721. *KLAT v. REGENTS OF THE UNIVERSITY OF CALIFORNIA, SAN DIEGO*, *ante*, p. 918. Petitions for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of these petitions.

No. 03–6389. *WILEY v. MCKEE, WARDEN*, 540 U. S. 1008. Motion for leave to file petition for rehearing denied.

NOVEMBER 17, 2004

*Miscellaneous Order*

No. 04A417. *FUENTES v. TEXAS*. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied.

NOVEMBER 18, 2004

*Miscellaneous Order*

No. 04A423 (04–7271). *KUNKLE v. TEXAS*. Ct. Crim. App. Tex. 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 terminate upon the issuance of the mandate of this Court. THE CHIEF JUSTICE, JUSTICE SCALIA, JUSTICE KENNEDY, and JUSTICE THOMAS would deny the application for stay of execution.

NOVEMBER 22, 2004

*Dismissal Under Rule 46*

No. 04–338. *ESPARZA ET UX., INDIVIDUALLY AND AS REPRESENTATIVE OF THE ESTATE OF ESPARZA, DECEASED v. ANDREWS INDEPENDENT SCHOOL DISTRICT*. C. A. 5th Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 96 Fed. Appx. 226.

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*Affirmed on Appeal*

No. 04–218. RODRIGUEZ ET AL. *v.* PATAKI, GOVERNOR OF NEW YORK, ET AL. Affirmed on appeal from D. C. S. D. N. Y. JUSTICE STEVENS would note probable jurisdiction and set case for oral argument. Reported below: 308 F. Supp. 2d 346.

*Certiorari Dismissed*

No. 04–6480. MARTIN *v.* BRITTEN, WARDEN, ET AL. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

No. 04–6886. STEELE *v.* FEDERAL BUREAU OF PRISONS ET AL. C. A. 10th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 100 Fed. Appx. 773.

*Miscellaneous Orders*

No. 04M22. COLLINS *v.* SALAZAR, ATTORNEY GENERAL OF COLORADO;

No. 04M23. CHRISTENSEN *v.* WINTER PARK, FLORIDA;

No. 04M24. WHITE *v.* COMMUNICATION WORKERS OF AMERICA, AFL–CIO, LOCAL 13000;

No. 04M25. STEWART *v.* PETERSON ET AL.;

No. 04M26. PATTERSON-BEGGS *v.* ALLIED BROKER'S INC. ET AL.;

No. 04M27. GLOBAL NAPS, INC. *v.* MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY ET AL.; and

No. 04M28. BELLE *v.* TENNIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 03–1440. KALAMA SERVICES, INC., ET AL. *v.* DIRECTOR, OFFICE OF WORKERS' COMPENSATION PROGRAMS, DEPARTMENT

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OF LABOR, ET AL., *ante*, p. 809. Motion of respondent Michael Ilaszczat for attorney's fees denied without prejudice to filing in the United States Court of Appeals for the Ninth Circuit.

No. 03-10958. MENDEZ *v.* UNITED STATES DISTRICT COURT FOR THE DISTRICT OF THE VIRGIN ISLANDS. C. A. 3d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 802] denied.

No. 03-11045. AZUBUKO *v.* BERKSHIRE MUTUAL INSURANCE CO. ET AL. C. A. 11th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 803] denied.

No. 04-5104. SIEGEL *v.* CRESCENT RESOURCES, LLC, ET AL. C. A. 2d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 803] denied.

No. 04-5726. SMITH *v.* GRIMES, JUDGE, COURT OF COMMON PLEAS, 13TH JUDICIAL DISTRICT OF PENNSYLVANIA, ET AL. C. A. 3d Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 921] denied.

No. 04-6249. PATTERSON *v.* DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, ET AL. C. A. 5th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 921] denied.

No. 04-6421. GOINS *v.* LOCAL 2047 I L A EXECUTIVE BOARD. C. A. 5th Cir.; and

No. 04-6913. STEPHANATOS *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 3d Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until December 20, 2004, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

No. 04-6991. IN RE WOODBERRY; and

No. 04-6995. IN RE CHILDS. Petitions for writs of habeas corpus denied.

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No. 03-10769. IN RE SHEMONSKY;  
No. 03-11046. IN RE WILLIAMS;  
No. 04-5947. IN RE JACKSON;  
No. 04-6453. IN RE BROWN; and  
No. 04-6927. IN RE JOHNSON. Petitions for writs of mandamus denied.

No. 04-6540. IN RE CURRIE. Petition for writ of mandamus and/or prohibition denied.

*Certiorari Granted*

No. 04-5286. DODD *v.* UNITED STATES. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 365 F. 3d 1273.

*Certiorari Denied*

No. 03-10498. HIGGS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 353 F. 3d 281.

No. 03-10810. CLAY *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 355 F. 3d 1281.

No. 03-10891. ALLEN *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 369 F. 3d 682.

No. 03-11040. WILLIAMS *v.* JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Certiorari denied. Reported below: 364 F. 3d 235.

No. 04-150. CHARLESTON COUNTY, SOUTH CAROLINA, ET AL. *v.* UNITED STATES ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 365 F. 3d 341.

No. 04-154. MEDIA GENERAL OPERATIONS, INC., DBA RICHMOND TIMES-DISPATCH *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 4th Cir. Certiorari denied. Reported below: 360 F. 3d 434.

No. 04-168. GRIMM *v.* SPELL ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 881.

No. 04-186. KOZIARA ET AL. *v.* SEMINOLE COUNTY, FLORIDA. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 873 So. 2d 374.

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No. 04-197. *KILCULLEN v. LEWIS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 382.

No. 04-232. *TENENBAUM ET UX. v. SIMONINI ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 372 F. 3d 776 and 96 Fed. Appx. 998.

No. 04-233. *NXIVM CORP. ET AL. v. ROSS INSTITUTE ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 364 F. 3d 471.

No. 04-245. *ALT v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 6th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 34.

No. 04-246. *AQUALINE ASSOCIATES, LTD. v. GENESIS HEALTH VENTURES, INC., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 132.

No. 04-249. *WELLS v. CITY OF ALEXANDRIA, LOUISIANA, ET AL.* C. A. 5th Cir. Certiorari denied.

No. 04-283. *LUBETZKY v. UNITED STATES.* C. A. 1st Cir. Certiorari denied.

No. 04-287. *CITY OF MARYSVILLE, WASHINGTON v. VINE STREET COMMERCIAL PARTNERSHIP ET AL.* Ct. App. Wash. Certiorari denied. Reported below: 118 Wash. App. 1027.

No. 04-288. *ROMERO v. ASHCROFT, ATTORNEY GENERAL, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04-295. *FLORIDA v. GROSVENOR.* Sup. Ct. Fla. Certiorari denied. Reported below: 874 So. 2d 1176.

No. 04-364. *PRE-PAID LEGAL SERVICES, INC., ET AL. v. BRADLEY ET AL.*; *PRE-PAID LEGAL SERVICES, INC., ET AL. v. BROWNLOW ET AL.*; and *PRE-PAID LEGAL SERVICES, INC., ET AL. v. MEALEY ET AL.* Sup. Ct. Miss. Certiorari denied. Reported below: 874 So. 2d 972 (second judgment) and 984 (first judgment); 875 So. 2d 1075 (third judgment).

No. 04-374. *BARNES v. JOHNSON ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 534.

No. 04-375. *DAHL v. MINNESOTA.* Ct. App. Minn. Certiorari denied. Reported below: 676 N. W. 2d 305.



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No. 04-376. *WOLFORD v. MASSACHUSETTS MUTUAL LIFE INSURANCE Co.* C. A. 6th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 411.

No. 04-377. *BRAGER v. BRAGER.* Ct. Sp. App. Md. Certiorari denied. Reported below: 153 Md. App. 716.

No. 04-378. *O'NEILL v. CONTINENTAL AIRLINES, INC., ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 94 Fed. Appx. 968.

No. 04-379. *RICHARD S. v. MISTY L.* Ct. App. Cal., 4th App. Dist., Div. 1. Certiorari denied.

No. 04-383. *RANDLE v. ALABAMA.* Ct. Crim. App. Ala. Certiorari denied. Reported below: 910 So. 2d 836.

No. 04-384. *SAWYER v. WORCESTER ET AL.* Sup. Ct. Va. Certiorari denied.

No. 04-390. *ROSSO v. A. I. ROOT Co.* C. A. 6th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 517.

No. 04-396. *CAREMARK RX, INC., FKA MEDPARTNERS, INC. v. JOHNSTON.* Sup. Ct. Ala. Certiorari denied. Reported below: 916 So. 2d 632.

No. 04-401. *VICENTE SANCHEZ v. MINSON CORP.* C. A. 9th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 492.

No. 04-402. *IVES v. BOONE, WARDEN.* C. A. 10th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 274.

No. 04-406. *GILCHRIST v. BOARD OF REVIEW OF THE OKLAHOMA EMPLOYMENT SECURITY COMMISSION ET AL.* Sup. Ct. Okla. Certiorari denied. Reported below: 94 P. 3d 72.

No. 04-407. *BARKER SANITATION v. CITY OF NEBRASKA CITY, NEBRASKA, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 514.

No. 04-408. *PARALIS v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied. Reported below: 832 A. 2d 541.

No. 04-409. *TRICITY BEHAVIORAL HEALTH SERVICES, INC. v. ARIZONA DEPARTMENT OF HEALTH SERVICES ET AL.* Ct. App. Ariz. Certiorari denied.

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No. 04–410. *BERTRAND, WARDEN v. OSWALD*. C. A. 7th Cir. Certiorari denied. Reported below: 374 F. 3d 475.

No. 04–413. *CITY OF ALBUQUERQUE, NEW MEXICO v. HOMANS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 366 F. 3d 900.

No. 04–416. *BAUM v. SUPERIOR COURT OF CALIFORNIA, SAN FRANCISCO COUNTY, ET AL.* Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 04–420. *LARGESS v. SUPREME JUDICIAL COURT OF MASSACHUSETTS ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 373 F. 3d 219.

No. 04–421. *CLUB CAR (QUEBEC) IMPORT, INC., ET AL. v. CLUB CAR, INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 362 F. 3d 775.

No. 04–422. *MILLS v. C. H. I. L. D., INC., ET AL.* Sup. Ct. R. I. Certiorari denied. Reported below: 837 A. 2d 714.

No. 04–424. *HOULT v. HOULT*. C. A. 1st Cir. Certiorari denied. Reported below: 373 F. 3d 47.

No. 04–425. *HOFFMANN ET AL. v. UNITED STATES ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 96 Fed. Appx. 717.

No. 04–426. *GARTER BELT, INC., DBA LEGG’S LOUNGE v. CHARTER TOWNSHIP OF VAN BUREN*. Ct. App. Mich. Certiorari denied. Reported below: 258 Mich. App. 594, 673 N. W. 2d 111.

No. 04–427. *RICHARDS v. TEXAS A&M UNIVERSITY SYSTEM ET AL.* Ct. App. Tex., 10th Dist. Certiorari denied. Reported below: 131 S. W. 3d 550.

No. 04–428. *STAMPS ET UX. v. LOUISIANA ATTORNEY DISCIPLINARY BOARD*. Sup. Ct. La. Certiorari denied. Reported below: 874 So. 2d 113.

No. 04–431. *JONAS v. TOWN OF YEMASSEE MUNICIPAL COURT, SOUTH CAROLINA*. C. A. 4th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 32.

No. 04–432. *PHYSICIANS MULTISPECIALTY GROUP v. HEALTH CARE PLAN OF HORTON HOMES, INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 371 F. 3d 1291.

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No. 04-434. *WETZEL v. ILLINOIS ET AL.* Sup. Ct. Ill. Certiorari denied.

No. 04-436. *MOTT v. GRIEVANCE COMMITTEE FOR THE TENTH JUDICIAL DISTRICT.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 309 App. Div. 2d 162, 765 N. Y. S. 2d 383.

No. 04-441. *MENON v. DUX.* App. Ct. Conn. Certiorari denied. Reported below: 81 Conn. App. 167, 838 A. 2d 1038.

No. 04-442. *DELGADO, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF DELGADO v. REEF RESORTS LTD., DBA RAMON'S VILLAGE RESORT.* C. A. 5th Cir. Certiorari denied. Reported below: 364 F. 3d 642.

No. 04-445. *ANANDANADESAN ET AL. v. ASHCROFT, ATTORNEY GENERAL.* C. A. 8th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 588.

No. 04-453. *DOKIC v. ASHCROFT, ATTORNEY GENERAL.* C. A. 6th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 46.

No. 04-456. *KING v. LOUISIANA.* Sup. Ct. La. Certiorari denied. Reported below: 877 So. 2d 145.

No. 04-461. *BODDEN v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. Reported below: 877 So. 2d 680.

No. 04-470. *HIEN PHI HOANG v. ASHCROFT, ATTORNEY GENERAL.* C. A. 5th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 257.

No. 04-474. *GOTTLIEB v. SECURITIES AND EXCHANGE COMMISSION.* C. A. 2d Cir. Certiorari denied. Reported below: 88 Fed. Appx. 476.

No. 04-485. *PELLEGRINI v. ANALOG DEVICES, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 375 F. 3d 1113.

No. 04-493. *NETZER v. WISCONSIN.* Ct. App. Wis. Certiorari denied. Reported below: 269 Wis. 2d 542, 674 N. W. 2d 680.

No. 04-507. *CHEWNING v. BRANCH BANKING AND TRUST.* Ct. App. S. C. Certiorari denied.

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No. 04-527. *THERM-ALL, INC. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 373 F. 3d 625.

No. 04-532. *MARTIN v. KLINE ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 105 Fed. Appx. 367.

No. 04-539. *AMERICAN FAMILY ASSN., INC. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 365 F. 3d 1156.

No. 04-546. *ARMSTRONG v. RUSHTON, TRUSTEE, ET AL.*; *ARMSTRONG v. RUSHTON, TRUSTEE, ET AL.*; *ARMSTRONG v. RUSHTON, TRUSTEE, ET AL.*; *ARMSTRONG v. RUSTON, TRUSTEE, ET AL.*; and *ARMSTRONG v. RUSHTON, TRUSTEE, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 285 (fourth judgment); 99 Fed. Appx. 860 (first judgment) and 866 (third judgment); 101 Fed. Appx. 766 (second judgment).

No. 04-554. *SHIPSEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 363 F. 3d 962.

No. 04-556. *LENOCI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 377 F. 3d 246.

No. 04-5226. *HIGGS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 37.

No. 04-5302. *SNYDER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 57.

No. 04-5386. *BRAZZEL v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 118 Wash. App. 1054.

No. 04-5441. *MAGALLANES-NIETO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 581.

No. 04-5442. *MARTIN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 371 F. 3d 446.

No. 04-5456. *DE ANDA-DUENEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 197.

No. 04-5502. *WILL v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 04-5540. *WATTS v. RUNNELS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 592.

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No. 04-5703. *PARIS v. SOUTHWESTERN BELL TELEPHONE CO.* C. A. 10th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 810.

No. 04-5930. *ROBINSON v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 367 F. 3d 278.

No. 04-5993. *WAGGONER v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 339 F. 3d 915.

No. 04-6039. *MCNABB v. ALABAMA.* Sup. Ct. Ala. Certiorari denied. Reported below: 887 So. 2d 998.

No. 04-6042. *KEY v. ALABAMA.* Sup. Ct. Ala. Certiorari denied. Reported below: 891 So. 2d 384.

No. 04-6052. *CEBALLOS-MARTINEZ v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. Reported below: 371 F. 3d 713.

No. 04-6336. *RUNNING v. OREGON.* Sup. Ct. Ore. Certiorari denied. Reported below: 336 Ore. 545, 87 P. 3d 661.

No. 04-6337. *BREWINGTON v. LAVAN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04-6338. *MCELHANEY v. BERGHUIS, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 04-6345. *JACKSON v. CAMBRA, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04-6347. *ROBINSON v. ALABAMA.* Ct. Crim. App. Ala. Certiorari denied. Reported below: 910 So. 2d 838.

No. 04-6352. *ROCHESTER v. SOUTH CAROLINA ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 718.

No. 04-6353. *STRAUGHTER v. CAIN, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 04-6355. *SIMMONS v. CAMBRA, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04-6357. *MILLER v. SMITH, WARDEN.* Super. Ct. Tattnall County, Ga. Certiorari denied.

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No. 04-6365. *YANT v. GUNDY, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 403.

No. 04-6367. *CONSTANT v. NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 3 App. Div. 3d 537, 770 N. Y. S. 2d 635.

No. 04-6369. *COFIELD v. SMITH, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 794.

No. 04-6375. *MULLIN v. DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION*. Ct. App. D. C. Certiorari denied. Reported below: 844 A. 2d 1138.

No. 04-6376. *MONK v. LAFLER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 04-6380. *MIDKIFF v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-6388. *LYLES v. SEACOR MARINE, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 432.

No. 04-6389. *JOHNSON v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-6391. *JOHNSON v. COOLMAN ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 460.

No. 04-6395. *FAYED v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 849 A. 2d 603.

No. 04-6400. *POTTS v. OHIO*. Ct. App. Ohio, Richland County. Certiorari denied.

No. 04-6404. *SKUNDOR v. GANDEE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 923.

No. 04-6406. *SANDERS v. MARYLAND ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 520.

No. 04-6407. *BELL v. PAPPERT, ATTORNEY GENERAL OF PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied.

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No. 04-6409. *WILKERSON v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 04-6426. *HAYES v. GARCIA, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 103.

No. 04-6430. *COOPER v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 04-6439. *PROBST v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-6442. *KERR v. BEY*. C. A. 6th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 558.

No. 04-6451. *JUSTICE v. COURT OF APPEAL OF CALIFORNIA, FOURTH APPELLATE DISTRICT*. Sup. Ct. Cal. Certiorari denied.

No. 04-6455. *ROGERS v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 272 Wis. 2d 855, 679 N. W. 2d 927.

No. 04-6465. *ESTEVEZ v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 04-6472. *DEWS v. GALAZA, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-6486. *MONSIVAIS SALAZAR v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-6487. *PEARSON v. LOUISIANA*. Ct. App. La., 5th Cir. Certiorari denied. Reported below: 861 So. 2d 283.

No. 04-6489. *WEBSTER v. BROWN, ACTING WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 361 F. 3d 522 and 369 F. 3d 1062.

No. 04-6493. *BULLOCK v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-6499. *ANSON v. BAY AREA AIR QUALITY MANAGEMENT DISTRICT*. C. A. 9th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 603.

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No. 04–6503. *OROZCO v. SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY*. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 117 Cal. App. 4th 170, 11 Cal. Rptr. 3d 573.

No. 04–6505. *JOHNSON v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 576 Pa. 23, 838 A. 2d 663.

No. 04–6506. *REYNOLDS v. WHITE, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 04–6507. *WALLACE v. DAVIS, SUPERINTENDENT, INDIANA STATE PRISON*. C. A. 7th Cir. Certiorari denied. Reported below: 362 F. 3d 914.

No. 04–6529. *SUDDETH v. CALIFORNIA*. C. A. 9th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 696.

No. 04–6532. *PRUDE v. NEW YORK*. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 2 App. Div. 3d 1320, 768 N. Y. S. 2d 912.

No. 04–6534. *MORENO-MONTANO v. JACQUERT, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 04–6536. *CLARK v. CAREY, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 623.

No. 04–6539. *COLT v. LEWIS, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04–6543. *THOMPSON v. YARBOROUGH, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04–6544. *WILLIBY v. REGENTS OF THE UNIVERSITY OF CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 04–6545. *VALDEZ, AKA LALO VALDEZ v. BRAVO, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 373 F. 3d 1093.

No. 04–6548. *SMITH v. WINARD*. C. A. 3d Cir. Certiorari denied. Reported below: 112 Fed. Appx. 868.

No. 04–6550. *RICHARDSON v. EAGLETON, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 951.



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No. 04-6559. *JOHNSON v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-6567. *DOLLISON v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied.

No. 04-6569. *MARIANO v. CENTRAL PACIFIC BANK.* C. A. 9th Cir. Certiorari denied.

No. 04-6600. *GORDON v. GORDON.* Super. Ct. Pa. Certiorari denied. Reported below: 839 A. 2d 1167.

No. 04-6617. *MOORER v. PRICE, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 04-6625. *SKUNDOR v. COLEMAN, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 257.

No. 04-6627. *BETH R. v. FORRESTVILLE VALLEY COMMUNITY SCHOOL DISTRICT #221.* C. A. 7th Cir. Certiorari denied. Reported below: 375 F. 3d 603.

No. 04-6630. *CULVER v. DESUTA, SUPERINTENDENT, STATE REGIONAL CORRECTIONAL FACILITY AT MERCER, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04-6647. *BURKS v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied.

No. 04-6661. *WEATHERSPOON v. VANDERBILT UNIVERSITY ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 86 Fed. Appx. 957.

No. 04-6678. *REED-BEY v. MICHIGAN.* Sup. Ct. Mich. Certiorari denied.

No. 04-6681. *CHAMBERS v. ESTEP, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied.

No. 04-6700. *GALVAN v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 04-6710. *ODUOK v. COBB COUNTY BOARD OF COMMISSIONERS ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 04–6714. *PERRY v. PRINCIPI, SECRETARY OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 95 Fed. Appx. 339.

No. 04–6719. *GRANT v. RIVERS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 04–6722. *GREEN v. GREENE, SUPERINTENDENT, GREAT MEADOW CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 04–6725. *PURANDA v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 919.

No. 04–6730. *ENGLAND v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 04–6735. *REED v. GARCIA, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04–6739. *GUTIERREZ v. DORSEY, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 229.

No. 04–6742. *STRODER v. ADAMS, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 630.

No. 04–6757. *ROBERTS v. CALIFORNIA*. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 04–6781. *MACK v. FLORIDA*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied.

No. 04–6784. *SEVIER v. BROWN, ACTING WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 641.

No. 04–6788. *MAVITY v. VENEMAN, SECRETARY OF AGRICULTURE*. C. A. D. C. Cir. Certiorari denied.

No. 04–6791. *CUONG VAN NGUYEN v. KNOWLES, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04–6803. *GARCIA v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

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No. 04-6825. *SMART v. CURRY, COMMISSIONER, NEW HAMPSHIRE DEPARTMENT OF CORRECTIONS*. C. A. 1st Cir. Certiorari denied.

No. 04-6832. *PREVATT v. FLORIDA*. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 866 So. 2d 729.

No. 04-6845. *COLEMAN v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 04-6865. *WARD v. HINSLEY, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 377 F. 3d 719.

No. 04-6883. *CAMMUSE v. MORGAN, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 667.

No. 04-6885. *CHILDRESS v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 781.

No. 04-6888. *HOLMES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 376 F. 3d 270.

No. 04-6896. *WADE v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 341.

No. 04-6911. *BURNS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-6912. *BURGEST v. WILEY, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 362.

No. 04-6919. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 926.

No. 04-6924. *ONOFRE DEJESUS, AKA TAPIA-OROZCO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 04-6925. *COOPER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 375 F. 3d 1041.

No. 04-6932. *PEREZ-PEREZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 04-6933. *POSEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 116 Fed. Appx. 242.

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No. 04–6937. *HAMLIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 116 Fed. Appx. 249.

No. 04–6938. *FOSTER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 376 F. 3d 577.

No. 04–6941. *BAKER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 04–6944. *CONROD v. MORRISON, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 04–6947. *CABRERA-CASTILLO v. UNITED STATES* (Reported below: 105 Fed. Appx. 636); *LARA-HURTADO v. UNITED STATES* (105 Fed. Appx. 622); *MOLINERO-JIMENEZ, AKA JIMENEZ-MOLINERO v. UNITED STATES* (105 Fed. Appx. 634); *PEREZ-MARTINEZ v. UNITED STATES* (105 Fed. Appx. 629); *GARCIA RAMIREZ, AKA LOPEZ v. UNITED STATES* (106 Fed. Appx. 922); *RIVAS-CASTILLO v. UNITED STATES* (105 Fed. Appx. 633); *ZACARIAS-CARBAJAL v. UNITED STATES* (105 Fed. Appx. 636); *CHICO-AVILA v. UNITED STATES* (108 Fed. Appx. 877); *FARFAN-ALVAREZ v. UNITED STATES* (105 Fed. Appx. 628); *GARCIA-JARAMILLO v. UNITED STATES* (105 Fed. Appx. 630); *GONZALEZ-GUERRA v. UNITED STATES* (105 Fed. Appx. 639); *GRUVE-MARTINEZ v. UNITED STATES* (104 Fed. Appx. 454); *HERNANDEZ-REYES v. UNITED STATES* (106 Fed. Appx. 919); *VALENCIA-HUERTA v. UNITED STATES* (108 Fed. Appx. 875); *GOMEZ-SALINAS v. UNITED STATES* (105 Fed. Appx. 623); *HERNANDEZ-HERRERA v. UNITED STATES* (105 Fed. Appx. 633); *OLMEDO-PACHECO, AKA VELA-PACHECO v. UNITED STATES* (105 Fed. Appx. 635); *PENA-FLORES v. UNITED STATES* (104 Fed. Appx. 456); *REYES-HERNANDEZ v. UNITED STATES* (104 Fed. Appx. 451); and *LOPEZ-HERNANDEZ v. UNITED STATES* (105 Fed. Appx. 630). C. A. 5th Cir. Certiorari denied.

No. 04–6953. *BARRERA-CEREZO v. UNITED STATES* (Reported below: 106 Fed. Appx. 920); *DE LA FUENTE-GARZA v. UNITED STATES* (105 Fed. Appx. 635); *GODINEZ-RODRIGUEZ v. UNITED STATES* (105 Fed. Appx. 635); *MARTINEZ-HIDALGO v. UNITED STATES* (104 Fed. Appx. 456); *MARTINEZ-NATAREN v. UNITED STATES* (108 Fed. Appx. 871); *MORALES-RICO v. UNITED STATES* (108 Fed. Appx. 872); *PATINO-DE LA TORRE v. UNITED STATES* (104 Fed. Appx. 453); *VALDEZ-GUTIERREZ v. UNITED STATES* (105

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Fed. Appx. 634); *ALANIS-SOTO v. UNITED STATES* (105 Fed. Appx. 610); *HERNANDEZ-CALDERON v. UNITED STATES* (105 Fed. Appx. 640); *LOZOYA-MAGANES v. UNITED STATES* (105 Fed. Appx. 622); *MALDONADO-OLIVARES v. UNITED STATES* (105 Fed. Appx. 621); *OLVERA-VITELA v. UNITED STATES* (105 Fed. Appx. 639); *RODRIGUEZ-MUNIZ v. UNITED STATES* (108 Fed. Appx. 873); and *ZUNIGA-VERAS v. UNITED STATES* (108 Fed. Appx. 874). C. A. 5th Cir. Certiorari denied.

No. 04-6957. *INSAULGARAT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 378 F. 3d 456.

No. 04-6961. *MARSEILLE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 377 F. 3d 1249.

No. 04-6962. *MARTINEZ-MARTINEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 369 F. 3d 1076.

No. 04-6963. *KELLY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 838.

No. 04-6967. *McKoy v. UNITED STATES POSTAL SERVICE ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 98 Fed. Appx. 28.

No. 04-6968. *McGrath v. Hood, Warden, et al.* C. A. 9th Cir. Certiorari denied.

No. 04-6969. *MOSS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-6972. *LIRANZO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 385 F. 3d 66.

No. 04-6973. *McQuiddy v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 04-6976. *JEFFERSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 544.

No. 04-6979. *JACKSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 377 F. 3d 715.

No. 04-6981. *RONGHI v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 60 M. J. 83.

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No. 04–6992. *WILLIAMS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 04–6997. *CHAMBERS v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN*. C. A. 6th Cir. Certiorari denied.

No. 04–7005. *SHUFORD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04–7006. *ROBINSON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 04–7008. *GRAMS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 175.

No. 04–7010. *FEATHER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 369 F. 3d 1035.

No. 04–7011. *GRANBOIS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 376 F. 3d 993.

No. 04–7012. *HOWARD v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 116.

No. 04–7014. *CINTRON-CARABALLO v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 356 F. 3d 1.

No. 04–7019. *VEILLEUX v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 04–7025. *COGDELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 875.

No. 04–7029. *LEASURE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 04–7037. *TROBAUGH v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 922.

No. 04–7039. *BUGGS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 649.

No. 04–7041. *ANDERSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 261.

No. 04–7043. *DENIS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 182.

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No. 04-7048. SINGH *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 106 Fed. Appx. 578.

No. 04-7057. ORTIZ-GUERRA, AKA QUIROZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 882.

No. 04-7059. MOORE *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 640.

No. 04-7066. CHAPIN *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 135.

No. 04-7067. CLARK, AKA HENDRICKS *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 106 Fed. Appx. 434.

No. 04-222. DASSAULT AVIATION *v.* ANDERSON. C. A. 8th Cir. Motion of Organization for International Investment et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 361 F. 3d 449.

No. 04-259. ILLINOIS *v.* MILLER. App. Ct. Ill., 4th Dist. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 345 Ill. App. 3d 836, 803 N. E. 2d 610.

No. 04-476. UNIVERSITY OF ROCHESTER *v.* G. D. SEARLE & CO., INC., ET AL. C. A. Fed. Cir. Certiorari denied. JUSTICE O'CONNOR took no part in the consideration or decision of this petition. Reported below: 358 F. 3d 916.

No. 04-6349. ADAMES *v.* MARTINEZ ET AL. C. A. 2d Cir. Certiorari before judgment denied.

*Rehearing Denied*

No. 03-1623. HAUGEN *v.* HENRY COUNTY, GEORGIA, ET AL., *ante*, p. 816;

No. 03-1645. IN RE GREEN, *ante*, p. 807;

No. 03-1718. KNUTH *v.* KNUTH, *ante*, p. 821;

No. 03-1721. VINTILLA *v.* CITY OF ROCKY RIVER, OHIO, ET AL., *ante*, p. 821;

No. 03-9785. KALINOWSKI *v.* BOND ET AL., 542 U. S. 907;

No. 03-10103. CORMIER *v.* TEXAS, *ante*, p. 825;

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- No. 03–10197. *INGUAGGIATO v. SMITH*, SUPERINTENDENT, SHAWANGUNK CORRECTIONAL FACILITY, *ante*, p. 827;
- No. 03–10259. *IN RE RUSSELL*, *ante*, p. 807;
- No. 03–10308. *DAVIS v. WILSON*, WARDEN, ET AL., *ante*, p. 830;
- No. 03–10316. *JONES v. MICHIGAN DEPARTMENT OF CORRECTIONS*, *ante*, p. 830;
- No. 03–10391. *HENDERSON v. MCGRATH*, WARDEN, *ante*, p. 833;
- No. 03–10394. *DUBOSE v. LADWIG ET AL.*, *ante*, p. 833;
- No. 03–10441. *RIVERA v. CROSBY*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL., *ante*, p. 834;
- No. 03–10503. *SHISINDAY v. TEXAS DEPARTMENT OF CRIMINAL JUSTICE ET AL.*, *ante*, p. 836;
- No. 03–10547. *DAVENPORT v. RENO AIR, INC.*, ET AL., *ante*, p. 838;
- No. 03–10557. *MURRAY v. LYNCH*, ATTORNEY GENERAL OF RHODE ISLAND, ET AL., *ante*, p. 838;
- No. 03–10621. *SMITH v. MITCHELL*, WARDEN, *ante*, p. 841;
- No. 03–10630. *STAFFNEY v. BERGHUIS*, WARDEN, *ante*, p. 841;
- No. 03–10645. *JACKSON v. VIRGINIA*, *ante*, p. 842;
- No. 03–10650. *BEARDSLEE v. BROWN*, ACTING WARDEN, *ante*, p. 842;
- No. 03–10679. *MILLER v. SUPREME COURT OF MISSOURI*, *ante*, p. 844;
- No. 03–10718. *ROSS v. TEXAS*, *ante*, p. 846;
- No. 03–10792. *JEFFERSON, AKA MATHEW v. CROSBY*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, *ante*, p. 851;
- No. 03–10800. *CAGE-BARILE v. BARILE*, *ante*, p. 851;
- No. 03–10826. *MAYERS v. WHITE*, COMMISSIONER, TENNESSEE DEPARTMENT OF CORRECTION, ET AL., *ante*, p. 852;
- No. 03–10843. *MARTIN v. PRINCIPI*, SECRETARY OF VETERANS AFFAIRS, ET AL., *ante*, p. 853;
- No. 03–10859. *ALCORN v. UNITED STATES*, *ante*, p. 854;
- No. 03–10894. *DAVIS v. ROBINSON*, WARDEN, ET AL., *ante*, p. 856;
- No. 03–10907. *CARPENTER v. SMITH*, WARDEN, *ante*, p. 857;
- No. 03–10990. *FINUCAN v. MARYLAND BOARD OF PHYSICIAN QUALITY ASSURANCE*, *ante*, p. 862;
- No. 03–10998. *COVINGTON v. UNITED STATES*, *ante*, p. 862;
- No. 03–11032. *TRIPLETT v. CAIN*, WARDEN, *ante*, p. 864;



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No. 03-11050. JONES *v.* FLORENCE COUNTY TAX ASSESSOR OFFICE, *ante*, p. 865;

No. 04-141. KING *v.* ENTERGY OPERATIONS, INC., ET AL., *ante*, p. 875;

No. 04-5037. CHEN *v.* APPLIED MATERIALS, INC., *ante*, p. 879;

No. 04-5078. MILES *v.* VIRGINIA, *ante*, p. 881;

No. 04-5170. EARLEY *v.* KEENAN, *ante*, p. 885;

No. 04-5205. ADKINS *v.* UNITED STATES, *ante*, p. 887;

No. 04-5227. RUSH *v.* UNITED STATES, *ante*, p. 888;

No. 04-5232. WILBURN *v.* EASTMAN KODAK ET AL., *ante*, p. 889;

No. 04-5252. CRAVER *v.* CAMPBELL & TAYLOR, *ante*, p. 890;

No. 04-5273. VETA *v.* ARIZONA, *ante*, p. 891;

No. 04-5321. OCHOA CANALES *v.* DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 893;

No. 04-5329. BRIDGMAN *v.* BARNHART, COMMISSIONER OF SOCIAL SECURITY, *ante*, p. 893;

No. 04-5334. REINHOLT *v.* REINHOLT, *ante*, p. 894;

No. 04-5354. MCBRIDE *v.* DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 895;

No. 04-5384. ROBERTS *v.* UNIVERSITY OF PENNSYLVANIA ET AL., *ante*, p. 896;

No. 04-5408. BROWN *v.* HICKS, CLERK, SUPERIOR COURT OF GEORGIA, ATLANTA JUDICIAL CIRCUIT, ET AL., *ante*, p. 898;

No. 04-5424. LINDSEY *v.* FEDERAL BUREAU OF INVESTIGATION OFFICES ET AL., *ante*, p. 899;

No. 04-5496. ANDERSON *v.* SOWDERS, WARDEN, ET AL., *ante*, p. 903;

No. 04-5499. LAMPKIN *v.* UNITED STATES, *ante*, p. 903;

No. 04-5524. RING *v.* APPLETON ET AL., *ante*, p. 904;

No. 04-5526. THOMPSON *v.* TISCHLER ET AL., *ante*, p. 904;

No. 04-5530. K. E. *v.* FLORIDA BOARD OF BAR EXAMINERS, *ante*, p. 904;

No. 04-5558. BASALO *v.* DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 929;

No. 04-5579. CALHOUN, AKA MARTIN *v.* FRISCO RAILROAD ET AL., *ante*, p. 929;

No. 04-5604. KANIADAKIS *v.* UNITED STATES, *ante*, p. 907;

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No. 04–5698. *SIMON v. FEDERAL PRISON INDUSTRIES ET AL.*, *ante*, p. 910;

No. 04–5936. *MICHAU v. TAYLOR, WARDEN, ET AL.*, *ante*, p. 914; and

No. 04–6179. *WAGNER v. UNITED STATES*, *ante*, p. 939. Petitions for rehearing denied.

No. 03–1633. *IN RE HEMPHILL*, *ante*, p. 808. Petition for rehearing denied. JUSTICE O’CONNOR and JUSTICE BREYER took no part in the consideration or decision of this petition.

No. 03–6872. *CASILLAS v. UNITED STATES*, 540 U. S. 1025. Motion of petitioner for leave to file petition for rehearing denied.

## DECEMBER 3, 2004

*Dismissal Under Rule 46*

No. 04–334. *RAYTHEON CO. v. ASHBORN AGENCIES, LTD.* C. A. D. C. Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 372 F. 3d 451.

*Certiorari Granted*

No. 04–277. *NATIONAL CABLE & TELECOMMUNICATIONS ASSN. ET AL. v. BRAND X INTERNET SERVICES ET AL.*; and

No. 04–281. *FEDERAL COMMUNICATIONS COMMISSION ET AL. v. BRAND X INTERNET SERVICES ET AL.* C. A. 9th Cir. Certiorari granted, cases consolidated, and a total of one hour is allotted for oral argument. Reported below: 345 F. 3d 1120.

## DECEMBER 6, 2004

*Dismissal Under Rule 46*

No. 04–6219. *PAYNE v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari dismissed under this Court’s Rule 46. Reported below: 88 Fed. Appx. 281.

*Certiorari Granted—Vacated and Remanded*

No. 04–5891. *SPENCER v. EARLEY ET AL.* C. A. 4th 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 *Tennessee v. Lane*, 541 U. S. 509 (2004). Reported below: 88 Fed. Appx. 599.

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No. 04–6765. *SILER v. OHIO*. Ct. App. Ohio, Ashland County. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Crawford v. Washington*, 541 U. S. 36 (2004).

*Certiorari Granted—Reversed.* (See No. 03–1669, *ante*, p. 77.)

*Certiorari Dismissed*

No. 04–6604. *JONES v. BIRKETT, WARDEN*. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 04–6638. *SMITH v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

*Miscellaneous Orders*

No. 04–702. *HAMDAN v. RUMSFELD, SECRETARY OF DEFENSE*. C. A. D. C. Cir. Motion of petitioner to expedite consideration of petition for writ of certiorari before judgment denied.

No. 04–6711. *OVIEDO v. MYERS, FKA OVIEDO*. Super. Ct. Gwinnett County, Ga. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until December 27, 2004, 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. 04–7196. *IN RE ROYALE*. Petition for writ of habeas corpus denied.

No. 04–569. *IN RE SHEMONSKY*;

No. 04–572. *IN RE SHEMONSKY*; and

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No. 04–610. *IN RE GRAVES*. Petitions for writs of mandamus denied.

No. 04–454. *IN RE RODRIGUEZ-HAZBUN*. Petition for writ of mandamus and/or prohibition denied.

No. 04–6579. *IN RE BARKCLAY*. Petition for writ of prohibition denied.

*Certiorari Denied*

No. 04–28. *AKERS ET AL. v. MCGINNIS ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 352 F. 3d 1030.

No. 04–223. *CHURCH OF THE AMERICAN KNIGHTS OF THE KU KLUX KLAN ET AL. v. KELLY, COMMISSIONER, NEW YORK CITY POLICE DEPARTMENT, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 356 F. 3d 197.

No. 04–296. *HAGAN v. WARNER/ELEKTRA/ATLANTIC CORP.* C. A. 6th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 264.

No. 04–300. *BYNAM v. INTERMET MACHINING*. C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 882.

No. 04–306. *VENTURE COAL SALES CO. ET AL. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 370 F. 3d 1102.

No. 04–308. *PRUITT ET AL. v. COMCAST CABLE HOLDINGS, LLC*. C. A. 10th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 713.

No. 04–320. *BOST ET AL. v. FEDERAL EXPRESS CORP.* C. A. 11th Cir. Certiorari denied. Reported below: 372 F. 3d 1233.

No. 04–326. *SWEENEY v. CARTER, ATTORNEY GENERAL OF INDIANA*. C. A. 7th Cir. Certiorari denied. Reported below: 361 F. 3d 327.

No. 04–359. *HABERERN v. SPRAGUE & SPRAGUE ET AL.* Sup. Ct. Pa. Certiorari denied.

No. 04–440. *STANLEY ET UX. v. CARPENTER, JUDGE, CIRCUIT COURT OF MICHIGAN, KENT COUNTY, ET AL.* Ct. App. Mich. Certiorari denied.

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No. 04-444. *PICCIOTTO ET AL. v. GILLERAN ET AL.* App. Ct. Mass. Certiorari denied. Reported below: 61 Mass. App. 1104, 807 N. E. 2d 862.

No. 04-447. *CLISSURAS v. CONCORD VILLAGE OWNERS, INC., ET AL.* Ct. App. N. Y. Certiorari denied. Reported below: 3 N. Y. 3d 634, 816 N. E. 2d 192.

No. 04-452. *CLINTON v. CITY OF ATLANTA, GEORGIA.* C. A. 11th Cir. Certiorari denied. Reported below: 112 Fed. Appx. 2.

No. 04-459. *MATTMILLER v. MINNESOTA.* Ct. App. Minn. Certiorari denied.

No. 04-460. *NATIONAL LEAGUE OF CITIES ET AL. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 345 F. 3d 1120.

No. 04-465. *BENCHIMOL v. URRUTIA.* Sup. Ct. Fla. Certiorari denied. Reported below: 874 So. 2d 1191.

No. 04-472. *H&R BLOCK, INC., ET AL. v. MCNULTY ET AL.* Super. Ct. Pa. Certiorari denied. Reported below: 843 A. 2d 1267.

No. 04-475. *ALBUQUERQUE-RIVERA v. ASHCROFT, ATTORNEY GENERAL.* C. A. 9th Cir. Certiorari denied.

No. 04-481. *ENEWALLY ET UX. v. WASHINGTON MUTUAL BANK.* C. A. 9th Cir. Certiorari denied. Reported below: 368 F. 3d 1165.

No. 04-496. *BRENEMAN ET AL. v. UNITED STATES.* C. A. Fed. Cir. Certiorari denied. Reported below: 97 Fed. Appx. 329.

No. 04-502. *VALLONE ET AL. v. CNA FINANCIAL CORP., AKA CNA CASUALTY OF ILLINOIS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 375 F. 3d 623.

No. 04-504. *BRACKEN v. HOYME.* Sup. Ct. Wis. Certiorari denied. Reported below: 270 Wis. 2d 55, 677 N. W. 2d 233.

No. 04-511. *REES v. CITY OF GLENDALE, CALIFORNIA, ET AL.* App. Div., Super. Ct. Cal., County of Los Angeles. Certiorari denied.

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No. 04-541. *BLANSETT ET AL. v. CONTINENTAL AIRLINES, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 379 F. 3d 177.

No. 04-543. *PHONOMETRICS, INC., ET AL. v. ITT SHERATON CORP.* C. A. Fed. Cir. Certiorari denied. Reported below: 106 Fed. Appx. 717.

No. 04-577. *BALLARD v. MICHIGAN.* Ct. App. Mich. Certiorari denied.

No. 04-587. *SAWUKAYTIS v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 6th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 29.

No. 04-596. *WILLIAMS-RUSSELL & JOHNSON, INC. v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 371 F. 3d 1350.

No. 04-600. *FARMER v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 370 F. 3d 435.

No. 04-606. *CASTILLA v. UNITED STATES; and CALAS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 04-616. *CHOHUNG BANK v. FILLER, TRUSTEE, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 378 F. 3d 213.

No. 04-619. *WEIL v. UNITED STATES.* C. A. 11th Cir. Certiorari denied.

No. 04-5878. *PERRY v. KEMNA, SUPERINTENDENT, CROSSROADS CORRECTIONAL FACILITY.* C. A. 8th Cir. Certiorari denied. Reported below: 356 F. 3d 880.

No. 04-5897. *FITZGERALD v. FITZGERALD ET AL.* App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 5 App. Div. 3d 916, 772 N. Y. S. 2d 881.

No. 04-5908. *SCOTT v. PENNSYLVANIA DEPARTMENT OF PUBLIC WELFARE.* C. A. 3d Cir. Certiorari denied. Reported below: 100 Fed. Appx. 127.

No. 04-6185. *PINEDA-TORRES v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 453.

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No. 04-6526. *ROBINSON v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 874 So. 2d 66.

No. 04-6553. *BOLTON v. KING, SUPERINTENDENT, SOUTH MISSISSIPPI CORRECTIONAL FACILITY*. C. A. 5th Cir. Certiorari denied.

No. 04-6556. *JONES v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 358 N. C. 330, 595 S. E. 2d 124.

No. 04-6557. *PRUITT v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 04-6561. *PRUITT v. WILSON, SUPERINTENDENT, MISSISSIPPI STATE PENITENTIARY, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 281.

No. 04-6565. *WILLIAMS v. SUPERIOR COURT OF CALIFORNIA, VENTURA COUNTY*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 04-6566. *DOUGLAS v. TRUE, WARDEN*. C. A. 4th Cir. Certiorari denied.

No. 04-6570. *DEMATTEO v. DIGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD*. C. A. 3d Cir. Certiorari denied.

No. 04-6571. *LEPLEY v. NEVADA*. Sup. Ct. Nev. Certiorari denied. Reported below: 119 Nev. 827, 130 P. 3d 698.

No. 04-6583. *GREEN v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 119 Wash. App. 15, 79 P. 3d 460.

No. 04-6585. *GONZALES v. YARBOROUGH, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-6589. *HOWARD v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 877 So. 2d 136.

No. 04-6590. *FRIDAY v. PITCHER, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 568.

No. 04-6592. *HALL v. MCCRAY ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 112 Fed. Appx. 1.

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No. 04–6594. *PERKINS v. LOCKYER*, ATTORNEY GENERAL OF CALIFORNIA, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 84 Fed. Appx. 914.

No. 04–6596. *HARRIS v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 04–6597. *GREER v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 879 So. 2d 621.

No. 04–6598. *HOUGH v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 04–6605. *PRATT v. LFG*. C. A. 7th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 571.

No. 04–6612. *ASH v. ASH ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 04–6613. *ANDERSON v. SIZER*, COMMISSIONER, MARYLAND DIVISION OF CORRECTION, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 106 Fed. Appx. 865.

No. 04–6614. *BURTON v. CLEVELAND OHIO EMPOWERMENT ZONE ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 461.

No. 04–6615. *LEWIS v. GASPAR*. C. A. 9th Cir. Certiorari denied.

No. 04–6616. *MCDEID v. MOONEY*, DIRECTOR OF THE MINNESOTA SEX OFFENDER PROGRAM; *COKER v. MOONEY*, DIRECTOR OF THE MINNESOTA SEX OFFENDER PROGRAM; *JOHNSON v. MOONEY*, DIRECTOR OF THE MINNESOTA SEX OFFENDER PROGRAM; *POOLE v. MOONEY*, DIRECTOR OF THE MINNESOTA SEX OFFENDER PROGRAM; *SERNA v. MOONEY*, DIRECTOR OF THE MINNESOTA SEX OFFENDER PROGRAM; *RUBIN v. MOONEY*, DIRECTOR OF THE MINNESOTA SEX OFFENDER PROGRAM; *BENSON v. MOONEY*, DIRECTOR OF THE MINNESOTA SEX OFFENDER PROGRAM; *ROBB v. MOONEY*, DIRECTOR OF THE MINNESOTA SEX OFFENDER PROGRAM; *SABO v. MOONEY*, DIRECTOR OF THE MINNESOTA SEX OFFENDER PROGRAM; *WILSON v. MOONEY*, DIRECTOR OF THE MINNESOTA SEX OFFENDER PROGRAM; and *LEE v. MOONEY*, DIRECTOR OF



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THE MINNESOTA SEX OFFENDER PROGRAM. Ct. App. Minn. Certiorari denied.

No. 04-6618. MARTINI *v.* HENDRICKS, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 348 F. 3d 360.

No. 04-6634. AMESBURY *v.* DEAN, SHERIFF, MARION COUNTY, FLORIDA, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 120 Fed. Appx. 786.

No. 04-6635. JENKINS *v.* CONNECTICUT. App. Ct. Conn. Certiorari denied. Reported below: 82 Conn. App. 802, 847 A. 2d 1044.

No. 04-6641. STEELE *v.* RANDLE, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 04-6644. KLINGER *v.* TENNIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW. C. A. 3d Cir. Certiorari denied.

No. 04-6648. BUIE *v.* EPPS, COMMISSIONER, MISSISSIPPI DEPARTMENT OF CORRECTIONS, ET AL. C. A. 5th Cir. Certiorari denied.

No. 04-6656. WRIGHT *v.* YATES, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 719.

No. 04-6659. TAYLOR *v.* YARBROUGH, SHERIFF, WALTON COUNTY, GEORGIA, ET AL. C. A. 11th Cir. Certiorari denied.

No. 04-6662. DUNCAN *v.* PRINCIPI, SECRETARY OF VETERANS AFFAIRS, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 875.

No. 04-6663. COLLINS *v.* CITIBANK (SOUTH DAKOTA), N. A. Super. Ct. N. J., App. Div. Certiorari denied.

No. 04-6666. IN SOO CHUN *v.* KING COUNTY DEPARTMENT OF JUDICIAL ADMINISTRATION. Ct. App. Wash. Certiorari denied.

No. 04-6668. MOORE *v.* KELLY, SUPERINTENDENT, CENTRAL MISSISSIPPI CORRECTIONAL FACILITY. C. A. 5th Cir. Certiorari denied.

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No. 04–6670. *MCDONALD v. HOFBAUER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 04–6671. *N’KIMOTU v. SULLIVAN, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04–6673. *BRITT, GUARDIAN OF BRITT, A LEGALLY INCAPACITATED PERSON v. FOX ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 627.

No. 04–6675. *COLEMAN v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04–6676. *COOPER v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04–6677. *CLAPSADL v. SHANNON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT FRACKVILLE, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04–6685. *HERNANDEZ v. GARCIA, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04–6687. *GARCIA v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04–6689. *FAWKES v. CASTRO, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 781.

No. 04–6690. *GRAY v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04–6692. *IVES v. BOONE, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 274.

No. 04–6695. *SINGH v. MILLER, SUPERINTENDENT, EASTERN NEW YORK CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 104 Fed. Appx. 770.

No. 04–6696. *STEPHENS v. NORRIS, DIRECTOR, ARKANSAS DEPARTMENT OF CORRECTION*. C. A. 8th Cir. Certiorari denied.

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No. 04-6697. *BLAIR v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-6701. *HARRISON v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 04-6702. *HUMPHREY v. KIMBROOK MANOR APARTMENTS.* Ct. App. N. Y. Certiorari denied. Reported below: 3 N. Y. 3d 700, 818 N. E. 2d 668.

No. 04-6703. *HOWARD v. PERDUE, GOVERNOR OF GEORGIA, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-6708. *BANSAL v. LAMAR UNIVERSITY ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 590.

No. 04-6723. *HOLLINGSWORTH v. JONES, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 04-6727. *CAPPA v. BARNHART, COMMISSIONER OF SOCIAL SECURITY.* C. A. 9th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 878.

No. 04-6733. *LAMBERT v. MCBRIDE, SUPERINTENDENT, MAXIMUM CONTROL FACILITY.* C. A. 7th Cir. Certiorari denied. Reported below: 365 F. 3d 557.

No. 04-6736. *BOSCAINO v. YARBOROUGH, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 04-6752. *DURAN v. CASTRO, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 631.

No. 04-6756. *JONES v. ROPER, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER.* C. A. 8th Cir. Certiorari denied. Reported below: 359 F. 3d 1005.

No. 04-6777. *LUCAS v. ADAMS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 04-6808. *WESTON v. JACKSON, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 04-6840. *ANDERSON v. OHIO.* Ct. App. Ohio, Washington County. Certiorari denied.

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No. 04–6851. *MARSHALL v. MEDICOMP, INC.* Ct. App. Miss. Certiorari denied. Reported below: 878 So. 2d 193.

No. 04–6853. *SPRINGFIELD v. YARBOROUGH, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 247.

No. 04–6907. *HELTON v. MCADORY, WARDEN.* C. A. 7th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 576.

No. 04–6916. *GRAVES v. WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS.* C. A. 9th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 220.

No. 04–6939. *STOCKMEIER v. SANDOVAL, ATTORNEY GENERAL OF NEVADA.* C. A. 9th Cir. Certiorari denied.

No. 04–6948. *MARIN v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 04–6982. *STEWART v. BARNHART, COMMISSIONER OF SOCIAL SECURITY.* C. A. 9th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 477.

No. 04–6990. *TRAVERSO v. MARYLAND.* Ct. Sp. App. Md. Certiorari denied. Reported below: 156 Md. App. 759.

No. 04–6993. *WILLIAMS v. NORTH CAROLINA.* Gen. Ct. Justice, Super. Ct. Div., Forsyth County, N. C. Certiorari denied.

No. 04–6994. *CARTER v. DIGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04–7001. *BELTON v. NEW HAMPSHIRE.* Sup. Ct. N. H. Certiorari denied. Reported below: 150 N. H. 741, 846 A. 2d 526.

No. 04–7027. *COLON v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04–7052. *GLASKER v. TRANSAMERICA FINANCIAL SERVICES, INC., ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 389.

No. 04–7068. *SERRATO-ESPINOZA v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 723.

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No. 04–7069. *ROGERS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 116 Fed. Appx. 245.

No. 04–7070. *RIOS-MACIAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 883.

No. 04–7071. *ACUNA-CUADROS v. UNITED STATES*; and *CAS-  
TILLO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Re-  
ported below: 385 F. 3d 875 (first judgment); 386 F. 3d 632 (sec-  
ond judgment).

No. 04–7076. *MCCOY v. UNITED STATES*. C. A. 4th Cir. Cer-  
tiorari denied. Reported below: 102 Fed. Appx. 355.

No. 04–7083. *SOLOMON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 106 Fed. Appx. 170.

No. 04–7086. *DANIELS v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 104 Fed. Appx. 740.

No. 04–7092. *ROSS v. UNITED STATES*. C. A. 8th Cir. Certio-  
rari denied.

No. 04–7098. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 789.

No. 04–7100. *WILSON v. UNITED STATES*. C. A. 4th Cir. Cer-  
tiorari denied. Reported below: 105 Fed. Appx. 498.

No. 04–7101. *TORRES, AKA SCOTT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 949.

No. 04–7105. *DAVIS v. UNITED STATES*. C. A. 4th Cir. Cer-  
tiorari denied. Reported below: 102 Fed. Appx. 815.

No. 04–7108. *COLEMAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 04–7109. *SMITH v. UNITED STATES*. C. A. 4th Cir. Cer-  
tiorari denied. Reported below: 105 Fed. Appx. 506.

No. 04–7111. *MUHAYMIN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 04–7112. *MARTIN v. UNITED STATES*. C. A. 4th Cir. Cer-  
tiorari denied. Reported below: 378 F. 3d 353.

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No. 04–7113. *GRUBER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 04–7126. *REED v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 04–7132. *JIMENEZ-BORJA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 378 F. 3d 853.

No. 04–7141. *RICE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 112.

No. 04–7145. *CIARAVELLA v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 796.

No. 04–7149. *LAWRENCE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 463.

No. 04–7153. *EDMONDS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 106 Fed. Appx. 416.

No. 04–7157. *PULIDO-PEDROSA, AKA ARROLLO-NARANJO v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 377 F. 3d 1124.

No. 04–7159. *DOMINGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 594.

No. 04–7164. *ADEOSHUN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 04–6470. *ERICKSON v. SUNBEAM CORP.* C. A. 2d Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition.

No. 04–6633. *COLIDA v. MOTOROLA, INC.* C. A. 7th Cir. Certiorari denied. JUSTICE SCALIA took no part in the consideration or decision of this petition. Reported below: 107 Fed. Appx. 647.

*Rehearing Denied*

No. 03–10098. *HAWTHORNE v. CAIN, WARDEN*, *ante*, p. 825;

No. 03–10131. *HOFFMAN v. JONES, WARDEN*, *ante*, p. 825;

No. 03–10192. *GREEN v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*, *ante*, p. 827;

No. 03–10285. *REED v. WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS*, *ante*, p. 829;

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- No. 03–10301. JOHNSON *v.* WARD, DIRECTOR, OKLAHOMA DEPARTMENT OF CORRECTIONS, *ante*, p. 830;
- No. 03–10360. AUTREY *v.* PARSON, *ante*, p. 831;
- No. 03–10806. CURRIE *v.* BLANKS, WARDEN, *ante*, p. 852;
- No. 03–10870. LYNN *v.* ALLEN ET AL., *ante*, p. 855;
- No. 03–10882. PEREA *v.* BUSH, PRESIDENT OF THE UNITED STATES, *ante*, p. 855;
- No. 03–10939. ROMER *v.* CALIFORNIA ET AL. (two judgments), *ante*, p. 859;
- No. 03–10954. KRONCKE *v.* TRUILLO, WARDEN, ET AL., *ante*, p. 860;
- No. 03–10980. MUEHLBERG *v.* ROPER, SUPERINTENDENT, POSTOSI CORRECTIONAL CENTER, ET AL., *ante*, p. 861;
- No. 03–11013. ROMER *v.* YUBA COUNTY, CALIFORNIA, ET AL., *ante*, p. 863;
- No. 04–5021. ALLEN *v.* MITCHELL, WARDEN, *ante*, p. 878;
- No. 04–5057. HALE *v.* DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 880;
- No. 04–5237. UGOCHUKWU *v.* UNITED STATES, *ante*, p. 889;
- No. 04–5325. MCCREARY *v.* JEFFERSON SMURFIT CORP., *ante*, p. 893;
- No. 04–5380. WYNTER *v.* BURGE, SUPERINTENDENT, AUBURN CORRECTIONAL FACILITY, *ante*, p. 896;
- No. 04–5402. CURRIE *v.* BLANKS, WARDEN, *ante*, p. 897;
- No. 04–5427. DEAN *v.* DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 899;
- No. 04–5554. THOMPSON *v.* NEBRASKA DEPARTMENT OF CORRECTIONAL SERVICES ET AL., *ante*, p. 906;
- No. 04–5580. CALHOUN, AKA MARTIN *v.* UNITED STATES, *ante*, p. 906;
- No. 04–5587. BARNES *v.* CAIN, WARDEN, *ante*, p. 929;
- No. 04–5605. BOYCE *v.* SCHRIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL., *ante*, p. 907;
- No. 04–5729. BEDARD *v.* IOWA, *ante*, p. 932;
- No. 04–5780. GRAHAM *v.* WEBBER ET AL., *ante*, p. 911;
- No. 04–5800. JACKSON *v.* COMMISSIONER OF INTERNAL REVENUE, *ante*, p. 911;
- No. 04–5902. IN RE OLSON, *ante*, p. 807;

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No. 04–5912. JONES *v.* CITY OF ST. LOUIS, MISSOURI, *ante*, p. 946;

No. 04–6132. NOEM VETA *v.* DUPNIK, *ante*, p. 948;

No. 04–6243. GARDNER *v.* PRINCIPI, SECRETARY OF VETERANS AFFAIRS, *ante*, p. 948; and

No. 04–6278. WILLIAMS *v.* UNITED STATES, *ante*, p. 939. Petitions for rehearing denied.

No. 03–9994. CORRADINI *v.* CORRADINI, 542 U. S. 941. Motion for leave to file petition for rehearing denied.

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*Miscellaneous Order*

No. 04A469. ASHCROFT, ATTORNEY GENERAL *v.* O CENTRO ESPIRITA BENEFICENTE UNIAO DO VEGETAL ET AL. C. A. 10th Cir. Application for stay of injunction or, in the alternative, to recall and stay the mandate, presented to JUSTICE BREYER, and by him referred to the Court, denied. The temporary stay entered December 1, 2004, is vacated.

*Certiorari Granted*

No. 04–340. SAN REMO HOTEL, L. P., ET AL. *v.* CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA, ET AL. C. A. 9th Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 364 F. 3d 1088.

No. 04–480. METRO-GOLDWYN-MAYER STUDIOS INC. ET AL. *v.* GROKSTER, LTD., ET AL. C. A. 9th Cir. Certiorari granted. Reported below: 380 F. 3d 1154.

No. 04–495. WILKINSON, DIRECTOR, OHIO DEPARTMENT OF REHABILITATION AND CORRECTION, ET AL. *v.* AUSTIN ET AL. C. A. 6th Cir. Certiorari granted. Reported below: 372 F. 3d 346.

No. 04–5928. MEDELLIN *v.* DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 371 F. 3d 270.



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*Certiorari Granted—Vacated and Remanded*

No. 03–1622. *FOUBERT v. LYONS*. C. A. 6th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Brosseau v. Haugen*, ante, p. 194 (*per curiam*). Reported below: 90 Fed. Appx. 835.

*Certiorari Granted—Reversed and Remanded*. (See No. 03–1261, ante, p. 194.)

*Miscellaneous Orders*

No. 04A305. *KRONCKE v. HOOD ET AL.*; and

No. 04A306. *KRONCKE v. HOOD ET AL.* Applications for certificates of appealability, addressed to JUSTICE STEVENS and referred to the Court, denied.

No. 04A449. *PPG INDUSTRIES, INC. v. NELSON, DBA JAMESTON GLASS SERVICE, ET AL.* C. A. 3d Cir. Application to recall and stay the mandate, addressed to JUSTICE BREYER and referred to the Court, denied.

No. 04M29. *CONYER v. UNITED STATES*. Motion to direct the Clerk to file petition for writ of certiorari out of time denied.

No. 03–388. *BATES ET AL. v. DOW AGROSCIENCES LLC*. C. A. 5th Cir. [Certiorari granted, 542 U.S. 936.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 03–932. *DURA PHARMACEUTICALS, INC., ET AL. v. BROUDO ET AL.* C. A. 9th Cir. [Certiorari granted, 542 U.S. 936.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 03–1601. *CITY OF RANCHO PALOS VERDES, CALIFORNIA, ET AL. v. ABRAMS*. C. A. 9th Cir. [Certiorari granted, 542 U.S. 965.] Motion of petitioners to dispense with printing the joint appendix granted. Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 04–5695. *COOPER v. LOCK, SUPERINTENDENT, CENTRAL MISSOURI CORRECTIONAL CENTER*. Sup. Ct. Mo. Motion of

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petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 921] denied.

No. 04-6715. HALL *v.* MILLER. Sup. Ct. Ky.; and

No. 04-6768. FAN *v.* NAG ET AL. C. A. 6th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until January 3, 2005, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

No. 04-7307. IN RE CAJA FONESCA. Petition for writ of habeas corpus denied.

*Certiorari Denied*

No. 03-10858. BROOMES ET AL. *v.* ASHCROFT, ATTORNEY GENERAL, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 358 F. 3d 1251.

No. 04-173. QUINN ET AL. *v.* SECURITIES AND EXCHANGE COMMISSION. C. A. 5th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 744.

No. 04-190. PETRO-HUNT, L. L. C., ET AL. *v.* UNITED STATES ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 365 F. 3d 385.

No. 04-198. R. J. FITZGERALD & CO., INC., ET AL. *v.* COMMODITY FUTURES TRADING COMMISSION. C. A. 11th Cir. Certiorari denied. Reported below: 310 F. 3d 1321.

No. 04-206. SL SERVICE, INC. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 357 F. 3d 1358.

No. 04-482. DILLARD'S, INC. *v.* BYRD. C. A. 11th Cir. Certiorari denied. Reported below: 368 F. 3d 1278.

No. 04-483. HUNTER *v.* PORTER. App. Ct. Mass. Certiorari denied. Reported below: 57 Mass. App. 233, 782 N. E. 2d 530.

No. 04-486. LAPIDES *v.* NATIONAL CITY BANK OF MINNEAPOLIS. C. A. 4th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 910.

No. 04-490. PARKER *v.* MCLAURIN ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 801.

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No. 04-494. *OVERMAN v. TAYLOR*. C. A. 11th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 185.

No. 04-500. *LEVIN v. UPPER MAKEFIELD TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 90 Fed. Appx. 653.

No. 04-505. *CONROY v. ABRAHAM CHEVROLET-TAMPA, INC., DBA AUTOWAY CHEVROLET*. C. A. 11th Cir. Certiorari denied. Reported below: 375 F. 3d 1228.

No. 04-509. *SANCHEZ ET AL. v. BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS*. Dist. Ct. N. M., Bernalillo County. Certiorari denied.

No. 04-520. *PALAHUTA v. ASHCROFT, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 580.

No. 04-622. *NEGELE v. ASHCROFT, ATTORNEY GENERAL*. C. A. 8th Cir. Certiorari denied. Reported below: 368 F. 3d 981.

No. 04-638. *ZAVALIDROGA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 721.

No. 04-646. *BIERNAT v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 369 F. 3d 1046.

No. 04-5606. *SKINNER v. SAN FELIPE DEL RIO CONSOLIDATED INDEPENDENT SCHOOL DISTRICT ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 717.

No. 04-5708. *CEDANO-MEDINA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 366 F. 3d 682.

No. 04-5794. *GOLDSTEIN v. HARVARD UNIVERSITY*. C. A. 1st Cir. Certiorari denied. Reported below: 77 Fed. Appx. 534.

No. 04-6717. *GOODRIDGE v. LEWIS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04-6731. *SCOTT v. WACKENHUT CORP. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 443.

No. 04-6732. *SIXTA v. TEXAS*. Ct. App. Tex., 1st Dist. Certiorari denied.

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No. 04–6738. *PARTIN v. ROBINSON*, TRANSFER CASE WORKER, ET AL. C. A. 8th Cir. Certiorari denied.

No. 04–6743. *STONEMAN v. SCHRIRO*, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS. C. A. 9th Cir. Certiorari denied. Reported below: 106 Fed. Appx. 567.

No. 04–6749. *STINSON v. KYLER*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HUNTINGDON. C. A. 3d Cir. Certiorari denied.

No. 04–6750. *SHABAZZ v. MATESANZ*. C. A. 1st Cir. Certiorari denied.

No. 04–6761. *MOORE v. FORTNER*, WARDEN, ET AL. C. A. 11th Cir. Certiorari denied.

No. 04–6762. *MCCOOL v. PAPPERT*, ATTORNEY GENERAL OF PENNSYLVANIA, ET AL. C. A. 3d Cir. Certiorari denied.

No. 04–6763. *BRYANT v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 04–6764. *BELCHER v. KEMNA*, SUPERINTENDENT, CROSSROADS CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied.

No. 04–6771. *WALTER v. SOBINA*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SOMERSET, ET AL. C. A. 3d Cir. Certiorari denied.

No. 04–6775. *BENSON v. HOME DEPOT U.S.A., INC.* C. A. 5th Cir. Certiorari denied.

No. 04–6780. *LUMUMBA v. PATRICK*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT HOUTZDALE, ET AL. C. A. 3d Cir. Certiorari denied.

No. 04–6795. *HARRIS v. FLORIDA*; and

No. 04–6796. *GENTES v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 881 So. 2d 1079.

No. 04–6821. *COCKRELL v. WOODFORD*, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS. C. A. 9th Cir. Certiorari denied.

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No. 04-6857. *PAGE v. LAMARQUE, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 767.

No. 04-6901. *STONE v. CRAWFORD, DIRECTOR, NEVADA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 662.

No. 04-6983. *SIMBA v. THOMPSON ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 967.

No. 04-6986. *BREWER v. HALL, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 378 F. 3d 952.

No. 04-7004. *WILSON v. SNODGRASS, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied.

No. 04-7026. *COOLEY v. WATKINS, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 861.

No. 04-7028. *DORENBOS v. GORMAN, SUPERINTENDENT, LARCH CORRECTIONS CENTER*. C. A. 9th Cir. Certiorari denied.

No. 04-7102. *WILLIAMS v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 207.

No. 04-7107. *MARLOW v. WISCONSIN*. Ct. App. Wis. Certiorari denied. Reported below: 275 Wis. 2d 277, 683 N. W. 2d 94.

No. 04-7123. *CARR v. SCHOFIELD, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 364 F. 3d 1246.

No. 04-7155. *EVANS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 780.

No. 04-7169. *FRAMPTON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 382 F. 3d 213.

No. 04-7170. *HERVEY v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 278 Kan. —, 91 P. 3d 1238.

No. 04-7178. *RAMIREZ-RODRIGUEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 561.

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No. 04–7180. HOWARD *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 986.

No. 04–7181. GONZALEZ-VALENZUELA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied.

No. 04–7185. THOMAS *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied.

No. 04–7187. WILSON *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied.

No. 04–7188. SHERRILL *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 82.

No. 04–7195. SANCHEZ *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 133.

No. 04–7204. MCCLAUGHLIN *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 556.

No. 04–7209. KATO *v.* GRABER, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 04–7211. SANDOVAL-RIVAS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 854.

No. 04–7219. PATINO, AKA PATINO-REYES *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 455.

No. 04–7222. LUGAN-BALLEZA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 632.

No. 04–7228. MISLA-MARTINEZ *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied.

No. 03–1452. MUELLER, WARDEN *v.* NUNES. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 350 F. 3d 1045.

No. 04–162. MADDOX, WARDEN *v.* TAYLOR. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 366 F. 3d 992.

No. 04–180. BURLESON *v.* HANCOCK COUNTY SHERIFF’S DEPARTMENT CIVIL SERVICE COMMISSION ET AL. Ct. App. Miss.

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Motion of North Carolina et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 872 So. 2d 43.

No. 04–618. *SILVERSTEIN v. PENGUIN PUTNAM, INC.* C. A. 2d Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 368 F. 3d 77.

No. 04–7271. *KUNKLE v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

JUSTICE STEVENS, concurring.

In a state postconviction proceeding on November 17, 2004, the Texas Court of Criminal Appeals, by a 5-to-4 vote, entered a two-paragraph order denying petitioner Troy Kunkle’s claim that his execution should be set aside because the proceedings that resulted in his death sentence violated the Eighth Amendment under *Penry v. Lynaugh*, 492 U. S. 302 (1989), and *Tennard v. Dretke*, 542 U. S. 274 (2004). Promptly after the Texas court entered its order, and only hours before his execution was scheduled, petitioner applied to this Court for a stay, which we granted. That was the second time this Court had stayed petitioner’s scheduled execution. Because I recognize that granting a stay of execution is not without costs, I write to explain why I felt compelled to vote to grant it, and why I must now vote to deny petitioner’s writ of certiorari.

Given the order entered by the Texas court, we had reason to doubt whether the court’s decision was in fact based on adequate and independent state grounds. The court, for example, stated in its brief order that it had “reviewed [petitioner’s] claims in light of *Tennard v. Dretke* and *Smith v. Texas*.” *Ex parte Kunkle*, No. WR–20,574–04, p. 2. If the court’s decision had indeed been a ruling on the merits of Kunkle’s federal claim, it was inconsistent with our decisions in *Penry*, *Tennard*, and more recently *Smith v. Texas*, *ante*, p. 37 (*per curiam*), and we would have had jurisdiction to review and reverse the order. If, on the other hand, the order was independently based on the state procedural ground that the Texas court itself had no authority to grant the relief requested, we lack jurisdiction. *Herb v. Pitcairn*, 324 U. S. 117, 125–126 (1945). It is beyond dispute, however, that we had jurisdiction to enter a stay in order to give us time to determine

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whether we have jurisdiction to reach the merits of Kunkle's federal claim.

I am now satisfied that the Texas court's determination was independently based on a determination of state law, see Tex. Code Crim. Proc. Ann., Art. 11.071, § 5 (Vernon Supp. 2004–2005), and therefore that we cannot grant petitioner his requested relief. That result is regrettable because it seems plain that Kunkle's sentence was imposed in violation of the Constitution. In this proceeding, however, he has invoked a state remedy that, as a matter of state law, is not available to him. Accordingly, I concur in the Court's decision.

*Rehearing Denied*

No. 03–10876. MINEFIELD *v.* UNITED STATES, *ante*, p. 855;

No. 03–11047. EDISON *v.* DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 865;

No. 04–5082. COLES *v.* JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, *ante*, p. 881;

No. 04–5206. LANDAU *v.* VASTINE-SMITH ET AL., *ante*, p. 887;

No. 04–5403. CLEMENTS *v.* CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL., *ante*, p. 897;

No. 04–5409. CARTER *v.* UNITED STATES, *ante*, p. 898;

No. 04–5461. IRIZARRY SANABRIA *v.* UNITED STATES, *ante*, p. 901;

No. 04–5640. SMITH *v.* \*NSYNC ET AL., *ante*, p. 908;

No. 04–5753. COCHRAN *v.* JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS, *ante*, p. 933;

No. 04–5766. CANNON *v.* DEPARTMENT OF JUSTICE ET AL., *ante*, p. 911;

No. 04–5806. TAALIB-DIN *v.* CITY OF DETROIT, MICHIGAN, ET AL., *ante*, p. 934;

No. 04–5838. VAUGHAN *v.* VAUGHAN ET AL., *ante*, p. 945;

No. 04–5847. JONES *v.* SHANNON VILLAS CONDOMINIUM ASSN., *ante*, p. 935;

No. 04–5880. LONGLEY *v.* UNITED STATES, *ante*, p. 913; and

No. 04–5893. VAUGHAN *v.* PUTNAM COUNTY, FLORIDA, ET AL., *ante*, p. 946. Petitions for rehearing denied.



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*Dismissal Under Rule 46*

No. 03–1571. HACIENDA VALLEY MOBILE ESTATES *v.* CITY OF MORGAN HILL, CALIFORNIA, ET AL. C. A. 9th Cir. Certiorari dismissed under this Court’s Rule 46. Reported below: 353 F. 3d 651.

JANUARY 3, 2005

*Dismissal Under Rule 46*

No. 04–651. MILLER, PERSONAL REPRESENTATIVE OF THE ESTATE OF MILLER, ET AL. *v.* HONEYWELL INTERNATIONAL INC. ET AL. C. A. 7th Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 107 Fed. Appx. 643.

JANUARY 5, 2005

*Dismissal Under Rule 46*

No. 03–1681. CITY OF MORGAN HILL, CALIFORNIA, ET AL. *v.* HACIENDA VALLEY MOBILE ESTATES. C. A. 9th Cir. Certiorari dismissed under this Court’s Rule 46. Reported below: 353 F. 3d 651.

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*Miscellaneous Orders*

No. 03–388. BATES ET AL. *v.* DOW AGROSCIENCES LLC. C. A. 5th Cir. [Certiorari granted, 542 U.S. 936.] Motion of Texas et al. for leave to participate in oral argument as *amici curiae* and for divided argument denied.

No. 04–37. CLINGMAN, SECRETARY, OKLAHOMA STATE ELECTION BOARD, ET AL. *v.* BEAVER ET AL. C. A. 10th Cir. [Certiorari granted, 542 U.S. 965.] Motion of South Dakota et al. for leave to participate in oral argument as *amici curiae* and for divided argument granted.

*Certiorari Granted*

No. 03–1237. MERCK KGAA *v.* INTEGRA LIFESCIENCES I, LTD., ET AL. C. A. Fed. Cir. Motion of Eli Lilly and Company for leave to file a brief as *amicus curiae* granted. Certiorari granted. JUSTICE O’CONNOR and JUSTICE BREYER took no part

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in the consideration or decision of this motion and this petition. Reported below: 331 F. 3d 860.

No. 03-10198. HALBERT *v.* MICHIGAN. Ct. App. Mich. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted.

No. 04-169. GRAHAM COUNTY SOIL AND WATER CONSERVATION DISTRICT ET AL. *v.* UNITED STATES EX REL. WILSON. C. A. 4th Cir. Certiorari granted. Reported below: 367 F. 3d 245.

No. 04-368. ARTHUR ANDERSEN LLP *v.* UNITED STATES. C. A. 5th Cir. Certiorari granted. Reported below: 374 F. 3d 281.

No. 04-514. BELL, WARDEN *v.* THOMPSON. C. A. 6th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted limited to Question 2 presented by the petition. Reported below: 373 F. 3d 688.

No. 04-563. MAYLE, WARDEN *v.* FELIX. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 379 F. 3d 612.

No. 04-603. GRABLE & SONS METAL PRODUCTS, INC. *v.* DARUE ENGINEERING & MANUFACTURING. C. A. 6th Cir. Certiorari granted limited to Question 1 presented by the petition. Reported below: 377 F. 3d 592.

No. 04-637. MITCHELL, WARDEN *v.* STUMPF. C. A. 6th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. Reported below: 367 F. 3d 594.

No. 04-6964. JOHNSON *v.* CALIFORNIA. Ct. App. Cal., 1st App. Dist. Motion of petitioner for leave to proceed *in forma pauperis* granted. Certiorari granted.

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*Dismissal Under Rule 46*

No. 04-5586. PEOPLES *v.* UNITED STATES. C. A. 8th Cir. Certiorari dismissed under this Court's Rule 46. Reported below: 360 F. 3d 892.

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*Certiorari Granted—Vacated and Remanded*

No. 04–273. OZMINT, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS *v.* NANCE. Sup. Ct. S. C. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Florida v. Nixon*, ante, p. 175. Reported below: 358 S. C. 480, 596 S. E. 2d 62.

*Certiorari Dismissed*

No. 04–6805. TASBY, AKA AMEN-RA *v.* DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, ET AL. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 04–6810. WELLS *v.* SCACE ET AL. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 04–6875. REED *v.* ARIZONA. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 04–6935. JOHNSON *v.* DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 04–6987. PEARSON *v.* SAAR, SECRETARY, MARYLAND DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, ET AL. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 100 Fed. Appx. 952.

No. 04–7061. PELLEGRINO *v.* JANKLOW, GOVERNOR OF SOUTH DAKOTA, ET AL. C. A. 8th Cir. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid

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and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein. Reported below: 90 Fed. Appx. 190.

No. 04–7249. REED *v.* UNITED STATES ET AL. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 04–7302. HOOD *v.* BECK ET AL. C. A. 4th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein. Reported below: 108 Fed. Appx. 785.

No. 04–7314. OKORO *v.* HEMINGWAY, WARDEN. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein. Reported below: 104 Fed. Appx. 558.

No. 04–7399. MCCONICO *v.* CITY OF BIRMINGHAM, ALABAMA, ET AL. C. A. 11th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein. Reported below: 116 Fed. Appx. 244.

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No. 04-7402. REED *v.* UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT ET AL. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

*Miscellaneous Orders*

No. D-2387. IN RE DISCIPLINE OF IFILL. Adrian Palmer Ifill, 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-2388. IN RE DISCIPLINE OF CULVER. Allan James Culver, Jr., of Bel Air, 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-2389. IN RE DISCIPLINE OF FITZGERALD. Judith Lenore Fitzgerald, of Baltimore, Md., is suspended from the practice of law in this Court, and a rule will issue, returnable within 40 days, requiring her to show cause why she should not be disbarred from the practice of law in this Court.

No. D-2390. IN RE DISCIPLINE OF WOOD. Benjamin Churchill Wood, of Suffern, 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-2391. IN RE DISCIPLINE OF YOUNG. George Guyer Young III, of Havertown, Pa., 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-2392. IN RE DISCIPLINE OF WEBBER. Joseph Philip Webber, of Towson, 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-2393. IN RE DISCIPLINE OF FRANKEL. Mark David Frankel, of York, Pa., is suspended from the practice of law in

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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-2394. *IN RE DISCIPLINE OF GOODMAN*. Ellis Howard Goodman, of Baltimore, 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. 04M30. *ZENIAN v. DISTRICT OF COLUMBIA PUBLIC SERVICE COMMISSION*;

No. 04M31. *YOUNG v. S. E. JOHNSON COS., INC.*;

No. 04M32. *COLEN v. LOS ANGELES COUNTY BOARD OF SUPERVISORS ET AL.*;

No. 04M33. *DELUCA v. UNITED STATES*;

No. 04M34. *DORROUGH v. UNITED STATES*;

No. 04M36. *NISEWARNER v. UNITED STATES*;

No. 04M37. *SIBLEY v. SIXTH RMA PARTNERS, L. P., AKA RMA PARTNERS, L. P.*; and

No. 04M38. *PANEZO v. SMITH, SUPERINTENDENT, SHAWANGUNK CORRECTIONAL FACILITY*. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 04M35. *ROSS v. CONNECTICUT*. Motion to defer consideration denied. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner denied.

No. 105, Orig. *KANSAS v. COLORADO*. Motion of the Special Master for interim fees and expenses granted, and the Special Master is awarded a total of \$10,060.80 for the period January 26 through November 16, 2004, to be paid equally by the parties. [For earlier decision herein, see, *e. g., ante*, p. 86.]

No. 02-1672. *JACKSON v. BIRMINGHAM BOARD OF EDUCATION*. C. A. 11th Cir. [Certiorari granted, 542 U.S. 903.] Motion of respondent for leave to file a supplemental brief after argument denied.

No. 03-1693. *MCCREARY COUNTY, KENTUCKY, ET AL. v. AMERICAN CIVIL LIBERTIES UNION OF KENTUCKY ET AL.* C. A. 6th Cir. [Certiorari granted, *ante*, p. 924.] Motion of the Acting

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Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 04–70. EXXON MOBIL CORP. *v.* ALLAPATTAH SERVICES, INC., ET AL. C. A. 11th Cir.; and

No. 04–79. DEL ROSARIO ORTEGA ET AL. *v.* STAR-KIST FOODS, INC. C. A. 1st Cir. [Certiorari granted, *ante*, p. 924.] Motion for divided argument granted to be divided as follows: 22 minutes for petitioner in No. 04–70; 22 minutes for respondent in No. 04–79; 22 minutes for respondents in No. 04–70; and 22 minutes for petitioners in No. 04–79. Request to argue the cases *seriatim* denied.

No. 04–278. TOWN OF CASTLE ROCK, COLORADO *v.* GONZALES, INDIVIDUALLY AND AS NEXT BEST FRIEND OF HER DECEASED MINOR CHILDREN, GONZALES ET AL. C. A. 10th Cir. [Certiorari granted, *ante*, p. 955.] Motion of the parties to dispense with printing the joint appendix granted.

No. 04–403. HABERMAN *v.* CITY OF LONG BEACH, NEW YORK, ET AL. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Motion of respondents for sanctions denied.

No. 04–575. NIELSON, EXECUTIVE DIRECTOR, UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY, ET AL. *v.* PRIVATE FUEL STORAGE, L. L. C., ET AL. C. A. 10th Cir. The Acting Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 04–828. EVANS ET AL. *v.* STEPHENS ET AL. C. A. 11th Cir. Motion of petitioners to expedite consideration of petition for writ of certiorari denied.

No. 04–5318. CARTER *v.* UNITED STATES. C. A. 11th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 804] denied.

No. 04–5426. CLARK *v.* UNITED STATES DISTRICT COURTS FOR THE CENTRAL AND NORTHERN DISTRICTS OF CALIFORNIA. C. A. 9th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 804] denied.

No. 04–6290. LEVY *v.* FAIRFAX COUNTY, VIRGINIA, ET AL. C. A. 4th Cir. Motion of petitioner for reconsideration of order

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denying leave to proceed *in forma pauperis* [*ante*, p. 985] denied.

No. 04-7036. VENTIMIGLIA *v.* ST. LOUIS COUNTY, MISSOURI, ET AL. C. A. 8th Cir.;

No. 04-7056. MURESAN *v.* WASHINGTON DEPARTMENT OF SOCIAL AND HEALTH SERVICES. Ct. App. Wash.;

No. 04-7117. AFFUL *v.* ASHCROFT, ATTORNEY GENERAL. C. A. 1st Cir.;

No. 04-7160. IN RE BLEDSOE; and

No. 04-7296. RUIZ RIVERA *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 1st Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until January 31, 2005, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

No. 04-7432. IN RE DOOSE;

No. 04-7456. IN RE BAKER;

No. 04-7551. IN RE ROBINSON, AKA YOWEL;

No. 04-7581. IN RE FIGUEROA;

No. 04-7607. IN RE BROWN;

No. 04-7673. IN RE BROOKS; and

No. 04-7707. IN RE STREETER. Petitions for writs of habeas corpus denied.

No. 04-586. IN RE SHEMONSKY;

No. 04-782. IN RE SHEMONSKY;

No. 04-783. IN RE SHEMONSKY;

No. 04-6951. IN RE MURRAY;

No. 04-7003. IN RE VOVAK;

No. 04-7038. IN RE THIBEAUX;

No. 04-7163. IN RE BARKCLAY; and

No. 04-7200. IN RE BARKCLAY. Petitions for writs of mandamus denied.

No. 04-613. IN RE JARMUTH;

No. 04-6856. IN RE BARKCLAY;

No. 04-6917. IN RE MEASE;

No. 04-6918. IN RE BARKCLAY;

No. 04-6954. IN RE BARKCLAY;

No. 04-7023. IN RE BARKCLAY;

No. 04-7024. IN RE BARKCLAY; and



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No. 04-7300. IN RE VOVAK. Petitions for writs of prohibition denied.

*Certiorari Denied*

No. 04-120. PARKER *v.* FLORIDA. Sup. Ct. Fla. Certiorari denied. Reported below: 873 So. 2d 270.

No. 04-126. ILLINOIS *v.* BRAGGS. Sup. Ct. Ill. Certiorari denied. Reported below: 209 Ill. 2d 492, 810 N. E. 2d 472.

No. 04-256. ASIKA *v.* ASHCROFT, ATTORNEY GENERAL. C. A. 4th Cir. Certiorari denied. Reported below: 362 F. 3d 264.

No. 04-301. OFFICE OF THE COMMISSIONER OF BASEBALL ET AL. *v.* MAJOR LEAGUE UMPIRES ASSN. ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 357 F. 3d 272.

No. 04-318. POOLE *v.* FAMILY COURT OF NEW CASTLE COUNTY ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 368 F. 3d 263.

No. 04-356. EGERVARY *v.* YOUNG ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 366 F. 3d 238.

No. 04-381. SHEN *v.* T. D. WATERHOUSE INVESTOR SERVICE, INC. C. A. 1st Cir. Certiorari denied.

No. 04-389. MAYNARD *v.* NYGREN, SHERIFF, MCHENRY COUNTY, ILLINOIS. C. A. 7th Cir. Certiorari denied. Reported below: 372 F. 3d 890.

No. 04-392. PALCKO *v.* AIRBORNE EXPRESS, INC. C. A. 3d Cir. Certiorari denied. Reported below: 372 F. 3d 588.

No. 04-397. FORMER EMPLOYEES OF MARATHON ASHLAND PIPE LINE, LLC *v.* CHAO, SECRETARY OF LABOR. C. A. Fed. Cir. Certiorari denied. Reported below: 370 F. 3d 1375.

No. 04-398. GLUKOWSKY *v.* EQUITY ONE, INC. Sup. Ct. N. J. Certiorari denied. Reported below: 180 N. J. 49, 848 A. 2d 747.

No. 04-405. HUDSON *v.* METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE. Ct. App. Tenn. Certiorari denied. Reported below: 148 S. W. 3d 907.

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No. 04-423. CHINA NORTH INDUSTRIES CORP., A CHINESE ENTITY, AKA NORINCO *v.* ILETO ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 349 F. 3d 1191.

No. 04-430. LIFESTAR AMBULANCE SERVICE, INC., ET AL. *v.* UNITED STATES ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 365 F. 3d 1293.

No. 04-449. LAMONT *v.* O'DONNELL ET VIR. Sup. Ct. Ore. Certiorari denied. Reported below: 337 Ore. 86, 91 P. 3d 721.

No. 04-468. AG INDUSTRIAL MANUFACTURING INC. ET AL. *v.* WATERKEEPERS NORTHERN CALIFORNIA, DBA DELTAKEEPER, ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 375 F. 3d 913.

No. 04-477. CHIRON CORP. *v.* GENENTECH, INC. C. A. Fed. Cir. Certiorari denied. Reported below: 363 F. 3d 1247.

No. 04-479. ARMSTRONG *v.* SEGAL, AS TRUSTEE OF MOUNTAIN PACIFIC VENTURES, INC., ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 285.

No. 04-487. VISNIC ET AL. *v.* NORTEL NETWORKS CORP. ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 369 F. 3d 27.

No. 04-492. CORRIGAN *v.* WASHINGTON. Super. Ct. Wash., Adams County. Certiorari denied.

No. 04-498. JACOBS *v.* LAWLER ET AL. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 04-501. HEADSPETH *v.* GEORGIA. Ct. App. Ga. Certiorari denied. Reported below: 265 Ga. App. 288, 593 S. E. 2d 742.

No. 04-506. CLEVINGER ET AL. *v.* DIVERSIFIED TELECOM SERVICE, INC. Sup. Ct. Neb. Certiorari denied. Reported below: 268 Neb. 388, 683 N. W. 2d 338.

No. 04-508. BURTON *v.* BUCKNER CHILDREN & FAMILY SERVICES, INC. C. A. 5th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 394.

No. 04-516. DONALDSON ET AL. *v.* LOTT, SHERIFF, RICHLAND COUNTY, SOUTH CAROLINA, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 372 F. 3d 267.

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No. 04-518. *H&R BLOCK, INC., ET AL. v. CARNEGIE, ON BEHALF OF HERSELF AND ALL OTHERS SIMILARLY SITUATED*. C. A. 7th Cir. Certiorari denied. Reported below: 376 F. 3d 656.

No. 04-519. *BIRNBAUM v. LAW OFFICES OF G. DAVID WESTFALL, P. C., ET AL.* Ct. App. Tex., 5th Dist. Certiorari denied. Reported below: 120 S. W. 3d 470.

No. 04-521. *OBER v. BROWN ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 105 Fed. Appx. 345.

No. 04-523. *WYSS, INDIVIDUALLY AND AS GUARDIAN AD LITEM OF WYSS v. CITY OF HOQUIAM, WASHINGTON, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 111 Fed. Appx. 449.

No. 04-524. *TRACY v. TRACY, AKA COCKFIELD, ET AL.* Sup. Ct. Pa. Certiorari denied.

No. 04-525. *LAC COURTE OREILLES BAND OF LAKE SUPERIOR CHIPPEWA INDIANS OF WISCONSIN ET AL. v. UNITED STATES ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 367 F. 3d 650.

No. 04-526. *HUGHES ET AL. v. CRIST, ATTORNEY GENERAL OF FLORIDA*. C. A. 11th Cir. Certiorari denied. Reported below: 377 F. 3d 1258.

No. 04-528. *WOMACK+HAMPTON ARCHITECTS, L. L. C. v. METRIC HOLDINGS LIMITED PARTNERSHIP ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 374.

No. 04-535. *GONZALEZ-HERNANDEZ ET AL. v. ASHCROFT, ATTORNEY GENERAL*. C. A. 5th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 345.

No. 04-538. *DAVIS v. MISSISSIPPI*. Ct. App. Miss. Certiorari denied. Reported below: 878 So. 2d 1020.

No. 04-545. *HERNANDEZ-ANGELES v. ASHCROFT, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 148.

No. 04-547. *TRUNNELL v. SUMMIT COUNTY, UTAH, ET AL.* Ct. App. Utah. Certiorari denied.

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No. 04–549. *EDEM v. UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK*. C. A. 2d Cir. Certiorari denied.

No. 04–550. *NADER ET AL. v. SERODY ET AL.* Sup. Ct. Pa. Certiorari denied. Reported below: 580 Pa. 134, 860 A. 2d 1.

No. 04–551. *ALBRIGHT v. NEIGHBORHOOD DEVELOPMENT COLLABORATIVE*; and

No. 04–552. *GINSBERG v. NEIGHBORHOOD DEVELOPMENT COLLABORATIVE*. C. A. 4th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 811.

No. 04–553. *SIERRA v. FLORIDA DEPARTMENT OF TRANSPORTATION*. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 875 So. 2d 620.

No. 04–558. *SIMEONOV v. ASHCROFT, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 371 F. 3d 532.

No. 04–560. *BLAUSTEIN & REICH, INC., DBA BOB’S GUN & TACKLE SHOP v. TRUSCOTT, DIRECTOR, BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES*. C. A. 4th Cir. Certiorari denied. Reported below: 365 F. 3d 281.

No. 04–562. *SKONIECZNY v. ECONOMY BOROUGH MUNICIPAL AUTHORITY*. Commw. Ct. Pa. Certiorari denied. Reported below: 834 A. 2d 685.

No. 04–564. *CASS v. SUFFOLK COUNTY CORRECTIONAL FACILITY ET AL.* C. A. 2d Cir. Certiorari denied.

No. 04–565. *EDWARDS v. BARTON PROTECTIVE SERVICES, INC., ET AL.* Ct. App. D. C. Certiorari denied. Reported below: 859 A. 2d 1110.

No. 04–566. *WALTERS v. DAUGHTERS OF CHARITY NATIONAL HEALTH SYSTEM, INC., DBA PROVIDENCE HOSPITAL, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 112 Fed. Appx. 3.

No. 04–567. *TALMIDGE INTERNATIONAL, LTD., ET AL. v. DAHIYA*. C. A. 5th Cir. Certiorari denied. Reported below: 371 F. 3d 207.

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No. 04-573. *CHESAPEAKE BAY FISHING CO., L. C. v. GOLDEN NUGGET, INC., ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 530.

No. 04-578. *SERRATO v. KAPLAN ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 509.

No. 04-580. *SORENSEN v. NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 98 Fed. Appx. 905.

No. 04-583. *MACDONALD LETTER SERVICE, INC. v. MARSHALL, SECRETARY OF THE IOWA SENATE, ET AL.* Ct. App. Iowa. Certiorari denied. Reported below: 683 N. W. 2d 126.

No. 04-584. *KONDAKOVA ET AL. v. ASHCROFT, ATTORNEY GENERAL.* C. A. 8th Cir. Certiorari denied. Reported below: 383 F. 3d 792.

No. 04-588. *OLIVER v. DEPARTMENT OF THE ARMY.* C. A. Fed. Cir. Certiorari denied. Reported below: 107 Fed. Appx. 899.

No. 04-601. *SHAFFER v. MILLER-STOUT, SUPERINTENDENT, AIRWAY HEIGHTS CORRECTIONS CENTER.* C. A. 9th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 626.

No. 04-604. *CITY OF TUCSON, ARIZONA, ET AL. v. MCCULLEY.* C. A. 9th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 21.

No. 04-608. *LEWIS v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 368 F. 3d 1102.

No. 04-612. *AMARANENI, ADMINISTRATOR OF THE ESTATE OF VENKATARAMIAH, ET AL. v. GULF COAST RESEARCH LABORATORY ET AL.* Sup. Ct. Miss. Certiorari denied. Reported below: 877 So. 2d 1250.

No. 04-614. *KELLY v. ORANGE COUNTY, CALIFORNIA.* C. A. 9th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 206.

No. 04-615. *KAPLAN v. BERGHUIS, WARDEN.* C. A. 6th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 74.

No. 04-625. *HAAS v. WISCONSIN ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 107.

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No. 04–627. *MARTINEZ v. GARCIA, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 379 F. 3d 1034 and 100 Fed. Appx. 702.

No. 04–628. *JAFFEE v. GOODWIN ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 784.

No. 04–629. *RAHN, DIRECTOR, MISSOURI DEPARTMENT OF TRANSPORTATION, ET AL. v. ROBB ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 370 F. 3d 735.

No. 04–630. *RULLAN, SECRETARY, PUERTO RICO DEPARTMENT OF HEALTH, ET AL. v. MORALES FELICIANO ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 378 F. 3d 42.

No. 04–632. *KUAMOO ET AL. v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 137.

No. 04–633. *PRATT v. NELSON, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 836.

No. 04–634. *PEABODY COAL CO. ET AL. v. NAVAJO NATION*. C. A. 9th Cir. Certiorari denied. Reported below: 373 F. 3d 945.

No. 04–635. *GABANSKI v. MACLEAN ET AL.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied.

No. 04–636. *FRIENDS OF FALUN GONG ET AL. v. PACIFIC CULTURE ENTERPRISE, INC., DBA CHINA PRESS, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 109 Fed. Appx. 442.

No. 04–639. *ZEIDAN v. ASHCROFT, ATTORNEY GENERAL*. C. A. 4th Cir. Certiorari denied.

No. 04–640. *1690 COBB L. L. C., DBA WATERPIPE WORLD, ET AL. v. CITY OF MARIETTA, GEORGIA, ET AL.* Super. Ct. Cobb County, Ga. Certiorari denied.

No. 04–642. *DIPPIN’ DOTS, INC. v. FROSTY BITES DISTRIBUTION, LLC*. C. A. 11th Cir. Certiorari denied. Reported below: 369 F. 3d 1197.

No. 04–643. *BARNES v. ROZMAN ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 107 Fed. Appx. 273.

No. 04–644. *BROOKS v. KINGSTON, ACTING WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 380 F. 3d 1009.

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No. 04-648. *RHINEHART v. UTAH*. 1st Jud. Dist. Ct., Cache County, Utah. Certiorari denied.

No. 04-653. *CULWELL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 426.

No. 04-654. *MCDONALD, EXECUTRIX OF THE ESTATE OF ROGER v. UNITED STATES ET AL.* C. A. 1st Cir. Certiorari denied.

No. 04-656. *JUN ZHANG v. ASHCROFT, ATTORNEY GENERAL*. C. A. 5th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 361.

No. 04-662. *ZAMACONA-ESCALERA v. ASHCROFT, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied.

No. 04-664. *LOOP CORP. ET AL. v. UNITED STATES TRUSTEE*. C. A. 8th Cir. Certiorari denied. Reported below: 379 F. 3d 511.

No. 04-669. *NICHOLS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 376 F. 3d 440.

No. 04-671. *VANGUILDER v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied.

No. 04-673. *MOODY NATIONAL BANK OF GALVESTON v. GE LIFE & ANNUITY ASSURANCE Co.* C. A. 5th Cir. Certiorari denied. Reported below: 383 F. 3d 249.

No. 04-678. *GOODMAN v. BOWDOIN COLLEGE*. C. A. 1st Cir. Certiorari denied. Reported below: 380 F. 3d 33.

No. 04-680. *JACKSON ET AL. v. RAY ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 893.

No. 04-683. *BARBEE ET AL. v. COLONIAL HEALTHCARE CENTER, INC., ET AL.* C. A. 5th Cir. Certiorari denied.

No. 04-685. *TRAFICANT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 368 F. 3d 646.

No. 04-700. *TRAUM v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 60 M. J. 226.

No. 04-706. *ANCONA v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. Reported below: 270 Conn. 568, 854 A. 2d 718.

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No. 04-707. *BOWMAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 380 F. 3d 387.

No. 04-709. *SIFRIT v. MARYLAND*. Ct. App. Md. Certiorari denied. Reported below: 383 Md. 77, 857 A. 2d 65.

No. 04-725. *SIMMONS v. KMART CORP.* C. A. 7th Cir. Certiorari denied. Reported below: 381 F. 3d 709.

No. 04-733. *GRAVES v. SCHROEDER, CHIEF JUDGE, UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT, ET AL.; and GRAVES v. FEESS ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04-738. *CALLAN v. BUSH, PRESIDENT OF THE UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 68.

No. 04-756. *ANDERSON ET AL. v. INTERNATIONAL UNION, UNITED PLANT GUARD WORKERS OF AMERICA, ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 370 F. 3d 542.

No. 04-767. *MOORE v. TENNESSEE DEPARTMENT OF CHILDREN'S SERVICES*. Ct. App. Tenn. Certiorari denied.

No. 04-5160. *GROSS v. LOUISIANA*. Ct. App. La., 1st Cir. Certiorari denied. Reported below: 852 So. 2d 1.

No. 04-5161. *GROSS v. LOUISIANA*. Ct. App. La., 1st Cir. Certiorari denied. Reported below: 852 So. 2d 1.

No. 04-5333. *TOWNSELL v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 209 Ill. 2d 543, 809 N. E. 2d 103.

No. 04-5463. *AWADALLAH v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 349 F. 3d 42.

No. 04-5578. *CORUM v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 362 F. 3d 489.

No. 04-5723. *RILEY v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 362 F. 3d 302.

No. 04-5795. *PERKINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 363 F. 3d 317.



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No. 04–5863. GRAJEDA-RAMIREZ *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 348 F. 3d 1123.

No. 04–5899. HARDY *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 813.

No. 04–5957. SHELTON *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 325 F. 3d 553.

No. 04–5959. BRINKLEY *v.* GILLIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT COAL TOWNSHIP, ET AL. C. A. 3d Cir. Certiorari denied.

No. 04–5981. BUSH *v.* SMITH, SUPERINTENDENT, SHAW-ANGUNK CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 04–5983. REYES *v.* MCELROY. C. A. 2d Cir. Certiorari denied.

No. 04–5990. WAYNE *v.* SANTA CLARA VALLEY TRANSPORTATION AUTHORITY. C. A. 9th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 578.

No. 04–6006. DAMES *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 04–6046. PORTILLO *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 383.

No. 04–6136. MAYE *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied.

No. 04–6257. ESPARAZA-VARELA, AKA ZAMORA *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 106 Fed. Appx. 1.

No. 04–6316. ARRIETA-BUENDIA *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 372 F. 3d 953.

No. 04–6346. AFFINITO *v.* HENDRICKS, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 366 F. 3d 252.

No. 04–6368. CRAWFORD *v.* UNITED STATES ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 372 F. 3d 1048.

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No. 04-6403. *RECIO-VALLEJO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 955.

No. 04-6416. *BROOKS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 367 F. 3d 1128.

No. 04-6482. *BONNER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 363 F. 3d 213.

No. 04-6552. *VEASLEY v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 32 Cal. 4th 704, 86 P. 3d 302.

No. 04-6562. *LANGDON v. MALLONEE ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 252.

No. 04-6578. *GRABER v. OHIO*. Ct. App. Ohio, Stark County. Certiorari denied.

No. 04-6621. *CARTER v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 156 N. C. App. 446, 577 S. E. 2d 640.

No. 04-6629. *PAREDES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 491.

No. 04-6684. *GLASS v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 136 S. W. 3d 496.

No. 04-6688. *FRANKS v. GEORGIA*. Sup. Ct. Ga. Certiorari denied. Reported below: 278 Ga. 246, 599 S. E. 2d 134.

No. 04-6740. *HOFFNER v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 102 Ohio St. 3d 358, 811 N. E. 2d 48.

No. 04-6760. *ST. HELEN v. MILLER, SUPERINTENDENT, EASTERN NEW YORK CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied. Reported below: 374 F. 3d 181.

No. 04-6766. *SOERING v. POWELL, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 111 Fed. Appx. 145.

No. 04-6767. *BROWN v. BLAINE ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04-6778. *MARTIN v. KOLJONEN ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 567.

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No. 04-6779. *LAW v. KELLY*, SUPERINTENDENT, CENTRAL MISSISSIPPI CORRECTIONAL FACILITY. C. A. 5th Cir. Certiorari denied.

No. 04-6782. *MENSCH v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 847 A. 2d 759.

No. 04-6785. *ROBISON v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 04-6786. *SCHEANETTE v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. Reported below: 144 S. W. 3d 503.

No. 04-6789. *STRONG v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. Reported below: 142 S. W. 3d 702.

No. 04-6793. *FRAZIER v. BAGLEY*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 04-6799. *FRANKLIN v. CAIN*, WARDEN. C. A. 5th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 934.

No. 04-6802. *HUMPHREY v. PHARM CHEMICAL LABORATORY ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 100 Fed. Appx. 837.

No. 04-6804. *POLONCZYK v. POLONCZYK ET AL.* C. A. 5th Cir. Certiorari denied.

No. 04-6807. *JIN WAI, AKA CHU v. FISCHER*, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 04-6809. *WILSON v. PEGUESE*, WARDEN. Ct. Sp. App. Md. Certiorari denied.

No. 04-6814. *SAMPSON v. JOHNSON*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. C. A. 4th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 927.

No. 04-6817. *BOATMAN v. CROSBY*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Certiorari denied.

No. 04-6819. *COBB v. COURT OF APPEAL OF CALIFORNIA*, SECOND APPELLATE DISTRICT, DIVISION FIVE. Sup. Ct. Cal. Certiorari denied.

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No. 04-6820. *CAVANAUGH-BEY v. DISTRICT OF COLUMBIA ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04-6822. *DANIEL v. CANTRELL ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 375 F. 3d 377.

No. 04-6824. *QUARLES v. LINEBERGER.* C. A. 3d Cir. Certiorari denied. Reported below: 100 Fed. Appx. 127.

No. 04-6826. *DIXON v. OHIO.* Sup. Ct. Ohio. Certiorari denied. Reported below: 101 Ohio St. 3d 328, 805 N. E. 2d 1042.

No. 04-6827. *CLARKE v. STOVALL, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 04-6834. *NELSON v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Certiorari denied.

No. 04-6836. *BUTLER v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-6838. *ROBLES v. GOODY'S FAMILY CLOTHING, INC.* C. A. 11th Cir. Certiorari denied.

No. 04-6841. *BUGGAGE v. SHEEHAN PIPELINE CONSTRUCTION Co.* C. A. 10th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 185.

No. 04-6842. *JIMENEZ v. YARBOROUGH, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 04-6849. *BLANCO v. MCDANIEL, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 04-6854. *SPIDLE v. MISSOURI.* Ct. App. Mo., Western Dist. Certiorari denied.

No. 04-6855. *STEWART v. WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS.* C. A. 9th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 205.

No. 04-6862. *JONES v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied. Reported below: 375 F. 3d 352.

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No. 04-6864. *AGUILERA v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 04-6866. *SEALS v. CITY OF WHEELING, WEST VIRGINIA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 972.

No. 04-6870. *SALAZAR-VELASQUEZ v. ASHCROFT, ATTORNEY GENERAL*. C. A. 10th Cir. Certiorari denied. Reported below: 116 Fed. Appx. 167.

No. 04-6871. *THOMPSON v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 04-6873. *SINGLETON v. MARSHALL, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-6874. *RUIZ v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-6876. *SANWICK v. UTAH*. Ct. App. Utah. Certiorari denied.

No. 04-6879. *RICKS v. PEGUESE, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 94 Fed. Appx. 989.

No. 04-6880. *REMOI v. KLEIN ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 100 Fed. Appx. 127.

No. 04-6881. *DOUGLAS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 878 So. 2d 1246.

No. 04-6884. *DAVIS v. DUARTE ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04-6890. *WELSH v. BARNHART, COMMISSIONER OF SOCIAL SECURITY*. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 946.

No. 04-6891. *TROUPE v. BARNHART, COMMISSIONER OF SOCIAL SECURITY*. C. A. 5th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 808.

No. 04-6894. *WATSON v. LENSING, WARDEN*. C. A. 5th Cir. Certiorari denied.

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No. 04–6895. *WILLIAMS v. LOUISIANA*. Ct. App. La., 4th Cir. Certiorari denied. Reported below: 866 So. 2d 296.

No. 04–6897. *WALLACE v. PLILER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04–6902. *HILL v. MIAMI-DADE COUNTY MAYOR ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 907.

No. 04–6904. *HAVARD v. MCARTHUR ET AL.* C. A. 5th Cir. Certiorari denied.

No. 04–6905. *HOLLAND v. FLORIDA*. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. Reported below: 871 So. 2d 241.

No. 04–6906. *HILL v. ROPER, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied.

No. 04–6908. *ACKLIN v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04–6909. *BRADLEY v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04–6910. *ROSS v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04–6915. *GARCIA v. CONWAY, SUPERINTENDENT, ATTICA CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 04–6926. *TOWNSEND v. LAFLER, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 606.

No. 04–6928. *W. M. ET AL. v. COURT SERVICES OFFENDER SUPERVISION AGENCY*. Ct. App. D. C. Certiorari denied. Reported below: 851 A. 2d 431.

No. 04–6930. *LAMARCA v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied.

No. 04–6931. *ALCARAZ MALDONADO v. WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied.

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No. 04-6934. *JONES v. ILLINOIS*. App. Ct. Ill., 4th Dist. Certiorari denied.

No. 04-6936. *HUMPHREY v. NEW YORK*. C. A. 2d Cir. Certiorari denied. Reported below: 108 Fed. Appx. 691.

No. 04-6940. *AKINGBALA v. ASHCROFT, ATTORNEY GENERAL*. C. A. 4th Cir. Certiorari denied.

No. 04-6942. *APONTE v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 579 Pa. 246, 855 A. 2d 800.

No. 04-6943. *ENSWORTH v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 04-6946. *CRAWFORD, AKA GILES v. ANNETTS, SUPERINTENDENT, WALLKILL CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 04-6952. *PARDON v. JONES, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 04-6955. *LUNSFORD v. CARLTON, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 04-6958. *THOMAS v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 371 F. 3d 782.

No. 04-6960. *DEROSA v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 89 P. 3d 1124.

No. 04-6965. *JOHNSON v. CASTRO, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 199.

No. 04-6971. *TRAYLOR v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 360 S. C. 74, 600 S. E. 2d 523.

No. 04-6975. *JONES v. HENDERSON ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-6977. *MARTINEZ v. SMITH*. C. A. 9th Cir. Certiorari denied.

No. 04-6978. *LAWAL v. ASHCROFT, ATTORNEY GENERAL*. C. A. 3d Cir. Certiorari denied. Reported below: 89 Fed. Appx. 774.

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No. 04–6985. *AREVALO v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 04–6988. *WILLIAMS v. BRADSHAW*, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 04–6996. *CADY v. TEXAS*. Ct. App. Tex., 5th Dist. Certiorari denied.

No. 04–6998. *SLONE v. YAVAPAI COUNTY, ARIZONA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04–7000. *MURPHY v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 04–7002. *BERNARDEZ v. GARCIA*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 04–7007. *TASBY, AKA AMEN-RA v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 04–7009. *ORTEGA FLORES v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 04–7013. *ESPINAL v. FISCHER*, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 04–7015. *CASTEEL v. WISCONSIN*. Ct. App. Wis. Certiorari denied.

No. 04–7016. *MILBURN v. TEXAS*. Ct. App. Tex., 3d Dist. Certiorari denied.

No. 04–7017. *DELIO v. NEW YORK*. C. A. 2d Cir. Certiorari denied.

No. 04–7018. *TURNER v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 04–7020. *WADE v. DORMIRE*, SUPERINTENDENT, MISSOURI STATE PENITENTIARY. C. A. 8th Cir. Certiorari denied.

No. 04–7021. *WILKINSON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 33 Cal. 4th 821, 94 P. 3d 551.



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No. 04-7022. *TWIGGS v. DIGUGLIELMO*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL. Sup. Ct. Pa. Certiorari denied.

No. 04-7030. *LEWIS v. AMR ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 382.

No. 04-7031. *MCSPADDEN v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied.

No. 04-7032. *DUE v. HAMLET*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 04-7034. *USHER v. WEST*, SUPERINTENDENT, ELMIRA CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 04-7035. *TURNER v. HUMPHREY*, WARDEN. Super. Ct. Mitchell County, Ga. Certiorari denied.

No. 04-7044. *EVERETT v. PENNSYLVANIA ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04-7046. *VAUGHN v. CITY OF NORTH BRANCH*, MINNESOTA, ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 73.

No. 04-7049. *LAY v. JOHNSON*, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS. Sup. Ct. Va. Certiorari denied.

No. 04-7050. *HART v. MULTNOMAH COUNTY, OREGON, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 706.

No. 04-7051. *HART v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 707.

No. 04-7053. *ALI, FKA SISTRUNK v. DRAGOVICH*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT CHESTER, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 96 Fed. Appx. 796.

No. 04-7055. *OSTLER v. UTAH ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 232.

No. 04-7058. *PAUL v. FOX ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 85 Fed. Appx. 873.

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No. 04–7062. *LAWAL, AKA KOREDE v. ASHCROFT, ATTORNEY GENERAL*. C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 876.

No. 04–7063. *MANNING v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04–7064. *JONES v. DiGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04–7072. *BARNES v. FLORIDA*. C. A. 11th Cir. Certiorari denied.

No. 04–7075. *BODE v. YARBOROUGH, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 130.

No. 04–7077. *NIX v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04–7078. *PITTS v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 04–7079. *DUTRIEVILLE v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 839 A. 2d 1151.

No. 04–7080. *DOCKERAY v. FERNALD, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 1001.

No. 04–7081. *JONES v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied.

No. 04–7082. *MANDELAKA v. TAYLOR, COMMISSIONER, DELAWARE DEPARTMENT OF CORRECTION, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 102 Fed. Appx. 768.

No. 04–7084. *RASHAD, AKA JONES v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 156 Md. App. 772.

No. 04–7085. *SCHRADER v. BARNHART, COMMISSIONER OF SOCIAL SECURITY*. C. A. 9th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 452.

No. 04–7087. *COLONEL v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 150.

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No. 04-7088. *COOK v. VIRGINIA*. C. A. 4th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 818.

No. 04-7089. *ESCARENO v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 04-7090. *LANDRUM v. CAREY, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 116 Fed. Appx. 806.

No. 04-7091. *BATES v. GRANT, SUPERINTENDENT, SOUTHEASTERN CORRECTIONAL CENTER*. C. A. 1st Cir. Certiorari denied. Reported below: 98 Fed. Appx. 11.

No. 04-7095. *MONTUE v. NATIONAL CONCRETE CUTTING CO. ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 752.

No. 04-7097. *NALI v. BLUE CROSS BLUE SHIELD OF MICHIGAN*. Sup. Ct. Mich. Certiorari denied.

No. 04-7099. *TERRY v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 04-7103. *WASKO v. SILVERBERG*. C. A. 10th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 332.

No. 04-7104. *BURKE v. NORTH CAROLINA*. Gen. Ct. Justice, Super. Ct. Div., Iredell County, N. C. Certiorari denied.

No. 04-7106. *EVANS v. ROPER, SUPERINTENDENT, POTOSI CORRECTIONAL CENTER*. C. A. 8th Cir. Certiorari denied. Reported below: 371 F. 3d 438.

No. 04-7110. *OWENS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 868 So. 2d 524.

No. 04-7114. *HARINGTON v. BUDGE, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 106 Fed. Appx. 570.

No. 04-7115. *FIELDER v. LAVAN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 379 F. 3d 113.

No. 04-7116. *COWAN v. JOHNSON, EXECUTIVE DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, ET AL.* C. A. 5th Cir. Certiorari denied.

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No. 04-7118. *AMEH v. ASHCROFT, ATTORNEY GENERAL*. C. A. 4th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 748.

No. 04-7119. *MITCHELL v. LOUISIANA*. Ct. App. La., 2d Cir. Certiorari denied. Reported below: 869 So. 2d 276.

No. 04-7121. *NETTLES v. NEWLAND, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 144.

No. 04-7122. *MCBREARTY v. CENTRAL TEXAS COLLEGE ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 733.

No. 04-7124. *SHOPE v. PUERTO RICO*. C. A. 1st Cir. Certiorari denied.

No. 04-7127. *PESCI v. GANSHEIMER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 04-7128. *BYNUM v. FULTON-DEKALB HOSPITAL AUTHORITY, DBA GRADY MEMORIAL HOSPITAL*. Super. Ct. Fulton County, Ga. Certiorari denied.

No. 04-7130. *MARTINEZ v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 538.

No. 04-7133. *WOODBERRY v. KANSAS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 310.

No. 04-7134. *PURVIS v. TIME & LIFE BUILDING*. C. A. 3d Cir. Certiorari denied. Reported below: 112 Fed. Appx. 867.

No. 04-7136. *WILLIAMS v. CARTER, SUPERINTENDENT, CLALLAM BAY CORRECTIONS CENTER, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-7138. *PHIPPS v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 119 Wash. App. 1065.

No. 04-7139. *CEASAR v. UNITED SERVICES AUTOMOBILE ASSN. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 859.

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No. 04-7140. *DE LA GARZA v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, ET AL. C. A. 5th Cir. Certiorari denied.

No. 04-7143. *PAULING v. RUSHTON*, WARDEN, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 948.

No. 04-7144. *PEREZ v. MASSACHUSETTS*. Super. Ct. Mass., Middlesex County. Certiorari denied.

No. 04-7146. *SANDOVAL v. MCGRATH*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 04-7147. *DAVIS v. WERHOLTZ*, SECRETARY, KANSAS DEPARTMENT OF CORRECTIONS, ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 344.

No. 04-7148. *ATLAND v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-7150. *MAGEE v. LAVAN*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL. C. A. 3d Cir. Certiorari denied.

No. 04-7151. *CASTRO RUIZ v. MCGRATH*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 04-7152. *VALENTINE v. CARRIER CORP.* C. A. 6th Cir. Certiorari denied.

No. 04-7156. *DAVIS v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 817 A. 2d 1175.

No. 04-7161. *DELGADO PARRENO, AKA DELGADO v. YARBOROUGH*, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 753.

No. 04-7162. *MITCHELL v. TENNESSEE ET AL.* C. A. 6th Cir. Certiorari denied.

No. 04-7165. *BURRELL v. BULLARD*, WARDEN, ET AL. C. A. 11th Cir. Certiorari denied.

No. 04-7166. *KRONCKE v. ARIZONA*. Ct. App. Ariz. Certiorari denied.

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No. 04-7167. *GONZALES v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 163 N. C. App. 612, 594 S. E. 2d 258.

No. 04-7172. *HUBBARD v. MOORE, ADMINISTRATOR, EAST JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 378 F. 3d 333.

No. 04-7173. *HOLTE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 116 Fed. Appx. 245.

No. 04-7176. *ROBERTS v. DIRECTOR, BAPTIST HOSPITAL AND MEDICAL CENTER, EMPLOYEE RELATIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 650.

No. 04-7177. *SHAMOUN v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 04-7183. *PAGE v. SPITZER, ATTORNEY GENERAL OF NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 101 Fed. Appx. 842.

No. 04-7186. *WILLIAMS v. NEW YORK*. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 8 App. Div. 3d 963, 778 N. Y. S. 2d 244.

No. 04-7189. *DELGADILLO v. HICKMAN, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 643.

No. 04-7190. *POLLOCK v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 32 Cal. 4th 1153, 89 P. 3d 353.

No. 04-7191. *PURVIS v. PRESIDENTIAL PLAZA ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04-7192. *CROWELL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 374 F. 3d 790.

No. 04-7193. *BRAXTON v. BLANKS ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04-7194. *RICHARDSON v. SAFEWAY, INC.* C. A. 10th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 275.

No. 04-7197. *BROWN v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

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No. 04-7198. *SOLIS v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 414.

No. 04-7199. *BETHEA v. DIGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04-7201. *PARROTT v. GEHRKE ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 908.

No. 04-7208. *HUBBART v. KNAPP ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 379 F. 3d 773.

No. 04-7226. *WORDEN v. WARREN, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 482.

No. 04-7229. *PARSONS v. PRICE, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 04-7232. *BONTKOWSKI v. UNITED STATES ET AL.* C. A. 7th Cir. Certiorari denied.

No. 04-7233. *TRUSIANI v. MAINE*. Sup. Jud. Ct. Me. Certiorari denied. Reported below: 854 A. 2d 860.

No. 04-7234. *ZARATE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 452.

No. 04-7238. *WOOD v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 104 Fed. Appx. 179.

No. 04-7241. *SPENCER v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 164 N. C. App. 601, 596 S. E. 2d 474.

No. 04-7246. *ALSTON v. HEARST CORP., AKA HEARST BUSINESS COMMUNICATIONS, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 318.

No. 04-7248. *SMITH v. ARIZONA*. Super. Ct. Ariz., County of Maricopa. Certiorari denied.

No. 04-7250. *SMITH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

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No. 04–7251. *PARKER v. RENICO, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 16.

No. 04–7254. *JONES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 381 F. 3d 114 and 108 Fed. Appx. 19.

No. 04–7257. *COPADO-JARAMILLO v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 518.

No. 04–7260. *CORONA-SOLORZANO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 106 Fed. Appx. 921.

No. 04–7262. *SANTIAGO v. FREY, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 04–7264. *HOLT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 427.

No. 04–7268. *LOFTIN v. HENDRICKS, ADMINISTRATOR, NEW JERSEY STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04–7272. *HAMMER v. AMAZON.COM*. C. A. 2d Cir. Certiorari denied.

No. 04–7276. *HARDY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 959.

No. 04–7277. *SOLIS GONZALEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 692.

No. 04–7279. *HESSMAN v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 369 F. 3d 1016.

No. 04–7280. *HARMON v. MILLER-STOUT, SUPERINTENDENT, AIRWAY HEIGHTS CORRECTIONS CENTER*. C. A. 9th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 671.

No. 04–7283. *HALLMARK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 449.

No. 04–7284. *HAYNES v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 372.

No. 04–7287. *ROHN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 116 Fed. Appx. 252.



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No. 04-7288. *REYNOLDS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 381 F. 3d 404.

No. 04-7299. *CANNON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 886.

No. 04-7303. *FREE v. UNKNOWN OFFICERS OF THE BUREAU OF PRISONS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 334.

No. 04-7309. *FULLER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 374 F. 3d 617.

No. 04-7310. *HERRERA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 375 F. 3d 399.

No. 04-7318. *CASTRO-BALDERAS, AKA MEDINA-TELFINO, AKA LUNA v. UNITED STATES; ARVIZO-ENRIQUEZ v. UNITED STATES; CHAVEZ-MARTINEZ v. UNITED STATES; MORENO-AMAYA, AKA GARCIA, AKA MORENO, AKA GUADALUPE MORENO v. UNITED STATES; RODRIGUEZ-LOPEZ v. UNITED STATES; and SOTO-VAQUERA, AKA SOTO, AKA VAGUERRA SOTO, AKA SOTO VAGUERRA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 615 (sixth judgment), 616 (third judgment), 617 (fourth judgment), 624 (first and fifth judgments), and 625 (second judgment).

No. 04-7320. *SANTANA-MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 106 Fed. Appx. 920.

No. 04-7321. *RHODES v. OFFICE OF PERSONNEL MANAGEMENT*. C. A. Fed. Cir. Certiorari denied. Reported below: 110 Fed. Appx. 118.

No. 04-7322. *SANCHEZ-GOMEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 626.

No. 04-7323. *CISNEROS-MUNIZ v. UNITED STATES; and NAVARRETE-MORALES, AKA VALERANO-VASQUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 614 (first judgment) and 628 (second judgment).

No. 04-7324. *AGUILAR-GARCIA v. UNITED STATES* (Reported below: 105 Fed. Appx. 618); *BRACERO-LEMUS v. UNITED STATES* (105 Fed. Appx. 618); *CENTENO-SANCHEZ v. UNITED STATES* (105

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Fed. Appx. 621); *ESPARZA-ROBLES v. UNITED STATES* (106 Fed. Appx. 918); *GONZALEZ-VALLEJO v. UNITED STATES* (105 Fed. Appx. 619); *MENDIETA-GOMEZ v. UNITED STATES* (105 Fed. Appx. 613); *NAVA-ALVAREZ v. UNITED STATES* (105 Fed. Appx. 627); *DELGADO-PEREZ v. UNITED STATES* (105 Fed. Appx. 612); *TORRES-PESINA v. UNITED STATES* (105 Fed. Appx. 623); *RODRIGUEZ-PUENTE v. UNITED STATES* (108 Fed. Appx. 881); *SANTOS-SALINAS v. UNITED STATES* (106 Fed. Appx. 921); and *CARREON-SUAREZ v. UNITED STATES* (105 Fed. Appx. 614). C. A. 5th Cir. Certiorari denied.

No. 04-7325. *LOPEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 380 F. 3d 538.

No. 04-7327. *ZHANG v. CHARLES TOWN RACES & SLOTS ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 798.

No. 04-7329. *AVILA QUINONES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 55 Fed. Appx. 900.

No. 04-7332. *HUDDLESTON v. CONNOR, WARDEN*. C. A. 10th Cir. Certiorari denied.

No. 04-7343. *DERR v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 04-7344. *CARRENO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 112 Fed. Appx. 2.

No. 04-7348. *FORD v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 383 F. 3d 567.

No. 04-7349. *FELICIANO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-7351. *GREEN v. FRANK, SECRETARY, WISCONSIN DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 24.

No. 04-7352. *POWELL v. POLK, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied.

No. 04-7356. *LIEBIG v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied.

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No. 04-7360. *MYERS v. WEST VIRGINIA*. Sup. Ct. App. W. Va. Certiorari denied. Reported below: 216 W. Va. 120, 602 S. E. 2d 796.

No. 04-7364. *PETERSEN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 04-7366. *QUEZADA-DAZA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 808.

No. 04-7367. *SANDOVAL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 390 F. 3d 1077 and 107 Fed. Appx. 149.

No. 04-7371. *JANSEN v. HUTCHINSON, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 805.

No. 04-7372. *LEWIS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 875.

No. 04-7375. *PADGETT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 801.

No. 04-7376. *BRIDGEWATER v. BURGE, SUPERINTENDENT, AUBURN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 04-7381. *HOLLAND v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 381 F. 3d 80.

No. 04-7383. *FUENTES v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 657.

No. 04-7384. *HIGUERA-PERALTA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 431.

No. 04-7385. *HERNANDEZ-BENITEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 451.

No. 04-7387. *ESPEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 04-7389. *DEERING BEY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 04-7390. *WILSON v. WEBB, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 516.

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No. 04-7393. *BURSEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 103.

No. 04-7395. *VALLES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 04-7396. *YIM, AKA PIGMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 382 F. 3d 958.

No. 04-7397. *KAEMMERLING v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-7401. *STRANGE v. CONTINENTAL CASUALTY Co.* Ct. App. Tex., 5th Dist. Certiorari denied. Reported below: 126 S. W. 3d 676.

No. 04-7411. *LOPEZ-SANTOS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 690.

No. 04-7417. *TRANI v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 04-7420. *RATLIFF v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 04-7422. *ROTHWELL v. KNOWLES, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 37.

No. 04-7423. *SIMMONS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 04-7424. *TOWNSEND v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 288.

No. 04-7425. *THOMPSON v. BROWNLEE, ACTING SECRETARY OF THE ARMY*. C. A. 10th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 250.

No. 04-7426. *MERRITT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 303.

No. 04-7431. *CALDERON-PENA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 383 F. 3d 254.

No. 04-7433. *BERROA ET AL. v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 374 F. 3d 1053.

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No. 04-7434. *McINTOSH v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 65.

No. 04-7435. *McGHEE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-7436. *McKENZIE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 112 Fed. Appx. 3.

No. 04-7439. *BROWN v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied.

No. 04-7443. *JONES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 479.

No. 04-7446. *SMITH v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 402.

No. 04-7449. *WILHITE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 367.

No. 04-7461. *MONTENEGRO-SAMANIEGO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 492.

No. 04-7467. *BISHAWI v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 813.

No. 04-7469. *BALLARD v. MUELLER, DIRECTOR, FEDERAL BUREAU OF INVESTIGATION, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 780.

No. 04-7472. *SULLIVAN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 579.

No. 04-7473. *KELLY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 93 Fed. Appx. 763.

No. 04-7475. *WILLIAMSON v. SMITH, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 04-7478. *WASHPUN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 733.

No. 04-7479. *SPRY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

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No. 04-7481. *PETERS v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 842 A. 2d 714.

No. 04-7483. *CALP v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 113 Fed. Appx. 358.

No. 04-7484. *CHANEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 04-7486. *DUNBAR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 638.

No. 04-7487. *EKEH, AKA HAMPTON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 87 Fed. Appx. 60.

No. 04-7490. *NELSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 450.

No. 04-7492. *POWELL v. BROOKS, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 546.

No. 04-7496. *TRICE v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 849 A. 2d 1002.

No. 04-7500. *HENLEY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 98.

No. 04-7502. *BROWNING v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 542.

No. 04-7505. *WILLIAMS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 606.

No. 04-7509. *MITCHELL v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 111 Fed. Appx. 826.

No. 04-7510. *HAMPTON v. PRINCIPI, SECRETARY OF VETERANS AFFAIRS*. C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 875.

No. 04-7511. *HALL v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 370 F. 3d 1204.

No. 04-7518. *CROMARTIE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-7527. *MOSLEY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 51.

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No. 04-7529. *DIAZ v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-7534. *FIEDEKE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 384 F. 3d 407.

No. 04-7535. *GREEN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 447.

No. 04-7540. *GRABER v. KANSAS*. Ct. App. Kan. Certiorari denied. Reported below: 32 Kan. App. 2d xxxv, 88 P. 3d 1257.

No. 04-7543. *GUILLORY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 175.

No. 04-7544. *SAGET v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 377 F. 3d 223 and 108 Fed. Appx. 667.

No. 04-7545. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-7550. *BARNES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 374 F. 3d 601.

No. 04-7565. *BROWN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-7567. *BUNKLEY v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 882 So. 2d 890.

No. 04-7568. *SUGGS ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 374 F. 3d 508.

No. 04-7578. *ALLEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 116 Fed. Appx. 252.

No. 04-7593. *BROWN v. LAMPERT, DIRECTOR, WYOMING DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 381 F. 3d 1219.

No. 04-7595. *CASIANO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 04-7597. *LOCKHART v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 382 F. 3d 447.

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No. 04-7605. VON BRESSENSDORF ET VIR *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 88 Fed. Appx. 679.

No. 04-7610. RASHID *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 383 F. 3d 769.

No. 04-7614. HERNANDEZ *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 112 Fed. Appx. 4.

No. 04-7620. WALKER *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 780.

No. 04-7621. BARRERA-SAUCEDO *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 385 F. 3d 533.

No. 04-7622. BELL *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied.

No. 04-7628. LYN *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 04-7632. LIPPMAN *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 369 F. 3d 1039.

No. 04-7633. LEWIS *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 769.

No. 04-7637. MOYA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 930.

No. 04-7655. BLACK *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 373 F. 3d 1140.

No. 03-466. MASON, WARDEN *v.* MITCHELL. C. A. 6th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 325 F. 3d 732.

No. 04-132. MICHIGAN *v.* McRAE. Sup. Ct. Mich. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 469 Mich. 704, 678 N. W. 2d 425.

No. 04-366. CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM *v.* EBBERS ET AL. C. A. 2d Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 368 F. 3d 86.



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No. 04-448. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS, ET AL. *v.* HARDCASTLE. C. A. 3d Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 368 F. 3d 246.

No. 04-478. LOFTON ET AL. *v.* SECRETARY, FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES, ET AL. C. A. 11th Cir. Motion of Child Welfare League of America for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 358 F. 3d 804.

No. 04-515. ELLIOTT *v.* VIRGINIA. Sup. Ct. Va. Motion of National Association of Criminal Defense Lawyers et al. for leave to file a brief as *amici curiae* granted. Reported below: 267 Va. 396, 593 S. E. 2d 270.

No. 04-522. UNITEDHEALTH GROUP, INC., FKA UNITED HEALTHCARE CORP., ET AL. *v.* KLAY ET AL. C. A. 11th Cir. Certiorari denied. JUSTICE THOMAS took no part in the consideration or decision of this petition. Reported below: 382 F. 3d 1241.

No. 04-537. DAVIDSON ET AL. *v.* VIVRA INC. ET AL.; and DAVIDSON ET AL. *v.* MEEHAN ET AL. C. A. 9th Cir. Certiorari before judgment denied.

No. 04-568. FLORIDA *v.* FRANKLIN. Dist. Ct. App. Fla., 4th Dist. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 876 So. 2d 607.

No. 04-582. RUI ONE CORP. *v.* CITY OF BERKELEY, CALIFORNIA, ET AL. C. A. 9th Cir. Motion of Washington Legal Foundation for leave to file a brief as *amicus curiae* granted. Certiorari denied. Reported below: 371 F. 3d 1137.

No. 04-591. CHRIST UNIVERSAL MISSION CHURCH *v.* CITY OF CHICAGO, ILLINOIS, ET AL. C. A. 7th Cir. Motion of American Jewish Congress et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 362 F. 3d 423.

No. 04-605. CHINEA-VARELA, AKA VARELA *v.* CBS BROADCASTING INC. ET AL. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 104 Fed. Appx. 619.

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No. 04-719. *ZIEGLER v. BANK OF AMERICA, NT & SA, ET AL.* C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 99 Fed. Appx. 819.

No. 04-6887. *HARDISON v. NEWLAND, WARDEN.* C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition.

No. 04-6922. *DICKERSON v. BOCK, WARDEN.* C. A. 6th Cir. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied.

No. 04-6923. *DICKERSON v. BOCK, WARDEN.* C. A. 6th Cir. Motion of petitioner to defer consideration of petition for writ of certiorari denied. Certiorari denied.

No. 04-7524. *BECKLEY v. MINER, WARDEN.* C. A. 3d Cir. Certiorari before judgment denied.

*Rehearing Denied*

No. 03-1632. *GANESAN v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, ante*, p. 816;

No. 03-1676. *HAYES v. NICE SYSTEMS LTD. ET AL., ante*, p. 819;

No. 03-9675. *STRANGE v. NORFOLK SOUTHERN CORP., ante*, p. 822;

No. 03-10091. *HIRAHARA v. KRAMER, WARDEN, ante*, p. 824;

No. 03-10096. *GUILLORY v. CAIN, WARDEN, ante*, p. 824;

No. 03-10321. *MOSLEY v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, ante*, p. 830;

No. 03-10375. *FIGUEROA v. WALL, DIRECTOR, RHODE ISLAND DEPARTMENT OF CORRECTIONS, ET AL., ante*, p. 832;

No. 03-10376. *ISAAC v. YARBOROUGH, WARDEN, ante*, p. 832;

No. 03-10485. *MOSLEY v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, ante*, p. 836;

No. 03-10488. *PERRY v. UNITED PARCEL SERVICE, INC., ante*, p. 836;

No. 03-10590. *JOHNSON v. SHERRY, WARDEN, ante*, p. 840;

No. 03-10620. *NELSON v. UNITED STATES, ante*, p. 978;

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- No. 03-10695. *SMALLS v. UNITED STATES ET AL.*, *ante*, p. 942;  
No. 03-10801. *CROWLEY v. RENICO, WARDEN*, *ante*, p. 851;  
No. 03-10992. *IN RE SMITH*, *ante*, p. 808;  
No. 03-11022. *WILLIAMS v. UNITED STATES*, *ante*, p. 864;  
No. 04-50. *ALLEN v. OFFICE OF PERSONNEL MANAGEMENT*,  
*ante*, p. 871;  
No. 04-239. *SCRINGER v. GREEN POINT BANK*, *ante*, p. 957;  
No. 04-285. *SEIBEL ET UX. v. JLG INDUSTRIES, INC., ET AL.*,  
*ante*, p. 958;  
No. 04-325. *BRACKMAN v. INDIANA ET AL.*, *ante*, p. 979;  
No. 04-361. *CLISSURAS ET AL. v. CITY UNIVERSITY OF NEW  
YORK ET AL.*, *ante*, p. 987;  
No. 04-411. *ARMSTRONG v. BOULDEN, BANKRUPTCY JUDGE,  
UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF  
UTAH, ET AL.*; *ARMSTRONG v. CORNISH, CHIEF BANKRUPTCY  
JUDGE, UNITED STATES BANKRUPTCY COURT FOR THE EASTERN  
DISTRICT OF OKLAHOMA, ET AL.*; and *ARMSTRONG v. CORNISH,  
CHIEF BANKRUPTCY JUDGE, UNITED STATES BANKRUPTCY  
COURT FOR THE EASTERN DISTRICT OF OKLAHOMA, ET AL.*,  
*ante*, p. 960;  
No. 04-458. *MARSHALL v. BOWLES, JUDGE*, *ante*, p. 988;  
No. 04-5022. *SHEIKH v. JOHNSON, DIRECTOR, VIRGINIA DE-  
PARTMENT OF CORRECTIONS*, *ante*, p. 878;  
No. 04-5048. *SIMS v. TANNER*, *ante*, p. 879;  
No. 04-5055. *HAYES v. UNITED STATES*, *ante*, p. 880;  
No. 04-5069. *PASSARELLI v. GIURBINO, WARDEN*, *ante*, p. 881;  
No. 04-5142. *GRETHEN v. JOHNSON, DIRECTOR, VIRGINIA DE-  
PARTMENT OF CORRECTIONS*, *ante*, p. 884;  
No. 04-5143. *DENNIS v. DEPARTMENT OF JUSTICE ET AL.*,  
*ante*, p. 884;  
No. 04-5147. *BOOSE v. UNITED STATES*, *ante*, p. 884;  
No. 04-5199. *BRYANT v. HOWES*, *ante*, p. 887;  
No. 04-5221. *DIETELBACH v. OHIO EDISON Co.*, *ante*, p. 888;  
No. 04-5371. *COMBS v. UNITED STATES*, *ante*, p. 896;  
No. 04-5394. *SCOTT v. ANDREWS, WARDEN*, *ante*, p. 897;  
No. 04-5536. *COLLIER v. HOME DEPOT*, *ante*, p. 905;  
No. 04-5551. *MILLER-BEY v. PARKER, WARDEN*, *ante*, p. 905;  
No. 04-5577. *IN RE DEROCK*, *ante*, p. 923;  
No. 04-5617. *BELL v. LAMARQUE, WARDEN*, *ante*, p. 961;

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- No. 04-5664. *GRANDOIT v. TECHNICAL AID CORP.*, *ante*, p. 931;  
No. 04-5666. *GREEN v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 931;  
No. 04-5681. *BENEFIEL v. DAVIS*, SUPERINTENDENT, INDIANA STATE PRISON, *ante*, p. 979;  
No. 04-5772. *PHILLIPS v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 933;  
No. 04-5778. *SCOTT v. CROSBY*, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL., *ante*, p. 934;  
No. 04-5788. *HYMES v. MCILWAIN ET AL.*, *ante*, p. 934;  
No. 04-5810. *DEBOSE v. LAIN*, *ante*, p. 935;  
No. 04-5825. *HARDY v. UNITED STATES* (two judgments), *ante*, p. 912;  
No. 04-5855. *GRATTON v. CEPAK*, WARDEN, ET AL., *ante*, p. 935;  
No. 04-5894. *VAUGHAN v. SOUTHERN AIR ET AL.*, *ante*, p. 935;  
No. 04-5905. *COTTON v. AGNES SLACK LP OF GEORGIA*, *ante*, p. 946;  
No. 04-5923. *BLOM v. UNITED STATES*, *ante*, p. 914;  
No. 04-5958. *HOTCHKISS v. CLAY TOWNSHIP*, *ante*, p. 961;  
No. 04-5975. *AUSTIN v. SUPERIOR COURT OF CALIFORNIA, SAN DIEGO COUNTY*, *ante*, p. 961;  
No. 04-5977. *MUWAKKIL v. VIRGINIA ET AL.* (two judgments), *ante*, p. 961;  
No. 04-5979. *MURRAY v. TOWN OF MANSURA, LOUISIANA, ET AL.*, *ante*, p. 961;  
No. 04-5980. *EDWARDS v. STRINGER ET AL.*, *ante*, p. 961;  
No. 04-6049. *TIMMONS v. MANATT, PHELPS & PHILLIPS, LLP, ET AL.*, *ante*, p. 963;  
No. 04-6073. *IN RE NORMAN*, *ante*, p. 954;  
No. 04-6077. *FREE, AKA COIN v. UNITED STATES*, *ante*, p. 937;  
No. 04-6081. *POTTER v. CASTRO*, WARDEN, ET AL., *ante*, p. 947;  
No. 04-6087. *IN RE BOAKYE-YIADOM*, *ante*, p. 923;  
No. 04-6141. *IN RE HARLEY*, *ante*, p. 807;  
No. 04-6143. *GRETHEN v. CIRCUIT COURT OF VIRGINIA, CITY OF SUFFOLK*, *ante*, p. 948;  
No. 04-6149. *BURNETT v. ASHCROFT*, ATTORNEY GENERAL, ET AL., *ante*, p. 965;

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- No. 04–6153. WILSON *v.* TAYLOR, *ante*, p. 965;
- No. 04–6183. SEARLES *v.* BOARD OF EDUCATION OF THE CITY OF CHICAGO, ILLINOIS, ET AL., *ante*, p. 980;
- No. 04–6184. GRIFFIN ET UX. *v.* TEXAS DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES, *ante*, p. 965;
- No. 04–6207. MILLER *v.* TRAWICK ET AL., *ante*, p. 989;
- No. 04–6226. MAYERS *v.* SEDGWICK CLAIMS MANAGEMENT SERVICES, INC., *ante*, p. 966;
- No. 04–6259. HODGE ET VIR *v.* UNITED STATES POST OFFICE, LEXINGTON PARK, MARYLAND, ET AL., *ante*, p. 981;
- No. 04–6303. SVANHOLM *v.* MONTGOMERY COUNTY, MARYLAND, ET AL., *ante*, p. 991;
- No. 04–6305. DONALDSON *v.* UNITED STATES, *ante*, p. 981;
- No. 04–6321. ANDERSON *v.* TURNER ENTERTAINMENT NETWORKS, INC., *ante*, p. 981;
- No. 04–6382. COFIELD *v.* MARYLAND, *ante*, p. 967;
- No. 04–6429. CAMPBELL *v.* UNITED STATES, *ante*, p. 969;
- No. 04–6440. REED *v.* UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT, *ante*, p. 970;
- No. 04–6458. WRIGHT *v.* UNITED STATES, *ante*, p. 970;
- No. 04–6486. MONSIVAIS SALAZAR *v.* DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION, *ante*, p. 1007;
- No. 04–6517. MURPHY *v.* UNITED STATES, *ante*, p. 973;
- No. 04–6519. KING *v.* UNITED STATES, *ante*, p. 973;
- No. 04–6872. CALDWELL *v.* UNITED STATES, *ante*, p. 994; and
- No. 04–6967. MCKOY *v.* UNITED STATES POSTAL SERVICE ET AL., *ante*, p. 1013. Petitions for rehearing denied.
- No. 03–1482. ASSA’AD-FALTAS *v.* ASHCROFT, ATTORNEY GENERAL, ET AL., *ante*, p. 917. Petition for rehearing denied. JUSTICE SOUTER took no part in the consideration or decision of this petition.
- No. 04–237. IRVIN, INDIVIDUALLY AND ON BEHALF OF HER MINOR CHILD, IRVIN, ET AL. *v.* HYDROCHEM INC. ET AL., *ante*, p. 976; and
- No. 04–333. LOWE *v.* WAL-MART STORES, INC. ASSOCIATES HEALTH AND WELFARE PLAN ET AL., *ante*, p. 995. Petitions for rehearing denied. JUSTICE BREYER took no part in the consideration or decision of these petitions.

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No. 04–5393. *STOKES v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.*, *ante*, p. 897. Motion for leave to file petition for rehearing denied.

JANUARY 12, 2005

*Dismissal Under Rule 46*

No. 04–403. *HABERMAN v. CITY OF LONG BEACH, NEW YORK, ET AL.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari dismissed under this Court’s Rule 46. Reported below: 307 App. Div. 2d 313, 762 N. Y. S. 2d 425.

JANUARY 14, 2005

*Miscellaneous Order*

No. 04–5462. *ROMPILLA v. BEARD, SECRETARY, PENNSYLVANIA DEPARTMENT OF CORRECTIONS.* C. A. 3d Cir. [Certiorari granted, 542 U. S. 966.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

*Certiorari Granted*

No. 03–1230. *AMERICAN TRUCKING ASSNS., INC., ET AL. v. MICHIGAN PUBLIC SERVICE COMMISSION ET AL.* Ct. App. Mich. Motions of Chamber of Commerce of the United States of America and National Private Truck Council et al. for leave to file briefs as *amici curiae* granted. Certiorari granted limited to the following question: “Whether the \$100 fee upon vehicles conducting intrastate operations violates the Commerce Clause of the United States Constitution.”\* Reported below: 255 Mich. App. 589, 662 N. W. 2d 784.

No. 03–1234. *MID-CON FREIGHT SYSTEMS, INC., ET AL. v. MICHIGAN PUBLIC SERVICE COMMISSION ET AL.* Ct. App. Mich. Certiorari granted limited to the following question: “Whether the \$100 fee upon vehicles operating solely in interstate commerce is preempted by 49 U. S. C. § 14504.”\* Reported below: 255 Mich. App. 589, 662 N. W. 2d 784.

No. 04–6432. *GONZALEZ v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS.* C. A. 11th Cir. Motion of peti-

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\*[REPORTER’S NOTE: For amendment to these orders, see *post*, p. 1096.]

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tioner for leave to proceed *in forma pauperis* granted. Certiorari granted limited to Question 1 presented by the petition. Reported below: 366 F. 3d 1253.

JANUARY 18, 2005

*Dismissal Under Rule 46*

No. 04A508. KLAY *v.* HUMANA, INC., ET AL. C. A. 11th Cir. Application for an extension of time to file a petition for writ of certiorari dismissed under this Court's Rule 46.

*Certiorari Granted—Vacated and Remanded*

No. 03–8075. PEREZ-AQUILLAR *v.* ASHCROFT, ATTORNEY GENERAL, ET AL. C. A. 11th Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Clark v. Martinez*, ante, p. 371. Reported below: 88 Fed. Appx. 382.

No. 03–8662. SIERRA *v.* ROMINE, WARDEN, ET AL. C. A. 3d Cir. Certiorari granted, judgment vacated, and case remanded for further consideration in light of *Clark v. Martinez*, ante, p. 371. Reported below: 347 F. 3d 559.

*Certiorari Dismissed*

No. 04–7225. MARTIN *v.* NEBRASKA ET AL. C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

*Miscellaneous Orders*

No. D–2378. IN RE DISBARMENT OF LEVINE. Disbarment entered. [For earlier order herein, see *ante*, p. 921.]

No. D–2379. IN RE DISBARMENT OF NERENBERG. Disbarment entered. [For earlier order herein, see *ante*, p. 922.]

No. D–2380. IN RE DISBARMENT OF JAMPOL. Disbarment entered. [For earlier order herein, see *ante*, p. 922.]

No. D–2381. IN RE DISBARMENT OF HANKIN. Disbarment entered. [For earlier order herein, see *ante*, p. 922.]

No. D–2382. IN RE DISBARMENT OF BATTS. Disbarment entered. [For earlier order herein, see *ante*, p. 922.]

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No. D-2383. IN RE DISBARMENT OF HILAIRE. Disbarment entered. [For earlier order herein, see *ante*, p. 922.]

No. D-2384. IN RE DISBARMENT OF ALLEN. Disbarment entered. [For earlier order herein, see *ante*, p. 922.]

No. D-2385. IN RE DISBARMENT OF MASON. Disbarment entered. [For earlier order herein, see *ante*, p. 977.]

No. D-2386. IN RE DISBARMENT OF MCGOWAN. Disbarment entered. [For earlier order herein, see *ante*, p. 977.]

No. 04M39. MILES *v.* WTMX RADIO NETWORK ET AL.; and  
No. 04M40. EL BEY *v.* HEIFNER ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 04-7596. MANESSIS *v.* NEW YORK CITY DEPARTMENT OF TRANSPORTATION ET AL. C. A. 2d Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied. Petitioner is allowed until February 8, 2005, 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. 04-7768. IN RE GAGAN. Petition for writ of habeas corpus denied.

No. 04-7214. IN RE BARKCLAY;  
No. 04-7215. IN RE BARKCLAY;  
No. 04-7216. IN RE BARKCLAY;  
No. 04-7218. IN RE BARKCLAY;  
No. 04-7269. IN RE BROWN;  
No. 04-7564. IN RE BROWN; and  
No. 04-7642. IN RE YOUNG. Petitions for writs of mandamus denied.

No. 04-7275. IN RE FISH. Petition for writ of mandamus and/or prohibition denied.

No. 04-7333. IN RE GRISIO. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of mandamus dismissed. See this Court's Rule 39.8.

*Certiorari Denied*

No. 03-1250. TROY CAB, INC., ET AL. *v.* MICHIGAN PUBLIC SERVICE COMMISSION ET AL. Ct. App. Mich. Certiorari denied. Reported below: 255 Mich. App. 589, 662 N. W. 2d 784.



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No. 04-350. *FLUOR DANIEL, INC. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 6th Cir. Certiorari denied. Reported below: 332 F. 3d 961.

No. 04-357. *GUNDY, WARDEN v. SCOTT*. C. A. 6th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 476.

No. 04-417. *BILL HEARD CHEVROLET INC.-PLANT CITY v. BRAGG ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 374 F. 3d 1060.

No. 04-439. *JOHNSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 04-463. *JEAN CO., LTD. v. ELONEX I. P. HOLDINGS, LTD., ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 97 Fed. Appx. 329.

No. 04-471. *FAUST v. WISCONSIN*. Sup. Ct. Wis. Certiorari denied. Reported below: 274 Wis. 2d 183, 682 N. W. 2d 371.

No. 04-488. *CRYSTIAN ET AL. v. TOWER LOAN OF MISSISSIPPI INC. ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 952.

No. 04-499. *JAE WON JEONG v. TAIHEIYO CEMENT CORP. ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 117 Cal. App. 4th 380, 12 Cal. Rptr. 3d 32.

No. 04-557. *CUENCA v. UNIVERSITY OF KANSAS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 782.

No. 04-641. *DUPAGE COUNTY, ILLINOIS v. PALMETTO PROPERTIES, INC., ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 375 F. 3d 542.

No. 04-649. *PARMAR v. CALIFORNIA*. App. Div., Super. Ct. Cal., County of Sacramento. Certiorari denied.

No. 04-650. *KRETCHMAR v. DIGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD*. Sup. Ct. Pa. Certiorari denied.

No. 04-655. *URBAN v. HURLEY*. C. A. 2d Cir. Certiorari denied.

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No. 04-657. *WOOD v. NORTH CAROLINA*. Ct. App. N. C. Certiorari denied. Reported below: 164 N. C. App. 601, 596 S. E. 2d 472.

No. 04-661. *KORESKO ET AL. v. FARLEY ET AL.* Commw. Ct. Pa. Certiorari denied. Reported below: 844 A. 2d 607.

No. 04-663. *RADLOFF v. CITY OF OELWEIN, IOWA, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 380 F. 3d 344.

No. 04-687. *SHAIN ET AL. v. VENEMAN, SECRETARY OF AGRICULTURE, ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 376 F. 3d 815.

No. 04-689. *CARMAN v. FUENTES ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 224.

No. 04-696. *HIGGS v. COLORADO*. Dist. Ct. Colo., Broomfield County. Certiorari denied.

No. 04-701. *SIBLEY v. SIBLEY*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied.

No. 04-708. *MAINE SHIPYARD & MARINE RAILWAY, INC. v. PNC BANK DELAWARE, INC., ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 381 F. 3d 183.

No. 04-713. *SINGH v. ASHCROFT, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 555.

No. 04-729. *CLARK v. WHIRLPOOL CORP.* C. A. 6th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 750.

No. 04-737. *BRENEMAN ET AL. v. UNITED STATES EX REL. FEDERAL AVIATION ADMINISTRATION ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 381 F. 3d 33.

No. 04-761. *PAXTON RESOURCES, L. L. C. v. BRANNAMAN ET UX*. Sup. Ct. Wyo. Certiorari denied. Reported below: 95 P. 3d 796.

No. 04-769. *JENSEN v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 119 Wash. App. 1018.

No. 04-817. *DAVIS v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 60 M. J. 337.

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No. 04-834. *KEYSER v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 60 M. J. 338.

No. 04-5724. *SANTOS v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 211 Ill. 2d 395, 813 N. E. 2d 159.

No. 04-6394. *FULANI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 368 F. 3d 351.

No. 04-6421. *GOINS v. LOCAL 2047 I L A EXECUTIVE BOARD*. C. A. 5th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 700.

No. 04-6521. *HUMBERTO CARDENAS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 985.

No. 04-6790. *BRYANT v. BARNHART, COMMISSIONER OF SOCIAL SECURITY*. C. A. 5th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 969.

No. 04-6914. *MOBLEY v. SCHOFIELD, WARDEN*. C. A. 11th Cir. Certiorari denied. Reported below: 366 F. 3d 1253.

No. 04-7202. *DAVIS v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-7213. *BURTON v. MOTE, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 04-7217. *MARSHALL v. MYERS ET AL.* C. A. 10th Cir. Certiorari denied.

No. 04-7221. *NASH v. LOUISIANA*. Sup. Ct. La. Certiorari denied. Reported below: 877 So. 2d 132.

No. 04-7224. *KRONCKE v. HOOD ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04-7230. *BROWN v. MISSISSIPPI*. C. A. 5th Cir. Certiorari denied.

No. 04-7236. *WOODBERRY v. BRUCE, WARDEN, ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 370.

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No. 04–7237. *WATKINS v. TEXAS*. Ct. App. Tex., 10th Dist. Certiorari denied.

No. 04–7239. *WILMS v. HANKS, SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY*. C. A. 7th Cir. Certiorari denied.

No. 04–7240. *MORRIS v. CAREY, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 910.

No. 04–7243. *RUFFIN v. MECHLING, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT FAYETTE, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04–7244. *SPENCER v. TENNIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT ROCKVIEW*. C. A. 3d Cir. Certiorari denied.

No. 04–7245. *NALI v. MICHIGAN DEPARTMENT OF CORRECTIONS ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 113 Fed. Appx. 653.

No. 04–7247. *SMITH v. LEWIS, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04–7252. *McKINNEY v. HUMPHREY, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 04–7255. *NIMMONS v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 04–7256. *PHIFER v. WABASH VALLEY CORRECTIONAL FACILITY ET AL.* C. A. 7th Cir. Certiorari denied.

No. 04–7258. *DAVIS v. NEWLAND, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 659.

No. 04–7261. *THOMAS v. CREDIT-BASED ASSET SERVICING & SECURITIZATION, LLC*. Ct. App. Ga. Certiorari denied.

No. 04–7263. *SANDERS v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04–7265. *ACKER v. ROOSE ET AL.* C. A. 9th Cir. Certiorari denied.

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No. 04-7266. JONES-EL ET AL. *v.* BERGE, WARDEN, ET AL. C. A. 7th Cir. Certiorari denied.

No. 04-7267. ELLIS *v.* GUY ET AL. Dist. Ct. App. Fla., 5th Dist. Certiorari denied. Reported below: 875 So. 2d 685.

No. 04-7273. HERNANDEZ *v.* KEANE ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 341 F. 3d 137.

No. 04-7274. GORDON *v.* FLORIDA. Sup. Ct. Fla. Certiorari denied. Reported below: 882 So. 2d 384.

No. 04-7278. HORTON *v.* ALLEN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT CEDAR JUNCTION, ET AL. C. A. 1st Cir. Certiorari denied. Reported below: 370 F. 3d 75.

No. 04-7285. DE LA GARZA *v.* STRINGFELLOW ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 443.

No. 04-7295. BRAXTON *v.* CALIFORNIA. Sup. Ct. Cal. Certiorari denied.

No. 04-7301. WORLEY *v.* UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT. C. A. 4th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 270.

No. 04-7313. HOLMES *v.* DiGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL. C. A. 3d Cir. Certiorari denied.

No. 04-7337. FARMER *v.* POLICE DEPARTMENT OF CARRBORO, NORTH CAROLINA. C. A. 4th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 523.

No. 04-7353. PRIESTER *v.* DiGUGLIELMO, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 382 F. 3d 394.

No. 04-7380. GLANDA *v.* NEW YORK. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 5 App. Div. 3d 945, 774 N. Y. S. 2d 576.

No. 04-7407. BARKER *v.* TEXAS DEPARTMENT OF PROTECTIVE & REGULATORY SERVICES. Ct. App. Tex., 12th Dist. Certiorari denied.

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No. 04-7465. *MARTINEZ v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 04-7506. *ROBERTS v. BARRERAS ET AL.* C. A. 10th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 224.

No. 04-7512. *GOINS v. NEVADA*. C. A. 9th Cir. Certiorari denied.

No. 04-7513. *FLEMING v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 125 Fed. Appx. 269.

No. 04-7559. *CASSANO v. UNGER, SUPERINTENDENT, LIVINGSTON CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 04-7623. *BERT v. SNOW, SECRETARY OF THE TREASURY, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 451.

No. 04-7639. *WILLIAMS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 114 Fed. Appx. 594.

No. 04-7641. *TATE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-7649. *SPRINGMEIER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 843.

No. 04-7651. *ROYAL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 120 Fed. Appx. 786.

No. 04-7658. *BUCK v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 04-7665. *RAMOS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 363 F. 3d 631.

No. 04-7666. *SMITH v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-7668. *SIMS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 376 F. 3d 705.

No. 04-7671. *SANTIAGO v. LAMANNA, WARDEN*. C. A. 3d Cir. Certiorari denied. Reported below: 99 Fed. Appx. 417.

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No. 04-7675. CHILDERS *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 117 Fed. Appx. 633.

No. 04-7676. COFFEE *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 654.

No. 04-7677. DIXSON *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 04-7683. LATTNER *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 385 F. 3d 947.

No. 04-7684. ROBINSON *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 112 Fed. Appx. 5.

No. 04-7690. ESQUIVEL-CABRERA *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 116 Fed. Appx. 251.

No. 04-7692. DORE *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 04-7699. HUNTER *v.* UNITED STATES. Ct. App. D. C. Certiorari denied. Reported below: 848 A. 2d 616.

No. 04-7703. GONZALEZ-GONZALES, AKA SOTO FLORES *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 914.

No. 03-920. CRAWFORD, INTERIM FIELD OFFICE DIRECTOR, SEATTLE, IMMIGRATION AND CUSTOMS ENFORCEMENT, ET AL. *v.* MARTINEZ-VAZQUEZ. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 346 F. 3d 903.

No. 03-1265. CRAWFORD, INTERIM FIELD OFFICE DIRECTOR, SEATTLE, IMMIGRATION AND CUSTOMS ENFORCEMENT, ET AL. *v.* RIVERON-AGUILERA. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied.

No. 03-1436. ALCANTER, FIELD OFFICE DIRECTOR, SAN FRANCISCO, IMMIGRATION AND CUSTOMS ENFORCEMENT, ET AL. *v.* PEDROSO. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied.

No. 04-531. MICHIGAN *v.* RUSSELL. Sup. Ct. Mich. Motion of respondent for leave to proceed *in forma pauperis*

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granted. Certiorari denied. Reported below: 471 Mich. 182, 684 N. W. 2d 745.

No. 04-647. *BURNS ET AL. v. PNC BANK NATIONAL ASSN., SUCCESSOR BY MERGER TO FIRST EASTERN BANK, ET AL.* C. A. 3d Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 104 Fed. Appx. 811.

No. 04-695. *HOUSEY PHARMACEUTICALS, INC. v. ASTRAZEN-ECA UK LTD. ET AL.* C. A. Fed. Cir. Certiorari denied. JUSTICE O'CONNOR and JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 366 F. 3d 1348.

No. 04-702. *HAMDAN v. RUMSFELD, SECRETARY OF DEFENSE, ET AL.* C. A. D. C. Cir. Certiorari before judgment denied.

No. 04-717. *AMERICAN AXLE & MANUFACTURING, INC. v. DANA CORP.* C. A. Fed. Cir. Motion of Cisco Systems, Inc., et al. for leave to file a brief as *amici curiae* granted. Certiorari denied. Reported below: 110 Fed. Appx. 871.

No. 04-8146 (04A620). *BEARDSLEE v. BROWN, 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: 393 F. 3d 1032.

No. 04-8157 (04A622). *BEARDSLEE v. WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, 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. Reported below: 395 F. 3d 1064.

#### *Rehearing Denied*

No. 04-5804. *IBRAHIM v. IBRAHIM, ante*, p. 934;

No. 04-6162. *CANDELARIA v. UTAH, ante*, p. 965; and

No. 04-6381. *DRABOVSKIY v. UNITED STATES, ante*, p. 950. Petitions for rehearing denied.

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#### *Miscellaneous Order*

No. 03-1230. *AMERICAN TRUCKING ASSNS., INC., ET AL. v. MICHIGAN PUBLIC SERVICE COMMISSION ET AL.*; and



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No. 03–1234. MID-CON FREIGHT SYSTEMS, INC., ET AL. *v.* MICHIGAN PUBLIC SERVICE COMMISSION ET AL. Ct. App. Mich. [Certiorari granted, *ante*, p. 1086.] Orders granting petitions for writs of certiorari amended to read as follows: “Certiorari granted limited to the following questions: 1. ‘Whether the \$100 fee upon vehicles conducting intrastate operations violates the Commerce Clause of the United States Constitution.’ 2. ‘Whether the \$100 fee upon vehicles operating solely in interstate commerce is preempted by 49 U.S.C. § 14504.’ Cases consolidated, and a total of one hour allotted for oral argument.”

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*Certiorari Granted—Reversed and Remanded.* (See No. 04–394, *ante*, p. 447.)

*Certiorari Granted—Vacated and Remanded*

No. 03–1326. HAWKINS *v.* UNITED STATES, 542 U.S. 919; and No. 03–1434. LAUERSEN *v.* UNITED STATES, 541 U.S. 1044. Petitions for rehearing granted. Orders denying petitions for writs of certiorari vacated. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *United States v. Booker*, *ante*, p. 220.

No. 03–1668. MITRIONE ET AL. *v.* UNITED STATES. C. A. 7th Cir. Reported below: 357 F.3d 712;

No. 03–1670. THURSTON *v.* UNITED STATES. C. A. 1st Cir. Reported below: 358 F.3d 51;

No. 04–75. STERN *v.* UNITED STATES. C. A. 4th Cir. Reported below: 96 Fed. Appx. 855;

No. 04–95. CLIFTON *v.* UNITED STATES. C. A. 5th Cir. Reported below: 95 Fed. Appx. 559;

No. 04–118. ALTOBELLO ET AL. *v.* UNITED STATES. C. A. 7th Cir. Reported below: 361 F.3d 382;

No. 04–121. CRAWFORD *v.* UNITED STATES. C. A. 5th Cir. Reported below: 96 Fed. Appx. 210;

No. 04–137. TRIPLETT *v.* UNITED STATES. C. A. 11th Cir. Reported below: 99 Fed. Appx. 882;

No. 04–145. MICKLIN *v.* UNITED STATES. C. A. 6th Cir. Reported below: 89 Fed. Appx. 977;

No. 04–193. HAMMOUD, AKA ALBOUSALEH, AKA ABOUSALEH *v.* UNITED STATES. C. A. 4th Cir. Reported below: 378 F.3d 426;

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- No. 04–208. *JILES v. UNITED STATES*. C. A. 10th Cir.;
- No. 04–244. *DUPURTON v. UNITED STATES*. C. A. 2d Cir. Reported below: 368 F. 3d 880;
- No. 04–264. *COURTNEY v. UNITED STATES*. C. A. 8th Cir. Reported below: 362 F. 3d 497;
- No. 04–274. *FLARIDA, AKA STONE v. UNITED STATES*. C. A. 9th Cir. Reported below: 97 Fed. Appx. 794;
- No. 04–314. *DAVIS v. UNITED STATES*. C. A. 7th Cir. Reported below: 100 Fed. Appx. 571;
- No. 04–322. *FRANCIS v. UNITED STATES*. C. A. 8th Cir. Reported below: 367 F. 3d 805;
- No. 04–337. *CALLIPARI v. UNITED STATES*. C. A. 1st Cir. Reported below: 368 F. 3d 22;
- No. 04–358. *MCCORMACK v. UNITED STATES*. C. A. 1st Cir. Reported below: 371 F. 3d 22;
- No. 04–385. *STERN v. UNITED STATES*. C. A. 1st Cir.;
- No. 04–457. *LONG v. UNITED STATES*. C. A. 4th Cir. Reported below: 95 Fed. Appx. 483;
- No. 04–503. *WINT v. UNITED STATES*. C. A. 2d Cir. Reported below: 97 Fed. Appx. 352;
- No. 04–548. *TATE v. UNITED STATES*. C. A. 9th Cir. Reported below: 99 Fed. Appx. 817;
- No. 04–592. *TANG v. UNITED STATES*. C. A. 9th Cir. Reported below: 103 Fed. Appx. 121;
- No. 04–652. *CALHOUN v. UNITED STATES*. C. A. 5th Cir. Reported below: 383 F. 3d 281;
- No. 04–676. *CHILINGIRIAN v. UNITED STATES*. C. A. 6th Cir. Reported below: 95 Fed. Appx. 782;
- No. 04–762. *DURAN BADILLA v. UNITED STATES*. C. A. 10th Cir. Reported below: 383 F. 3d 1137;
- No. 04–800. *SCHNEIDER v. UNITED STATES*. C. A. 6th Cir. Reported below: 110 Fed. Appx. 583; and
- No. 04–812. *MORALES v. UNITED STATES*. C. A. 11th Cir. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *United States v. Booker*, ante, p. 220.
- No. 03–9262. *MEZA v. UNITED STATES*. C. A. 5th Cir. Reported below: 82 Fed. Appx. 122;
- No. 03–10705. *HOLMES v. UNITED STATES*. C. A. D. C. Cir. Reported below: 360 F. 3d 1339;

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- No. 03-10727. *LEUNG v. UNITED STATES*. C. A. 9th Cir. Reported below: 95 Fed. Appx. 876;
- No. 03-10742. *DAVIS v. UNITED STATES*. C. A. 5th Cir. Reported below: 84 Fed. Appx. 449;
- No. 03-10752. *MASTERS v. UNITED STATES*. C. A. 11th Cir. Reported below: 97 Fed. Appx. 906;
- No. 03-10755. *MICHEL, AKA DOE v. UNITED STATES*. C. A. 4th Cir. Reported below: 88 Fed. Appx. 623;
- No. 03-10757. *PATTERSON v. UNITED STATES*. C. A. 11th Cir.;
- No. 03-10760. *TURNBULL, AKA TURNBOUGH v. UNITED STATES*. C. A. 8th Cir. Reported below: 349 F. 3d 558;
- No. 03-10802. *COONEY v. UNITED STATES*. C. A. 6th Cir. Reported below: 87 Fed. Appx. 580;
- No. 03-10807. *DAVIS v. UNITED STATES*. C. A. 8th Cir. Reported below: 357 F. 3d 726;
- No. 03-10813. *NORMAN v. UNITED STATES*. C. A. 8th Cir. Reported below: 354 F. 3d 969;
- No. 03-10819. *FISHER v. UNITED STATES*. C. A. 4th Cir. Reported below: 88 Fed. Appx. 662;
- No. 03-10836. *SCHOENAUER v. UNITED STATES*. C. A. 8th Cir. Reported below: 354 F. 3d 969;
- No. 03-10851. *MORENO v. UNITED STATES*. C. A. 9th Cir. Reported below: 93 Fed. Appx. 131;
- No. 03-10884. *NORTH v. UNITED STATES*. C. A. 1st Cir. Reported below: 86 Fed. Appx. 427;
- No. 03-10897. *GLAUM v. UNITED STATES*. C. A. 1st Cir. Reported below: 356 F. 3d 169;
- No. 03-10938. *DIAZ v. UNITED STATES*. C. A. 5th Cir. Reported below: 95 Fed. Appx. 535;
- No. 03-10961. *HARRINGTON v. UNITED STATES*. C. A. 5th Cir. Reported below: 89 Fed. Appx. 473;
- No. 03-10979. *MERRITT v. UNITED STATES*. C. A. 7th Cir. Reported below: 361 F. 3d 1005;
- No. 03-10983. *BANKS, AKA BARNNES v. UNITED STATES*. C. A. 3d Cir. Reported below: 85 Fed. Appx. 875;
- No. 03-11067. *DUNBAR v. UNITED STATES*. C. A. 6th Cir. Reported below: 357 F. 3d 582;
- No. 04-5031. *CARRENO v. UNITED STATES*. C. A. 9th Cir. Reported below: 363 F. 3d 883;
- No. 04-5041. *SAPP v. UNITED STATES*. C. A. 2d Cir. Reported below: 91 Fed. Appx. 195;

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No. 04-5047. *GUEVARA v. UNITED STATES*. C. A. 2d Cir. Reported below: 99 Fed. Appx. 300;

No. 04-5052. *GARNER v. UNITED STATES*. C. A. 6th Cir. Reported below: 355 F. 3d 942;

No. 04-5070. *YOUNG v. UNITED STATES*. C. A. 7th Cir. Reported below: 363 F. 3d 631;

No. 04-5084. *LOFLIN v. UNITED STATES*. C. A. 4th Cir. Reported below: 91 Fed. Appx. 873;

No. 04-5085. *JACKSON v. UNITED STATES*. C. A. 7th Cir. Reported below: 363 F. 3d 631;

No. 04-5086. *RAMJOHN v. UNITED STATES*. C. A. 2d Cir. Reported below: 93 Fed. Appx. 310;

No. 04-5097. *COOK v. UNITED STATES*. C. A. 6th Cir. Reported below: 102 Fed. Appx. 888;

No. 04-5106. *RESTREPO v. UNITED STATES*. C. A. 2d Cir. Reported below: 90 Fed. Appx. 412;

No. 04-5113. *MARTINEZ-FIGUEROA v. UNITED STATES*. C. A. 8th Cir. Reported below: 363 F. 3d 679;

No. 04-5117. *SHULL v. UNITED STATES*. C. A. 4th Cir. Reported below: 93 Fed. Appx. 586;

No. 04-5130. *FORBES v. UNITED STATES*. C. A. 2d Cir. Reported below: 356 F. 3d 478;

No. 04-5137. *HARDRIDGE v. UNITED STATES*. C. A. 10th Cir. Reported below: 100 Fed. Appx. 743;

No. 04-5152. *MESINA v. UNITED STATES*. C. A. 11th Cir. Reported below: 99 Fed. Appx. 877;

No. 04-5155. *BUSH v. UNITED STATES*. C. A. 11th Cir. Reported below: 103 Fed. Appx. 667;

No. 04-5169. *CLARK v. UNITED STATES*. C. A. 10th Cir. Reported below: 94 Fed. Appx. 769;

No. 04-5171. *MUHAMMAD v. UNITED STATES*. C. A. 5th Cir. Reported below: 91 Fed. Appx. 972;

No. 04-5174. *WATSON v. UNITED STATES*. C. A. 3d Cir. Reported below: 93 Fed. Appx. 481;

No. 04-5187. *BARREIRO v. UNITED STATES*. C. A. 11th Cir. Reported below: 88 Fed. Appx. 390;

No. 04-5189. *MOSLEY v. UNITED STATES*. C. A. 11th Cir. Reported below: 103 Fed. Appx. 665;

No. 04-5190. *MOHAMMED v. UNITED STATES*. C. A. 11th Cir. Reported below: 99 Fed. Appx. 885;

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No. 04-5191. *PEREZ v. UNITED STATES*. C. A. 2d Cir. Reported below: 95 Fed. Appx. 376;

No. 04-5193. *ALLEN v. UNITED STATES*. C. A. 11th Cir. Reported below: 92 Fed. Appx. 781;

No. 04-5194. *SMITH v. UNITED STATES*. C. A. 11th Cir. Reported below: 103 Fed. Appx. 665;

No. 04-5200. *JACOBS v. UNITED STATES*. C. A. 3d Cir. Reported below: 94 Fed. Appx. 893;

No. 04-5210. *YARBOR v. UNITED STATES*. C. A. 7th Cir. Reported below: 363 F. 3d 654;

No. 04-5214. *GONZALEZ-CAPETILLO v. UNITED STATES*. C. A. 5th Cir. Reported below: 86 Fed. Appx. 774;

No. 04-5239. *ZIMMERMAN v. UNITED STATES*. C. A. 8th Cir. Reported below: 88 Fed. Appx. 977;

No. 04-5249. *BOOHER v. UNITED STATES*. C. A. 4th Cir. Reported below: 94 Fed. Appx. 160;

No. 04-5250. *GABRIEL v. UNITED STATES*. C. A. D. C. Cir. Reported below: 365 F. 3d 29;

No. 04-5262. *PHILLIPS v. UNITED STATES*. C. A. 10th Cir. Reported below: 94 Fed. Appx. 796;

No. 04-5263. *PINEIRO v. UNITED STATES*. C. A. 5th Cir. Reported below: 377 F. 3d 464;

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No. 04-6798. *HUNTER v. UNITED STATES*. C. A. 5th Cir. Reported below: 105 Fed. Appx. 551;

No. 04-6811. *THOMAS ET AL. v. UNITED STATES*. C. A. D. C. Cir. Reported below: 361 F. 3d 653;

No. 04-6813. *STURGILL v. UNITED STATES*. C. A. 11th Cir. Reported below: 107 Fed. Appx. 888;

No. 04-6823. *CARTER v. UNITED STATES*. C. A. 6th Cir. Reported below: 374 F. 3d 399;

No. 04-6829. *GOLD v. UNITED STATES*. C. A. 6th Cir. Reported below: 109 Fed. Appx. 736;

No. 04-6837. *SOLESBEE v. UNITED STATES*. C. A. 5th Cir. Reported below: 94 Fed. Appx. 207;

No. 04-6844. *ESCAMILLA-VASQUEZ v. UNITED STATES*. C. A. 4th Cir. Reported below: 104 Fed. Appx. 285;

No. 04-6858. *MEILLEUR v. UNITED STATES*. C. A. 11th Cir. Reported below: 116 Fed. Appx. 243;

No. 04-6861. *MAYES v. UNITED STATES*. C. A. 4th Cir. Reported below: 103 Fed. Appx. 495;

No. 04-6867. *RICKS v. UNITED STATES*. C. A. 3d Cir. Reported below: 96 Fed. Appx. 93;

No. 04-6868. *SHAMBLIN v. UNITED STATES*. C. A. 9th Cir. Reported below: 101 Fed. Appx. 243;

No. 04-6882. *CHOICE v. UNITED STATES*. C. A. 4th Cir. Reported below: 102 Fed. Appx. 799;



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No. 04-6892. *TRAHAN v. UNITED STATES*. C. A. 11th Cir. Reported below: 107 Fed. Appx. 887;

No. 04-6900. *LAWS v. UNITED STATES*. C. A. 5th Cir. Reported below: 102 Fed. Appx. 878;

No. 04-6921. *VOLIS, AKA KLINE v. UNITED STATES*. C. A. 11th Cir. Reported below: 112 Fed. Appx. 4;

No. 04-6929. *KELLER v. UNITED STATES*. C. A. 7th Cir. Reported below: 376 F. 3d 713;

No. 04-6949. *LOPERA v. UNITED STATES*. C. A. 11th Cir. Reported below: 112 Fed. Appx. 2;

No. 04-6956. *SWASEY v. UNITED STATES*. C. A. 11th Cir. Reported below: 112 Fed. Appx. 5;

No. 04-6959. *HAYNES v. UNITED STATES*. C. A. 6th Cir. Reported below: 98 Fed. Appx. 499;

No. 04-6966. *RICKS v. UNITED STATES*. C. A. 3d Cir. Reported below: 96 Fed. Appx. 96;

No. 04-6970. *SCROGGINS v. UNITED STATES*. C. A. 5th Cir. Reported below: 379 F. 3d 233;

No. 04-7042. *PADMORE v. UNITED STATES*. C. A. 11th Cir. Reported below: 116 Fed. Appx. 245;

No. 04-7045. *WELCH v. UNITED STATES*. C. A. 7th Cir. Reported below: 368 F. 3d 970;

No. 04-7047. *SMITH v. UNITED STATES*. C. A. 5th Cir. Reported below: 111 Fed. Appx. 280;

No. 04-7065. *JOHNSON v. UNITED STATES*. C. A. 5th Cir. Reported below: 86 Fed. Appx. 728;

No. 04-7096. *OLLIVIERRE, AKA BRIDGES v. UNITED STATES*. C. A. 4th Cir. Reported below: 378 F. 3d 412;

No. 04-7131. *LEISURE v. UNITED STATES*. C. A. 8th Cir. Reported below: 377 F. 3d 910;

No. 04-7135. *THORN v. UNITED STATES*. C. A. 8th Cir. Reported below: 375 F. 3d 679;

No. 04-7142. *BALDWIN v. UNITED STATES*. C. A. 11th Cir. Reported below: 116 Fed. Appx. 252;

No. 04-7158. *PAYNE v. UNITED STATES*. C. A. 8th Cir. Reported below: 377 F. 3d 811;

No. 04-7168. *GANN v. UNITED STATES*. C. A. 5th Cir.;

No. 04-7171. *GRASS, AKA GRASSO v. UNITED STATES*. C. A. 3d Cir. Reported below: 93 Fed. Appx. 408;

No. 04-7179. *HERRERA v. UNITED STATES*. C. A. 11th Cir. Reported below: 116 Fed. Appx. 248;



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- No. 04-7182. *HARRIS v. UNITED STATES*. C. A. 4th Cir.;
- No. 04-7184. *DALE v. UNITED STATES*. C. A. 5th Cir. Reported below: 374 F. 3d 321;
- No. 04-7206. *MALVEAUX v. UNITED STATES*. C. A. 5th Cir. Reported below: 104 Fed. Appx. 430;
- No. 04-7207. *LOVERSON v. UNITED STATES*. C. A. 6th Cir. Reported below: 111 Fed. Appx. 831;
- No. 04-7220. *PRADO-MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Reported below: 105 Fed. Appx. 631;
- No. 04-7223. *JOHNSON v. UNITED STATES*. C. A. 5th Cir. Reported below: 104 Fed. Appx. 434;
- No. 04-7235. *THOMAS v. UNITED STATES*. C. A. 5th Cir. Reported below: 104 Fed. Appx. 433;
- No. 04-7242. *SMITH v. UNITED STATES*. C. A. 5th Cir. Reported below: 108 Fed. Appx. 873;
- No. 04-7259. *CHARLES-SANCHEZ v. UNITED STATES*. C. A. 11th Cir. Reported below: 112 Fed. Appx. 3;
- No. 04-7270. *OSAMOR v. UNITED STATES*. C. A. 5th Cir. Reported below: 107 Fed. Appx. 438;
- No. 04-7281. *GRAY v. UNITED STATES*. C. A. 6th Cir. Reported below: 109 Fed. Appx. 74;
- No. 04-7282. *FERRELL, AKA SHAWN v. UNITED STATES*. C. A. 2d Cir. Reported below: 380 F. 3d 102 and 106 Fed. Appx. 750;
- No. 04-7289. *MARQUEZ-GOMEZ v. UNITED STATES*. C. A. 5th Cir. Reported below: 105 Fed. Appx. 626;
- No. 04-7291. *DUNLAP v. UNITED STATES*. C. A. 6th Cir. Reported below: 110 Fed. Appx. 532;
- No. 04-7292. *NICHOLS, AKA JOHNSON v. UNITED STATES*. C. A. 10th Cir. Reported below: 374 F. 3d 959;
- No. 04-7319. *CASTANEDA-BARRIENTOS v. UNITED STATES*. C. A. 5th Cir. Reported below: 108 Fed. Appx. 878;
- No. 04-7328. *MENDEZ v. UNITED STATES*. C. A. 4th Cir. Reported below: 102 Fed. Appx. 266;
- No. 04-7342. *EASTWOOD, AKA SPRINGER v. UNITED STATES*. C. A. 9th Cir. Reported below: 107 Fed. Appx. 808;
- No. 04-7362. *BASS v. UNITED STATES*. C. A. 8th Cir. Reported below: 104 Fed. Appx. 598;
- No. 04-7370. *LAWRENCE v. UNITED STATES*. C. A. 11th Cir. Reported below: 112 Fed. Appx. 5;
- No. 04-7373. *DAVIS, AKA BENFORD v. UNITED STATES*. C. A. 6th Cir. Reported below: 107 Fed. Appx. 596;

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No. 04-7386. *CHAVEZ v. UNITED STATES*. C. A. 5th Cir. Reported below: 105 Fed. Appx. 641;

No. 04-7409. *SHIPMAN v. UNITED STATES*. C. A. 4th Cir. Reported below: 107 Fed. Appx. 354;

No. 04-7428. *DOBBS v. UNITED STATES*. C. A. 8th Cir. Reported below: 105 Fed. Appx. 132;

No. 04-7438. *BRIGHTWELL v. UNITED STATES*. C. A. 3d Cir. Reported below: 104 Fed. Appx. 823;

No. 04-7442. *KYSER v. UNITED STATES*. C. A. 7th Cir. Reported below: 102 Fed. Appx. 51;

No. 04-7445. *LYNCH v. UNITED STATES*. C. A. 4th Cir. Reported below: 102 Fed. Appx. 299;

No. 04-7455. *CUELLAR v. UNITED STATES*. C. A. 5th Cir. Reported below: 105 Fed. Appx. 617;

No. 04-7474. *JONES v. UNITED STATES*. C. A. 6th Cir. Reported below: 107 Fed. Appx. 601;

No. 04-7499. *GRIMES v. UNITED STATES*. C. A. 11th Cir. Reported below: 116 Fed. Appx. 241;

No. 04-7501. *HILL v. UNITED STATES*. C. A. 4th Cir.;

No. 04-7508. *ONE MALE JUVENILE v. UNITED STATES*. C. A. 4th Cir. Reported below: 103 Fed. Appx. 493;

No. 04-7536. *HARRIS v. UNITED STATES*. C. A. 4th Cir. Reported below: 109 Fed. Appx. 518;

No. 04-7539. *GRIJALVA-LOPEZ v. UNITED STATES*. C. A. 5th Cir. Reported below: 108 Fed. Appx. 157;

No. 04-7547. *SANTOS PEREZ v. UNITED STATES*. C. A. 5th Cir. Reported below: 102 Fed. Appx. 388;

No. 04-7562. *COYNE v. UNITED STATES*. C. A. 1st Cir. Reported below: 114 Fed. Appx. 5;

No. 04-7569. *SANTILLANA v. UNITED STATES*. C. A. 5th Cir. Reported below: 109 Fed. Appx. 665;

No. 04-7570. *REESE v. UNITED STATES*. C. A. 11th Cir. Reported below: 382 F. 3d 1308;

No. 04-7575. *SOLER v. UNITED STATES*. C. A. 11th Cir. Reported below: 107 Fed. Appx. 182;

No. 04-7590. *ORR v. UNITED STATES*. C. A. 4th Cir. Reported below: 106 Fed. Appx. 163;

No. 04-7612. *GAINES v. UNITED STATES*. C. A. 6th Cir. Reported below: 105 Fed. Appx. 682;

No. 04-7618. *JOHNSON v. UNITED STATES*. C. A. 5th Cir. Reported below: 105 Fed. Appx. 578;

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- No. 04-7634. *SMITH v. UNITED STATES*. C. A. 5th Cir. Reported below: 110 Fed. Appx. 380;
- No. 04-7644. *KING v. UNITED STATES*. C. A. 4th Cir. Reported below: 113 Fed. Appx. 504;
- No. 04-7646. *SALINAS v. UNITED STATES*. C. A. 5th Cir. Reported below: 108 Fed. Appx. 216;
- No. 04-7647. *SANCHEZ-GARCIA v. UNITED STATES*. C. A. 9th Cir. Reported below: 104 Fed. Appx. 670;
- No. 04-7648. *SAVILLA v. UNITED STATES*. C. A. 4th Cir.;
- No. 04-7656. *LEATHAM v. UNITED STATES*. C. A. 8th Cir. Reported below: 105 Fed. Appx. 132;
- No. 04-7667. *ROBINSON v. UNITED STATES*. C. A. 5th Cir. Reported below: 96 Fed. Appx. 946;
- No. 04-7681. *PETTIETTE v. UNITED STATES*. C. A. 5th Cir. Reported below: 105 Fed. Appx. 578;
- No. 04-7700. *HOLDER v. UNITED STATES*. C. A. 5th Cir. Reported below: 109 Fed. Appx. 673;
- No. 04-7701. *FLORES v. UNITED STATES*. C. A. 2d Cir. Reported below: 109 Fed. Appx. 463;
- No. 04-7712. *LAUREL v. UNITED STATES*. C. A. 6th Cir. Reported below: 103 Fed. Appx. 875;
- No. 04-7724. *MURRAY v. UNITED STATES*. C. A. 2d Cir. Reported below: 108 Fed. Appx. 22;
- No. 04-7728. *AUGUSTIN v. UNITED STATES*. C. A. 4th Cir. Reported below: 102 Fed. Appx. 771;
- No. 04-7741. *HEARNE v. UNITED STATES*. C. A. 4th Cir. Reported below: 102 Fed. Appx. 321;
- No. 04-7759. *TAYLOR v. UNITED STATES*. C. A. 11th Cir. Reported below: 116 Fed. Appx. 245;
- No. 04-7760. *KEMP v. UNITED STATES*. C. A. 11th Cir.;
- No. 04-7779. *GRAHAM v. UNITED STATES*. C. A. 11th Cir. Reported below: 116 Fed. Appx. 242;
- No. 04-7780. *HOOKE v. UNITED STATES*. C. A. 4th Cir. Reported below: 101 Fed. Appx. 906;
- No. 04-7793. *BRYANT v. UNITED STATES*. C. A. 5th Cir.;
- No. 04-7816. *DOCKERY v. UNITED STATES*. C. A. 11th Cir. Reported below: 120 Fed. Appx. 785;
- No. 04-7823. *MCCRAY v. UNITED STATES*. C. A. 11th Cir. Reported below: 125 Fed. Appx. 982;
- No. 04-7827. *STERLING v. UNITED STATES*. C. A. 11th Cir. Reported below: 125 Fed. Appx. 978;

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No. 04–7834. *BROWN v. UNITED STATES*. C. A. 11th Cir. Reported below: 116 Fed. Appx. 252;

No. 04–7848. *PERALTA-FLORES, AKA PERALTA, AKA SALGADO v. UNITED STATES*. C. A. 9th Cir. Reported below: 109 Fed. Appx. 962; and

No. 04–7851. *THOMAS v. UNITED STATES*. C. A. 6th Cir. Reported below: 116 Fed. Appx. 727. Motions of petitioners for leave to proceed *in forma pauperis* granted. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *United States v. Booker*, *ante*, p. 220.

No. 04–6359. *AKINS v. UNITED STATES*. C. A. 9th 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 *United States v. Booker*, *ante*, p. 220. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 102 Fed. Appx. 88.

No. 03–9402. *RIDEOUT v. UNITED STATES*, 542 U. S. 939;

No. 03–10262. *JIMENEZ-VELASCO v. UNITED STATES*; *GONZALEZ v. UNITED STATES*; *HINOJOSA-AGUIRRE v. UNITED STATES*; *DEL BOSQUE v. UNITED STATES*; *LOZANO-TAMEZ v. UNITED STATES*; *QUIROZ-ESCOBEDO v. UNITED STATES*; and *CAMPOS MADRIGAL v. UNITED STATES*, 542 U. S. 911;

No. 03–10272. *NEWSOME v. UNITED STATES*; *MARTIN v. UNITED STATES*; *CHIMNEY v. UNITED STATES*; *SONGALIA FLORES v. UNITED STATES*; *VILLARREAL-MEDINA v. UNITED STATES*; *ABNEY v. UNITED STATES*; *GUERRERO v. UNITED STATES*; *AGUILAR-CORTEZ v. UNITED STATES*; *AVILA-CHAVEZ v. UNITED STATES*; *HERNANDEZ-HERNANDEZ v. UNITED STATES*; *DE LOS SANTOS v. UNITED STATES*; *MEDINA-TENIENTE v. UNITED STATES*; and *DE LUNA-VIGIL v. UNITED STATES*, 542 U. S. 912;

No. 03–10275. *EPPS v. UNITED STATES*, 542 U. S. 912;

No. 03–10408. *VAN ALSTYNE v. UNITED STATES*, 542 U. S. 926;

No. 03–10416. *CARBAJAL-MARTINEZ v. UNITED STATES*, 542 U. S. 927;

No. 03–10417. *MCDONNELL v. UNITED STATES*, 542 U. S. 915;

No. 03–10424. *PEARSON v. UNITED STATES*, 542 U. S. 927;

No. 03–10427. *SALAS v. UNITED STATES*; and *TORRES-VASQUEZ v. UNITED STATES*, 542 U. S. 927;

No. 03–10525. *CAMPBELL v. UNITED STATES*, 542 U. S. 931; and

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No. 03–10530. VALADEZ SOTO *v.* UNITED STATES, 542 U. S. 931. Petitions for rehearing granted. Orders denying petitions for writs of certiorari vacated. Motions of petitioners for leave to proceed *in forma pauperis* granted. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *United States v. Booker*, *ante*, p. 220.

No. 03–10490. CRISTON *v.* UNITED STATES; PERALES *v.* UNITED STATES; GUERRA *v.* UNITED STATES; and SALINAS *v.* UNITED STATES, 542 U. S. 930. Petition for rehearing as to Felix Guerra granted. Order denying petition for writ of certiorari as to Felix Guerra vacated. Motion of petitioner Felix Guerra for leave to proceed *in forma pauperis* granted. Certiorari as to Felix Guerra granted, judgment vacated, and case remanded for further consideration in light of *United States v. Booker*, *ante*, p. 220. Petitions for rehearing as to Jesse Perales, Miguel Salinas, and Gary Criston denied.

No. 04–6588. IN RE BECKLEY. Motion of petitioner for leave to proceed *in forma pauperis* granted. Petition for writ of mandamus denied. Treating the papers submitted as a petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit, certiorari granted, judgment vacated, and case remanded for further consideration in light of *United States v. Booker*, *ante*, p. 220.

*Certiorari Dismissed*

No. 04–7405. REED *v.* SCHRIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

*Certificate Dismissed*

No. 04–59. UNITED STATES *v.* PENARANDA ET AL. Questions certified by the United States Court of Appeals for the Second Circuit dismissed. Reported below: 375 F. 3d 238.

*Miscellaneous Orders*

No. 04M41. PENDER *v.* UNION OF C. S. E. A. ET AL.;

No. 04M42. BEAN *v.* UNITED STATES POSTAL SERVICE ET AL.; and

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No. 04M43. HENRY *v.* DEPARTMENT OF COMMERCE ET AL. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 03–1566. ORFF ET AL. *v.* UNITED STATES ET AL. C. A. 9th Cir. [Certiorari granted, *ante*, p. 924.] Motion of respondent Westlands Water District for divided argument granted. Motion of Pacific Legal Foundation et al. for leave to file a brief as *amici curiae* granted.

No. 04–163. LINGLE, GOVERNOR OF HAWAII, ET AL. *v.* CHEVRON U. S. A. INC. C. A. 9th Cir. [Certiorari granted, *ante*, p. 924.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 04–277. NATIONAL CABLE & TELECOMMUNICATIONS ASSN. ET AL. *v.* BRAND X INTERNET SERVICES ET AL.; and

No. 04–281. FEDERAL COMMUNICATIONS COMMISSION ET AL. *v.* BRAND X INTERNET SERVICES ET AL. C. A. 9th Cir. [Certiorari granted, *ante*, p. 1018.] Motion of the Acting Solicitor General to dispense with printing the joint appendix granted.

No. 04–6604. JONES *v.* BIRKETT, WARDEN. C. A. 6th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1019] denied.

No. 04–6638. SMITH *v.* CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS. C. A. 11th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1019] denied.

No. 04–7297. RUIZ RIVERA *v.* KPMG PEAT MARWICK ET AL. C. A. 1st Cir.;

No. 04–7317. CARNOHAN *v.* NEWCOMB. Sup. Ct. Cal.; and

No. 04–7697. GILMORE *v.* UNITED STATES POSTAL SERVICE. C. A. Fed. Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until February 14, 2005, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

No. 04–7884. IN RE CARTER. Motion of petitioner for leave to proceed *in forma pauperis* denied, and petition for writ of

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habeas corpus dismissed. See this Court's Rule 39.8. As petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

No. 04-7308. IN RE GEORGE; and

No. 04-7378. IN RE NIMMONS. Petitions for writs of mandamus denied.

No. 04-7414. IN RE WASHINGTON. Petition for writ of mandamus and/or prohibition denied.

*Certiorari Denied*

No. 03-10745. SMITH *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied.

No. 03-10879. OAKMAN *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 85 Fed. Appx. 901.

No. 03-10911. GREEN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied.

No. 04-250. CAMPBELL *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 364 F. 3d 727.

No. 04-331. ORANDELLO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 74 Fed. Appx. 126.

No. 04-335. DiFRISCO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 74 Fed. Appx. 126.

No. 04-429. ROSE, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, ET AL. *v.* PLANNED PARENTHOOD OF SOUTH CAROLINA ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 361 F. 3d 786.

No. 04-529. SUPERIOR PROTECTION, INC. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 5th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 561.

No. 04-540. BAYOIL SUPPLY & TRADING LTD. *v.* GULF INSURANCE CO. ET AL. C. A. 5th Cir. Certiorari denied.

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No. 04-542. *ANGLE, NEVADA STATE ASSEMBLY MEMBER, ET AL. v. LEGISLATURE OF THE STATE OF NEVADA ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 90.

No. 04-555. *LIGHTHOUSE INSTITUTE FOR EVANGELISM, INC., ET AL. v. CITY OF LONG BRANCH, NEW JERSEY, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 100 Fed. Appx. 70.

No. 04-561. *S. L. v. PRINCE WILLIAM COUNTY SCHOOL BOARD.* C. A. 4th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 908.

No. 04-590. *CLAUDIO-GOTAY ET AL. v. BECTON DICKINSON CARIBE, LTD., ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 375 F. 3d 99.

No. 04-595. *McNICHOLL v. ASHCROFT, ATTORNEY GENERAL.* C. A. 3d Cir. Certiorari denied.

No. 04-598. *FOGERTY ET AL. v. MGM GROUP HOLDINGS CORP., INC., DBA MGM UNIVERSAL MUSIC GROUP, INC., ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 379 F. 3d 348.

No. 04-658. *McINERNEY v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. Reported below: 74 Fed. Appx. 126.

No. 04-665. *PHONECARDS R US, INC., ET AL. v. SOUTH CAROLINA ET AL.* Sup. Ct. S. C. Certiorari denied. Reported below: 360 S. C. 49, 600 S. E. 2d 61.

No. 04-666. *WASHINGTON WATER JET WORKERS ASSN. ET AL. v. YARBROUGH, IN HIS OFFICIAL CAPACITY AS THE ADMINISTRATOR OF THE DIVISION OF CORRECTIONAL INDUSTRIES, ET AL.* Sup. Ct. Wash. Certiorari denied. Reported below: 151 Wash. 2d 470, 90 P. 3d 42.

No. 04-667. *WHITE-BATTLE v. DEMOCRATIC PARTY OF VIRGINIA ET AL.* Sup. Ct. Va. Certiorari denied.

No. 04-672. *SANK v. CITY UNIVERSITY OF NEW YORK ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 112 Fed. Appx. 761.

No. 04-675. *DETROIT INTERNATIONAL BRIDGE CO. v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 361 F. 3d 305.



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No. 04-681. LINDQUIST, INDIVIDUALLY AND AS EXECUTRIX OF THE ESTATE OF LINDQUIST *v.* BUCKINGHAM TOWNSHIP ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 106 Fed. Appx. 768.

No. 04-684. TEN TAXPAYER CITIZENS GROUP ET AL. *v.* CAPE WIND ASSOCIATES, LLC. C. A. 1st Cir. Certiorari denied. Reported below: 373 F. 3d 183.

No. 04-688. SHAW *v.* SHAW. Sup. Ct. Fla. Certiorari denied. Reported below: 879 So. 2d 623.

No. 04-690. CALLICO ET UX. *v.* CITY OF BELLEVILLE, ILLINOIS, ET AL. C. A. 7th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 746.

No. 04-691. THOMPSON *v.* NATIONAL RAILROAD PASSENGER CORPORATION. C. A. 9th Cir. Certiorari denied. Reported below: 91 Fed. Appx. 604.

No. 04-726. MOYE, O'BRIEN, O'ROURKE, HOGAN & PICKERT *v.* NATIONAL RAILROAD PASSENGER CORPORATION. C. A. 11th Cir. Certiorari denied. Reported below: 116 Fed. Appx. 251.

No. 04-752. GUZMAN-SANTANA *v.* ASHCROFT, ATTORNEY GENERAL. C. A. 9th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 493.

No. 04-757. BUSH, GOVERNOR OF FLORIDA *v.* SCHIAVO, GUARDIAN OF SCHIAVO. Sup. Ct. Fla. Certiorari denied. Reported below: 885 So. 2d 321.

No. 04-764. BRENNAN ET UX. *v.* MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY ET AL. Ct. App. Mich. Certiorari denied.

No. 04-773. MCCURDY *v.* ARKANSAS STATE POLICE. C. A. 8th Cir. Certiorari denied. Reported below: 375 F. 3d 762.

No. 04-777. WIMBUSH-BOWLES, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED, ET AL. *v.* GTE SERVICE CORPORATION PLAN FOR EMPLOYEES' PENSIONS ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 780.

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No. 04–850. *KAHL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 200.

No. 04–877. *DONAHUE ET AL. v. PUBLIC SCHOOL EMPLOYEES’ RETIREMENT SYSTEM OF PENNSYLVANIA ET AL.* Sup. Ct. Pa. Certiorari denied. Reported below: 580 Pa. 14, 858 A. 2d 1162.

No. 04–5025. *REED v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04–5054. *ISRAEL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04–5091. *JOSEPH, AKA SANDERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 78 Fed. Appx. 248.

No. 04–5337. *SANTOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 04–5485. *HAMILTON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 56.

No. 04–5588. *KREIGER v. VIRGINIA*. Sup. Ct. Va. Certiorari denied.

No. 04–5601. *BARNES v. UNITED STATES ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 904.

No. 04–5628. *AKIN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 04–5683. *PATRICK v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 04–5751. *SHAW v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 04–5926. *ESTRADA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 04–5943. *HUBBARD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04–5950. *VIZZINI v. HUTCHINSON, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 157.

No. 04–5976. *MILLER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

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No. 04-6014. *BURNS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 04-6078. *CROSBY v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-6148. *PEREZ, AKA ALLEN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-6158. *CHAVEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied.

No. 04-6181. *PADILLA, AKA CRUZ, AKA ROQUE PADILLA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 04-6279. *KING v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-6307. *LAZARO CONTRERAS v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 04-6438. *KENNEDY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 372 F. 3d 686.

No. 04-6477. *SMITH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 373 F. 3d 561.

No. 04-6683. *HENDON v. LAMARQUE, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 769.

No. 04-6734. *GAVIN v. ALABAMA*. Ct. Crim. App. Ala. Certiorari denied. Reported below: 891 So. 2d 907.

No. 04-6792. *CARTWRIGHT v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 545.

No. 04-6913. *STEPHANATOS v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 3d Cir. Certiorari denied. Reported below: 112 Fed. Appx. 868.

No. 04-6945. *COLIN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 887.

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No. 04–6950. *ORTIZ-ROSAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 883.

No. 04–6980. *STEPHENS v. ASHCROFT, ATTORNEY GENERAL*. C. A. 2d Cir. Certiorari denied.

No. 04–7205. *MATCHETT v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 380 F. 3d 844.

No. 04–7210. *SIMMONS v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. Reported below: 360 S. C. 33, 599 S. E. 2d 448.

No. 04–7304. *GEIDEL v. PENNSYLVANIA BOARD OF PROBATION AND PAROLE*. Commw. Ct. Pa. Certiorari denied.

No. 04–7305. *FRENCH v. OKLAHOMA ET AL.* Ct. Crim. App. Okla. Certiorari denied.

No. 04–7306. *GOODRIDGE v. LAUGHLIN ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04–7311. *FERNANDEZ v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04–7312. *GIBBONS v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04–7315. *ROBINSON v. ARTUS, SUPERINTENDENT, CLINTON CORRECTIONAL FACILITY, ET AL.* App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 8 App. Div. 3d 794, 777 N. Y. S. 2d 920.

No. 04–7316. *CONE ET UX., ON BEHALF OF CONE v. RANDOLPH COUNTY SCHOOLS*. C. A. 4th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 731.

No. 04–7330. *FOSTER v. SMITH, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 04–7331. *GOODWIN v. GIURBINO, WARDEN*. C. A. 9th Cir. Certiorari denied.

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No. 04-7334. *GRIGGER v. TRAVIS*. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 6 App. Div. 3d 1222, 775 N. Y. S. 2d 707.

No. 04-7336. *GREEN v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. C. A. 4th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 934.

No. 04-7338. *GOODSON v. TENNESSEE*. C. A. 6th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 906.

No. 04-7339. *IVES v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 04-7340. *DONG CHUNG v. KPMG LLP ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 576.

No. 04-7341. *CHEESEMAN v. BANTA*. C. A. 9th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 110.

No. 04-7345. *GODINEZ v. GIURBINO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-7346. *GAYLE v. ARTUS, SUPERINTENDENT, CLINTON CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 04-7347. *GRAVES v. PHILLIPS, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 04-7350. *FAIRFAX v. BUTLER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-7354. *MOORE v. MICHIGAN*. Cir. Ct. Muskegon County, Mich. Certiorari denied.

No. 04-7358. *BELEI v. CASTRO, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 813.

No. 04-7359. *MCDANIEL v. SHERRER, ADMINISTRATOR, NORTHERN STATE PRISON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04-7363. *NEWMAN v. MICHIGAN*. Cir. Ct. Livingston County, Mich. Certiorari denied.

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No. 04-7368. *SILVERBRAND v. YARBOROUGH, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 195.

No. 04-7374. *PANDOLFI v. NEW HAMPSHIRE*. Sup. Ct. N. H. Certiorari denied.

No. 04-7377. *MILLER v. VANNATTA, SUPERINTENDENT, MIAMI CORRECTIONAL FACILITY*. C. A. 7th Cir. Certiorari denied.

No. 04-7379. *NIKSICH v. COTTON, SUPERINTENDENT, PENDLETON CORRECTIONAL FACILITY, ET AL.* Sup. Ct. Ind. Certiorari denied. Reported below: 810 N. E. 2d 1003.

No. 04-7388. *DRIVER v. OREGON*. Ct. App. Ore. Certiorari denied. Reported below: 192 Ore. App. 395, 86 P. 3d 53.

No. 04-7391. *BRIGGS v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 04-7392. *BURRELL v. VIRGINIA DEPARTMENT OF MOTOR VEHICLES*. Sup. Ct. Va. Certiorari denied.

No. 04-7394. *VANHOUSEN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 04-7398. *BUDNICK v. HAMPDEN COUNTY HOUSE OF CORRECTION*. C. A. 5th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 601.

No. 04-7400. *STEVENSON v. BOYETTE, SUPERINTENDENT, NASH CORRECTIONAL INSTITUTION*. C. A. 4th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 821.

No. 04-7403. *ROBLYER v. PENNSYLVANIA DEPARTMENT OF CORRECTIONS*. Commw. Ct. Pa. Certiorari denied.

No. 04-7404. *SANCHEZ v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 04-7406. *BEGORDIS v. MINNESOTA*. Ct. App. Minn. Certiorari denied.

No. 04-7408. *WILLIS v. JONES, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 04-7410. *SANDERS v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Fla. Certiorari denied. Reported below: 881 So. 2d 1114.

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No. 04-7412. *WILLIAMS v. LAVAN*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL. C. A. 3d Cir. Certiorari denied.

No. 04-7416. *WEAVER v. DRETKE*, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 106 Fed. Appx. 255.

No. 04-7418. *HALL v. MISSOURI*. Sup. Ct. Mo. Certiorari denied.

No. 04-7440. *ALLEN v. SENKOWSKI*, SUPERINTENDENT, CLINTON CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied. Reported below: 97 Fed. Appx. 346.

No. 04-7463. *PULLEY v. RUBENSTEIN*, COMMISSIONER, WEST VIRGINIA DIVISION OF CORRECTIONS, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 755.

No. 04-7468. *MADURA v. LONGWOOD ATHLETIC CLUB, INC.* Cir. Ct. Sarasota County, Fla. Certiorari denied.

No. 04-7488. *REYES v. HALL*, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 04-7491. *BOWSER v. BLACKETTER*, SUPERINTENDENT, EASTERN OREGON CORRECTIONAL INSTITUTION. C. A. 9th Cir. Certiorari denied.

No. 04-7493. *MOORE v. KEANE*, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY. C. A. 2d Cir. Certiorari denied.

No. 04-7504. *THOMPSON v. MCCAUGHTRY*, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 04-7516. *DE MELO v. DEPARTMENT OF VETERANS AFFAIRS*. C. A. Fed. Cir. Certiorari denied. Reported below: 112 Fed. Appx. 31.

No. 04-7526. *BANSAL v. IMMIGRATION AND NATURALIZATION SERVICE ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 535.

No. 04-7532. *FARSHIDI v. NORFOLK STATE UNIVERSITY*. C. A. 4th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 839.

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No. 04-7549. *MATA v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied. Reported below: 266 Neb. 668, 668 N. W. 2d 448.

No. 04-7556. *JACKSON v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied. Reported below: 61 Mass. App. 1111, 810 N. E. 2d 862.

No. 04-7619. *WILLIAMS, AKA FRANKLIN v. DINGLE, WARDEN*. C. A. 8th Cir. Certiorari denied.

No. 04-7625. *MOSS v. TRENT, WARDEN*. Sup. Ct. App. W. Va. Certiorari denied.

No. 04-7696. *HADDAD v. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION*. C. A. 6th Cir. Certiorari denied. Reported below: 111 Fed. Appx. 413.

No. 04-7704. *GOMES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 387 F. 3d 157.

No. 04-7721. *DAWSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 732.

No. 04-7725. *NUNEZ-RODELO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 378 F. 3d 877 and 110 Fed. Appx. 811.

No. 04-7729. *BERRY v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 757.

No. 04-7730. *BAEZ-LEON v. UNITED STATES*; *GARCIA-RAMIREZ v. UNITED STATES*; *LARIOS-ANDRADE v. UNITED STATES*; *YANEZ-GOVEA v. UNITED STATES*; *RAMIREZ-YANEZ v. UNITED STATES*; and *MARTINEZ-MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 468 (fourth judgment) and 469 (sixth judgment); 111 Fed. Appx. 331 (fifth judgment) and 333 (third judgment); 112 Fed. Appx. 321 (first judgment) and 346 (second judgment).

No. 04-7737. *MELVIN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 603.

No. 04-7739. *GRANT v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 856 A. 2d 1131.

No. 04-7742. *HOWARD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 123 Fed. Appx. 386.



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No. 04-7744. *HOWARD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 183.

No. 04-7745. *HYLER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 04-7751. *ROSS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-7761. *JOHNSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 319.

No. 04-7773. *DE AZA-PAEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 04-7776. *AJAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 113 Fed. Appx. 150.

No. 04-7777. *STAFFORD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 418.

No. 04-7778. *BUENO-VARGAS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 383 F. 3d 1104.

No. 04-7786. *ELIZALDE-CASARES v. UNITED STATES* (Reported below: 111 Fed. Appx. 340); *PEQUE-PEREZ v. UNITED STATES* (112 Fed. Appx. 350); *REYES-MANCIAS v. UNITED STATES* (110 Fed. Appx. 447); *REYES-PASCUAL v. UNITED STATES* (110 Fed. Appx. 444); *SIERRA-MADRIGAL v. UNITED STATES* (110 Fed. Appx. 452); *DIAZ-SANCHEZ v. UNITED STATES* (110 Fed. Appx. 444); *GARCIA-LOPEZ v. UNITED STATES* (110 Fed. Appx. 436); *COBOS-PEREZ v. UNITED STATES* (110 Fed. Appx. 435); *GOMEZ-DELGADO v. UNITED STATES* (110 Fed. Appx. 443); *HERRERA-BARAJAS v. UNITED STATES* (111 Fed. Appx. 327); *JIMENEZ LOPEZ v. UNITED STATES* (111 Fed. Appx. 747); *QUIRINO v. UNITED STATES* (111 Fed. Appx. 338); *RODRIGUEZ-MEDINA v. UNITED STATES* (110 Fed. Appx. 441); *OLALDE-SERNA v. UNITED STATES* (110 Fed. Appx. 448); *SANTOS-HERNANDEZ v. UNITED STATES* (111 Fed. Appx. 339); *HERNANDEZ RIVERA v. UNITED STATES* (110 Fed. Appx. 420); *GOMEZ-VARGAS v. UNITED STATES* (111 Fed. Appx. 741); and *ESTRADA-RODRIGUEZ v. UNITED STATES* (113 Fed. Appx. 1). C. A. 5th Cir. Certiorari denied.

No. 04-7791. *SANDRIDGE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 385 F. 3d 1032.

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No. 04-7800. *JONES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 375 F. 3d 1285.

No. 04-7806. *WAKEFIELD v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 817.

No. 04-7809. *DELEON v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 859 A. 2d 652.

No. 04-7811. *ESCOVAR-MADRID, AKA VALAZGUEZ v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 641.

No. 04-7812. *VASQUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 979.

No. 04-7813. *QUINTANA-QUINTANA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 227.

No. 04-7815. *CLARK v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 110 Fed. Appx. 245.

No. 04-7817. *CUNNINGHAM v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 110 Fed. Appx. 238.

No. 04-7818. *JOHNSON, AKA WILLIAMS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 108 Fed. Appx. 741.

No. 04-7819. *MARTINEZ-CARRILLO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 701.

No. 04-7821. *LAIJA-GARCIA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 411.

No. 04-7825. *RULE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-7829. *STAMPER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 106 Fed. Appx. 833.

No. 04-7830. *JUAREGUI-DURAN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 982.

No. 04-7833. *BUTLER v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

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No. 04–7838. DAVIS *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied.

No. 04–7841. DOMINGUEZ-OCHOA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 386 F. 3d 639.

No. 04–7842. CASTANEDA-MARTINEZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 209.

No. 04–7845. LOTT *v.* DAVIS, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 13.

No. 04–467. PEARSON EDUCATION, INC. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. D. C. Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 373 F. 3d 127.

No. 04–677. DAILEY *v.* BANK OF AMERICA. C. A. 9th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 106 Fed. Appx. 533.

No. 04–7355. LIGGON, AKA LIGGON-REDDING *v.* NATIONAL CITY MORTGAGE. Super. Ct. Pa. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 832 A. 2d 551.

No. 04–7447. RUIMVELD *v.* BIRKETT, WARDEN. C. A. 6th Cir. Certiorari before judgment denied.

*Rehearing Granted.* (See Nos. 03–1326, 03–1434, 03–9402, 03–10262, 03–10272, 03–10275, 03–10408, 03–10416, 03–10417, 03–10424, 03–10427, 03–10490, 03–10525, and 03–10530, *supra.*)

*Rehearing Denied.* (See also No. 03–10490, *supra.*)

No. 03–1624. HELDT *v.* MICHIGAN, *ante*, p. 816;

No. 03–10462. HILL *v.* UNITED STATES, 542 U. S. 928;

No. 03–10692. MILLER *v.* UNITED STATES, *ante*, p. 845;

No. 03–11007. ARORA *v.* UNITED STATES, *ante*, p. 863;

No. 04–197. KILCULLEN *v.* LEWIS ET AL., *ante*, p. 1000;

No. 04–493. NETZER *v.* WISCONSIN, *ante*, p. 1003;

No. 04–5703. PARIS *v.* SOUTHWESTERN BELL TELEPHONE CO., *ante*, p. 1005;

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No. 04–5908. *SCOTT v. PENNSYLVANIA DEPARTMENT OF PUBLIC WELFARE*, *ante*, p. 1022;

No. 04–6009. *BROWN v. DORMIRE, SUPERINTENDENT, MISSOURI STATE PENITENTIARY*, *ante*, p. 962;

No. 04–6170. *IN RE SCRUGGS*, *ante*, p. 978;

No. 04–6275. *WALKER v. FAMILY INDEPENDENCE AGENCY*, *ante*, p. 991;

No. 04–6406. *SANDERS v. MARYLAND ET AL.*, *ante*, p. 1006;

No. 04–6423. *IN RE NORMAN*, *ante*, p. 978;

No. 04–6594. *PERKINS v. LOCKYER, ATTORNEY GENERAL OF CALIFORNIA, ET AL.*, *ante*, p. 1024;

No. 04–6613. *ANDERSON v. SIZER, COMMISSIONER, MARYLAND DIVISION OF CORRECTION, ET AL.*, *ante*, p. 1024;

No. 04–6614. *BURTON v. CLEVELAND OHIO EMPOWERMENT ZONE ET AL.*, *ante*, p. 1024;

No. 04–6662. *DUNCAN v. PRINCIPI, SECRETARY OF VETERANS AFFAIRS, ET AL.*, *ante*, p. 1025;

No. 04–6927. *IN RE JOHNSON*, *ante*, p. 999; and

No. 04–7069. *ROGERS v. UNITED STATES*, *ante*, p. 1029. Petitions for rehearing denied.

JANUARY 25, 2005

*Dismissal Under Rule 46*

No. 03–1443. *HILL v. LOCKHEED MARTIN LOGISTICS MANAGEMENT, INC.* C. A. 4th Cir. Certiorari dismissed under this Court’s Rule 46.1. Reported below: 354 F. 3d 277.

*Miscellaneous Order*

No. 04–8320 (04A653). *IN RE KUNKLE*. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

*Certiorari Denied*

No. 04–8311 (04A649). *KUNKLE v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS 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 STE-

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VENNS, JUSTICE SOUTER, JUSTICE GINSBURG, and JUSTICE BREYER would grant the application for stay of execution.

No. 04–8312 (04A648). *CARR v. SCHOFIELD*, WARDEN. Super. Ct. Butts County, 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 O’CONNOR took no part in the consideration or decision of this petition.

No. 04–8319 (04A652). *KUNKLE v. TEXAS*. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied.

No. 04–8321 (04A651). *KUNKLE v. TEXAS*. Ct. Crim. App. Tex. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Certiorari denied.

*Rehearing Denied*

No. 92–8908 (04A650). *KUNKLE v. TEXAS*, 510 U.S. 840; and

No. 04–7271 (04A654). *KUNKLE v. TEXAS*, *ante*, p. 1039. Applications for stays of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Motions for leave to file petitions for rehearing denied.

JANUARY 26, 2005

*Miscellaneous Order*

No. 04A635 (04–70). *EXXON MOBIL CORP. v. ALLAPATTAH SERVICES, INC., ET AL.* C. A. 11th Cir. Application to stay execution of judgment pending disposition of the writ of certiorari, presented to JUSTICE KENNEDY, and by him referred to the Court, denied.

JANUARY 27, 2005

*Miscellaneous Orders*

No. 04A647. *MISSIONARY SOCIETY OF CONNECTICUT v. BOARD OF PARDONS AND PAROLES*. Application for stay of execution of sentence of death, presented to JUSTICE GINSBURG, and by her referred to the Court, denied.

January 27, 28, February 17, 18, 2005

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No. 04A656. LANTZ, COMMISSIONER, CONNECTICUT DEPARTMENT OF CORRECTIONS, ET AL. *v.* ROSS, BY AND THROUGH HIS NEXT FRIEND, SMYTH. Application to vacate the stay of execution of sentence of death entered by the United States District Court for the District of Connecticut on January 24, 2005, presented to JUSTICE GINSBURG, and by her referred to the Court, granted. JUSTICE STEVENS, JUSTICE SOUTER, JUSTICE GINSBURG, and JUSTICE BREYER would deny the application to vacate the stay of execution.

JANUARY 28, 2005

*Miscellaneous Orders*

No. 04A663. RELL ET AL. *v.* ROSS. Application to vacate the temporary stay entered by the United States Court of Appeals for the Second Circuit on January 28, 2005, presented to JUSTICE GINSBURG, and by her referred to the Court, granted.

No. 04A665. ROSS *v.* RELL ET AL. Application for stay of execution of sentence of death, or, in the alternative, for a temporary restraining order, presented to JUSTICE GINSBURG, and by her referred to the Court, denied.

FEBRUARY 17, 2005

*Dismissals Under Rule 46*

No. 04-7918. BELL *v.* UNITED STATES. C. A. 6th Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 109 Fed. Appx. 772.

No. 04-8256. MULCAHY *v.* UNITED STATES. C. A. 11th Cir. Certiorari dismissed under this Court's Rule 46.1. Reported below: 116 Fed. Appx. 242.

*Miscellaneous Order*

No. 04-8702 (04A714). IN RE BAGWELL. Application for stay of execution of sentence of death, presented to JUSTICE SCALIA, and by him referred to the Court, denied. Petition for writ of habeas corpus denied.

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*Miscellaneous Orders*

No. 03-932. DURA PHARMACEUTICALS, INC., ET AL. *v.* BROUDO ET AL. C. A. 9th Cir. [Certiorari granted, 542 U. S. 936.] Mo-

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tion of petitioners for leave to file supplemental brief after argument granted.

No. 03–1388. SPECTOR ET AL. *v.* NORWEGIAN CRUISE LINE LTD. C. A. 5th Cir. [Certiorari granted, 542 U.S. 965.] Motions of the Acting Solicitor General and the Commonwealth of the Bahamas and the Bahama Maritime Authority for leave to participate in oral argument as *amici curiae* and for divided argument granted.

No. 03–1500. VAN ORDEN *v.* PERRY, IN HIS OFFICIAL CAPACITY AS GOVERNOR OF TEXAS AND CHAIRMAN, STATE PRESERVATION BOARD, ET AL. C. A. 5th Cir. [Certiorari granted, *ante*, p. 923.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted. Motions of the Foundation for Moral Law, Inc., and Faith and Action et al. for leave to participate in oral argument as *amici curiae* and for divided argument denied.

No. 03–1693. MCCREARY COUNTY, KENTUCKY, ET AL. *v.* AMERICAN CIVIL LIBERTIES UNION OF KENTUCKY ET AL. C. A. 6th Cir. [Certiorari granted, *ante*, p. 924.] Motion of Faith and Action et al. for leave to participate in oral argument as *amici curiae* and for divided argument denied.

No. 04–70. EXXON MOBIL CORP. *v.* ALLAPATTAH SERVICES, INC., ET AL. C. A. 11th Cir.; and

No. 04–79. DEL ROSARIO ORTEGA ET AL. *v.* STAR-KIST FOODS, INC. C. A. 1st Cir. [Certiorari granted, *ante*, p. 924.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument denied.

No. 04–108. KELO ET AL. *v.* CITY OF NEW LONDON, CONNECTICUT, ET AL. Sup. Ct. Conn. [Certiorari granted, 542 U.S. 965.] Motion of Connecticut for leave to participate in oral argument as *amicus curiae* and for divided argument denied.

#### FEBRUARY 22, 2005

##### *Certiorari Granted—Vacated and Remanded*

No. 03–1224. ILLINOIS *v.* HARRIS. Sup. Ct. Ill. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted, judgment vacated, and case remanded for further

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consideration in light of *Illinois v. Caballes*, ante, p. 405. Reported below: 207 Ill. 2d 515, 802 N. E. 2d 219.

No. 04–852. *ASHLOCK v. UNITED STATES*. C. A. 5th Cir. Reported below: 105 Fed. Appx. 581; and

No. 04–882. *RAITHATHA v. UNITED STATES*. C. A. 6th Cir. Reported below: 385 F. 3d 1013. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *United States v. Booker*, ante, p. 220.

No. 04–7710. *SMITH v. UNITED STATES*. C. A. 8th Cir. Reported below: 378 F. 3d 754;

No. 04–7731. *AGNEW v. UNITED STATES*. C. A. 3d Cir. Reported below: 385 F. 3d 288;

No. 04–7740. *HOPPER v. UNITED STATES*. C. A. 6th Cir. Reported below: 384 F. 3d 252;

No. 04–7758. *MALLORY, AKA MUSHEEN v. UNITED STATES*. C. A. 11th Cir. Reported below: 116 Fed. Appx. 241;

No. 04–7762. *MORTON v. UNITED STATES*. C. A. 11th Cir. Reported below: 364 F. 3d 1300;

No. 04–7774. *ELIZARRARAZ v. UNITED STATES*. C. A. 5th Cir. Reported below: 111 Fed. Appx. 263;

No. 04–7784. *HICKS v. UNITED STATES*. C. A. 11th Cir. Reported below: 107 Fed. Appx. 892;

No. 04–7805. *WALKER v. UNITED STATES*. C. A. 4th Cir. Reported below: 100 Fed. Appx. 220;

No. 04–7832. *GARCIA-BELTRAN v. UNITED STATES*. C. A. 5th Cir. Reported below: 111 Fed. Appx. 279;

No. 04–7836. *PEREZ-GOMEZ v. UNITED STATES*. C. A. 5th Cir. Reported below: 114 Fed. Appx. 596;

No. 04–7839. *JUI-TENG LIN v. UNITED STATES*. C. A. 2d Cir. Reported below: 85 Fed. Appx. 234;

No. 04–7847. *MURIETTA MALDONADO v. UNITED STATES*. C. A. 5th Cir. Reported below: 111 Fed. Appx. 253;

No. 04–7866. *SEARS v. UNITED STATES*. C. A. 11th Cir. Reported below: 122 Fed. Appx. 986;

No. 04–7871. *BOLDING v. UNITED STATES*; *GONZALEZ-SANDOVAL v. UNITED STATES*; *COVARRUBIAS v. UNITED STATES*; *DE LEON-ROCHA v. UNITED STATES*; *LOPEZ-GUZMAN v. UNITED STATES*; *GUERRA v. UNITED STATES*; and *ROMERO v. UNITED STATES*. C. A. 5th Cir. Reported below: 110 Fed. Appx. 389 (first judgment), 452 (sixth judgment), and 454 (fourth judgment);



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111 Fed. Appx. 330 (seventh judgment), 335 (third judgment), 336 (fifth judgment), and 339 (second judgment);

No. 04-7876. *DAVIS v. UNITED STATES*. C. A. 11th Cir. Reported below: 123 Fed. Appx. 385;

No. 04-7877. *MCARTHUR v. UNITED STATES*. C. A. 11th Cir. Reported below: 122 Fed. Appx. 987;

No. 04-7885. *DICLEMENTE v. UNITED STATES*. C. A. 4th Cir.;

No. 04-7935. *MOSLEY v. UNITED STATES*. C. A. 11th Cir. Reported below: 123 Fed. Appx. 387;

No. 04-7958. *VMON, AKA SLACK v. UNITED STATES*. C. A. 11th Cir. Reported below: 122 Fed. Appx. 985;

No. 04-7970. *ANTHONY v. UNITED STATES*. C. A. 3d Cir. Reported below: 112 Fed. Appx. 810;

No. 04-8000. *CARRIE v. UNITED STATES*. C. A. 11th Cir. Reported below: 107 Fed. Appx. 892;

No. 04-8001. *DUARTE-BENITEZ v. UNITED STATES*. C. A. 11th Cir. Reported below: 125 Fed. Appx. 269;

No. 04-8039. *GARCIA-CORONADO v. UNITED STATES*. C. A. 5th Cir. Reported below: 108 Fed. Appx. 939;

No. 04-8085. *SMITH v. UNITED STATES*. C. A. 11th Cir. Reported below: 123 Fed. Appx. 386;

No. 04-8124. *GONZALEZ-OROZCO v. UNITED STATES* (Reported below: 110 Fed. Appx. 471); *LIMON-RUIZ v. UNITED STATES* (110 Fed. Appx. 426); *POZOS-SANTILLAN v. UNITED STATES* (110 Fed. Appx. 455); *BIRULA-HERNANDEZ v. UNITED STATES* (111 Fed. Appx. 334); *CARBAJAL-HERNANDEZ v. UNITED STATES* (110 Fed. Appx. 453); *CASTILLO-PENALOZA v. UNITED STATES* (111 Fed. Appx. 322); *SALAZAR-VARELA v. UNITED STATES* (111 Fed. Appx. 322); *CONTRERAS-CEDILLO v. UNITED STATES* (111 Fed. Appx. 338); *FERNANDEZ-PINONES v. UNITED STATES* (110 Fed. Appx. 470); *LUGO-SALDANA v. UNITED STATES* (110 Fed. Appx. 469); *MONDRAGON-JIMENEZ v. UNITED STATES* (110 Fed. Appx. 463); *NUNCIO-RODRIGUEZ v. UNITED STATES* (111 Fed. Appx. 327); *REYES-QUINTANILLA v. UNITED STATES* (111 Fed. Appx. 748); *RODRIGUEZ-ZUNIGA v. UNITED STATES* (111 Fed. Appx. 747); *SARAVIA-MELENDEZ v. UNITED STATES* (110 Fed. Appx. 434); and *VILLASENOR-ARROYO v. UNITED STATES* (110 Fed. Appx. 440). C. A. 5th Cir.;

No. 04-8147. *MCCOMBS v. UNITED STATES*. C. A. 11th Cir. Reported below: 116 Fed. Appx. 245;

No. 04-8169. *PROCTER v. UNITED STATES*. C. A. 6th Cir.;

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No. 04–8170. *GARZA-GARCIA v. UNITED STATES*; *REYES-JASSO v. UNITED STATES*; and *BARRIOS-PEREZ v. UNITED STATES*. C. A. 5th Cir. Reported below: 111 Fed. Appx. 746 (first judgment) and 778 (second judgment); 112 Fed. Appx. 971 (third judgment);

No. 04–8257. *MEDINA-HERNANDEZ v. UNITED STATES*. C. A. 9th Cir. Reported below: 111 Fed. Appx. 961;

No. 04–8259. *OLEA-PINO v. UNITED STATES*. C. A. 9th Cir. Reported below: 111 Fed. Appx. 950; and

No. 04–8285. *WILSON v. UNITED STATES*. C. A. 6th Cir. Reported below: 112 Fed. Appx. 497. Motions of petitioners for leave to proceed *in forma pauperis* granted. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *United States v. Booker*, ante, p. 220.

*Certiorari Dismissed*

No. 04–7653. *ARANDA v. GALVIN ET AL.* C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 04–7693. *DIXON v. CITY OF MINNEAPOLIS WATER DEPARTMENT ET AL.* C. A. 8th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 102 Fed. Appx. 518.

No. 04–7788. *ATKINS v. FOLTZ*. C. A. 6th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8.

No. 04–8045. *COOMBS v. GWINN ET AL.* Sup. Ct. Pa. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. Reported below: 579 Pa. 530, 856 A. 2d 1201.

No. 04–8205. *HARVEY v. UNITED STATES*. C. A. 9th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court’s Rule 39.8. As petitioner has repeatedly abused this Court’s process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506

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U. S. 1 (1992) (*per curiam*). JUSTICE STEVENS dissents. See *id.*, at 4, and cases cited therein.

*Miscellaneous Orders*

No. D-2395. IN RE DISCIPLINE OF HALL. Rupert Arvel Hall, Jr., of Moorestown, 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. D-2396. IN RE DISCIPLINE OF RUSSO. Matthew M. Russo, of Long Beach, 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-2397. IN RE DISCIPLINE OF MCCOLLOUGH. Terry Len McCollough, of Orlando, 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-2398. IN RE DISCIPLINE OF OLDS. Warner Smith Olds, of Fort Lauderdale, 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-2399. IN RE DISCIPLINE OF NEUMAN. Reid Scott Neuman, of Northbrook, 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-2400. IN RE DISCIPLINE OF KARTEN. Alan I. Karten, of Miami, 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-2401. IN RE DISCIPLINE OF LAUDUMIEY. Fernand Louis Laudumiey III, of New Orleans, La., is suspended from the practice of law in this Court, and a rule will issue, returnable

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

No. D-2402. *IN RE DISCIPLINE OF SCHEURICH*. Val K. Scheurich III, of New Orleans, La., 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-2403. *IN RE DISCIPLINE OF NORTON*. John V. Norton, of Minneapolis, Minn., 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-2404. *IN RE DISCIPLINE OF ETHEREDGE*. James Gaultney Etheredge, of Fort Walton 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. D-2405. *IN RE DISCIPLINE OF SENTON*. Robert Edmond Senton, of Tallahassee, 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-2406. *IN RE DISCIPLINE OF POOLE*. John Michael Poole, of Miami, 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-2407. *IN RE DISCIPLINE OF SILVIA*. John Silvia, Jr., of Somerset, 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-2408. *IN RE DISCIPLINE OF PIPPEN*. William Howard Pippen, of Houston, 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.

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No. D-2409. IN RE DISCIPLINE OF RICKARD. Robert W. Rickard, of Houston, 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.

No. D-2410. IN RE DISCIPLINE OF ASHIRU. Rahman Olalekan Ashiru, of Houston, 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.

No. D-2411. IN RE DISCIPLINE OF BOYD. William S. Boyd III, of Gulfport, Miss., 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-2412. IN RE DISCIPLINE OF MOORMAN. Elliott D. Moorman, of East Orange, 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. D-2413. IN RE DISCIPLINE OF EPSTEIN. Charles Steven Epstein, of Edison, 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. D-2414. IN RE DISCIPLINE OF TANNER. Martin Stanley Tanner, of Salt Lake City, Utah, 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-2415. IN RE DISCIPLINE OF GROSS. John P. Gross, of Kearny, 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. D-2416. IN RE DISCIPLINE OF BUDA. David Newton Buda, of Fort Lee, N. J., is suspended from the practice of law in

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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-2417. *IN RE DISCIPLINE OF SPENCER*. Scott W. Spencer, of Columbus, Ohio, 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-2418. *IN RE DISCIPLINE OF GEORGE*. Donald Elias George, of Akron, Ohio, 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-2419. *IN RE DISCIPLINE OF WHITAKER*. Paul M. Whitaker, of Albany, 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. 04M44. *HALL v. TEXAS*. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner granted.

No. 04M45. *STEPHENS v. ROCHE, SECRETARY OF THE AIR FORCE*; and

No. 04M49. *CRUTCHFIELD v. GEORGIA DEPARTMENT OF HUMAN RESOURCES*. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 04M47. *SANTOYO v. CALIFORNIA*. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner denied.

No. 04M48. *CLARK v. MCLEOD*. Motion for leave to file petition for writ of certiorari with the supplemental appendix under seal denied without prejudice to filing a renewed motion together with a redacted version of the supplemental appendix within 30 days.

No. 04-621. *PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY v. DYNEGY POWER MARKETING, INC., ET AL.* C. A.

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9th Cir. The Acting Solicitor General is invited to file a brief in this case expressing the views of the United States. JUSTICE BREYER took no part in the consideration or decision of this petition.

No. 04–805. *TEXACO INC. v. DAGHER ET AL.* C. A. 9th Cir.; and

No. 04–814. *SHELL OIL CO. v. DAGHER ET AL.* C. A. 9th Cir. The Acting Solicitor General is invited to file a brief in these cases expressing the views of the United States.

No. 04–637. *BRADSHAW, WARDEN v. STUMPF.* C. A. 6th Cir. [Certiorari granted *sub nom. Mitchell, Warden v. Stumpf, ante*, p. 1042.] Motion of respondent for appointment of counsel granted. Alan M. Freedman, Esq., of Evanston, Ill., is appointed to serve as counsel for respondent in this case.

No. 04–6964. *JOHNSON v. CALIFORNIA.* Ct. App. Cal., 1st App. Dist. [Certiorari granted, *ante*, p. 1042.] Motion of petitioner for appointment of counsel granted. Stephen B. Bedrick, Esq., of Oakland, Cal., is appointed to serve as counsel for petitioner in this case.

No. 04–6715. *HALL v. MILLER.* Sup. Ct. Ky. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1034] denied.

No. 04–6768. *FAN v. NAG ET AL.* C. A. 6th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1034] denied.

No. 04–7302. *HOOD v. BECK ET AL.* C. A. 4th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1044] denied.

No. 04–7314. *OKORO v. HEMINGWAY, WARDEN.* C. A. 6th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1044] denied.

No. 04–7399. *MCCONICO v. CITY OF BIRMINGHAM, ALABAMA, ET AL.* C. A. 11th Cir. Motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* [*ante*, p. 1044] denied.

No. 04–7635. *COLLINS v. NORRIS ET AL.* C. A. 7th Cir.;

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No. 04-7856. *STONNER v. UNITED STATES*. C. A. 2d Cir.; and  
No. 04-8034. *OSTER v. SUTTON ET AL.* Sup. Ct. N. H. Mo-  
tions of petitioners for leave to proceed *in forma pauperis* denied.  
Petitioners are allowed until March 15, 2005, within which to pay  
the docketing fees required by Rule 38(a) and to submit petitions  
in compliance with Rule 33.1 of the Rules of this Court.

No. 04-1023. *IN RE ADAM*;  
No. 04-8263. *IN RE BRUNO*; and  
No. 04-8413. *IN RE FLOURNOY*. Petitions for writs of habeas  
corpus denied.

No. 04-7981. *IN RE AVERY*. Petition for writ of habeas corpus  
denied. JUSTICE SOUTER took no part in the consideration or  
decision of this petition.

No. 04-7203. *IN RE PHELPS*;  
No. 04-7457. *IN RE AARON*;  
No. 04-7528. *IN RE CARDWELL*;  
No. 04-7889. *IN RE MATHISON*; and  
No. 04-7999. *IN RE PHILLIPS*. Petitions for writs of manda-  
mus denied.

No. 04-7795. *IN RE GREEN*. Motion of petitioner for leave to  
proceed *in forma pauperis* denied, and petition for writ of manda-  
mus and/or prohibition dismissed. See this Court's Rule 39.8.

*Certiorari Granted*

No. 03-1238. *IBP, INC. v. ALVAREZ, INDIVIDUALLY AND ON  
BEHALF OF ALL OTHERS SIMILARLY SITUATED, ET AL.* C. A. 9th  
Cir.; and

No. 04-66. *TUM ET AL. v. BARBER FOODS, INC., DBA BARBER  
FOODS*. C. A. 1st Cir. Motion of National Chicken Council et al.  
for leave to file a brief as *amici curiae* in No. 03-1238 granted.  
Certiorari in No. 03-1238 granted limited to Question 1 presented  
by the petition. Certiorari in No. 04-66 granted limited to Ques-  
tion 1 presented by the petition and the following question: "Do  
employees have a right to compensation for time they must spend  
waiting at required safety equipment distribution stations?"  
Cases consolidated, and a total of one hour allotted for oral argu-  
ment. Reported below: No. 03-1238, 339 F. 3d 894; No. 04-66,  
360 F. 3d 274.



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No. 04-623. GONZALES, ATTORNEY GENERAL, ET AL. *v.* OREGON ET AL. C. A. 9th Cir. Certiorari granted. Reported below: 368 F. 3d 1118.

No. 04-698. SCHAFFER, A MINOR, BY HIS PARENTS AND NEXT FRIENDS, SCHAFFER ET VIR, ET AL. *v.* WEAST, SUPERINTENDENT, MONTGOMERY COUNTY PUBLIC SCHOOLS, ET AL. C. A. 4th Cir. Certiorari granted. Reported below: 377 F. 3d 449.

*Certiorari Denied*

No. 03-660. FREEMAN ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. Reported below: 56 Fed. Appx. 842.

No. 03-1415. RAYMOND ET UX. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Reported below: 355 F. 3d 107.

No. 03-1551. BIEHL ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. Reported below: 351 F. 3d 982.

No. 03-10453. REYES VALDEZ *v.* CALIFORNIA. Sup. Ct. Cal. Certiorari denied. Reported below: 32 Cal. 4th 73, 82 P. 3d 296.

No. 04-231. BARBER FOODS, INC., DBA BARBER FOODS *v.* TUM ET AL. C. A. 1st Cir. Certiorari denied. Reported below: 360 F. 3d 274.

No. 04-251. DEMISSIE ET AL. *v.* GONZALES, ATTORNEY GENERAL. C. A. 4th Cir. Certiorari denied. Reported below: 89 Fed. Appx. 394.

No. 04-332. LEBRUN *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Reported below: 363 F. 3d 715.

No. 04-339. EVANGELISTA *v.* GONZALES, ATTORNEY GENERAL, ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 359 F. 3d 145.

No. 04-367. DEWAAL *v.* ALSTON ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 711.

No. 04-438. AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, LOCAL 1617, ET AL. *v.* FEDERAL LABOR RELATIONS

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AUTHORITY. C. A. 5th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 802.

No. 04-464. CITY OF NEW YORK, NEW YORK, ET AL. *v.* UNITED STATES ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 359 F. 3d 83.

No. 04-469. TOWN OF SURFSIDE, FLORIDA *v.* MIDRASH SEPHARDI, INC., ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 366 F. 3d 1214.

No. 04-484. NATIONAL TAXPAYERS UNION *v.* SOCIAL SECURITY ADMINISTRATION ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 376 F. 3d 239.

No. 04-517. CHRISTOPHER VILLAGE, L. P., ET AL. *v.* UNITED STATES. C. A. Fed. Cir. Certiorari denied. Reported below: 360 F. 3d 1319.

No. 04-574. DARBY *v.* A-BEST PRODUCTS CO. ET AL. Sup. Ct. Ohio. Certiorari denied. Reported below: 102 Ohio St. 3d 410, 811 N. E. 2d 1117.

No. 04-581. TAXPAYERS OF MICHIGAN AGAINST CASINOS *v.* MICHIGAN ET AL. Sup. Ct. Mich. Certiorari denied. Reported below: 471 Mich. 306, 685 N. W. 2d 221.

No. 04-594. MOON, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED, ET AL. *v.* NORTH IDAHO FARMERS ASSN. ET AL. Sup. Ct. Idaho. Certiorari denied. Reported below: 140 Idaho 536, 96 P. 3d 637.

No. 04-599. HENDRICKSON ET AL. *v.* AMERICAN SKANDIA LIFE ASSURANCE CORP. ET AL. C. A. 2d Cir. Certiorari denied. Reported below: 96 Fed. Appx. 779.

No. 04-620. JIFRY ET AL. *v.* FEDERAL AVIATION ADMINISTRATION ET AL. C. A. D. C. Cir. Certiorari denied. Reported below: 370 F. 3d 1174.

No. 04-645. BRENNEMAN *v.* MEDCENTRAL HEALTH SYSTEM. C. A. 6th Cir. Certiorari denied. Reported below: 366 F. 3d 412.

No. 04-659. JACOBS *v.* VIENER. Super. Ct. Pa. Certiorari denied. Reported below: 834 A. 2d 546.

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No. 04-660. FLOYD, TRUSTEE *v.* LUCAS ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 411.

No. 04-697. HUDSON *v.* AMERICAN ARBITRATION ASSN., INC., ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 947.

No. 04-699. REISER ET AL. *v.* RESIDENTIAL FUNDING CORP., AKA GMAC-RFC. C. A. 7th Cir. Certiorari denied. Reported below: 380 F. 3d 1027.

No. 04-710. SHOELS ET UX. *v.* KLEBOLD ET AL. C. A. 10th Cir. Certiorari denied. Reported below: 375 F. 3d 1054.

No. 04-715. MORA *v.* WILLIAMS, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 111 Fed. Appx. 537.

No. 04-720. BATTLE *v.* VIRGINIAN-PILOT, DIVISION OF LAND-MARK COMMUNICATIONS, INC., ET AL. Sup. Ct. Va. Certiorari denied.

No. 04-724. RODRIGUEZ-HAZBUN *v.* NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN ET AL.; RODRIGUEZ-HAZBUN *v.* HAZBUN ESCAF; RODRIGUEZ-HAZBUN *v.* NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN; and RODRIGUEZ-HAZBUN *v.* KEITH, JUDGE, CIRCUIT COURT OF VIRGINIA, FAIRFAX COUNTY. Sup. Ct. Va. Certiorari denied.

No. 04-728. DOANE, AKA HARIG *v.* EDUCATIONAL CREDIT MANAGEMENT CORP. C. A. 4th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 312.

No. 04-730. DEVER *v.* HENTZEN COATINGS, INC., ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 380 F. 3d 1070.

No. 04-732. CITY AUTO SALES, LLC *v.* TAYLOR. Sup. Ct. Tenn. Certiorari denied. Reported below: 142 S. W. 3d 277.

No. 04-734. YARACS *v.* SUMMIT ACADEMY ET AL. Commw. Ct. Pa. Certiorari denied. Reported below: 845 A. 2d 203.

No. 04-735. TI GROUP AUTOMOTIVE SYSTEMS (NORTH AMERICA), INC., NKA TI GROUP AUTOMOTIVE SYSTEMS, L. L. C. *v.* VDO NORTH AMERICA, L. L. C., ET AL. C. A. Fed. Cir. Certiorari denied. Reported below: 375 F. 3d 1126.

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No. 04-739. *MILLS v. NOLAN, DIRECTOR, RHODE ISLAND DEPARTMENT OF HEALTH*. Super. Ct. Providence County, R. I. Certiorari denied.

No. 04-743. *DAVIS v. HAMONDS, SUPERINTENDENT, ST. LOUIS PUBLIC SCHOOLS DISTRICT*. C. A. 8th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 51.

No. 04-744. *MIYARES v. FORSYTH COUNTY, NORTH CAROLINA, ET AL.* Ct. App. N. C. Certiorari denied. Reported below: 165 N. C. App. 543, 600 S. E. 2d 899.

No. 04-747. *HUTTON v. HAFIF ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 04-749. *PLONKA v. BROWN ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 108 Fed. Appx. 31.

No. 04-750. *GOULD v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA*. C. A. 8th Cir. Certiorari denied.

No. 04-751. *H&R BLOCK, INC., ET AL. v. CUMMINS ET AL.* Sup. Ct. App. W. Va. Certiorari denied.

No. 04-754. *WOOD v. FEDERAL AVIATION ADMINISTRATION*. C. A. D. C. Cir. Certiorari denied.

No. 04-755. *WOOD v. FEDERAL AVIATION ADMINISTRATION ET AL.* C. A. D. C. Cir. Certiorari denied.

No. 04-758. *SOLOW BUILDING CO., LLC v. MORGAN GUARANTY TRUST COMPANY OF NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 6 App. Div. 3d 356, 776 N. Y. S. 2d 547.

No. 04-760. *OPALEWSKI ET AL. v. FITZPATRICK ET UX.* C. A. 6th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 733.

No. 04-765. *MAPLES v. ALABAMA*. Sup. Ct. Ala. Certiorari denied. Reported below: 920 So. 2d 1138.

No. 04-771. *DIEDRICH v. CITY OF NEWPORT NEWS, VIRGINIA, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 526.

No. 04-772. *MCCAMMON v. FRAME ET AL.* Cir. Ct. Harrison County, W. Va. Certiorari denied.

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No. 04-774. *VITUG SAGANA v. TENORIO*, SECRETARY, DEPARTMENT OF LABOR AND IMMIGRATION, COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS. C. A. 9th Cir. Certiorari denied. Reported below: 384 F. 3d 731.

No. 04-776. *BRYANT v. TENNESSEE*. Ct. Crim. App. Tenn. Certiorari denied.

No. 04-779. *SKERLE v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 850 A. 2d 14.

No. 04-780. *THOMPSON v. GEORGIA*. Ct. App. Ga. Certiorari denied. Reported below: 267 Ga. App. XXVII.

No. 04-781. *XECHEM INTERNATIONAL, INC. v. UNIVERSITY OF TEXAS M. D. ANDERSON CANCER CENTER ET AL.* C. A. Fed. Cir. Certiorari denied. Reported below: 382 F. 3d 1324.

No. 04-785. *FOREST ET AL. v. PAWTUCKET POLICE DEPARTMENT ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 377 F. 3d 52.

No. 04-789. *UNITED STATES EX REL. GILLIAM v. GENERAL DYNAMICS CORP.* C. A. 4th Cir. Certiorari denied. Reported below: 111 Fed. Appx. 143.

No. 04-790. *PINGOL MERCADO v. GONZALES*, ATTORNEY GENERAL. C. A. 9th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 24.

No. 04-791. *DIAZ-SANTOS v. DEPARTMENT OF EDUCATION OF THE COMMONWEALTH OF PUERTO RICO ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 108 Fed. Appx. 638.

No. 04-794. *CONNECTICUT v. ANTHEM BLUE CROSS AND BLUE SHIELD OF CONNECTICUT ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 383 F. 3d 1258.

No. 04-795. *BAGNE v. JOINT ADMISSIONS COMMITTEE OF THE CLEVELAND AND CUYAHOGA COUNTY BAR ASSNS.* Sup. Ct. Ohio. Certiorari denied. Reported below: 102 Ohio St. 3d 182, 808 N. E. 2d 372.

No. 04-796. *MORALES v. KEYSTONE DEVELOPMENT Co., LLC, ET AL.* Ct. App. Colo. Certiorari denied.

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No. 04-797. *PERRONI v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. Reported below: 358 Ark. 17, 186 S. W. 3d 206.

No. 04-798. *ZORA ENTERPRISES, INC. v. BURNETT ET UX*. App. Ct. Mass. Certiorari denied. Reported below: 61 Mass. App. 341, 810 N. E. 2d 835.

No. 04-799. *SMANIA v. ABRAMS ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 782.

No. 04-801. *EICHINGER v. EICHINGER*. Ct. App. Ind. Certiorari denied. Reported below: 808 N. E. 2d 1241.

No. 04-802. *AMANA CO., DBA AMANA APPLIANCES, INC. v. EDEN ELECTRICAL, LTD.* C. A. 8th Cir. Certiorari denied. Reported below: 370 F. 3d 824.

No. 04-804. *CHUNLI WU ET AL. v. GONZALES, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 173.

No. 04-810. *BARDIS ET AL. v. OATES ET AL.* Ct. App. Cal., 3d App. Dist. Certiorari denied. Reported below: 119 Cal. App. 4th 1, 14 Cal. Rptr. 3d 89.

No. 04-811. *BABBITT ET AL. v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 383 F. 3d 1036.

No. 04-813. *JOYAL v. HASBRO, INC., DBA HASBRO GAMES*. C. A. 1st Cir. Certiorari denied. Reported below: 380 F. 3d 14.

No. 04-815. *TREJO v. HULICK, ASSISTANT WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 380 F. 3d 1031.

No. 04-818. *EVANS v. MARYLAND*. Ct. App. Md. Certiorari denied. Reported below: 382 Md. 248, 855 A. 2d 291.

No. 04-821. *MORROW v. DAIMLERCHRYSLER CORP. ET AL.* Sup. Ct. Ala. Certiorari denied. Reported below: 895 So. 2d 861.

No. 04-823. *O'HANIAN v. CALIFORNIA*. App. Div., Super. Ct. Cal., County of Los Angeles. Certiorari denied.

No. 04-824. *SOUTHEASTERN RUBBER RECYCLING, A DIVISION OF SUNRISE GARDEN MART, INC., ET AL. v. ALABAMA DEPART-*

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MENT OF PUBLIC HEALTH ET AL. Ct. Civ. App. Ala. Certiorari denied. Reported below: 915 So. 2d 1182.

No. 04-825. STAUFFER *v.* TEXAS. Ct. App. Tex., 14th Dist. Certiorari denied.

No. 04-826. NSEK *v.* CIRCLE K STORES ET AL. Ct. App. Cal., 4th App. Dist., Div. 2. Certiorari denied.

No. 04-827. STEWART ET UX. *v.* SMITH ET AL. Sup. Ct. Ala. Certiorari denied. Reported below: 920 So. 2d 1138.

No. 04-829. GOLIN ET AL. *v.* CALIFORNIA DEPARTMENT OF DEVELOPMENTAL SERVICES. Ct. App. Cal., 6th App. Dist. Certiorari denied.

No. 04-832. MARCONE *v.* OFFICE OF DISCIPLINARY COUNSEL. Sup. Ct. Pa. Certiorari denied. Reported below: 579 Pa. 1, 855 A. 2d 654.

No. 04-836. GOLIN ET AL. *v.* ALLENBY, DIRECTOR, CALIFORNIA DEPARTMENT OF DEVELOPMENTAL SERVICES. C. A. 9th Cir. Certiorari denied.

No. 04-838. WEINER *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 631.

No. 04-839. MONROE *v.* CITY OF RICHMOND, VIRGINIA. C. A. 4th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 351.

No. 04-840. JENKINS *v.* MTGLQ INVESTORS ET AL. C. A. 10th Cir. Certiorari denied.

No. 04-842. BACON ET AL. *v.* HONDA OF AMERICA MANUFACTURING, INC. C. A. 6th Cir. Certiorari denied. Reported below: 370 F. 3d 565.

No. 04-843. ADDIS ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. Reported below: 374 F. 3d 881.

No. 04-846. KNIGHT *v.* RUMSFELD, SECRETARY OF DEFENSE. C. A. 5th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 883.

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No. 04–849. *WILLIAMS ET AL. v. KING, ATTORNEY GENERAL OF ALABAMA*. C. A. 11th Cir. Certiorari denied. Reported below: 378 F. 3d 1232.

No. 04–853. *BIONDO ET AL. v. CITY OF CHICAGO, ILLINOIS*. C. A. 7th Cir. Certiorari denied. Reported below: 382 F. 3d 680.

No. 04–857. *RUKAJ v. FISCHER, SUPERINTENDENT, SING SING CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 04–861. *UNDERWOOD v. TEXAS*. Ct. App. Tex., 11th Dist. Certiorari denied.

No. 04–862. *BROWN ET VIR v. PREMIERE DESIGNS, INC.* Ct. App. Ga. Certiorari denied. Reported below: 266 Ga. App. 432, 597 S. E. 2d 466.

No. 04–863. *COATNEY v. KING*. App. Div., Super. Ct. Cal., County of San Francisco. Certiorari denied.

No. 04–864. *CHILINGIRIAN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 04–865. *CHAPLAINCY OF FULL GOSPEL CHURCHES ET AL. v. ENGLAND, SECRETARY OF THE NAVY, ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 375 F. 3d 1169.

No. 04–866. *KAPOOR v. GONZALES, ATTORNEY GENERAL*. C. A. 4th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 780.

No. 04–868. *MENDOZA v. DE LIMA, ADMINISTRATOR, ADULT CLIENT SERVICES BRANCH OF THE SECOND CIRCUIT, HAWAII*. C. A. 9th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 583.

No. 04–871. *WALKER v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04–876. *PROHAZKA v. CLEVELAND CLINIC FOUNDATION ET AL.* Ct. App. Ohio, Franklin County. Certiorari denied.

No. 04–878. *CANALES, JUDGE, 79TH DISTRICT COURT OF TEXAS v. TEXAS STATE COMMISSION ON JUDICIAL CONDUCT*. Sup. Ct. Tex. Certiorari denied.



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No. 04-879. *STEFANI v. GONZALES, ATTORNEY GENERAL*. C. A. 1st Cir. Certiorari denied.

No. 04-880. *VILLASANA v. WILHOIT ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 368 F. 3d 976.

No. 04-886. *UNITED STATES EX REL. TINGLEY ET AL. v. 900 MONROE L. L. C. ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 106 Fed. Appx. 466.

No. 04-891. *COTTER v. CITY OF PORTLAND, OREGON*. Ct. App. Ore. Certiorari denied. Reported below: 194 Ore. App. 48, 95 P. 3d 268.

No. 04-893. *DARDAR v. POTTER, POSTMASTER GENERAL, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 931.

No. 04-895. *EDENS v. KENNEDY*. C. A. 4th Cir. Certiorari denied. Reported below: 112 Fed. Appx. 870.

No. 04-904. *TITTERINGTON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 374 F. 3d 453.

No. 04-909. *SCHWARTZ v. ISAAC*. Ct. Sp. App. Md. Certiorari denied. Reported below: 157 Md. App. 712, 717.

No. 04-915. *IVORY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 901.

No. 04-925. *STURDY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 04-956. *BRANCH ET AL. v. NIX ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 116 Fed. Appx. 242.

No. 04-958. *LANGE v. DEPARTMENT OF THE INTERIOR*. C. A. Fed. Cir. Certiorari denied. Reported below: 108 Fed. Appx. 631.

No. 04-959. *HARBUCK v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 378 F. 3d 1324.

No. 04-961. *McMILLAN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

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No. 04-967. *McCORVEY, FKA ROE v. HILL*, DALLAS COUNTY DISTRICT ATTORNEY. C. A. 5th Cir. Certiorari denied. Reported below: 385 F. 3d 846.

No. 04-5833. *WILLIAMS v. ILLINOIS*. App. Ct. Ill., 5th Dist. Certiorari denied. Reported below: 343 Ill. App. 3d 1313, 856 N. E. 2d 701.

No. 04-6023. *HAMILTON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 90 Fed. Appx. 182.

No. 04-6188. *MILLER v. MULLIN, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 354 F. 3d 1288.

No. 04-6295. *MAXWELL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 363 F. 3d 815.

No. 04-6348. *MOSLEY v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 370 F. 3d 467.

No. 04-6390. *MARTINEZ-JARAMILLO v. GONZALES, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied.

No. 04-6577. *GORRASI v. MASSACHUSETTS*. App. Ct. Mass. Certiorari denied. Reported below: 60 Mass. App. 1122, 805 N. E. 2d 531.

No. 04-6669. *BARFIELD v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 118 Wash. App. 1036.

No. 04-6679. *NWANKWO v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 04-6698. *JONES v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 97 Fed. Appx. 905.

No. 04-6758. *RICHARDS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 116 Fed. Appx. 242.

No. 04-6828. *CERVANTES-MORALES v. UNITED STATES*; and *KANE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 870 (first judgment); 104 Fed. Appx. 405 (second judgment).

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No. 04-6830. *FRYE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 372 F. 3d 729.

No. 04-6878. *LEWIS v. GREEN ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 446.

No. 04-6920. *WOODALL v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 842 A. 2d 690.

No. 04-6989. *WINGEART v. MICHIGAN*. Ct. App. Mich. Certiorari denied.

No. 04-6999. *POWERS v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 883 So. 2d 20.

No. 04-7054. *BROWN v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 33 Cal. 4th 382, 93 P. 3d 244.

No. 04-7056. *MURESAN v. WASHINGTON DEPARTMENT OF SOCIAL AND HEALTH SERVICES*. Ct. App. Wash. Certiorari denied.

No. 04-7060. *PRIDGEN v. SHANNON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT FRACKVILLE, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 380 F. 3d 721.

No. 04-7093. *CARTER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 378 F. 3d 584.

No. 04-7120. *MURDAUGH v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. Reported below: 209 Ariz. 19, 97 P. 3d 844.

No. 04-7129. *MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 462.

No. 04-7137. *TSOSIE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 376 F. 3d 1210.

No. 04-7154. *LYNCH v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 877 So. 2d 1254.

No. 04-7294. *GRAYSON v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 879 So. 2d 1008.

No. 04-7298. *BELL v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 879 So. 2d 423.

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No. 04-7382. *GARCIA v. NORTH CAROLINA*. Sup. Ct. N. C. Certiorari denied. Reported below: 358 N. C. 382, 597 S. E. 2d 724.

No. 04-7413. *ALLEN v. MULLIN, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 368 F. 3d 1220.

No. 04-7419. *HOLLOWAY v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 33 Cal. 4th 96, 91 P. 3d 164.

No. 04-7427. *PEREZ, AKA LOPEZ v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 881 So. 2d 1121.

No. 04-7429. *DAVIS v. TENNESSEE*. Sup. Ct. Tenn. Certiorari denied. Reported below: 141 S. W. 3d 600.

No. 04-7437. *ANDERSON v. WEST VIRGINIA*. Cir. Ct. Wood County, W. Va. Certiorari denied.

No. 04-7444. *LONGWORTH v. OZMINT, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 377 F. 3d 437.

No. 04-7450. *WOODS v. GIURBINO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-7451. *MCKEITHAN v. LAVAN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 108 Fed. Appx. 55.

No. 04-7453. *TUCKER, AKA MACK v. NEW YORK*. Sup. Ct. N. Y., Kings County. Certiorari denied.

No. 04-7460. *ASH v. SUPERIOR COURT OF CALIFORNIA, LOS ANGELES COUNTY*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 04-7464. *KRONCKE v. HOOD ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04-7466. *JOHNSON v. HARKLEROAD, SUPERINTENDENT, MARION CORRECTIONAL INSTITUTION*. C. A. 4th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 858.

No. 04-7470. *RODRIGUEZ v. CHANDLER, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 382 F. 3d 670.

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No. 04-7471. REED *v.* MICHELSON REALTY Co., DBA VERANDA APARTMENTS, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 116 Fed. Appx. 243.

No. 04-7476. TIBBS *v.* TEXAS. Ct. Crim. App. Tex. Certiorari denied.

No. 04-7477. WARD *v.* RUNNELS, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 04-7480. POTTS *v.* BAGLEY, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 04-7482. SAEZ-MACHADO *v.* GODDARD, ATTORNEY GENERAL OF ARIZONA. C. A. 9th Cir. Certiorari denied.

No. 04-7485. DELEGAL *v.* FLORIDA. C. A. 11th Cir. Certiorari denied.

No. 04-7494. SHOYINKA *v.* CITY OF SANTA MONICA, CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 04-7495. SMITH *v.* CALIFORNIA ET AL. C. A. 9th Cir. Certiorari denied.

No. 04-7498. MCKINNEDY *v.* OZMINT, DIRECTOR, SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 513.

No. 04-7503. YOUNG *v.* VASBINDER, WARDEN. C. A. 6th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 444.

No. 04-7515. DEAN *v.* NEBRASKA. Sup. Ct. Neb. Certiorari denied.

No. 04-7517. CLARK *v.* MCLEMORE, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 04-7519. JURCONI *v.* GLENHAVEN LAKES CLUB ET AL. Ct. App. Wash. Certiorari denied. Reported below: 117 Wash. App. 1080.

No. 04-7522. DIANA S. *v.* LOS ANGELES COUNTY DEPARTMENT OF CHILDREN AND FAMILY SERVICES. Ct. App. Cal., 2d App. Dist. Certiorari denied.

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No. 04-7523. *RICHARDSON v. FEDERAL BUREAU OF INVESTIGATION*. C. A. 5th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 977.

No. 04-7525. *BOATMAN v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 04-7530. *NWACHUKWU v. JOHN HANCOCK MANAGEMENT Co.* Ct. App. D. C. Certiorari denied. Reported below: 859 A. 2d 652.

No. 04-7531. *MURDOCK v. AMERICAN AXLE & MANUFACTURING, INC.* Ct. App. Mich. Certiorari denied.

No. 04-7538. *FULLER v. THOMAS, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 496.

No. 04-7541. *GRIFFIN v. RUBY TUESDAY, INC.* C. A. 11th Cir. Certiorari denied.

No. 04-7542. *ESPARZA v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-7546. *SANCHEZ v. DANKERT ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 94 Fed. Appx. 21.

No. 04-7548. *LOPEZ v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 119 Cal. App. 4th 132, 13 Cal. Rptr. 3d 921.

No. 04-7552. *VINCENT v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied.

No. 04-7554. *DAVENPORT v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied. Reported below: 106 Fed. Appx. 924.

No. 04-7555. *COVEY v. NATURAL FOODS, INC.* Ct. App. Ohio, Lucas County. Certiorari denied.

No. 04-7557. *MAYRIDES v. OHIO*. Ct. App. Ohio, Franklin County. Certiorari denied.

No. 04-7558. *MAYES v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

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No. 04-7560. CAMERON *v.* DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION. C. A. 5th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 167.

No. 04-7561. CRAIG *v.* LOUISIANA. Ct. App. La., 4th Cir. Certiorari denied. Reported below: 859 So. 2d 319.

No. 04-7563. MILLER *v.* GEORGIA. Ct. App. Ga. Certiorari denied.

No. 04-7566. BIBBS *v.* TEXAS. Ct. App. Tex., 4th Dist. Certiorari denied.

No. 04-7571. BYRD *v.* EAGLES ET AL. C. A. 4th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 602.

No. 04-7572. CARDWELL *v.* HANKS, SUPERINTENDENT, WABASH VALLEY CORRECTIONAL FACILITY. C. A. 7th Cir. Certiorari denied.

No. 04-7573. BURRELL *v.* DELAWARE. Sup. Ct. Del. Certiorari denied. Reported below: 871 A. 2d 1127.

No. 04-7574. STEINBERGIN *v.* NEW YORK. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Reported below: 4 App. Div. 3d 192, 771 N. Y. S. 2d 647.

No. 04-7576. SMITH *v.* FLORIDA. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 876 So. 2d 1209.

No. 04-7577. ABDUL-MALIK *v.* DEPARTMENT OF HOMELAND SECURITY ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 112 Fed. Appx. 864.

No. 04-7579. STILLS *v.* CAREY, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 04-7580. GERBER *v.* CAMP HOPE CHILDREN'S BIBLE FELLOWSHIP OF NEW YORK, INC. C. A. 2d Cir. Certiorari denied.

No. 04-7582. EDWARDS *v.* JAMROG, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 04-7584. POTTS *v.* ROSE, WARDEN. Sup. Ct. Ohio. Certiorari denied. Reported below: 103 Ohio St. 3d 1524, 817 N. E. 2d 407.

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No. 04–7585. *WILSON v. HURLEY, WARDEN*. C. A. 6th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 375.

No. 04–7586. *CHILES v. JORDAN, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 116 Fed. Appx. 180.

No. 04–7587. *CIAPRAZI v. NASSAU COUNTY, NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 04–7588. *CHAPA v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist., Div. 3. Certiorari denied.

No. 04–7591. *BEY v. YOUNG, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 400.

No. 04–7592. *ALEXANDER v. CRAWFORD, DIRECTOR, NEVADA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04–7594. *CAMACHO v. TEXAS*. Ct. App. Tex., 1st Dist. Certiorari denied.

No. 04–7598. *MARTINEZ v. RYAN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04–7599. *COX v. MCDANIEL, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04–7600. *DUVAL v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 116 Fed. Appx. 475.

No. 04–7601. *TURRENTINE v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

No. 04–7602. *VIOLET v. TEXAS*. Ct. App. Tex., 2d Dist. Certiorari denied.

No. 04–7603. *WYCHE v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04–7604. *THOMAS v. JONES, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 04–7606. *PUCKETT v. COSTELLO*. C. A. 6th Cir. Certiorari denied. Reported below: 111 Fed. Appx. 379.



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No. 04-7608. *BELLS v. MAYNARD ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 535.

No. 04-7611. *ROBINSON v. YARBOROUGH, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 04-7615. *HESSLER v. NEBRASKA.* Sup. Ct. Neb. Certiorari denied.

No. 04-7616. *HAGGERTY v. AMERICAN AIRLINES, INC.* C. A. 9th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 623.

No. 04-7617. *FOWLER v. COLLIER.* C. A. 7th Cir. Certiorari denied.

No. 04-7624. *CRANE v. HAMILTON ET AL.* Ct. App. Ga. Certiorari denied.

No. 04-7626. *PEOPLES v. NEW JERSEY DIVISION OF YOUTH AND FAMILY SERVICES.* Super. Ct. N. J., App. Div. Certiorari denied.

No. 04-7627. *SLOAN v. RUDIANO ET AL.* C. A. 2d Cir. Certiorari denied.

No. 04-7629. *MORRIS v. MINNESOTA.* Ct. App. Minn. Certiorari denied.

No. 04-7630. *SHULER v. FLORIDA.* Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 888 So. 2d 35.

No. 04-7631. *ROBERTS v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 04-7636. *WARREN v. CALIFORNIA.* Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 04-7638. *MULLINS v. LAVIGNE, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 04-7640. *WOOTEN v. ST. FRANCIS MEDICAL CENTER.* C. A. 5th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 888.

No. 04-7643. *WUBKER v. CAIN, WARDEN.* C. A. 5th Cir. Certiorari denied.

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No. 04-7645. *KEELING v. KINTZEL ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 112 Fed. Appx. 866.

No. 04-7650. *RAMIREZ v. FAIRMAN, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 203.

No. 04-7652. *JOHNSON v. ILLINOIS.* App. Ct. Ill., 4th Dist. Certiorari denied.

No. 04-7654. *'ABDULLAH v. KENNET ET AL.* C. A. 1st Cir. Certiorari denied. Reported below: 104 Fed. Appx. 750.

No. 04-7657. *BAYOUD v. BAYOUD ET AL.* Ct. App. Tex., 5th Dist. Certiorari denied.

No. 04-7659. *MYERS v. STATEN.* C. A. 11th Cir. Certiorari denied. Reported below: 120 Fed. Appx. 785.

No. 04-7660. *OTT v. CAREY, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 04-7661. *PHILLIPS v. MISSISSIPPI.* C. A. 5th Cir. Certiorari denied.

No. 04-7663. *McGEE v. CAIN, WARDEN.* C. A. 5th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 989.

No. 04-7664. *BOWERS v. WEST VIRGINIA.* Cir. Ct. Marshall County, W. Va. Certiorari denied.

No. 04-7669. *NICHOLSON v. CONNECTICUT.* App. Ct. Conn. Certiorari denied. Reported below: 83 Conn. App. 439, 850 A. 2d 1089.

No. 04-7670. *SANNI v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 04-7672. *BARRERA v. SUPERIOR COURT OF CALIFORNIA, SAN JOAQUIN COUNTY.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 04-7674. *RENEAU v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

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No. 04-7678. *ROBLES v. WILSON, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT CRESSON, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04-7679. *SANCHEZ v. CALIFORNIA.* C. A. 9th Cir. Certiorari denied.

No. 04-7680. *PHI QUANG NGUYEN v. BOYETTE, SUPERINTENDENT, NASH CORRECTIONAL INSTITUTION.* C. A. 4th Cir. Certiorari denied. Reported below: 114 Fed. Appx. 63.

No. 04-7682. *MAHARAJ v. OTTENBERG ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 95 Fed. Appx. 463.

No. 04-7685. *ROY v. JONES, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-7686. *WASH v. MISSISSIPPI.* Sup. Ct. Miss. Certiorari denied.

No. 04-7687. *TOMOSON v. MORGAN, SUPERINTENDENT, WASHINGTON STATE PENITENTIARY.* C. A. 9th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 305.

No. 04-7689. *ANH VU NGUYEN v. WASHINGTON.* Ct. App. Wash. Certiorari denied. Reported below: 119 Wash. App. 1004.

No. 04-7691. *COLLINS v. DELAWARE.* Sup. Ct. Del. Certiorari denied. Reported below: 852 A. 2d 907.

No. 04-7694. *CARUSO v. TRUSTEE OF ST. JUDE CHILDREN'S RESEARCH HOSPITAL ET AL.* C. A. 6th Cir. Certiorari denied.

No. 04-7695. *OWEN v. MITCHEM, WARDEN, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-7705. *GEORGE v. ARKANSAS.* Sup. Ct. Ark. Certiorari denied. Reported below: 358 Ark. 269, 189 S. W. 3d 28.

No. 04-7706. *MESAYS v. HUGEL, ADMINISTRATOR, MARYLAND MOTOR VEHICLE ADMINISTRATION.* C. A. 4th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 369.

No. 04-7708. *REVELS v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

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No. 04-7709. *PERKINS v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 04-7711. *REEVES v. MORTON, WARDEN*. Super. Ct. Charlton County, Ga. Certiorari denied.

No. 04-7713. *KEFAUVER v. HOGAN ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 102 Fed. Appx. 768.

No. 04-7714. *MCGRAW v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 04-7715. *ANDERSON v. YARBOROUGH, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 446.

No. 04-7716. *BURNETT v. WALKER, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 04-7717. *ASLAN v. SHEANAN ET AL.* C. A. 7th Cir. Certiorari denied.

No. 04-7719. *WALTON v. HUMPHREY, WARDEN*. C. A. 11th Cir. Certiorari denied.

No. 04-7720. *SANCHEZ VASQUEZ v. GIURBINO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-7722. *TERRY v. FREDERICK, WARDEN*. Cir. Ct. Boone County, W. Va. Certiorari denied.

No. 04-7723. *VAUGHN v. FIFTH THIRD BANK*. Sup. Ct. Tenn. Certiorari denied.

No. 04-7726. *PIZIO v. NEW JERSEY*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 04-7727. *FADAEEL v. S & S STRAND*. Super. Ct. N. J., App. Div. Certiorari denied.

No. 04-7732. *JEFFRIES v. KENTUCKY*. Ct. App. Ky. Certiorari denied.

No. 04-7733. *JABAAY v. JABAAY ET AL.* Ct. App. Ind. Certiorari denied. Reported below: 804 N. E. 2d 789.

No. 04-7734. *KING v. KNOWLES, WARDEN*. C. A. 9th Cir. Certiorari denied.

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No. 04-7735. *JOHNSON v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-7736. *McRAE v. MARYLAND ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 963.

No. 04-7738. *HOKE v. SCHRIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS.* C. A. 9th Cir. Certiorari denied.

No. 04-7743. *HOWZE v. YARBOROUGH, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 92 Fed. Appx. 515.

No. 04-7746. *HARRIS v. LEWIS, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 04-7747. *HAYES v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS.* C. A. 4th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 942.

No. 04-7748. *ROBERSON v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION.* C. A. 5th Cir. Certiorari denied.

No. 04-7749. *SINGLETON v. CAIN, WARDEN.* C. A. 5th Cir. Certiorari denied.

No. 04-7750. *SNIPES v. BECK, SECRETARY, NORTH CAROLINA DEPARTMENT OF CORRECTION.* C. A. 4th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 802.

No. 04-7752. *RATCLIFF v. INDYMAC BANK, F. S. B.* Ct. App. Tex., 9th Dist. Certiorari denied.

No. 04-7753. *SIMMONS v. MALONE ET AL.* Sup. Ct. La. Certiorari denied. Reported below: 882 So. 2d 1147.

No. 04-7754. *VALENTINE v. FLORIDA.* Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 876 So. 2d 572.

No. 04-7755. *YARBOUGH v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied.

No. 04-7756. *WALTER v. NEW YORK.* App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. Reported below: 5 App. Div. 3d 1107, 773 N. Y. S. 2d 677.

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No. 04-7763. *FERRARA v. JOHNSON, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS*. Sup. Ct. Va. Certiorari denied.

No. 04-7764. *FEIST v. BERG ET AL.* Ct. App. Tex., 12th Dist. Certiorari denied.

No. 04-7765. *HERBERT v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*. C. A. 11th Cir. Certiorari denied.

No. 04-7766. *FULTON v. BOOKER, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 04-7767. *GILES v. WASHINGTON*. Ct. App. Wash. Certiorari denied. Reported below: 119 Wash. App. 1018.

No. 04-7769. *HOSFORD v. CAIN, WARDEN*. C. A. 5th Cir. Certiorari denied.

No. 04-7770. *HERNANDEZ v. BERGER ET AL.* Sup. Ct. N. D. Certiorari denied. Reported below: 686 N. W. 2d 107.

No. 04-7771. *HOLBROOK v. MISSISSIPPI*. Ct. App. Miss. Certiorari denied. Reported below: 877 So. 2d 525.

No. 04-7772. *HUTCH v. HAWAII*. Sup. Ct. Haw. Certiorari denied. Reported below: 105 Haw. 130, 94 P. 3d 685.

No. 04-7781. *GARZA v. PENNELL*. C. A. 6th Cir. Certiorari denied.

No. 04-7782. *FANIEL v. GIURBINO, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-7783. *HOLLOWAY v. HAMLET, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-7785. *HOPKINS v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 882 So. 2d 388.

No. 04-7787. *BLACK v. GORDON, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 04-7789. *ANGARITA v. GOORD, COMMISSIONER, NEW YORK DEPARTMENT OF CORRECTIONAL SERVICES*. C. A. 2d Cir. Certiorari denied.

No. 04-7790. *RIVAS v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

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No. 04-7792. *STRANGE v. WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied. Reported below: 111 Fed. Appx. 468.

No. 04-7794. *RUTHERFORD v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Reported below: 880 So. 2d 1212.

No. 04-7796. *GARRETT v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*. C. A. 5th Cir. Certiorari denied.

No. 04-7797. *FABIAN v. CONWAY, SUPERINTENDENT, ATTICA CORRECTIONAL FACILITY*. C. A. 2d Cir. Certiorari denied.

No. 04-7801. *HALL ET AL. v. HANSCOM AIR FORCE BASE ET AL.* C. A. 1st Cir. Certiorari denied.

No. 04-7803. *TONEY v. ILLINOIS DEPARTMENT OF CORRECTIONS*. Sup. Ct. Ill. Certiorari denied.

No. 04-7826. *SPERO v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 375 F. 3d 1285.

No. 04-7828. *REED v. SCHRIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied. Reported below: 102 Fed. Appx. 111.

No. 04-7837. *MORGAN v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 212 Ill. 2d 148, 817 N. E. 2d 524.

No. 04-7840. *LANGHORNE v. GONZALES, ATTORNEY GENERAL, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 377 F. 3d 175.

No. 04-7846. *MONTGOMERY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 377 F. 3d 582.

No. 04-7849. *PATTERSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 98 Fed. Appx. 965.

No. 04-7850. *WICKS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 115 Fed. Appx. 648.

No. 04-7861. *ALVARADO-RIVERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

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No. 04-7863. *MITCHELL v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-7868. *GILDON v. BOWEN, WARDEN*. C. A. 7th Cir. Certiorari denied. Reported below: 384 F. 3d 883.

No. 04-7870. *BLANKENSHIP v. BASKERVILLE, WARDEN*. C. A. 4th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 733.

No. 04-7872. *LAMAR v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Reported below: 102 Ohio St. 3d 467, 812 N. E. 2d 970.

No. 04-7874. *VERNON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 303.

No. 04-7879. *RAZO v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 04-7881. *PERKINS v. WADDINGTON, SUPERINTENDENT, STAFFORD CREEK CORRECTIONS CENTER*. Ct. App. Wash. Certiorari denied. Reported below: 119 Wash. App. 1071.

No. 04-7882. *POFF ET AL. v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. Reported below: 881 So. 2d 564.

No. 04-7886. *DORET v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 848 A. 2d 616.

No. 04-7890. *KILLINS v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-7892. *SCIBLE v. HAINES, WARDEN*. Cir. Ct. Pendleton County, W. Va. Certiorari denied.

No. 04-7894. *RASMUSSEN v. NATIONAL TRANSPORTATION SAFETY BOARD ET AL.* C. A. D. C. Cir. Certiorari denied. Reported below: 100 Fed. Appx. 836.

No. 04-7895. *SMITH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 890.

No. 04-7898. *PETIT v. YUKINS, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 04-7902. *COLLINS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 701.



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No. 04-7905. *SWAFFORD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 385 F. 3d 1026.

No. 04-7906. *NEGRETE-MENDOZA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 390.

No. 04-7908. *MENDEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 04-7909. *McKEE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 389 F. 3d 697.

No. 04-7911. *RIVAS-GONZALEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 365 F. 3d 806.

No. 04-7919. *BEGOVIC v. CITY OF DOVER, NEW HAMPSHIRE, ET AL.* C. A. 1st Cir. Certiorari denied.

No. 04-7920. *PARDUE v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 385 F. 3d 101.

No. 04-7923. *MATUTE-GALDAMEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 111 Fed. Appx. 264.

No. 04-7926. *EWELL v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 04-7927. *DEMERE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 602.

No. 04-7929. *DOMINGUEZ v. WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS*. C. A. 9th Cir. Certiorari denied.

No. 04-7931. *LINDELL v. FRANK, SECRETARY, WISCONSIN DEPARTMENT OF CORRECTIONS, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 377 F. 3d 655.

No. 04-7933. *MORGAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 386 F. 3d 376.

No. 04-7934. *POPOCA-ANSELMO v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 331.

No. 04-7937. *STAVES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 383 F. 3d 977.

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No. 04–7938. *REESE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 122 Fed. Appx. 986.

No. 04–7947. *MARKS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 379 F. 3d 1114.

No. 04–7949. *MATLOCK, AKA STRATFORD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 111 Fed. Appx. 292.

No. 04–7950. *LEWIS, AKA SHEEN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 386 F. 3d 475.

No. 04–7953. *LOGGINS v. KANSAS*. Ct. App. Kan. Certiorari denied. Reported below: 32 Kan. App. 2d xxxviii, 89 P. 3d 662.

No. 04–7959. *DEL TORO GUDINO, AKA DEL TORO-GUDINO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 376 F. 3d 997.

No. 04–7964. *WHITE v. LAMOUTTE, BANKRUPTCY JUDGE, UNITED STATES BANKRUPTCY APPELLATE PANEL FOR THE FIRST CIRCUIT, ET AL.* C. A. 1st Cir. Certiorari denied.

No. 04–7966. *RIDDLE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 04–7969. *SOBRILSKI v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 04–7971. *AGUIRRE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 04–7973. *McKENITH v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 04–7974. *MURPHY v. ILLINOIS*. App. Ct. Ill., 2d Dist. Certiorari denied.

No. 04–7975. *CUEVAS MORALES v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 04–7978. *SANCHEZ-GONZALEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 287.

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No. 04-7983. *OKPALA v. GAL, WARDEN, ET AL.* C. A. 4th Cir. Certiorari denied. Reported below: 114 Fed. Appx. 107.

No. 04-7984. *GONZALEZ v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 123 Fed. Appx. 385.

No. 04-7989. *GALLARDO v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. Reported below: 377 F. 3d 573.

No. 04-7994. *MARTIN v. COPLAN, WARDEN.* C. A. 1st Cir. Certiorari denied.

No. 04-7995. *KING v. UNITED STATES.* C. A. 9th Cir. Certiorari denied.

No. 04-7996. *GARNER v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 116 Fed. Appx. 245.

No. 04-7998. *MCHEMRY v. NEBRASKA.* Sup. Ct. Neb. Certiorari denied. Reported below: 268 Neb. 219, 682 N. W. 2d 212.

No. 04-8007. *LINDELL v. MCCAUGHTRY, WARDEN.* C. A. 7th Cir. Certiorari denied. Reported below: 115 Fed. Appx. 872.

No. 04-8008. *CONYERS v. MERIT SYSTEMS PROTECTION BOARD.* C. A. Fed. Cir. Certiorari denied. Reported below: 388 F. 3d 1380.

No. 04-8010. *FRIER v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 124 Fed. Appx. 643.

No. 04-8011. *GARCIA-DOMINGUEZ v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 983.

No. 04-8012. *GELMAN v. PHILLIPS, SUPERINTENDENT, GREEN HAVEN CORRECTIONAL FACILITY, ET AL.* C. A. 2d Cir. Certiorari denied. Reported below: 88 Fed. Appx. 463.

No. 04-8025. *JOHNSON v. PENNSYLVANIA.* Super. Ct. Pa. Certiorari denied. Reported below: 858 A. 2d 1276.

No. 04-8029. *RIOS-LUNA v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 111 Fed. Appx. 267.

No. 04-8031. *TAMAYO-TAPIA v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 674.

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No. 04-8033. *BROCK v. DONNELLY*. C. A. 2d Cir. Certiorari denied.

No. 04-8037. *COE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04-8042. *DELACRUZ v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 694.

No. 04-8044. *CRUZ v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 346.

No. 04-8049. *CHONG, AKA LAMBERT, AKA CHUNG v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 362.

No. 04-8054. *MENDEZ-MORALES v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 384 F. 3d 927.

No. 04-8056. *WYATT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 780.

No. 04-8058. *ALLEN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 117 Fed. Appx. 233.

No. 04-8059. *LOPEZ BOBADILLA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 823.

No. 04-8060. *LEFKOWITZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 04-8061. *COLEMAN-BEY v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 859 A. 2d 652.

No. 04-8062. *LEWIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 845.

No. 04-8069. *MOORE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 376 F. 3d 570.

No. 04-8070. *MOORE v. EXXON MOBIL CORP., FKA MOBIL OIL CORP.* C. A. 5th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 177.

No. 04-8077. *BROWN v. ILLINOIS LABOR RELATIONS BOARD PANEL ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied.

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No. 04-8082. ALLEN *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 124 Fed. Appx. 641.

No. 04-8083. BOLDT *v.* NEWTON. Ct. App. Ore. Certiorari denied. Reported below: 192 Ore. App. 386, 86 P. 3d 49.

No. 04-8090. DIXON *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 105 Fed. Appx. 450.

No. 04-8092. CLAY *v.* SCHRIRO, DIRECTOR, ARIZONA DEPARTMENT OF CORRECTIONS. C. A. 9th Cir. Certiorari denied.

No. 04-8097. RUSS *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied.

No. 04-8099. SANDLES *v.* SCIBANA, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 04-8101. PEREA *v.* BUSH, PRESIDENT OF THE UNITED STATES. C. A. 10th Cir. Certiorari denied. Reported below: 116 Fed. Appx. 947.

No. 04-8104. VIVAR-ACOSTA, AKA VIVAR *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 112 Fed. Appx. 328.

No. 04-8106. JACOBS *v.* MISSISSIPPI. Sup. Ct. Miss. Certiorari denied.

No. 04-8110. HASSON, AKA GALERA *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 333 F. 3d 1264.

No. 04-8111. KEYS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 882.

No. 04-8113. JONES *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 116 Fed. Appx. 245.

No. 04-8115. VILLA TELLEZ, AKA VILLANUEVA-GARCIA, AKA VILLA-TELLES, AKA VILLA-TELLAS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 115 Fed. Appx. 273.

No. 04-8118. LASHLEY *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied.

No. 04-8119. GUTIERREZ-GONZALES *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 111 Fed. Appx. 732.

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No. 04–8120. *GRIFFIN v. UNITED STATES ET AL.* C. A. 10th Cir. Certiorari denied.

No. 04–8122. *HARDING v. STERNES, WARDEN.* C. A. 7th Cir. Certiorari denied. Reported below: 380 F. 3d 1034.

No. 04–8123. *HASTINGS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 123 Fed. Appx. 386.

No. 04–8139. *COPLIN v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. Reported below: 106 Fed. Appx. 143.

No. 04–8141. *FORTE v. UNITED STATES.* Ct. App. D. C. Certiorari denied. Reported below: 856 A. 2d 567.

No. 04–8144. *FISHER v. COPELAND, JUDGE, CIRCUIT COURT OF MISSOURI, 34TH CIRCUIT.* Sup. Ct. Mo. Certiorari denied.

No. 04–8148. *JONES v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. Reported below: 112 Fed. Appx. 343.

No. 04–8149. *BROWN v. UNITED STATES.* C. A. D. C. Cir. Certiorari denied. Reported below: 374 F. 3d 1326.

No. 04–8150. *WATTS v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 124 Fed. Appx. 641.

No. 04–8155. *PERILLA v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 123 Fed. Appx. 386.

No. 04–8166. *GONZALEZ LORA v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 103 Fed. Appx. 731.

No. 04–8167. *BABIAR v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 390 F. 3d 598.

No. 04–8174. *BAILEY v. UNITED STATES.* C. A. 11th Cir. Certiorari denied. Reported below: 112 Fed. Appx. 1.

No. 04–8177. *TYSON v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 351.

No. 04–8179. *WHITE v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. Reported below: 101 Fed. Appx. 938.

No. 04–8184. *PORT v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. Reported below: 116 Fed. Appx. 798.

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No. 04–8185. *MONSALVE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 388 F. 3d 71.

No. 04–8202. *GRICCO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 04–8203. *HUGHES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 96 Fed. Appx. 148.

No. 04–8204. *GIBBS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 954.

No. 04–8206. *GREEN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied.

No. 04–8208. *HOLUB v. UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 04–8209. *HOLMES v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Reported below: 385 F. 3d 786.

No. 04–8210. *MINERD v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 112 Fed. Appx. 841.

No. 04–8211. *MONTES-ANDINO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 436.

No. 04–8214. *KENYON v. WYOMING*. Sup. Ct. Wyo. Certiorari denied. Reported below: 96 P. 3d 1016.

No. 04–8215. *MESCUAL-CRUZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 387 F. 3d 1.

No. 04–8223. *NORWOOD v. SMITH, WARDEN*. C. A. 3d Cir. Certiorari denied. Reported below: 115 Fed. Appx. 601.

No. 04–8224. *PACHECO v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 111 Fed. Appx. 163.

No. 04–8226. *KEEPER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied.

No. 04–8227. *KATOA v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 379 F. 3d 1203.

No. 04–8228. *JONES v. UNITED STATES ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 120 Fed. Appx. 785.

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No. 04–8231. *WOODARD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 387 F. 3d 1329.

No. 04–8233. *TRIBBLE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied.

No. 04–8237. *PASTER v. UNITED STATES*. C. A. 3d Cir. Certiorari denied.

No. 04–8244. *CRUZ-CABRERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 443.

No. 04–8245. *CARDOZA-LIRA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 458.

No. 04–8246. *DE LA ROSA-GONZALEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied.

No. 04–8247. *DIAZ-MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 111 Fed. Appx. 320.

No. 04–8250. *PICKRELL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 459.

No. 04–8252. *MORALES-CERA v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 111 Fed. Appx. 325.

No. 04–8271. *RAMIREZ-GOMEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 112 Fed. Appx. 348.

No. 04–8272. *DOSHIER v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 112 Fed. Appx. 716.

No. 04–8273. *MESCUAL-CRUZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Reported below: 387 F. 3d 1.

No. 04–8289. *ANTHONY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 428.

No. 04–8294. *MCMILLIAN v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 124 Fed. Appx. 642.

No. 04–8316. *DUENAS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 110 Fed. Appx. 439.

No. 04–8334. *VILLANUEVA v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.



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No. 04–8348. WORD *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 773.

No. 04–8362. LOPEZ-HERNANDEZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 112 Fed. Appx. 984.

No. 04–8365. RUIZ *v.* UNITED STATES. C. A. 11th Cir. Certiorari denied. Reported below: 381 F. 3d 1237.

No. 04–753. INVERSIONES ERRAZURIZ LIMITADA, FKA INVERSIONES ERRAZURIZ S. A., ET AL. *v.* STATE STREET BANK & TRUST CO. C. A. 2d Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 374 F. 3d 158.

No. 04–770. LOUISIANA *v.* BROWN. Sup. Ct. La. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 879 So. 2d 1276.

No. 04–778. PAN AMERICAN ENERGY, LLC *v.* CANDLEWOOD TIMBER GROUP, LLC, ET AL. Sup. Ct. Del. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 859 A. 2d 989.

No. 04–792. CARTER, WARDEN *v.* CLINKSCALE. C. A. 6th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 375 F. 3d 430.

No. 04–844. NEW MEXICO *v.* JOHNSON. Sup. Ct. N. M. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 136 N. M. 348, 98 P. 3d 998.

No. 04–845. NEW MEXICO *v.* ALVAREZ-LOPEZ. Sup. Ct. N. M. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. Reported below: 136 N. M. 309, 98 P. 3d 699.

No. 04–851. AQUAMAR S. A. *v.* E. I. DU PONT DE NEMOURS & Co. Dist. Ct. App. Fla., 4th Dist. Certiorari denied. JUSTICE O’CONNOR took no part in the consideration or decision of this petition. Reported below: 881 So. 2d 1.

No. 04–954. PIMENTAL *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the con-

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sideration or decision of this petition. Reported below: 380 F. 3d 575.

No. 04-7454. *DUNBAR v. STATE STREET BANK & TRUST CO.* (three judgments). App. Ct. Conn. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition.

No. 04-7507. *LEWIS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. JUSTICE BREYER would grant the petition for writ of certiorari. Reported below: 33 Cal. 4th 214, 91 P. 3d 928.

*Rehearing Denied*

No. 03-10445. *CHAPMAN v. PENNSYLVANIA ET AL.*, *ante*, p. 834;

No. 03-10447. *SONNIER v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, *ante*, p. 834;

No. 03-10509. *IN RE RIVAS*, *ante*, p. 808;

No. 03-10995. *HOWELL v. UNITED STATES*, *ante*, p. 862;

No. 04-447. *CLISSURAS v. CONCORD VILLAGE OWNERS, INC., ET AL.*, *ante*, p. 1021;

No. 04-638. *ZAVALIDROGA v. UNITED STATES*, *ante*, p. 1035;

No. 04-5244. *WAGSTAFF v. PALAKOVICH, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT SMITHFIELD, ET AL.*, *ante*, p. 889;

No. 04-5755. *COLEMAN v. NASSAU COUNTY, NEW YORK*, *ante*, p. 933;

No. 04-5794. *GOLDSTEIN v. HARVARD UNIVERSITY*, *ante*, p. 1035;

No. 04-5866. *SPUCK v. DESUTA, SUPERINTENDENT, STATE REGIONAL CORRECTIONAL FACILITY AT MERCER, ET AL.*, *ante*, p. 945;

No. 04-5951. *NEWMAN v. ROWLEY, SUPERINTENDENT, MISSOURI EASTERN CORRECTIONAL CENTER*, *ante*, p. 947;

No. 04-6008. *STRONG v. ILLINOIS VOCATIONAL REHABILITATION PROGRAM*, *ante*, p. 962;

No. 04-6070. *FISHER v. DRETKE, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION*, *ante*, p. 963;

No. 04-6168. *RODRIGUEZ v. GAILOR ET AL.*, *ante*, p. 980;

No. 04-6208. *SPOTTSVILLE v. TERRY, WARDEN*, *ante*, p. 989;

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- No. 04-6241. MURRAY *v.* PERLOW, *ante*, p. 990;
- No. 04-6246. STRONG *v.* MCCUSKEY, JUDGE, UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF ILLINOIS, *ante*, p. 966;
- No. 04-6253. PHILLIPS *v.* LANSING SCHOOL DISTRICT ET AL., *ante*, p. 990;
- No. 04-6349. ADAMES *v.* MARTINEZ ET AL., *ante*, p. 1015;
- No. 04-6376. MONK *v.* LAFLER, WARDEN, *ante*, p. 1006;
- No. 04-6388. LYLES *v.* SEACOR MARINE, INC., *ante*, p. 1006;
- No. 04-6403. RECIO-VALLEJO *v.* UNITED STATES, *ante*, p. 1058;
- No. 04-6405. STRONG *v.* BAKER, JUDGE, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS, *ante*, p. 969;
- No. 04-6416. BROOKS *v.* UNITED STATES, *ante*, p. 1058;
- No. 04-6579. IN RE BARKCLAY, *ante*, p. 1020;
- No. 04-6697. BLAIR *v.* CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL., *ante*, p. 1027;
- No. 04-6721. IN RE GREEN, *ante*, p. 954;
- No. 04-6727. CAPPAS *v.* BARNHART, COMMISSIONER OF SOCIAL SECURITY, *ante*, p. 1027;
- No. 04-6731. SCOTT *v.* WACKENHUT CORP. ET AL., *ante*, p. 1035;
- No. 04-6775. BENSON *v.* HOME DEPOT U. S. A., INC., *ante*, p. 1036;
- No. 04-6776. MATHIS *v.* UNITED STATES, *ante*, p. 993;
- No. 04-6777. LUCAS *v.* ADAMS, WARDEN, *ante*, p. 1027;
- No. 04-6821. COCKRELL *v.* WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, *ante*, p. 1036;
- No. 04-6869. IN RE SMITH, *ante*, p. 986;
- No. 04-6916. GRAVES *v.* WOODFORD, DIRECTOR, CALIFORNIA DEPARTMENT OF CORRECTIONS, *ante*, p. 1028;
- No. 04-6973. MCQUIDDY *v.* UNITED STATES, *ante*, p. 1013;
- No. 04-7019. VEILLEUX *v.* UNITED STATES, *ante*, p. 1014;
- No. 04-7052. GLASKER *v.* TRANSAMERICA FINANCIAL SERVICES, INC., ET AL., *ante*, p. 1028;
- No. 04-7086. DANIELS *v.* UNITED STATES, *ante*, p. 1029;
- No. 04-7251. PARKER *v.* RENICO, WARDEN, *ante*, p. 1072;
- No. 04-7272. HAMMER *v.* AMAZON.COM, *ante*, p. 1072;
- No. 04-7325. LOPEZ *v.* UNITED STATES, *ante*, p. 1074;
- No. 04-7375. PADGETT *v.* UNITED STATES, *ante*, p. 1075;

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No. 04-7425. THOMPSON *v.* BROWNLEE, ACTING SECRETARY OF THE ARMY, *ante*, p. 1076;

No. 04-7730. BAEZ-LEON *v.* UNITED STATES; GARCIA-RAMIREZ *v.* UNITED STATES; LARIOS-ANDRADE *v.* UNITED STATES; YANEZ-GOVEA *v.* UNITED STATES; RAMIREZ-YANEZ *v.* UNITED STATES; and MARTINEZ-MARTINEZ *v.* UNITED STATES, *ante*, p. 1128; and

No. 04-7786. ELIZALDE-CASARES *v.* UNITED STATES; PEQUE-PEREZ *v.* UNITED STATES; REYES-MANCIAS *v.* UNITED STATES; REYES-PASCUAL *v.* UNITED STATES; SIERRA-MADRIGAL *v.* UNITED STATES; DIAZ-SANCHEZ *v.* UNITED STATES; GARCIA-LOPEZ *v.* UNITED STATES; COBOS-PEREZ *v.* UNITED STATES; GOMEZ-DELGADO *v.* UNITED STATES; HERRERA-BARAJAS *v.* UNITED STATES; JIMENEZ LOPEZ *v.* UNITED STATES; QUIRINO *v.* UNITED STATES; RODRIGUEZ-MEDINA *v.* UNITED STATES; OLALDE-SERNA *v.* UNITED STATES; SANTOS-HERNANDEZ *v.* UNITED STATES; HERNANDEZ RIVERA *v.* UNITED STATES; GOMEZ-VARGAS *v.* UNITED STATES; and ESTRADA-RODRIGUEZ *v.* UNITED STATES, *ante*, p. 1129. Petitions for rehearing denied.

No. 03-658. DEEP *v.* RECORDING INDUSTRY ASSN. OF AMERICA, INC., ET AL., 540 U. S. 1107; and

No. 03-10651. WARD *v.* OFFICE OF PERSONNEL MANAGEMENT, *ante*, p. 842. Motions of petitioners for leave to file petitions for rehearing denied.

FEBRUARY 28, 2005

*Certiorari Granted—Vacated and Remanded*

No. 04-414. ROACH *v.* UNITED STATES. C. A. 7th Cir. Reported below: 372 F. 3d 907; and

No. 04-1004. COLL *v.* UNITED STATES. C. A. 11th Cir. Reported below: 120 Fed. Appx. 785. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *United States v. Booker*, *ante*, p. 220.

No. 04-6302. SMITH *v.* UNITED STATES. C. A. 6th Cir. Reported below: 100 Fed. Appx. 524;

No. 04-7175. SENN *v.* UNITED STATES. C. A. 11th Cir. Reported below: 116 Fed. Appx. 247;

No. 04-7290. JIMENEZ-CID *v.* UNITED STATES. C. A. 5th Cir. Reported below: 104 Fed. Appx. 436;

No. 04-7798. FRANCIS *v.* UNITED STATES. C. A. 8th Cir. Reported below: 367 F. 3d 805;

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No. 04-7844. *SMITH v. UNITED STATES*. C. A. 11th Cir. Reported below: 385 F. 3d 1342;

No. 04-7888. *LEWIS v. UNITED STATES*. C. A. 9th Cir. Reported below: 111 Fed. Appx. 876;

No. 04-7903. *DEASON v. UNITED STATES*. C. A. 5th Cir. Reported below: 124 Fed. Appx. 222;

No. 04-7907. *MOHR v. UNITED STATES*. C. A. 8th Cir. Reported below: 382 F. 3d 857;

No. 04-7917. *ARMSTEAD, AKA WOODSON v. UNITED STATES*. C. A. 3d Cir. Reported below: 117 Fed. Appx. 182;

No. 04-7921. *MANDILE v. UNITED STATES*. C. A. 11th Cir. Reported below: 122 Fed. Appx. 986;

No. 04-7942. *BURNETTE v. UNITED STATES*. C. A. 1st Cir. Reported below: 375 F. 3d 10;

No. 04-7957. *WALKER v. UNITED STATES*. C. A. 11th Cir. Reported below: 125 Fed. Appx. 977;

No. 04-7985. *GUTIERREZ v. UNITED STATES*. C. A. 5th Cir. Reported below: 110 Fed. Appx. 407;

No. 04-7986. *GORE v. UNITED STATES*. C. A. 4th Cir. Reported below: 102 Fed. Appx. 292;

No. 04-7991. *GUZMAN-REYES v. UNITED STATES*. C. A. 5th Cir. Reported below: 113 Fed. Appx. 607;

No. 04-8030. *VILLANUEVA v. UNITED STATES*. C. A. 5th Cir. Reported below: 111 Fed. Appx. 312;

No. 04-8041. *EVANS v. UNITED STATES*. C. A. 1st Cir.;

No. 04-8065. *EDWARDS v. UNITED STATES*. C. A. 5th Cir. Reported below: 107 Fed. Appx. 420;

No. 04-8071. *MENDOZA-MESA v. UNITED STATES*. C. A. 8th Cir. Reported below: 384 F. 3d 951;

No. 04-8073. *JOHNSON v. UNITED STATES*. C. A. 4th Cir. Reported below: 112 Fed. Appx. 266;

No. 04-8074. *MARSHEK v. UNITED STATES*. C. A. 11th Cir. Reported below: 116 Fed. Appx. 248;

No. 04-8075. *LOWE v. UNITED STATES*. C. A. 6th Cir. Reported below: 110 Fed. Appx. 574;

No. 04-8114. *RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Reported below: 112 Fed. Appx. 335;

No. 04-8128. *BOWENS v. UNITED STATES*. C. A. 5th Cir. Reported below: 108 Fed. Appx. 945;

No. 04-8130. *AARON v. UNITED STATES*. C. A. 5th Cir. Reported below: 110 Fed. Appx. 421;

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No. 04–8162. *ROSS v. UNITED STATES*. C. A. 11th Cir. Reported below: 123 Fed. Appx. 386;

No. 04–8173. *HARRIS v. UNITED STATES*. C. A. 4th Cir. Reported below: 110 Fed. Appx. 356;

No. 04–8187. *SOLLEDER v. UNITED STATES*. C. A. 5th Cir. Reported below: 111 Fed. Appx. 738;

No. 04–8189. *HUDSON v. UNITED STATES*. C. A. 4th Cir. Reported below: 97 Fed. Appx. 427;

No. 04–8207. *HOLT v. UNITED STATES*. C. A. 6th Cir. Reported below: 106 Fed. Appx. 976;

No. 04–8216. *SIMPSON v. UNITED STATES*. C. A. 6th Cir. Reported below: 116 Fed. Appx. 736;

No. 04–8217. *SANCHEZ-CARRASCO v. UNITED STATES*. C. A. 5th Cir. Reported below: 115 Fed. Appx. 756;

No. 04–8238. *JACKSON v. UNITED STATES*. C. A. 4th Cir. Reported below: 109 Fed. Appx. 550;

No. 04–8255. *JUAREGUI-VILLAREAL v. UNITED STATES*. C. A. 9th Cir. Reported below: 111 Fed. Appx. 520;

No. 04–8262. *BOWKER v. UNITED STATES*. C. A. 6th Cir. Reported below: 372 F. 3d 365;

No. 04–8274. *SMITH v. UNITED STATES*. C. A. 6th Cir. Reported below: 110 Fed. Appx. 559;

No. 04–8275. *DELAROSA CIVIL, AKA DELAROSA MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Reported below: 112 Fed. Appx. 968;

No. 04–8296. *HOANG VAN NGUYEN v. UNITED STATES*. C. A. 5th Cir. Reported below: 115 Fed. Appx. 239;

No. 04–8298. *LOREDO-TORRES, AKA VEGA PEREZ v. UNITED STATES*. C. A. 5th Cir. Reported below: 110 Fed. Appx. 445;

No. 04–8299. *MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Reported below: 115 Fed. Appx. 285;

No. 04–8301. *BATTEN v. UNITED STATES*. C. A. 5th Cir. Reported below: 112 Fed. Appx. 345;

No. 04–8303. *ARIAS-HERNANDEZ ET AL. v. UNITED STATES*; *AVILES-JAIMES v. UNITED STATES*; *CORTEZ-ESPINOZA v. UNITED STATES*; *GONZALEZ-TREJO v. UNITED STATES*; *MENDEZ-MARROQUIN v. UNITED STATES*; *MACIAS ORTIZ v. UNITED STATES*; and *PEREZ-RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Reported below: 110 Fed. Appx. 427 (sixth judgment) and 460 (fourth judgment); 111 Fed. Appx. 336 (seventh judgment), 337 (third

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judgment), 744 (first judgment), and 745 (fifth judgment); 112 Fed. Appx. 341 (second judgment);

No. 04-8304. *MARTINEZ ALFARO ET AL. v. UNITED STATES* (Reported below: 110 Fed. Appx. 430); *AVILA-FERNANDEZ v. UNITED STATES* (111 Fed. Appx. 328); *CANO-ROBLEDO v. UNITED STATES* (110 Fed. Appx. 429); *CASTOR-LOZANO v. UNITED STATES* (111 Fed. Appx. 317); *CONTRERAS-TERRAZAS v. UNITED STATES* (110 Fed. Appx. 450); *FRAUSTO-GARCIA v. UNITED STATES* (111 Fed. Appx. 319); *GARCIA v. UNITED STATES* (111 Fed. Appx. 318); *HERNANDEZ-DE LA TORRE v. UNITED STATES* (111 Fed. Appx. 316); *JAQUEZ-TENORIO v. UNITED STATES* (111 Fed. Appx. 318); *MARRUFO-GUTIERREZ v. UNITED STATES* (110 Fed. Appx. 432); *MIRANDA MOYA v. UNITED STATES* (110 Fed. Appx. 429); *SANCHEZ-MORALES v. UNITED STATES* (111 Fed. Appx. 316); *NAVARRO-MOLINA v. UNITED STATES* (111 Fed. Appx. 321); *HERRERA NUNEZ v. UNITED STATES* (110 Fed. Appx. 428); *NUNEZ-RETAMA v. UNITED STATES* (110 Fed. Appx. 465); *RAMIREZ-VIRUETE v. UNITED STATES* (111 Fed. Appx. 320); *ROBLES-VERTIZ v. UNITED STATES* (110 Fed. Appx. 428); *RODRIGUEZ-MEDINA v. UNITED STATES* (111 Fed. Appx. 329); and *VILLALOBOS-LOPEZ v. UNITED STATES* (110 Fed. Appx. 464). C. A. 5th Cir.;

No. 04-8305. *GONZALEZ-AMARO ET AL. v. UNITED STATES*; and *RIOS-MARTINEZ v. UNITED STATES*. C. A. 5th Cir. Reported below: 110 Fed. Appx. 464 (first judgment); 111 Fed. Appx. 749 (second judgment);

No. 04-8315. *CANTU-MARICHALAR v. UNITED STATES*. C. A. 5th Cir. Reported below: 111 Fed. Appx. 323;

No. 04-8318. *PAGHENSE v. UNITED STATES*. C. A. 2d Cir. Reported below: 110 Fed. Appx. 168;

No. 04-8328. *HACKWORTH v. UNITED STATES*. C. A. 5th Cir.;

No. 04-8355. *GARCIA v. UNITED STATES*; and *BROOKS v. UNITED STATES*. C. A. 5th Cir. Reported below: 110 Fed. Appx. 434 (first judgment); 111 Fed. Appx. 323 (second judgment);

No. 04-8356. *GRAY v. UNITED STATES*. C. A. 11th Cir. Reported below: 123 Fed. Appx. 387;

No. 04-8359. *DE LA OSSA v. UNITED STATES*. C. A. 11th Cir. Reported below: 124 Fed. Appx. 642;

No. 04-8380. *RAMOS-BIRRUETA v. UNITED STATES*; *CENICEROS-FLORES v. UNITED STATES*; *CHAVEZ-CRUZ v. UNITED STATES* (Reported below: 114 Fed. Appx. 347); *ESPINO-MERCADO v. UNITED STATES*; *GRANADOS-MORENO v. UNITED STATES*;



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HERNANDEZ-HERNANDEZ *v.* UNITED STATES (387 F. 3d 799); LABRA-VALLADARES *v.* UNITED STATES (114 Fed. Appx. 348); MENDEZ-MEJIA *v.* UNITED STATES; OROSCO RIOS *v.* UNITED STATES; TABARES-RIVERA *v.* UNITED STATES (113 Fed. Appx. 763); and VEGA-LEON *v.* UNITED STATES. C. A. 9th Cir.;

No. 04-8389. SAUNDERS *v.* UNITED STATES. C. A. 11th Cir. Reported below: 124 Fed. Appx. 642;

No. 04-8401. ALPERT *v.* UNITED STATES. C. A. 11th Cir. Reported below: 116 Fed. Appx. 248;

No. 04-8431. PEREZ *v.* UNITED STATES. C. A. 11th Cir.; and

No. 04-8442. PIERCE *v.* UNITED STATES. C. A. 11th Cir. Reported below: 112 Fed. Appx. 4. Motions of petitioners for leave to proceed *in forma pauperis* granted. Certiorari granted, judgments vacated, and cases remanded for further consideration in light of *United States v. Booker*, *ante*, p. 220.

No. 04-7804. VANG *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 *Smith v. Massachusetts*, *ante*, p. 462.

#### *Certiorari Dismissed*

No. 04-7869. ARANDA *v.* STEWART ET AL. C. A. 5th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8.

No. 04-8332. OWENS-EL *v.* HOOD, WARDEN. C. A. 10th Cir. Motion of petitioner for leave to proceed *in forma pauperis* denied, and certiorari dismissed. See this Court's Rule 39.8. Reported below: 117 Fed. Appx. 35.

#### *Miscellaneous Orders*

No. 04M50. JOHNSON *v.* CAIN, WARDEN. Motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner denied.

No. 04M51. BRENNAN *v.* MERCEDES BENZ USA ET AL.;

No. 04M52. WILSON *v.* BARTOS, WARDEN, ET AL.;

No. 04M53. MEADOWS *v.* OKLAHOMA ET AL.;

No. 04M54. HENDERSON *v.* YARBOROUGH, WARDEN, ET AL.;

and



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No. 04M55. LEON C. BAKER P. C. *v.* MERRILL LYNCH, PIERCE, FENNER & SMITH, INC. Motions to direct the Clerk to file petitions for writs of certiorari out of time denied.

No. 04M56. HAMRICK *v.* BUSH, PRESIDENT OF THE UNITED STATES, ET AL. Motion for leave to proceed as a seaman denied.

No. 03-9877. CUTTER ET AL. *v.* WILKINSON, OHIO DEPARTMENT OF REHABILITATION AND CORRECTION, ET AL. C. A. 6th Cir. [Certiorari granted, *ante*, p. 924.] Motion of the Acting Solicitor General for divided argument granted.

No. 04-277. NATIONAL CABLE & TELECOMMUNICATIONS ASSN. ET AL. *v.* BRAND X INTERNET SERVICES ET AL.; and

No. 04-281. FEDERAL COMMUNICATIONS COMMISSION ET AL. *v.* BRAND X INTERNET SERVICES ET AL. C. A. 9th Cir. [Certiorari granted, *ante*, p. 1018.] Motion of the Acting Solicitor General for divided argument granted.

No. 04-278. TOWN OF CASTLE ROCK, COLORADO *v.* GONZALES, INDIVIDUALLY AND AS NEXT BEST FRIEND OF HER DECEASED MINOR CHILDREN, GONZALES ET AL. C. A. 10th Cir. [Certiorari granted, *ante*, p. 955.] Motion of the Acting Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument granted.

No. 04-607. LABORATORY CORPORATION OF AMERICA HOLDINGS, DBA LABCORP *v.* METABOLITE LABORATORIES, INC., ET AL. C. A. Fed. Cir. The Acting Solicitor General is invited to file a brief in this case expressing the views of the United States limited to the following question: “Respondent’s patent claims a method for detecting a form of vitamin B deficiency, which focuses upon a correlation in the human body between elevated levels of certain amino acids and deficient levels of vitamin B. The method consists of the following: First, measure the level of the relevant amino acids using any device, whether the device is, or is not, patented; second, notice whether the amino acid level is elevated and, if so, conclude that a vitamin B deficiency exists. Is the patent invalid because one cannot patent ‘laws of nature, natural phenomena, and abstract ideas’? *Diamond v. Diehr*, 450 U. S. 175, 185 (1981).”

No. 04-7036. VENTIMIGLIA *v.* ST. LOUIS COUNTY, MISSOURI, ET AL. C. A. 8th Cir. Motion of petitioner for reconsideration

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of order denying leave to proceed *in forma pauperis* [ante, p. 1048] denied.

No. 04-7799. JALIL *v.* AVDEL CORP. ET AL. C. A. 3d Cir.;

No. 04-7854. TSABBAR *v.* 17 EAST 89TH STREET TENANTS, INC. App. Div., Sup. Ct. N. Y., 1st Jud. Dept.; and

No. 04-8325. HIGH ET UX. *v.* UNITED STATES. C. A. 11th Cir. Motions of petitioners for leave to proceed *in forma pauperis* denied. Petitioners are allowed until March 21, 2005, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

No. 04-8566. IN RE BOWLING. Petition for writ of habeas corpus denied.

*Certiorari Granted*

No. 04-473. GARCETTI ET AL. *v.* CEBALLOS. C. A. 9th Cir. Motion of California State Association of Counties for leave to file a brief as *amicus curiae* granted. Certiorari granted. Reported below: 361 F. 3d 1168.

No. 04-597. UNITHERM FOOD SYSTEMS, INC. *v.* SWIFT-ECKRICH, INC., DBA CONAGRA REFRIGERATED FOODS. C. A. Fed. Cir. Certiorari granted limited to the following question: “Whether, and to what extent, a court of appeals may review the sufficiency of evidence supporting a civil jury verdict where the party requesting review made a motion for judgment as a matter of law under Rule 50(a) of the Federal Rules of Civil Procedure before submission of the case to the jury, but neither renewed that motion under Rule 50(b) after the jury’s verdict, nor moved for a new trial under Rule 59?” Reported below: 375 F. 3d 1341.

No. 04-631. WAGNON, SECRETARY, KANSAS DEPARTMENT OF REVENUE *v.* PRAIRIE BAND POTAWATOMI NATION. C. A. 10th Cir. Certiorari granted. Reported below: 379 F. 3d 979.

No. 04-712. LINCOLN PROPERTY CO. ET AL. *v.* ROCHE ET UX. C. A. 4th Cir. Certiorari granted. Reported below: 373 F. 3d 610.

*Certiorari Denied*

No. 04-450. TSOLAINOS *v.* LOUISIANA. Ct. App. La., 1st Cir. Certiorari denied. Reported below: 864 So. 2d 905.

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No. 04-489. *BROWARD YACHTS, INC. v. SEAGROVE TRADING, INC.* C. A. 11th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 183.

No. 04-536. *CITY OF NEW ORLEANS, LOUISIANA v. MUNICIPAL ADMINISTRATIVE SERVICES, INC.* C. A. 5th Cir. Certiorari denied. Reported below: 376 F. 3d 501.

No. 04-570. *MARTIN v. BOYD GAMING CORP., DBA M/V TREASURE CHEST CASINO, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 374 F. 3d 375.

No. 04-624. *HAMMOND ET AL., IN THEIR OFFICIAL CAPACITY AS COMMISSIONERS OF THE IDAHO STATE TAX COMMISSION v. COEUR D'ALENE TRIBE OF IDAHO ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 384 F. 3d 674.

No. 04-668. *MCBRIDE ET AL. v. ORTIZ.* C. A. 2d Cir. Certiorari denied. Reported below: 380 F. 3d 649.

No. 04-705. *BRYAN v. BELL SOUTH TELECOMMUNICATIONS, INC.* C. A. 4th Cir. Certiorari denied. Reported below: 377 F. 3d 424.

No. 04-718. *WILLIAMS ET AL. v. CONSOLIDATED CITY OF JACKSONVILLE, FLORIDA, ET AL.* C. A. 11th Cir. Certiorari denied. Reported below: 341 F. 3d 1261.

No. 04-819. *SWIFT-ECKRICH, INC., DBA CONAGRA REFRIGERATED FOODS v. UNITHERM FOOD SYSTEMS, INC.* C. A. Fed. Cir. Certiorari denied. Reported below: 375 F. 3d 1341.

No. 04-867. *RODRIGUEZ v. VANDER JAGT ET AL.; and RODRIGUEZ v. HFP, INC., ET AL.* Sup. Ct. Va. Certiorari denied.

No. 04-884. *MILLER v. FIRST STAR BANK N. A.* C. A. 6th Cir. Certiorari denied. Reported below: 111 Fed. Appx. 796.

No. 04-887. *SOETH ET VIR v. GONZALES, ATTORNEY GENERAL.* C. A. 9th Cir. Certiorari denied. Reported below: 100 Fed. Appx. 704.

No. 04-890. *DE LA VEGA-NAVARRO ET AL. v. GONZALES, ATTORNEY GENERAL.* C. A. 9th Cir. Certiorari denied. Reported below: 95 Fed. Appx. 890.

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No. 04–907. *APPOLO FUELS, INC. v. UNITED STATES*. C. A. Fed. Cir. Certiorari denied. Reported below: 381 F. 3d 1338.

No. 04–960. *SPURGEON v. FLEMING, SUPERINTENDENT, MONROE CORRECTIONAL COMPLEX*. C. A. 9th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 691.

No. 04–987. *ZIMMER ET AL. v. FISERV SERVICES, INC., AS SUCCESSOR TO FISERV CORRESPONDENT SERVICES, INC.* C. A. 2d Cir. Certiorari denied. Reported below: 102 Fed. Appx. 190.

No. 04–1003. *DOWTY v. UNITED STATES*. C. A. Armed Forces. Certiorari denied. Reported below: 60 M. J. 163.

No. 04–1007. *MERCER v. UNITED STATES*. Ct. App. D. C. Certiorari denied. Reported below: 864 A. 2d 110.

No. 04–1013. *WALLACE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 389 F. 3d 483.

No. 04–1019. *DHINSA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 04–6030. *ADAMS v. GILLIS, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT COAL TOWNSHIP, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04–6444. *ANDREWS v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04–6524. *OGROD v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 576 Pa. 412, 839 A. 2d 294.

No. 04–6711. *OVIEDO v. MYERS, FKA OVIEDO*. Super. Ct. Gwinnett County, Ga. Certiorari denied.

No. 04–6713. *NUNES v. GONZALES, ATTORNEY GENERAL*. C. A. 9th Cir. Certiorari denied. Reported below: 375 F. 3d 805.

No. 04–7040. *BARAJAS-AVALOS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 359 F. 3d 1204 and 377 F. 3d 1040.

No. 04–7094. *DIXON v. TEXAS*. Ct. App. Tex., 9th Dist. Certiorari denied.

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No. 04-7227. *BROWN v. LUEBBERS*, SUPERINTENDENT, FARMINGTON CORRECTIONAL CENTER. C. A. 8th Cir. Certiorari denied. Reported below: 371 F. 3d 458.

No. 04-7369. *RAMIREZ v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 376 F. 3d 785.

No. 04-7430. *CONNER v. MCBRIDE*, SUPERINTENDENT, MAXIMUM CONTROL FACILITY. C. A. 7th Cir. Certiorari denied. Reported below: 375 F. 3d 643.

No. 04-7441. *LANZILOTTA-DICKS v. THOMAS MORE COLLEGE*. C. A. 6th Cir. Certiorari denied. Reported below: 73 Fed. Appx. 149.

No. 04-7448. *WORKMAN v. SUMMERS*, ATTORNEY GENERAL OF TENNESSEE, ET AL. C. A. 6th Cir. Certiorari denied. Reported below: 111 Fed. Appx. 369.

No. 04-7688. *RICHMOND v. POLK*, WARDEN. C. A. 4th Cir. Certiorari denied. Reported below: 375 F. 3d 309.

No. 04-7757. *WAGATHA v. SATELLITE BEACH POLICE DEPARTMENT*. Sup. Ct. Fla. Certiorari denied. Reported below: 880 So. 2d 1213.

No. 04-7814. *ROBINSON v. DiGUGLIELMO*, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT GRATERFORD, ET AL. C. A. 3d Cir. Certiorari denied.

No. 04-7822. *MARTINEZ v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied.

No. 04-7831. *MARSHALL v. LAW OFFICES OF RICHARD TANZER, INC., ET AL.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 04-7835. *BISHOP v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. Reported below: 882 So. 2d 135.

No. 04-7852. *J. W., A MINOR v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. Reported below: 346 Ill. App. 3d 1, 804 N. E. 2d 1094.

No. 04-7853. *ZIMMERMAN v. ORTIZ*, EXECUTIVE DIRECTOR, COLORADO DEPARTMENT OF CORRECTIONS, ET AL. Ct. App. Colo. Certiorari denied.

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No. 04-7857. *SLOAN v. GRAHAM ET AL.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 10 App. Div. 3d 433, 780 N. Y. S. 2d 739.

No. 04-7858. *SLOAN v. KNAPP ET AL.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. Reported below: 10 App. Div. 3d 434, 780 N. Y. S. 2d 738.

No. 04-7859. *SINQUEFIELD v. MOSELY, WARDEN.* C. A. 11th Cir. Certiorari denied.

No. 04-7862. *MULLEN v. LAVAN, SUPERINTENDENT, STATE CORRECTIONAL INSTITUTION AT DALLAS, ET AL.* C. A. 3d Cir. Certiorari denied.

No. 04-7864. *LEE v. MILLER, SUPERINTENDENT, EASTERN CORRECTIONAL FACILITY.* C. A. 2d Cir. Certiorari denied.

No. 04-7865. *MARTIN v. YARBOROUGH, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 04-7867. *SOKOLSKY v. LOS ANGELES COUNTY, CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 04-7873. *KANG v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 04-7878. *OMUNA v. FISHER ET AL.* C. A. 11th Cir. Certiorari denied.

No. 04-7883. *DUBOSE v. KELLY ET AL.* C. A. 8th Cir. Certiorari denied.

No. 04-7891. *ADI v. PRUDENTIAL PROPERTY & CASUALTY INSURANCE CO. ET AL.* Ct. App. Tex., 14th Dist. Certiorari denied.

No. 04-7897. *PRUITT v. ILLINOIS.* App. Ct. Ill., 1st Dist. Certiorari denied.

No. 04-7900. *CLARK v. GONZALES, ATTORNEY GENERAL.* C. A. 8th Cir. Certiorari denied.

No. 04-7925. *CARTER v. GIURBINO, WARDEN.* C. A. 9th Cir. Certiorari denied. Reported below: 385 F. 3d 1194.

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No. 04-7930. LANCASTER *v.* MISSISSIPPI. Ct. App. Miss. Certiorari denied. Reported below: 878 So. 2d 140.

No. 04-7936. OMUNA *v.* GARCIA, ACTING COMMISSIONER, IMMIGRATION AND NATURALIZATION SERVICE, ET AL. C. A. 11th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 887.

No. 04-7952. LUCZAK *v.* MOTE, WARDEN. App. Ct. Ill., 1st Dist. Certiorari denied.

No. 04-7980. HAMPTON *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 945.

No. 04-8002. VALLE *v.* GEORGIA DEPARTMENT OF CORRECTIONS. Ct. App. Ga. Certiorari denied.

No. 04-8019. CATALANO *v.* NEW JERSEY. Super. Ct. N. J., App. Div. Certiorari denied.

No. 04-8027. STEVENSON *v.* LEWIS, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 384 F. 3d 1069.

No. 04-8057. ADAMS *v.* MISSISSIPPI. Sup. Ct. Miss. Certiorari denied.

No. 04-8132. WATTS *v.* FLORIDA COMMISSION ON HUMAN RELATIONS. Sup. Ct. Fla. Certiorari denied. Reported below: 888 So. 2d 20.

No. 04-8151. WILKINSON *v.* CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied.

No. 04-8180. WOODBERRY *v.* MCKUNE, WARDEN, ET AL. C. A. 10th Cir. Certiorari denied.

No. 04-8229. LIEDTKE *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Reported below: 107 Fed. Appx. 416.

No. 04-8241. MOORE *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Reported below: 104 Fed. Appx. 317.

No. 04-8249. SORRELLS *v.* CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, ET AL. C. A. 11th Cir. Certiorari denied.

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No. 04–8291. *BELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 112 Fed. Appx. 300.

No. 04–8300. *JACKSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied.

No. 04–8313. *ELIZONDO-RODRIGUEZ v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 111 Fed. Appx. 324.

No. 04–8327. *GRIFFIN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 389 F. 3d 1100.

No. 04–8333. *MCLEAN v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 111 Fed. Appx. 183.

No. 04–8336. *TODD v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Reported below: 112 Fed. Appx. 118.

No. 04–8337. *WASHINGTON v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 122 Fed. Appx. 986.

No. 04–8347. *VEGA-COSME ET AL. v. UNITED STATES*. C. A. 1st Cir. Certiorari denied.

No. 04–8351. *RUTHERFORD v. UNITED STATES*. C. A. 11th Cir. Certiorari denied.

No. 04–8354. *HARTLEY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 120 Fed. Appx. 786.

No. 04–8366. *REID v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 482.

No. 04–8375. *VENTRICE v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 99 Fed. Appx. 885.

No. 04–8383. *LEWIS v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 113 Fed. Appx. 336.

No. 04–8387. *CLAY v. UNITED STATES*. C. A. 11th Cir. Certiorari denied. Reported below: 376 F. 3d 1296.

No. 04–8388. *STEWART v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Reported below: 108 Fed. Appx. 228.

No. 04–8393. *ORIAKHI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. Reported below: 113 Fed. Appx. 460.



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No. 04–8398. *TAYLOR v. UNITED STATES*. Ct. App. D. C. Certiorari denied.

No. 04–8400. *WILLIAMS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Reported below: 111 Fed. Appx. 168.

No. 04–8403. *BRITT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 112 Fed. Appx. 352.

No. 04–8421. *GUERRERO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Reported below: 111 Fed. Appx. 294.

No. 04–8427. *ESTRADA-SOTO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Reported below: 113 Fed. Appx. 223.

No. 04–8428. *DADE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied.

No. 04–8434. *BURSE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 109 Fed. Appx. 837.

No. 04–704. *TRAWINSKI v. UNITED TECHNOLOGIES CARRIER CORP. ET AL.* C. A. 11th Cir. Certiorari denied. JUSTICE BREYER took no part in the consideration or decision of this petition. Reported below: 112 Fed. Appx. 3.

*Rehearing Denied*

No. 03–10875. *MENDOZA v. BARNHART, COMMISSIONER OF SOCIAL SECURITY*, *ante*, p. 855;

No. 04–5708. *CEDANO-MEDINA v. UNITED STATES*, *ante*, p. 1035;

No. 04–6345. *JACKSON v. CAMBRA, WARDEN, ET AL.*, *ante*, p. 1005;

No. 04–6557. *PRUITT v. CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS*, *ante*, p. 1023;

No. 04–6708. *BANSAL v. LAMAR UNIVERSITY ET AL.*, *ante*, p. 1027;

No. 04–6818. *RICHBURG v. UNITED STATES*, *ante*, p. 994;

No. 04–7003. *IN RE VOVAK*, *ante*, p. 1048;

No. 04–7127. *PESCI v. GANSHEIMER, WARDEN*, *ante*, p. 1068;

No. 04–7287. *ROHN v. UNITED STATES*, *ante*, p. 1072;

No. 04–7300. *IN RE VOVAK*, *ante*, p. 1049;

No. 04–7318. *CASTRO-BALDERAS, AKA MEDINA-TELFINO, AKA LUNA v. UNITED STATES; ARVIZO-ENRIQUEZ v. UNITED STATES;*

February 28, March 1, 2005

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CHAVEZ-MARTINEZ *v.* UNITED STATES; MORENO-AMAYA, AKA GARCIA, AKA MORENO, AKA GUADALUPE MORENO *v.* UNITED STATES; RODRIGUEZ-LOPEZ *v.* UNITED STATES; and SOTO-VAQUERA, AKA SOTO, AKA VAGUERRA SOTO, AKA SOTO VAGUERRA *v.* UNITED STATES, *ante*, p. 1073;

No. 04-7323. CISNEROS-MUNIZ *v.* UNITED STATES; and NAVARETTE-MORALES, AKA VALERANO-VASQUEZ *v.* UNITED STATES, *ante*, p. 1073;

No. 04-7324. AGUILAR-GARCIA *v.* UNITED STATES; BRACERO-LEMUS *v.* UNITED STATES; CENTENO-SANCHEZ *v.* UNITED STATES; ESPARZA-ROBLES *v.* UNITED STATES; GONZALEZ-VALLEJO *v.* UNITED STATES; MENDIETA-GOMEZ *v.* UNITED STATES; NAVA-ALVAREZ *v.* UNITED STATES; DELGADO-PEREZ *v.* UNITED STATES; TORRES-PESINA *v.* UNITED STATES; RODRIGUEZ-PUENTE *v.* UNITED STATES; SANTOS-SALINAS *v.* UNITED STATES; and CARREON-SUAREZ *v.* UNITED STATES, *ante*, p. 1073;

No. 04-7424. TOWNSEND *v.* UNITED STATES, *ante*, p. 1076;

No. 04-7436. MCKENZIE *v.* UNITED STATES, *ante*, p. 1077;

No. 04-7479. SPRY *v.* UNITED STATES, *ante*, p. 1077; and

No. 04-7535. GREEN *v.* UNITED STATES, *ante*, p. 1079. Petitions for rehearing denied.

No. 03-10956. ECKARDT *v.* CROSBY, SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS, *ante*, p. 860. Motion for leave to file petition for rehearing denied.

MARCH 1, 2005

*Certiorari Denied*

No. 04-8900 (04A746). MOBLEY *v.* NIX, CHAIRMAN, GEORGIA BOARD OF PARDONS AND PAROLES, ET AL. 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.

No. 04-8901 (04A747). MOBLEY *v.* SCHOFIELD, WARDEN (two judgments). 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.